

Captiva Community Panel

MINUTES

April 9, 2019

Attending: David Mintz, Mike Kelly, Mike Boris, Michael Lanigan, Tom Rathbone, Dave Jensen, Jay Brown, Rene Miville, Antje Baumgarten, Mike Mullins

Audience: 15

Meeting convened 9 am, introductions and roll call. Approval of March 12 minutes (Brown/Kelly), unanimous.

CFD: *Chief Jeff Pawul:* Thanks for attending open house, Thanks to South Seas Island Resort for tables & chairs. Good turnout. Going to offer CPR class for residents, need based for residents, if interested call station or send me email. Boaters... be careful on water. A lot of bad accidents lately. Boats not safe if you don't know what you're doing. *Brown:* Anything behind this rash of accidents? *Pawul:* Alcohol, noneducation, rentals, weekend warriors without experience. Nothing environmentally, sandbars change all the time but these are not due to that. Wake from larger boats. If you're stuck on a sandbar, don't leave the motor running when trying to free yourself, wait for tide or call Sea Tow.

CEPD: *Carolyn Weaver:* Coordinate with SCCF for SOP for beach vehicle. Callus if you see something on the beach that needs to be picked up. Upgrading planned at Hagerup Park, meeting with county to move forward. Planning to redesign website in honor of 60th anniversary. On apportionment for next project, board decided to have plan approved by January 2020. They will look at assessments and options, plan approved by January 2020, send out letter with tentative assessment then hold public hearing. Nothing final until work is actually finished, assessment will be based on actual costs. Take costs, subtract what we get from feds, state local etc., then apportion the rest to property owners. Long process, everything is tentative right now. *Mintz:* Real example of how community can function, a lot of concern and input, you took it all in and decided how to proceed. Reflects interests of the community, the process was pretty inspiring.

LCSSO: *Lt. Mike Sawicki:* No comments, open to questions. *Mullins:* CEPD beach vehicle going to parking lot to pick up fronds, stopped by deputy. *Sawicki:* Unregistered vehicle, can't operate on roadway and liability to CEPD and operator of there's a crash. Proceed by direct route to beach. Use registered motor vehicle or golf cart. *Mullins:* Complaints? *Sawicki:* All the time, any time they're on the road. Vehicle doesn't meet definition of golf cart, can't allow much latitude. No exemption for their use in the law. Uniform application of the law. *Miville:* Possible to allow one time only self-protection course for anyone? *Rathbone:* Roosevelt Channel speeding. *Sawicki:* Have had people down there. *Rathbone:* Still speeding through there at full speed. Any better signage on no-wake signs. *Sawicki:* Can do that. *Rathbone:* Not legible, not big enough. *Jensen:* County DNR replaces things quickly, pretty responsive. *Mullins:* Jet Skis in Blind Pass go full speed under the bridge and through channel. *Sawicki:* May not be signage on Gulf side, will take a look. Markers in Blind Pass moving due to changeable channel. *Mullins:* Road speeds, drivers end up in the safety shoulder at first turn. *Sawicki:* DOT design issue. A problem in all the curves, communicate with DOT on that. Rumble strips or knockdowns, ask them what they can use. *Mullins:* Speed limit lower. *Sawicki:* 25 mph there, people obey, just bad drivers. *Miville:* Buck Key and channel, where does low-speed zone begin? *Sawicki:* Described speed zone. Discussion.

Iguanas: *Jensen:* Met with trapper Alfredo Friday, toured properties looking for conditions. Thanks to those who allowed us to come on properties, Nine properties in Village, south of Andy Rosse Lane. Saw three iguanas each on two properties, Alfredo showed me many nesting holes and tail tracks. Felt we potentially have big growth issue. Possible to keep it check, main method will be using a pellet gun to control population. Does use snares and traps, works on bayside by seawall but has to be there to catch can't leave traps. Recommend we go forward with test proposal. *Mintz:* Spoke to county, never confronted it before, never funded it before. Investigating to see if they can do that. In the meantime, we may engage trapper in pilot project, seek reimbursement from county and set up an annual contract. Motion to engage trappers for 10 weeks for \$5,000, collect results and data to go to county to seek control mechanism before we have a serious problem. (Brown). *Mullins:* On specific projects, should we not fund-raise against this? *Rathbone:* Good shape now, will need to fund-raise next year. *Boris:* Letter going out that specifies iguana control as one of the island issues. *Jensen:* Willing to kick in some, ambitious and important projects. *Max Forgey:* MSBU on Gasparilla Island, specific for iguana control. Program works pretty well, some sense of control. *Jensen:* Success depends on owners who allow access. *Mintz:* Continue to collect permissions or help with Gooderham. *Miville:* How to get funding from county? *Gooderham:* Go to county now to get funds in budget for next year. *Mullins:* Get together with Pete Winton to discuss budget options? *Sandy Stilwell:* CEPD patrol to include iguanas? *Mullins:* Have made proposal in past, beyond reach of district. Community can also let us know when they see things. *Boris:* Sawicki needs to know when Alfredo is coming around. *Sawicki:* Know him already. Discussion. *Mullins:* Important to notify LCSO who's on property. Discussion. *Boris:* Sunset Captiva, busy two weeks, iguana showed up by pool, not afraid even being chased by kids. Discussion. ??? South Seas and Rausch allowing access? *Jensen:* Reached out, chose not to allow in common areas, but some owners in resort did give permission. Hit the areas with a lot of nests, get the best results. *Lisa Riordan:* South Seas doesn't own a lot of the property, request HOA board to allow access. Island Management manages a number of properties, will speak to them. *Sawicki:* Sanibel does their eradication on a report basis, list of sightings to guide trapper. Private ownership vs. management groups on Captiva. *Jensen:* Current info is most helpful. *Ann Brady:* Can't have someone out when artists are there, we can work out access otherwise. *Jensen:* Contact Jensen or Gooderham. Discussion. ??? Phone number to call with sightings? *Jensen:* When program is ready to start, will reach out to people who have contacted me and we'll go from there. *Mintz:* Vote? Unanimous. Discussion. *Mintz:* Important to collect data for us. *Jensen:* If you can't beat them, eat them... that's another approach.

Code review: *Mintz:* Draft for discussion at May meeting. First is Depew analysis. Review of analysis, not a lot to go into code, mostly plan. Suggesting to have notification to panel for any permits from DEP. No requirement for public meeting on mangrove permits. *Brown:* By what authority could we require mangrove regulations? *Gooderham:* No authority at county level, would have to find a local partner and request authority from state. *Mullins:* Talk to DEP on what they will or won't do. Discussion of authority. *Lanigan:* What is the problem? What value do we add to that? *Mintz:* Protection of island mangroves is important. Reviewing individual permits is not looking at the bigger picture, systemic loss of mangrove fringe with mitigation being done off-island. *Brown:* Description of process. *Lanigan:* Fix the issue of mitigation, not regulate properties. Do we want to do it, and will DEP allow us to participate? *Baumgarten:* How often does this happen? *Gooderham:* Part of a bigger issue of SLR and bayfront buffers, may need to get community and committee input on that. *Mintz:* Refer to SLR Committee, not cross it off agenda. *Mintz:* Impact on adjacent properties. *Miville:* Background of Depew memo. *Mintz:*

Looked at plan for suggestions when plan review returns. I reviewed to look for things we can deal with in code or elsewhere. Next is impervious surface ratios, increases runoff and drainage issue. *Miville*: Spot on issue. Discussion. *Mintz*: A lot of options. Add to list. Wastewater study, already done. Dredge and fill requests. Is that an issue on Captiva? *Mullins*: Ask surveyors what properties have been filled. *Mullins*: Discussion of instance in past. *Brown*: How does county regulate this now? Fill changes drainage on adjacent properties. Look at jurisdictional issues. *Mintz*: Preservation of evacuation routes. Vulnerability of road essential to island. *Mullins*: Sanibel rep at last CEPD meeting, explained what's being done on Sanibel about vulnerable stretches of Sanibel Captiva Road. *Stilwell*: Also island flooding hot spots. *Mintz*: SLR committee looking at big pictures, is there anything we need to action immediately.? *Mullins*: Discussion of CEPD coverage. Sanibel looking at Santiva, we should send something to reinforce that. *Mintz*: What gets done or that it gets done? *Mullins*: Road belongs to county, send a letter to them urging them to protect road. *Mintz*: Invite DOT to come to panel meeting to discuss how to protect the roadway overall. *Miville*: What is your emergency response in case of disaster? *Mintz*: Ask Randy Cerchie to tell us how they are thinking about protecting the road? *Mullins*: Another presentation on Turner Beach plans yesterday. Drainage from bridge from center, only addressing what goes to Turner Beach side, not bay side. Eroding from runoff, does it have any structural issues with the bridge? Ask DOT what and how this works? Discussion. *Lanigan*: A laundry list of issues for DOT if Randy will come to meeting. *Mintz*: Develop a list of issues for Cerchie to discuss. Do that over next few months, then invite DOT out to discuss.

Comments issues: Andy Rosse beach access... *Wendy Childers*: Explanation of issue. News racks look ugly. Landscape and maintain it. *Miville*: County ROW there, what prevents community from doing something about it? *Lanigan*: RFP to local landscapers? *Mullins*: CEPD can make request to TDC about improvements to beach access and park. *Mintz*: Before the county park area, closer to road. Comprehensive plan, perhaps CEPD could fund it, community to say what it wants to see there. *Childers*: Need a plan that's enduring, easy to maintain, works with Yolo. *Mullins*: Racks at Hagerup park, after complaints they were removed and replaced within weeks. *Mintz*: Wendy and Lee Childers part of committee to work with others concerned about this, work on plan, work with panel and CEPD on how to implement it. Discussion. *Stilwell*: Talking about this for 20 years, you just start looking beyond it but it hits the tourists who are seeing it fresh. TDC grant to create consistent and attractive news boxes. Bike rack. *Mintz*: Stilwell now part of that committee.

Bike path/boardwalk: *Mintz*: Comments on survey, county feels it was burned on that in the past. Objections from community trashed project. *Mullins*: Third rail type issue, very controversial. Safety shoulder a good compromise, a bigger issue than we want to tackle. *Brown*: Boardwalk along beach from Blind Pass to Village. Use to support federal funds for renourishment due to public access. *Miville*: Threaten them with that, might be the way to get easements along roadway. *Brown*: Public land to Erosion Control Line new legal interpretation. *Mullins*: A lot of walkovers that are not supposed to be there. No problem personally, but a third rail on the island. *Lanigan*: No help with feds, you need to have access every half-mile for it to count. *Mullins*: Other ways to get federal funding. Beachside parks if people were agreeable, people stopping to watch sunset already. *Brown*: Not a viable problem. *Baumgarten*: Most dangerous part for biking is in the Village. So narrow, lots of pedestrians in roadway. *Lanigan*: Disagree, inexperienced bikers dangerous. *Sawicki*: Required setback for vegetative encroachment would increase safety immediately. Maintain setback would be a quick fix, more than widening roadway. *Mintz*: No current requirements? *Sawicki*: Cannot find it. Distance from the paved

surface and height overall. Anything intruding in roadway will force people to walk around it. *Mullins*: Encroachment into ROW, usually not noticed. *Mintz*: Hard to get DOT and code enforcement to act. *Mintz*: Look for setback regulations on roadway or right of way. If it doesn't exist, find some model ordinance somewhere to give us a basis to suggest changes. *Miville*: Because what you wish for in regulation. *Miville*: Need a rule to get enforcement, don't know if there is one at this point. *Mullins*: Utilities ROW as well.

Burying lines: *Mintz*: Hold off, in conjunction with sewer discussion? *Brown*: Not a project now, as wastewater unfolds it will have an impact. *Mullins*: Disagree, first half mile poles close to road, tying one long-time project with another. *Brown*: Let wastewater move forward, may affect feasibility. *Mullins*: Construction, not feasibility.

Trolleys: *Mintz*: Not sure there's anything to do right now. Not in position to take this on. *Mullins*: New tax law impact on state and local taxes. Donations to nonprofit to get things done is tax deductible vs. paying into tax system. Discussion. *Boris*: Taxing district share the load.

Hurricane communications: Later.

Other issues: Affordable housing: *Mintz*: South Seas units not being used, employees don't want to stay out here, not a crying need for affordable housing. Hagerup Park: facilities already under way. *Mullins*: Parks and Rec on that. *Mintz*: Blind Pass sign and toll... not feasible. *Boris*: Remind people that parking is full, would that have impact? *Brown*: A Sanibel issue. Image: Dealing with that. Rabbits, problem went away and now they're back. Issues we deleted at the beginning. Quick review. *Mullins*: Fishing line issue. Problem on Blind Pass bridge, Sanibel portion has trash cans and line containers, other side doesn't have those facilities. ask DOT for trash facilities and line. *Mintz*: Motion to prohibit fishing on bridge, look into shoreline platform. *Mullins*: Until that is done, can we do something? Sanibel making money from parks, can they do something?

Break, discuss Nom Committee and other committee reports. Draft code language next month.

Nominating Committee: *Mintz*: Ran through members' terms and appointment status, Bob Walter panel appointment termed out. *Miville*: Harmonious group, working well together. *Mintz*: Recommendation, asked Bob Walter to be panel rep on committee, if possible to get a South Seas person on panel. Would consider it, very generous. *Mullins*: Limit on terms? *Mintz*: Six years total. Consecutive years, go off for one then come back on. Asked John Dale, and Kate Federsoff to serve on committee. *Miville*: Where do they live? *Mintz*: Village, only dealing with Walter seat. Panel support for appointments

Wastewater: *Brown*: Retained David Tomasko for consulting study on groundwater conditions. Assess the environmental impact and health impact of reliance on conventional septic systems relative to all other sources of impact and pathogens. Understand the impact with a science-based estimate. Tomasko plans to do 30 soil samples across island. Described process Travis Richardson will use to determine high water mark for that parcel. current level and historic levels. Help to understand level of filtration of current wastewater systems. Recruited approximately 40 properties, only need 30. *Mullins*: Water table seasonal, is it consistent across island? *Brown*: Not certain, Tomasko will be able to tell us. Visits second week of May probably. All data will be confidential, not reported on individual property basis. *Mullins*: Will data be presented to owner? *Brown*: Will address in a minute. Richardson may find an issue with

individual septic systems, not the point of this endeavor. *Boris*: How will he pick areas for bores? *Brown*: He will take samples near current systems. *Mullins*: Two feet separation is needed for filtration, purpose is not to turn in people. *Brown*: Not enough separation is not a violation, just sign of compromise of system. Assessing the viability of systems overall on island. Complete confidential. *Mullins*: Let owner know and stop there. *Brown*: Have Travis call them directly. *Mullins*: If they want to stay ignorant, don't volunteer for study. *Brown*: Do we want him to communicate issues to property owner, or ignore and make no notations? *Mullins*: Develop form for owners to be contacted. *Brown*: That's 20 hours more work for me. *Boris*: Overly concerned with confidentiality, we're not planning to make it public anyway. *Mullins*: If they volunteered and don't want to be informed, remove your property. *Brown*: I can send an email, creates an issue for a bunch of people. *Mintz*: Travis not septic specialist, a soil sample guy. Can tell us where high water was, that's all we're asking of him. Highly unlikely he'll find evidence of malfunction when he does this. Other professionals go on properties all the time, if there is an obvious septic malfunction they will notice. Let's not put Travis in position to deal with this. Creating an issue that we don't need to create. Inspections should be done by certified inspectors. discussion of what is reported. *Mintz*: Two separate issues... malfunctioning system vs. distance of separation. Decide one, then the other. *Boris*: What about saturated ground water, see if sample is clean? *Brown*: If he finds contamination, it's supposed to be there. *Brown*: Current location of water table and historic high water mark only. *Mintz*: Report obvious malfunctions? *Mullins*: Not qualified. *Mintz*: Give owner high water level on his property. Stick to what the ambit of the study was, keep on nonspecific and by area of island, so we have data on overall function. Guessing we will find separation of less than 2 feet in many areas. *Brady*: Anonymous and people you know, should not get unique information because you were willing to allow access to property. Imbalanced study, anonymity is important to study. *Mullins*: Will Travis keep data by property to validate study later? *Mintz*: Nondisclosure agreement in contract. Will have specific data, but needs to be kept confidential. safest and more transparent approach. *Brown*: He will learn things of value to individual property owners, should those owners be allowed to be informed about his findings? *Mullins*: I think owners should know that. *Kelly*: Not qualified. *Mullins*: Degree of separation only, not functionality. I withdraw my properties if that information is not provided to property owners. Tired of spending time and money on small issues mostly Village focused. *Mintz*: Produce fair and scientific analysis of high water table on island today. Tomasko can project changes into the future based on scientific estimates. Purpose of study is overall impact on island, not to assist individual property owners. If owners want to reach out to Travis after the fact to get specific findings, we can arrange for that. *Brown*: Can ask him to preserve that data to communicate to owners if they request it. *Mintz*: Not reporting malfunctions systems, not reporting individual properties to Tomasko. *Brown*: Will he make record of malfunctions? *Mintz*: Motion to ignore that, only keep water table data. Then committee can decide whether to allow individual owners to ask Travis for information. (Boris/Lanigan), unanimous. *Brown*: Have a few more people to contact, permissions will go to Travis, will let me know when so I can inform participants.

Development: *Boris*: Monday After The Masters six days from now, hope all are there. Description of process. Follow up with Baumgarten for volunteers, update for panel members on foursomes. Solicitation letter ready to go out, focuses on major projects.

Communications: *Mullins*: Getting calls on concerns about pickle ball court, concerns about noise.

Walkway: *Mintz*: Engineering and design piece remains, county will build and maintain. Estimate from

Johnson Engineering for \$43,000, dropped to \$37,000. Raised about \$6,300 from businesses who will benefit from project. Go forward with Johnson.

Taxation: *Mullins:* A lot of data that we're paying more than we get back. Kevin Ruane will introduce us to Pete Winton to discuss finances. May need a lawyer or accountant to help make the case with county. MSTU spending, where does it go? Discussion. Tax law change, deductible level for state and local taxes, will donation be a better tax outcome for them.

Hurricane: *Lanigan:* Met with Sawicki and Pawul on hurricane communications. Pre-season, residents are well served by Sanibel, Captiva Fire District. Not sure what demand there is for pre-season communications. More necessary when storm is announced and post-storm, real need there. County information is very broad, Sanibel a better source for Captiva-specific info. Went over timeline from evacuation announcement on. Post storm, people have to secure their homes cannot rely on them for communications efforts. There is a need for pre- and post-storm Captiva specific information, will take time to put together plan and scope and who can do it. *Sawicki:* Spoke with Sanibel contacts on partnering with CCP or CEPD on information. Emergency Operations Center PIO is main source for information. Sanibel and CFD have different mechanisms in place as independent entities. More geographically specific information post storm. *Lanigan:* CEPD may be better option as governmental entity. *Jensen:* Every time we have storm, boils down to two points: LCEC updates on power status, cleanup time from county, when pickups will happen. *Lanigan:* Good points, waste removal a big issue, Sanibel had a better contract with hauler as seen in Irma response. Discussion. Captiva not a strategic location unless it is directly impacted. *Sawicki:* Response depends on size and scope of storm. Irma damage was heaviest in Interstate 75 corridor and up the state. Sanibel has its own Public Works dept. as well. Put response teams and fuel trucks on retainer to get better service from vendors. *Mintz:* Hurricane coordinating committee for Captiva? Collect information and get it on website. *Sawicki:* Did that through EOC with PIO permissions. LCEC and county partnerships look at Sanibel hurricane partners meetings. Structure already exists, why replicate it here? *Lanigan:* Following up with that. more likely with CEPD as governmental entity. *Mullins:* CEPD better opportunity and potential. Further you get from serious storm, the less anyone cares about prep for disasters. Send a standard letter on prep points every year. *Lanigan:* Will have update next meeting, notes from meeting and next steps.

SLR: *Mintz:* Very active so far, working with Sanibel on mapping assets. Meeting this afternoon to continue development of committee. County flood map boards in CEPD office.

Mining: Explanation of issue, panel not interested in participating right now.

Financial: *Rathbone:* Given all projects, look at expenses. Letter, CFI grant, fall cruise. Through rest of year, \$113,000 in project expenditures, \$138,000 on hand after fund-raising, leaves \$34,000 at end of year plus roadway budget. \$40,000 at year end enough to cover annual base expenses. OK for this year, need to raise more for next year. Can pay for committed projects, can support basic operations next year. New projects mean new money.

Adjourned at 12:10 p.m. *Brown:* Bob Walsh worried about regulations on landscaping, explained bad information, talked about leaf blowers, wanted him to talk to us about that. *Mintz:* Fertilizer regulations also affect him. *Mullins:* Contractors deal with a lot of these issues. Invite them to come to educate them on issues that could impact them. Look at getting them to contractors once rules are in place.