

Captiva Community Panel

MINUTES

Feb. 12, 2019

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

Audience: 20

Meeting convened 9 a.m. After introductions, the Jan. 8, 2019 minutes (Brown/Mullins) were unanimously approved.

CFD: *Chief Jeff Pawul:* March 8-10, MDA boot drive at Andy Rosse and Captiva Drive. Not for fire department, for Muscular Dystrophy Association. Open house at station last weekend in March or first in April. Will send flyer once it's set. *Mintz:* Thanks for removing crab traps, still some on the beach visible. *Pawul:* Help yourself to some in Shirley's lot. *Mintz:* Need to find ways to remove them.

LCSSO: *Lt. Mike Sawicki:* Spoke to FWC about traps, still had tags on them from owners so they could contact them, expired traps, All out of crabbing business due to red tide. Abandoned nuisance equipment; untold thousands out there on the bottom. Bad weather brings them on shore. Encourage people on the water to consider updating security systems, new ones have great video can monitor channel crimes with video. Good chance to catch people who commit crimes. Discussion of costs. Very effective to monitor and catch criminals. *Miville:* Amazon Cloud wireless and easy to set up. CloudCam. Discussion. *Jimi Batchelor:* Nonemergency number? *Sawicki:* 477-1000, gets person on duty at that time. *Rathbone:* No regard for speed limit in Roosevelt Channel. *Sawicki:* If you have a particular boats or time of day, let us know.

CEPD: *Carolyn Weaver:* Don't forget to vote March 5. Yard signs available. Town hall meeting, April 9 at Civic Center. Board, economist, engineers, attorney. Tentative apportionment has not been approved, we hear you. Awaiting delivery of 4x4 cart to get things off the beach. Will create SOPs, have sent to SCCF for input. Upgrading restrooms at Hagerup, parking and purchasing a trailer, to be permanent, two unisex and one ADA restroom. ???: Roll them away during hurricane season? *Weaver:* Great question, will ask.

Library: Not present.

Legal and planning scope: *Mintz:* Background, asked Ralf Brooks to submit resume retainer agreement. Annual retainer of \$10,000 in monthly installments. Spoke with Ralf, can't think of legal services panel needs at this point. Maybe as we develop other projects, specific need for your work. A lot of other demands on our budget. If need you can pay on hourly basis as necessary. Happy to start whenever we need him. *Miville:* Ralf could be a new face to interact with legal dept. Show county we have someone who's articulate and can make strong points. well prepared with a better brief. Good to have him on hand to start a relationship. Ask him what he would do right now to lay the foundation with county. *Mullins:* A lot of pro bono work for us over the years, give him a shot to see what develops. *Boris:* Would attend all meetings if we retain him? *Miville:* Identify budgets and places to save money. *Mullins:* What is status of intervention on minimum flow levels for Caloosahatchee? *Mintz:* Proposed order before the judge, our

side and from district, judge has yet to issue an opinion. *Brown*: Why retainer rather than as needed? *Mintz*: Hourly rate a lot more. Good proposal if you have something for him to do. As to county, would not bring attorney to staff meeting, it changes the tenor of meeting immediately. *Rathbone*: Very generous offer. *Miville*: Met new county attorney, Ralf is better. *Boris*: Good relationship now, OK with waiting. Discussion. *Brown*: If on retainer, more involved with panel actions? Knows a lot of things, bring a good perspective to panel meetings. *Jensen*: Look back at minutes to see if we could have used him being at the table. *Kelly*: A lot of stuff going on, this needs to be part of our budget going forward. *Mintz*: Table to next month? Agreed. Continuing to pay Max Forgey \$500 month to attend, OK?

- **ACTION:** *Table to March agenda.*

MSTU: *Gooderham*: Asked to review Municipal Services Taxing/Benefit Unit process as a possible way to fund panel operations. Explained how millage works, that taxing units are for ongoing projects/costs while benefit units are for one-time investment/expenditures. Based on 2018 assessed value of Captiva, one mil would generate a little over \$1.4 million in revenue. Gave examples of millage for CEPF and fire district. Forming district is a process:

- Define unit boundaries (Captiva)
- Define unit purpose – draft scopes
- Launch discussion with county officials/staff
- Circulate draft petition to get sense of community support
- Present petition and scope/budgets to MSTU administrator to draft formal petition and potential millage
- Launch petition drive (six-month window) to seek 50% +1 approval
- If successful, unit is formed by county commission at public hearing

Gooderham: A lot of work, if you decide to form MSTU look at all the things you might want to undertake on the island to put them together into one unit – for example, basic funding for panel, iguana control, even mangrove permit regulation to generate funds to partner with maybe Sanibel or some other entity to oversee mangrove permitting and take authority back from state. Unit is run by a board as spelled out in county code, that could be the panel. *Lanigan*: If so, would that require that the panel be elected? *Gooderham*: Not certain panel could serve as board based on county administrative code. *Mintz*: Funding for specific projects or panel in general? *Mullins*: MSTU a lot of work, put effort elsewhere. *Miville*: Panel has been a trickle-up process, MSTU could erode that. Ask Ralf to look at reality of getting county money for panel efforts. Great opportunity for a professional to find out our rights.

Mullins: Damon Grant found way to get a mid-year adjustment to get more money for CEPD, look again at Tourist Development Council. *Rathbone*: The way we are funding the panel now, a few people in community write checks to support what we do. Should not be fund-raising, need to look at broader support. Pick one which is more realistic to pursue. *Miville*: Control your destiny, he who pays the piper calls the tune. *Mullins*: Could make a good argument on TDC impact, look at CEPD economist. *Mintz*: Pursue a little more for specificity, issues of political and legal impact on governance of panel, with MSTU. Elections, Sunshine, bureaucratic, general functions. Talk to Ralf if necessary. Getting funding from TDC, how to best pursue money. *Brown*: Put Ralf on retainer to figure this out for us. *Mintz*: Asking lawyer to do a consultant's job, lawyers litigate consultants research. *Brown*: No special ability to get

money from county? *Mintz*: Could be worth discussing with him. *Brown*: Majority of expenditures tied to environment and preservation. *Mullins*: County adds on funding to administer unit, need to see how much they would add on. *Mintz*: Institutionalize the panel financially, find the best way to do it. Put together options, talk to Ralf, look at what we could do. *Miville*: Need to have a lawyer to pursue this with county. Talk to Ralf. They will cite precedent as a reason not to act.

- **ACTION**: *Look at impact of MSTU on panel operations and interaction, look at options to pursue TDC money.*

Iguana control: *Jensen*: Background on issue, invited two experts to speak, Chris Harlow and Alfred Ferman. They have contracts with communities in our area, will briefly tell us why they have been hired. Chris works with Sanibel, Alfredo with Marco Island. *Harlow*: Getting out of control, never get rid of them but you can control them. *Mintz*: What is impact of out of control? *Harlow*: Go out once a week, have to be out there regularly. Patrol island, follow reports of sightings. Daytime animal, so I set traps during the day to capture them. *Lisa Riordan*: What do you do? *Harlow*: Snare pole to catch them, do trap as well. *Ferman*: Marco more open, 200 houses I deal with, use traps and snare poles. *Riordan*: How many a day? *Harlow*: 30-60 a day on Sanibel, Captiva will be less since it's more tropical, more trees. *Mullins*: Traps? *Harlow*: Food, hard this time of year as they are fasting more. *Mintz*: What would island look like if they were out of control? *Harlow*: More prevalent, more aggressive. How many breeding pairs you have? Discussion of breeding patterns, female lays 60-80 eggs per year. *Lanigan*: What would proposal to trap them look like? *Harlow*: Marco had \$5,000 budget trial run, to see how it works out, Sanibel is \$25,000 annually. *Harlow*: Have to kill them at the nest, they are exotics. Discussion. Predators? *Ferman*: Not here, that's why they do well. Raccoons do dig up eggs, but can't keep up with population. Hawks and snakes also go after eggs. *Mintz*: Prudent to begin prevention program. *Harlow*: Like pest control, you need it. *Mullins*: Mosquito control, attempts to sterilize males. Can you do that with iguanas? *Harlow*: Don't know how you would do it. *Mintz*: If we did a trial, during which you could ascertain how many iguanas there are around? *Ferman*: Yes, always track how many we pick up? *Mintz*: How long? *Ferman*: 2.5 months for \$5,000, more than 70 iguanas picked up. *Mintz*: Ask Jensen to get proposal for panel on a trial on Captiva? *Jensen*: Will work with Larry Hahn, will get with Chris. *Cindy Brown*: How many calls from Captiva and who do they call? *Jensen*: Just people calling me right now. *Cindy Brown*: How do they get here? *Ferman*: Pets that people let go, also landscapers hauling trees and branches from island to island can bring them. Walking or swimming from Sanibel. ??? County has no plan to deal with iguanas, up to individual areas. ???: Pythons, no control on them anymore. Discussion of threats. Up to us to do something about this problem. ???: Surprised to find out we had a 4-foot iguana, found it a few weeks ago. *John Riegert*: Are they territorial, will they kill other species? *Harlow*: Boca Grande had spiny tail iguana, which is more aggressive. Captiva has more docile species. *Lanigan*: Include South Seas? *Jensen*: Chris will determine, depends on access.

- **ACTION**: *Jensen will work on a proposal for services to bring back to the panel.*

Break

Captiva code: *Mintz*: Introduction, sea air and water protections. First drafts from prior meetings for march meeting. Discussion. *Mintz*: Regulate existing septic. 378 systems on Captiva, most conventional. Do not have to be inspected, not regulated once they are permitted. Performance based system, higher level of treatment and regular inspections. 73 systems not permitted or documented. Don't know how or if

they operate. A lot of interest in how we deal with septic systems from our new governor. State rules passed a few years ago, immediately repealed, similar to what we are proposing here. Bill reintroduced and pending before Legislature. Panel tried to pursue this in the past, county would not support as it is controlled by Dept. of Health. At recent meetings, county has shown signs of support. Explanation of handout. *Mullins*: Will send letter praising governor on stance, but we have to be vigilant on following through on his efforts. How do we track what state is doing vs. what we propose? *Mintz*: Took state language for our proposal. *Boris*: What is an acceptable system to trigger repair or replacement? *Mintz*: State does define, have to be functioning. look at second paragraph. *Jensen*: All systems go to groundwater. How do they test for that? *Boris*: How will we resolve issues when we find them? *Mintz*: Certified inspectors, not the county. Pump out tank, do inspection, give owner report. No danger to the environment even if it does not meet current code. Need to get clarity on that. *Brown*: Needs to be better defined. Tank has to contain material, not allow it to overflow. Drainfield has to be connected and working. *Mintz*: Protocol for inspecting existing septic systems, described in assessment language.

Brown: Shouldn't we require replacement if it's not working? *Baumgarten*: Risk to public health? *Boris*: Need to define risk and operational levels. *Mintz*: Tried to pick up state language approved in the past. *Brown*: Highly subjective. *Baumgarten*: What is definition of hazard? *Mintz*: Fecal matter on the ground into surrounding waters, citing reasons for replacement or repair. *Hal Miller*: If they meet state criteria, can island have higher hurdle than the state? *Mintz*: DEP has allowed higher standards for communities. State could pre-empt, but usually sets minimums that allow communities to do more. *Mullins*: What percentage on package plants? *Brown*: 60% including South Seas. *Mullins*: Regulations to check plants to ensure they are operating? *Mintz*: Plants are highly regulated and inspected. *Mullins*: I was required to have higher system inspected due to change of ownership. Bought another house with performance system, did not know it need to be inspected. Crews Environmental checks list of systems regularly, I suspect, and they contacted me. Discussion. *Brown*: Explanation of inspection regimen for performance systems. *Mullins*: Some value in requiring inspection on change of title or ownership? *Brown*: No brainer to do this, we will know more about systems in six months then today, wait until then to finalize language. *Mintz*: *Brown* will explain issues that could impact our conditions later in the meeting, but we might not be able to get approval for anything more than what we have here. Always open to revisiting language. *Brown*: Need for public agreement to this? Need a wider discussion to pursue community input? *Jensen*: At least let them know. *Miville*: Put it out to let community know our plans. *Mintz*: High on survey for support of regulations. *???*: Wonderful, you re doing this, good first step. Can't imagine community not supporting this. *Miller*: Agreed, not just should and state may do it anyway. Would love to see us lead the charge. Do we know the change in the average water table in 1950 compared to now? 2 feet of separation from groundwater? *Miville*: Comment made at TKW meeting, I have aeration system, costs were much lower than TKW said. *Brown*: I paid \$36,000 twice. *Miville*: Was a few years back. Discussion. *Mintz*: Motion (*Brown*/*Mullins*) to develop language as proposed.

- **ACTION:** *Draft language as proposed in handout.*

Fertilizer: *Mintz*: Also very high on the survey. Current regulations for fertilizer outlined with possible changes. Language explained. Discussion. Sanibel has stricter rules on fertilizer. Either stay with county language or move to align with Sanibel, not create a third regimen. *Brown*: Adopt Sanibel's standards. Similar situation, have experience with this, no need to re-invent the wheel. Landscapers know it already. *Mullins*: Agree, bigger question is enforcement. Discussion of neighbor's drainage and runoff from Blind

Pass bridge. How do we deal with issue of enforcement? *Jensen*: Forget it, not going to happen. But if I'm concerned about pollution, I will act to do what's right. An education issue, let the owners and landscapers know and let them do the right thing. *Mintz*: They also pay the fine. Sanibel you go to jail. *Baumgarten*: Regulations for landscaping companies? If not used to Sanibel, will they know the rules? *Mintz*: Very few landscapers work on the island, we know who they are and how to reach them. *Brown*: How many properties maintained by landscapers, vs themselves. *Riegert*: Nitrogen is a limited element, but phosphorus is naturally high here. No reason to use phosphorus here, nitrogen we need to add. Also herbicides do harm. Landscaper still spray them to avoid pulling weeds. *Mintz*: Hold off on that discussion for now. *???*: Application language from Martin County makes sense. Also need education. *Mintz*: Try to add that to regulations? *Lanigan*: All self-enforced anyway, rules are great but too many won't ensure compliance. *Baumgarten*: If we mirror Sanibel, it will be easy to work with landscapers. *Mullins*: Lawns an issue if you have one, fertilizer and water use. Education could be able to encourage enforcement as other things that could contribute to pollution problem. Motion (*Jensen/Boris*) to mirror Sanibel language and add Martin language for storms.

- **ACTION**: *Draft language to mirror Sanibel, add in application language from Martin County.*

Poison: *Mintz*: Background. No county regulations beyond state law. SCCF recommend traps instead poison. *Miville*: With poison, rats can get into walls and die or can work up the food chain to affect predators. No poison is good, poison is bad approach. *Rathbone*: Also affected owls and ospreys. *Mintz*: If we ban poison, would have to educate people and ask SCCF to educate as well. Don't know if we have an explosion of rats? *Brown*: A lot of experience with rats. If we want to change this, need to hear from Truly Nolen or others to educate us on pros and cons of ban. *???*: What does one do with a trapped rat? *Miville*: Poison is simple, trapped animals have to be euthanized. *Max Forgey*: Will have someone at next meeting who can address rat killing. *Mullins*: Outlaw other traps that can catch other animals? Having an expert will be helpful in moving forward. Discussion. *Mintz*: Roundup regulation? Asked about it from landscaper. Ask him before next meeting. *Miville*: Discussion of lubbers? *Mintz*: Table until we bring an expert in, either Truly Nolen and Carter Elbar.

- **ACTION**: *Table to March meeting.*

Dog feces: *Mintz*: Met with Sawicki. High on list, but not seeing it as a problem. Currently illegal and actionable. *Sawicki*: Nothing could make it more restrictive, just have to be present to observe abandonment. *Mintz*: Any need to act? Consensus is no.

Overcrowded house beyond septic capacity: *Mintz*: Found no regulations anywhere. Put on hold pending on septic regulations we develop, work with agents on overcrowding. *Baumgarten*: Not limit to rental houses, any rules should apply to everyone. *Mintz*: Regulations will address this. *Mullins*: Overcrowding, people have contracts on how many can be in house, what rights do owner have? *Sawicki*: If deemed overcrowded, we have to decide to turn everyone out of rental property, viewed as transient occupants housing, we can't pick and choose. Discussion. *Sawicki*: Enforcement is all or nothing deal, we can't pick and choose who can be there, who has ability to invite guest to home they have lawful control over at that time. Requires will power on homeowners' part to ensure rules are being followed. *Lanigan*: No limit if people are behaving themselves. *Sawicki*: Not by statutes except commercial occupancy limits. *Lanigan*: Village issues, can't find laws to regulate this, tied parking and fire, now trying septic limits. How does too many people show on septic systems? *Mintz*: They overload system, has to be pumped out

regularly due to too much material being forced into systems. *Lanigan*: Public nuisance? Health issue? *Mintz*: Aroma during pumpout, effluent outflow. Discussion. *Lanigan*: Tangible and enforceable issues, having a hard time to find something or somewhere to get there. *Mintz*: Don't know answer to that. *Jensen*: We have occupancy limits and people on site to deal with any problems. *Mullins*: Possible to do that on other rentals? *Jensen*: Hard to do on homes. ????: As agent, we do limit number of people who can house people. We still do something if we are told, but we're not on site. Renters usually know it, our terms make it clear we will evict you. Melissa Jackson with VIP. *Lanigan*: Always falls on rental agents. Tangible and enforceable suggestions.

Gas-powered leaf blowers: *Mintz*: Communities banning them due to noise, dust, pathogens, etc. Some HOAs have limited use to certain days. Gas worse with electric but you have to plug them in. New ones with batteries, pathogens still an issue with any of them. COTI has put out survey asking whether they should be banned, other communities have acted as well. Do we want to do anything? *Brown*: Most done by maintenance cos? If you limit, would create havoc. *Mintz*: DO you want to limit them? Also harmful to users due to decibel levels. *Lanigan*: Real issue is noise, mostly impacts maintenance people. *Mullins*: Impact on creatures? *Riegert*: Blowing away foliage that is used by other species for food and nest. hits birds on trees. *Mintz*: Cited language on impact. If move away from blowers, clearing property will cost more and take long. Batteries will cost more. *Kelly*: How much more do they cost? ????: Not much more than gas, easy to work with and prices keep coming down. *Audience*: Issue is noise. *Boris*: Let Sanibel take the lead on this issue, see what they learn. *Mintz*: Get more complaints on this than anything else. Ask landscapers to tell us honestly if we can replace gas blower with rake sand electric blowers. *Brown*: Ask Bob Walsh to consider options. ????: If not, regulate when they are used. *Mullins*: Address through noise ordinance? *Mintz*: Exception for landscapers now in code, would have to address that. *Mullins*: Difference between gas and electric in terms of decibel levels? Discussion.

Trucks idling: *Mintz*: are some limits around the country. *Sawicki* says not an issue for community. *Sawicki*: Trucks have to make deliveries, unbearable burden on businesses to limit them. Secondary consideration to address traffic problems. *Mullins*: Issue was traffic blockage, not noise. *Sawicki*: Address Island Store issues as they happen. Discussion.

Golf carts: *Mintz*: Can we transition to electric, Gas are noisy but better for tourists. *Batchelor*: Original intent was to rent electric carts. Quickly found out that they don't work for tourists. People want them for their entire stay on island. Transition sounds like a great idea, but too many obstacles to do that. Safety issues as well, no noise can be dangerous. Don't know what can be done about this. Where do you put charging stations? Condo association could object to stations under units. Can't have cords running all over the place. Cost and electric capacity to charge that many carts. Who would be responsible for ensuring there enough charging station? Lot of dead carts when people forget to charge. Describes how golf carts on courses are run, still have problems with charges. *Boris*: People have electric carts with no complaints. *Batchelor*: Not a commercial operation, where will they plug in or have enough plugs to accommodate everyone? *Jensen*: Used to rent electric carts, got away from them due to problems. New technology to quiet gas carts? *Brown*: Been told that is coming. *Boris*: Does Sanibel allow rental golf carts. *Doug Babcock*: Why not include chargers with carts? Discussion. *Mullins*: Concentrate parking of carts in one area, provide chargers there. *Riordan*: As Bayside owner, never been asked if we wanted to put a charging station out there. Why not let associations look into it? Who pays for the electricity? *Mullins*: With boats, you pay an annual fee to get electric. Discussion. *Mintz*: Do we want to begin the

transition to electric to make this island more eco-friendly? *Batchelor*: Is issue noise? *Mintz*: Pollute more than automobiles. *Batchelor*: If issue is noise, could solve. If ecological issues also, not necessarily a solution. *Mintz*: Could be gas eco solutions out there.

Batchelor: Don't know that carts pollute more than car. Villages are individual owned carts, big enough for car and cart with plug included. Residential vs. commercial application, attracts people to the island. People want carts for the island lifestyle, important part of rental guest experience. Let's see what technology comes down the road, but not seeing a solution right now. Discussion. *Batchelor*: Only a certain number of rentals on the island, maxing out on demand. *Babcock*: Expand where carts can go, will expand demand. *Mullins*: Street legal vs. regular. *Batchelor*: Street legal used to be only electric, state has changed that. Has to have headlights, windshield, wipers, tail lights, seat belts, usually comes from dealers, min and max speed limits 27 mph? Reg carts 10-14 mph? *Mullins*: How come we can't use carts at south end of island. *Sawicki*: Has to be street legal to drive outside zone. Area set up in ordinance for cart use. State law bans carts, local government can establish zones to allow use. *Mintz*: Tourists using gas carts, residents use electric, carts have become part of the island lifestyle. Need to massage this issue more, talk about options. If we can have a quieter island five years from now, it's worth pursuing. *Brown*: Rentals through owners? *Jackson*: Owners don't want to be responsible, but charging stations could be established. *Brown*: All you need is a plug, so where do you plug it in. Only an issue in South Seas? *Boris*: Educating the renter part of the challenge? Discussion. *Mullins*: Whatever we decide, we need to phase it in over a realistic timeframe. *Baumgarten*: Community service, have an emergency charging station in Village. *Mintz*: Maybe create a committee. Commercial and owners to provide input.

Mintz: Expand golf cart zone? Recommend to DOT to extend it to Tween Waters or anywhere else. Pro is people could use carts further. Negative side is more driving at night, going slow. *Lanigan*: Slowest zone on island already. Support expanding it to a resort zone, Tween Waters to South Seas. *Babcock*: All for it, love to see it extended, parking, part of island, easier to park on Andy Rosse Lane. *Sawicki*: Requires alteration in ordinance. Amend to include that area of Captiva Drive. *Brown*: Street legal carts? *Jimi*: Very expensive, more insurance. Tried and eliminated them. *Kelly*: Speed limits an issue along that stretch, could be dangerous if carts included in the mix. Safety issue, Lee DOT will not be supportive if dangerous. *Jensen*: Had a worker upset with the expansion due to slower speed. *Mintz*: Cars will go faster in that stretch. *Babcock*: Solve that problem. *Sawicki*: We do a lot of traffic stops out here. 25 mph is slow speed for that roadway if they don't know there are pedestrian walkways out there. People go far below the speed limit in the Village due to constrained streets, nature and character of roadway. No clear sightlines. Slow also on TW stretch, people watching beach, issue with conflicting speeds. Manageable to do it, but adds traffic to roadway, slower moving, will increase passing in that area. Get new people here every week, they leave just as we get them trained, rules need to make sense and work with roadways and habits. Realistic view of problems, decide what is manageable. Discussion. *Batchelor*: Love to go to Crows Nest, personally. Professionally, terribly against it. We tell cart renters they cannot go beyond Green Flash, keep them away from corners. Add carts to bikes and walkers on the side of the road is dangerous. Good for Tween Waters or for people who live on that stretch... buy a street legal cart and you can go anywhere on the islands. Already have enough problems with carts at night. *Mintz*: Table it for now.

Break

Wastewater: *Brown:* Sent out update and Tomasko proposal. Jan. 23 TKW public meeting, most of you attended. Well received, about 100 people there, good questions. IN handout I laid out all the major projects I see ahead for wastewater discussion. TKW study does not provide enough analysis of benefits and concerns of remaining on current systems vs. options. Not enough detail on cost benefit analysis to warrant major investment. Identify water quality scientists to clarify possible benefits to community. David Tomasko recommended by SCCF and James Evans, With ESA headquartered in California with office in Tampa. Extensive background, done projects like this in the past. Proposal is for almost \$50,000 – outline what exists now, review data, examine 60 existing permits to validate data, have soil engineer determine distance between drainfield and water table for 30 systems. Permit requires two-foot separation from drainfield and high water groundwater level, a lot of data to back up that requirement. Dry earth separation allows oxygen and bacteria to break down nutrients to eliminate pollution. Discussion of saturated vs. unsaturated barrier. *Brown:* Give us estimate of amount of nutrients and pathogens our systems are putting into the ground water and surface water, how much from stormwater and package plants and FGUA plant. Helps us get a sense of how much we're contributing to nutrient overload. Also evaluate water quality of stormwater samples from Village going into Pine Island Sound for pathogens human based and otherwise.

Boris: McCarthys Marina outfall will be most concentrated pollution on the island, not necessarily anywhere else. *Brown:* If you find pathogens there, can expect them elsewhere. *Boris:* Issue is the center of the Village, will confirm that but see if there is an issue anywhere on the island? Solution for downtown Captiva only? Discussion. *Mintz:* Also looking at vertical separation throughout the island, if we don't meet that we will have future problems. *Brown:* present day pathogens and nutrients assessment. Then look at SLR options and project impact on groundwater increases and encroach on vertical separation. *Boris:* Samples in rainy season? *Mintz:* Soil study can tell high and low by saturation level. *Boris:* Village may be the only area with a major issue. *Mintz:* That today, but vertical separation can change with SLR, he can extrapolate changes over time with various scenarios. *Brown:* Present day, 20 years out and 30 years. Three-month project, written report and public presentation. *Boris:* Raises awareness around the island. *Brown:* A lot more information to make a decision, is central sewer needed. Community can make a cost-benefit judgment. Do we need to act now, or do we have time to act? *Riegert:* Testing for enterococci only? *Brown:* Two test for genetic markers. I think we should do it, it's a lot of money. Provide community guidance on long-term wastewater strategy, important contribution for panel to make. *Mullins:* Defined moral imperative as reason to switch to central sewer, barrier islands not a place for septics. Originally looking at \$20,000 for study, more things developed as we discussed with Tomasko. We should phase it, look at worst possible place on island and look at conditions there. SCCF said we had better water quality than Sanibel. We have a lot of things to do, look at cost benefit on how to spend limited financial resources. Look at specific sample to drive the direction we need to go on this issue. Big expense, a better way to do it. *Jensen:* Sea level rise study will be important on other decisions, we need to look at that.

Mintz: Most expensive component is pathogen testing. Talked to Bob Himschoot, strongly urged not to do arbitrary sampling, look at stratification of the island in sampling for water tables. Look for cheaper way to do pathogen tests. Closer lab or cheaper way to address it. Also would go back to county to get them to help fund this. Have funds in the bank to do this, *Rathbone:* Could SCCF test for pathogens? *Riegert,* Can't do that level of testing. *Baumgarten:* Ask SCCF for their opinion of this proposal. Other data or other approaches to pursue? *Mullins:* If not finding fecal matter 10 years ago, why would we

expect pathogens to be present now? Reduce scope by doing it piecemeal. *Brown*: Not reducing cost by doing smaller samples, still same effort to provide outcome. Discussion. *Mintz*: Soil samples can't be done piecemeal, pathogen testing is most expensive component. *Mullins*: Still do it piecemeal with targeted samples. *Mintz*: Soil sample is to determine separation, pathogen is to test for pollution. Discussion. *Mintz*: N phased approach that doesn't undermine study in terms of soil samples. Can also pursue cheaper way to do analysis. Two questions: Support as proposed with attempt to reduce costs and ask county to assist, or adjust study to remove pathogen component. Both Tomasko and Himschoot support a full soil sample analysis. *Lanigan*: If evidence doesn't support problem, do we default to sea level rise as the justification to act? If data doesn't support problem, default to moral imperative. Discussion of prevalence of sewer support. Discussion. *Brown*: My bet is this study will say you don't have problem now, but could have one in 20-30 years. Even then, the preponderance of systems will still be functional. Some people will still support sewer because it's the right thing to do, others will say if we make this investment we should be solving a problem. Not our decision to make, but the community's decision to make. Panel could even make two recommendations if we can't agree and let the community decide. Discussion.

Baumgarten: Is data objective and what does it tell us? Data depends on who is interpreting it. Hope this is done by an outsider with no bias built in, we get data to make our own conclusions. *Mullins*: Easy to have moral imperative if you're not concerned with economics. I get it is important. Use money to find out how we can lessen the cost to the individual to move to central sewer. Weka on financial side of this effort. One study will justify another study. Do this in a more cost-effective way to allow us to pursue ways to lessen the cost of the overall project. *Brown*: Need this data to get the money and make the case that we have a problem. *Baumgarten*: Moral decision still needs to be supported with data. *Babcock*: Makes more sense to poll the community. If moral imperative is there, data won't matter. *Boris*: Attempt to get more information to allow community to make a decision. Motion to move forward as proposed with pursuit of lower costs and county funding, or look at funding options. (Boris/Brown)... Motion to go forward on this study as proposed, look to lower costs but proceed nonetheless. *Rathbone*: Support at TKW meeting, why not proceed with straw poll? *Mintz*: People felt it was a good meeting, but not confident straw poll will give the answer we want. Some people are viscerally for or against, our job is to give them more information to decide. *Kelly*: Need to prove there's a reason to move forward, since there are no obvious signs of systems failure. Our only chance to get sewers is to partner with Sanibel, if we delay we may lose that option. *Mintz*: Tomasko said this study could prove no immediate need or there is imminent problem that demands actions. That's the information he's going to give us. *Kelly*: We have no idea where we are now. *Mullins*: Jessica Pinsky with the Florida Economic Council invited to march meeting, can show economic damages being done with water quality issues. Will be coming to talk to panel in March, look into where we can get grants. Do poll of island and get more information on financial options. *Boris*: Not an either/or. *Mintz*: This proposal, financial info, poll. Engage Tomasko as presented while looking to reduce costs of pathogen testing and ask county to help with funding, proceed regardless. *Lanigan*: Village only for pathogens? *Mintz*: Yes, but soil sample will be islandwide. 9-1 (Rathbone no). *Brown*: Thanks for engaging in discussion.

- **ACTION:** *Move forward with Tomasko project, look at ways to lower costs.*

Development: No

Communications: No

Taxation: *Mullins:* Shared News-Press article in county unincorporated tax rate rising, broke down how they spent money. One reason county reserves are running low due to funds spent on Estero infrastructure needs prior to incorporation, which took away that unincorporated MSTU revenue stream. Need to get them to recognize Captiva is tired of being a donor community.

Captiva Brand: *Baumgarten:* Looking at a “Live like an islander” brand for Captiva. Meet at various restaurants monthly to meet with visitors and islanders, unofficial get-togethers. Want to talk to South Seas marketing people and island Chamber, understand brand and marketing in place, look to make video. *Boris:* CFI grant deadline is end of March, rush to file for this year. *Mullins:* Would water quality project fit into grant request? *Kelly:* Last grant offering will be this year, foundation will cease grant program after that. *Mintz:* If we had categories we could put something together, we have so many things going on. *Kelly:* Have not determined what we're funding this year. *Riordan:* Information on grants will go to all the island nonprofits, will inform everyone at the same time, short time turnaround. Options are water quality, video, hurricane committee.

Captiva Drive: *Mintz:* Recap of project to date, county has agreed to build path. Still need design of pathway, got response from Johnson Engineering for \$43,000, solicited Morris-Depew Associates but got no response. Will pursue county funding, but not certain it is available. *Boris:* Months or years? *Mintz:* Months, probably. Discussion. *Mintz:* Design and engineering for pedestrian path. Go forward with engineering, try to work with county. Try to bring number down if possible. *Mullins:* Ask businesses to benefit from this to make donations. *Mintz:* Long list of countywide bike/ped projects, we've been trying to get funding from many other pots first. *Mullins:* Donations from businesses vs. residents. *Boris:* In-kind benefit from South Seas. Discussion. *Mintz:* Propose moving forward, try to find alternatives for funding. *Mullins:* Panel viewed as Village-centric, spending a lot of studies to benefit the Village. Discussion of needs and benefits. *Mintz:* Approve, ask them to reduce price, go to county for funding. *Jensen:* Wait to see how funding for both projects play out. *Mintz:* Local businesses will benefit, ask them to put some money into the effort. *Rathbone:* Go to county for funds and we will vote on it next month. *Mintz:* Will make calls between now and next meeting. Poll panel if we know we can get funding. *Mullins:* Need a motion. *Boris:* Ask for it, go ahead regardless of outcome. *Mullins:* Spending too much. *Mintz:* On agenda for next month, make calls, if funding is there will figure out way to get a vote.

- **ACTION:** *Look at county funding option, put on agenda for March.*

Sea level rise committee: *Mintz:* About to form, look at resilience needs of island. To date, 11 volunteers have offered to serve on it, asked Kate Gooderham to staff it. Have to work out costs. Hoping to meet week of Feb. 25, looking for dates. Another panel expenditure. *Mullins:* Look at resiliency grants. *Mintz:* A lot of funding options out there. *Mintz:* Approve to engage Kate, to get a proposal from her to come back to panel.

Public comment: None.

The meeting adjourned at 1:50 p.m.