

**Boca Grande Community Planning Panel
&
The Charlotte County Boca Grande Planning Advisory Committee**

MINUTES

**Meeting Date: Jan. 12, 2009
Boca Bay Powerhouse**

The meeting was called to order. Present were Linda Aley, Jim Cooper, Lyman Randall, Ted Hoopes, Dr. Richard Morrison, Lynne Seibert and planning consultant Tom Smith.

The minutes of the May 13, 2008 were reviewed and approved.

Dr. Richard Morrison gave the Treasurer's report

CHARLOTTE COUNTY BOCA GRANDE PLANNING ADVISORY COMMITTEE

By-laws of the Charlotte County Boca Grande Planning Advisory Committee were approved. The Advisory Committee, which was appointed by the Charlotte County Commission May 27, 2008, is comprised of the Panel membership. The Advisory Committee is responsible for the implementation of the Charlotte County Boca Grande Community Plan.

PANEL VACANCIES AND PROCEDURES FOR APPOINTMENTS

Lynne Seibert announced three vacancies on the Panel. These positions were formerly held by Alastair Campbell, William Heisel, and Dave McHugh.

Mr. Campbell who served the Panel with distinction. He passed away December 12, 2008. His judgment, his humor, and his gift for words will be missed by us all. A moment of silence was observed in his memory.

Mr. Heisel has resigned following heart surgery. His many invaluable contributions to the Panel and to the community were noted. His resignation was effective 12/31/08

Mr. McHugh's resignation was announced last spring and was accepted at that time with regret. His resignation was made final as of September 30, 2008.

Chairman Seibert provided a background review of the panel's make up. It was originally decided that that the majority of the panel should be Lee County residents, because two-thirds of the island was in Lee County, the majority of residents of the island lived in Lee County, and Lee County was providing much of the funding. The original ratio was 7 Lee County Residents to 2 Charlotte Residents. There was a representative from real estate, Mark Spurgeon, construction and the Chamber, Dave McHugh, and the Inn, Andy Nagle as well as local residents. The panel agreed to change this ratio to 5 Lee and 4 Charlotte last year so that the panel could also serve as the Boca Grande Community Advisory Committee in accordance with Charlotte County's Community Planning procedures. In June of last year, Charlotte County accepted the Panel with this ratio as the Advisory Committee for the implementation of the Charlotte portion of our community plan.

The panel's current make up is 2 Lee County members and 4 Charlotte members. With three vacancies. A discussion proceeded as to whether the three new panel members should be Lee County residents to keep the previously agreed upon ratio. The panel concluded that the ratio was not important at this time and that filling out the panel to nine members may not be necessary because of the anticipated reduction in workload of the Panel. Lyman Randall suggested the issue should be revisited after the future workload was discussed.

GILCHRIST AVENUE PARKING ISSUE.

The policy of the Lee County Boca Grande Community Plan dealing with improvements to the Gilchrist Street median is not achievable at this time due to lack of County funding.

This does not preclude a group of private citizens from pursuing other funding mechanisms.

Therefore, the following motion was passed: "The Panel's position is to support some landscape improvements with some limitation of parking consistent with the public input on the subject at town meetings sponsored by the Panel in the spring of 2007. No further action will be taken by the Panel unless public funding is available.

UPDATE ON THE PROPOSED REVISIONS TO WELL FIELD PROTECTION PROVISIONS IN THE CHARLOTTE COUNTY ZONING CODE

Before Planning Consultant Tom Smith began his presentation, Bill Caldwell, Vice President of the Board of GIWA, presented GIWA's position on the matter of involvement of the Panel and its Consultant with Charlotte County zoning staff in an effort to strengthen the Code as it pertains to Boca Grande's water supply. He reported that GIWA is now confident in their working relationship with the County and stated that zoning code enforcement is, in their experience, satisfactory at this time. Mr. Caldwell said the Board of GIWA takes the position that the Panel's Consultant's involvement with the County on their behalf is not needed.

Chairman Seibert explained that protection of Boca Grande's water source was included as a policy in both the Lee County and the Charlotte County Community Plans when they were written five years ago because of the critical importance of water quality and quantity to our community. This was also the recommendation of Tom Smith, who was then the Zoning Director of Charlotte County and was assigned to assist the panel in writing the Charlotte plan. The intent of these policies was to recognize Charlotte County's responsibility to protect the water supply through effective zoning regulations and their enforcement, and to support the work of the Gasparilla Island Water Association. Policy 4.1.1 in the Charlotte Plan called for the County, the GIWA and the Boca Grande Community to work together to ensure the protection of the water source, including possible strengthening of the Wellhead Protection Ordinance. During the Implementation Phase of the Community Plan, Boca Grande Planning Advisory Committee has the opportunity to propose new ordinances or amendments to the zoning codes in order to implement the policies in the Plan. It was thought that this could be used by GIWA to its benefit in getting an improved Wellhead Protection Ordinance adopted.

Panel consultant Tom Smith, added that he had been working in a coordinated effort with Bonnie Pringle of GIWA since last year on revisions to improve the ordinance because the County was in the process of rewriting its codes and because of shortcomings revealed after the Colonial Concrete batch plant problem in 2007. After that incident, Smith worked with Bonnie Pringle of GIWA staff and Charlotte County zoning staff to improve procedures and protection of the water

supply. One result of these efforts is a zoning overlay which informs county staff of well field protection requirements for developers filing permits for projects within 1500' of the wellhead protection area.

The following motion carried unanimously: The Panel recognizes the authority of GIWA for well field protection; the GIWA has primary responsibility for the enforcement of Well Head Protection Ordinances. From this date forward, the Panel will assist GIWA in fulfilling this responsibility when asked.

WORKLOAD DISCUSSION

The panel discussed the reduction in workload considering the apparent resolution of the two major implementation issues. It was concluded that the panel could not disband right away because of county requirements. Charlotte County's Advisory Committees are appointed for three years. The issue of returning grant money to donors also needed to be resolved. Chairman Seibert felt certain Lee County implementation issues need resolution such as developing standards for marine facility site locations (boat ramps), possible regulations for fast food and formula restaurant and better regulation for rental and tour operations.

The panel concluded that due to the economic slow down, there appears to be no urgent or immediate need to address these issues. Through the Document Clearing House, the community will be informed of any potential areas of concern. The few policies that may require amendments to the Lee County Land Development Code to implement may not need to be addressed for the foreseeable future.

Tom Smith suggested that a letter be sent to both counties advising them of their status. He noted that since both counties are experiencing budget difficulties, they will probably welcome the news. Smith suggested the panel add one member to round out to seven members to avoid a tie situation.

Mr. Sandy Melvin had been put forward for Panel membership by the Chamber of Commerce. The panel discussed the fact that he was not a resident of the island, but had been for many years and has operated business on the island for many years. The panel concluded residency was not an issue. A motion was made and he was unanimously accepted as the seventh Panel member.

A meeting was scheduled for Thursday, April 16, 2009.