

**MINUTES OF THE MEETING OF THE CONSERVATION
COLLIER LAND ACQUISITION ADVISORY COMMITTEE**

Naples, Florida, December 10, 2007

LET IT BE REMEMBERED, that the Conservation Collier Land Acquisition Advisory Committee, in and for the County of Collier, having conducted business herein, met on this date at 9:00 A.M. in REGULAR SESSION at Administrative Building "F", 3rd Floor, Collier County Government Complex Naples, Florida with the following members present:

CHAIRMAN: Bill Poteet
VICE CHAIRMAN: Will Kriz
Marco Espinar
Wayne Jenkins
Kevin Kacer
Michael Delate(excused)
Tony Pires
Stan Weiner
Mimi Wolok

ALSO PRESENT: Christal Segura, Conservation Collier Land Manager
Jennifer Belpedio, Assistant County Attorney
Cindy Erb, Sr. Property Acquisition Specialist
Alexandra Sulecki, Conservation Collier Coordinator
Melissa Hennig, Environmental Specialist

I. Roll Call

The meeting was called to order at 9:00 AM by Chairman Poteet. Roll Call was taken, and a quorum established.

II. Approval of Agenda

Mr. Espinar moved to approve the agenda. Second by Mr. Kriz. Carried unanimously 8 -0.

III. Approval of November 16, 2007 Minutes

Mr. Kriz moved to approve the minutes of the November 16, 2007 meeting. Second Mr. Pires. Carried unanimously 8-0.

IV. Old Business

A. Real Estate Services Update- A-list properties

- **Fleischmann North** – Alex Sulecki stated that the survey should be completed shortly and will be meeting with Parks and Recreation on the Management Plan
- **Mcllvane Marsh** – Cindy Erb stated that 6 parcels have been acquired totaling 259.59 acres.
- **Winchester Head** - Cindy Erb stated that Berman Trust is closing on Monday, December 16; 14 agreements previously approved will be presented to the Board of County Commissioners December 11, 2007
- **Starnes** – Cindy Erb stated 50 percent of the mineral rights waivers have been received with 4 more incoming that will satisfy the 50 percent waiver requirement.

B. Contracts

1. **Cindy Erb** stated that Contracts have been received for the McGinn, Natsch, Torrico/Toro and Hitt parcels.

Mr. Espinar moved to forward the Contracts for approval. Second by Mr. Kacer. Carried unanimously 8-0.

C. Retaining RJS LLC (Mcllvane Marsh) and Hamilton on AAL

Alex Sulecki stated the offers for these parcels were previously rejected and the owners have since reconsidered and wished to re-activate the parcels for consideration. The Hamilton parcel was previously voted on.

Mr. Kriz moved to retain these parcels on AAL. Second by Ms. Wolok. Carried 7-0. Mr. Pires abstained.

V. New Business

A. Conflict of Interest review for Cycle 5 properties

Alex Sulecki noted the following conflicts of interest have been received:

Mr. Pires – RJS, LLC; Su parcel; Kaye Homes; Trinh 1- Mcllvane Marsh

Mr. Espinar previously worked for Stirns with a determination no conflict of interest existed.

Ms. Wolok - no conflict of interest with the Devisse parcel.

Mr. Pires represented Mr. Hamilton in the past on Code Enforcement issues.

B. Updates, Final Questions, Discussion and Public Comment

Alex Sulecki gave the following updates:

- **I -75 properties** – Dr. Gore did not provide a list of all his properties, but has indicated his interest in selling his entire holding.
It was suggested voting on the remaining 16 parcels conditioned on Dr. Gore’s parcels being incorporated to the proposal at a later date.
- **Pepper Ranch and Camp Keais Strand** - attended conference and learned the State of Florida is targeting 33 percent of the State for Conservation Land. It is currently at 27 percent. These two parcels are ranked as a high priority for conservation. It is not recommended to pursue multi parcel projects where the use of condemnation is not available.
- **Rivers Road** – Trash will be removed by owners.
- **Devisse property** – The staff report noted a density is 3 units; it is actually 3 units per acre; the Committee will be kept up to date on the Delasol Neighborhood/proposed 1 acre Delasol Park issue.
- **Dyches parcel** – 23 emails of support have been received; 2 oppositions. Mr. & Mrs. Carnes are in support of the parcel.
- **Pepper Ranch** – 4 letters of support have been received from organizations; 33 letters of support from individuals, as well as 3 late from Paul Van Bulkenberg, Robert and Phyllis Grant and Dorothy Hirsch which were read into the record.
- **Su property** – The proposed well sites were provided to the Committee.
- **Michael Delate** who could not be present provided a position statement on the various properties.

Mr. Pires questioned if any permits were required or filed for the Restoration plan proposed on Pepper Ranch.

Alex Sulecki checked the system for permits and there were none filed for the Restoration plan as well as no Development Orders for the property.

Chairman Poteet asked how much money is available to the program.

Alex Sulecki stated there is \$50-55M projected for the remainder of the program excluding 15 percent removed for maintenance. Approximately \$43M (gross) is available for bonding.

Speakers

Michael Seef spoke in support for the acquisition of Pepper Ranch noting he has been a resident of Naples for 10 years and questioned if it could be co-

partnered with South Florida Water Management District. Also, could this be added to a referendum to the voters?

Susan Calkins spoke in support of the acquisition of Pepper Ranch as it will aid in increasing open space, protect water quality and provides the opportunity to enhance eco-tourism in the region.

Jennifer Hecker of the Conservancy of Southwest Florida recommended the following properties for A-1 ranking:

- Pepper Ranch
- McIlvane Marsh
- Camp Keais Strand
- Hamilton parcel
- I-75 without the Faust parcel
- Red Maple Swamp
- Su parcel
- Rivers Road

She recommended the following properties for B ranking:

- Bailey parcel
- Blake parcel
- Purpero parcel

She recommended the Committee not pursue the Dyches parcel as it contains a home and pool and is infested with exotics and is a historical property, not an environmentally significant property setting core precedent for future property nominations.

Elizabeth Perdichizzi of the Marco Island Historical Society spoke in support of acquisition of the Dyches parcel noting the 33 emails in support of the parcel and it is adjacent to Otter Mound Preserve and would provide an area for a visitor's center.

Bill Perdichizzi of the Marco Island Historical Society spoke in support of acquiring the Dyches property. He noted that it is the previous home site of Tommie Barfield who was a founder of Collier County and this parcel is the "Mount Vernon" of Collier County.

Kathy Bogan, Marco Island Resident spoke in opposition to acquiring the Dyches property. She has lived in the neighborhood for 21 years and most neighbors are opposed to the acquisition as the character of the area will be affected by the traffic and parking associated with a proposed visitor's center. Further, the Tommie Barfield home no longer exists on site. The site contains 1979 constructed home, not a "Mount Vernon."

Tom Taylor of Pepper Ranch noted it was not an easy decision to submit the property for consideration and is available for any questions.

Kathy O' Reilly- Doyle, United States Fish and Wildlife Service spoke in support of acquiring Pepper Ranch. She noted on the restoration or maintenance issue that in the past the Staff of Collier County has done an outstanding job of obtaining outside funds for assistance on these types of projects.

Ellen Goetz a resident of Collier County and previous Conservation Collier Committee member spoke in support of acquiring Pepper Ranch. The acquisition program has had success, however this type parcel was what was originally envisioned for the program. Any issues that may arise can be worked out as the property proceeds through the process.

C. Cycle 5 Ranking

Alex Sulecki provided a list of properties in alphabetical order numbered 1-36 to the Committee. She requested all voting be indicated by a raising of the hand.

Mr. Espinar left the meeting briefly

Unit 53

Mr. Kriz moved to group the 6 parcels of Unit 53, Berman, Celsnak, Devisse, Romak, Stiffler and Trinh-2 together for consideration. Second by Mr. Kacer. Carried 7-0.

Mr. Espinar returned to the meeting

Mr. Kriz moved to place these parcels on the A list. Second by Ms. Wolok. Carried unanimously 8-0.

River Road

Mr. Kriz moved to group the 5 Rivers road parcels of Cangialosi, Cosentino, Maloney, Stirns and Van Cleave together for consideration. Second by Mr. Jenkins.

Mr. Pires requested removing the Cosentino c,d parcels from the grouping.

Mr. Kriz amended the motion to group 4 Rivers Road parcels of Cangialosi, Maloney, Stirns and Van Cleave for consideration. Second by Mr. Jenkins. Carried unanimously 8-0.

Mr. Espinar moved to place the 4 Rivers Road parcels of Cangialosi, Maloney, Stirns and Van Cleave on the A-list. Second by Mr. Pires. Carried 7-1. Chairman Poteet opposed.

I-75 properties

Mr. Kriz moved to group the 13 I-75 parcels of ALM- LLC, Argay, Arias, Ayra, Blake, Faust, Fernandez, Gascon, Gore 1, Gore 2, Mayr, Mohabir, Velez together for consideration. Second by Ms. Wolok.

Mr. Wiener stated the Gore properties are in a different category and would like them separated.

Motion carried 7-1. Mr. Weiner opposed.

Mr. Espinar moved to place the 13 I-75 properties on the B-list until such time as the Gore properties come in when they can look at the area geographically at once. Second by Mr. Kriz.

Ms. Wolok did not feel it was necessary to wait for the Gore properties before placing it on the A-list and the remaining properties are environmentally important.

Mr. Espinar noted the reasoning for holding off until the Gore property comes forth was not environmental, but a fiscal consideration based on the programs timing.

Mr. Jenkins agreed it is a budget issue and is against scattered multi-parcel purchases.

Motion failed 5- no 3-yes Chairman Poteet, Mr. Pires, Mr. Weiner, Mr. Kacer and Ms. Wolok voted "no."

Mr. Pires moved to place the 13 I-75 parcels on the A-list. Second by Ms. Wolok.

Motion failed 4-4. Mr. Espinar, Mr. Kriz, Mr. Jenkins and Mr. Weiner voted "no."

Mr. Espinar moved to place the 13 I-75 parcels on the B-list. Second by Mr. Jenkins.

Motion failed 4-4. Chairman Poteet, Mr. Pires, Ms. Wolok and Mr. Kacer voted "no."

Ms. Wolok moved to consider all the parcels separately. Second by Mr. Poteet.

Motion failed 4-3. Mr. Espinar, Mr. Pires, Mr. Kacer and Mr. Weiner voted "no." Mr. Kriz did not vote.

Mr. Pires moved to consider the grouping the following 11 I-75 parcels for consideration: ALM-LCC, Argay, Arias, Ayra, Blake, Faust, Fernandez, Gascon, Mayr, Mohbair, and Velez. Second by Mr. Wiener.

Carried 7-1. Mr. Espinar opposed.

*Mr. Wiener moved to place the properties on the A-list. Second by Mr. Pires.
Carried 5-3. Mr. Espinar, Mr. Jenkins and Mr. Kriz opposed.*

Bailey Trust

Mr. Espinar moved to place the Bailey Trust Parcel on the C list. Second by Mr. Kriz.

Carried 7-1. Mr. Kacer opposed.

Berman Trust – NGGE Unit 53

It was noted that the Ordinance requires the parcels to be voted on in alphabetical order, so the Berman Trust, first in order for Unit 53 was re-voted on *for the record*.

Mr. Jenkins moved to place the Unit 53 parcels previously grouped on the A list. Second by Mr. Weiner. Carried unanimously 8-0.

Camp Keais Strand parcels

Mr. Kriz moved to place Camp Keais Strand parcels on the C-list. Second by Mr. Espinar.

Motion carried 5-3. Chairman Poteet, Mr. Kacer and Ms. Wolok opposed.

Cangialosi (River Road)

The Committee recognized that these parcels were previously voted on.

Consentino c,d parcels

Ms. Wolok moved to place the Consentino parcels c,d on the C-list. Without a second the motion was not considered.

Mr. Kacer moved to place the Consentino parcels c,d on the B-list. Second by Mr. Pires. Carried 6-2. Mr. Espinar and Ms. Wolok opposed.

Devisse parcel (#12)

*Mr. Jenkins moved to place the parcel on the A-list. Second by Mr. Kriz.
Carried 7-1. Mr. Weiner opposed.*

Dyches parcel

Mr. Pires moved to place the Dyches parcel on the A-list. Second by Mr. Espinar.

Mr. Pires stated this property facilitates aspects of the Otter Mound Preserve Land Management Plan and cited Action items 2.7, 5.3, 6.1, 6.2 and 6.3 of the Management Plan. The property is consistent with the Ordinance and cited Section 4 (Purpose and Intent), #'s 5, 6 and 10 of the Ordinance (Conservation Collier Implementation Ordinance).

Mr. Weiner stated he is not in favor of the parcel as it contains a structure that will have maintenance and insurance costs associated with it.

Ms. Wolok stated the emails and considerations document site historic values. The Ordinance does not recognize the historic value of a property and further the property has no historic value as the site contains a residence constructed in 1979. There is no threat of development as the site is already developed and is not the type of parcel that was envisioned in development of the Ordinance.

Mr. Kacer would support a motion if the property was purchased without the structure present.

Mr. Kriz noted that a Sub-Committee should take up the fate of the structure should the property be acquired.

Motion carried 5-3. Mr. Weiner, Mr. Kacer and Ms. Wolok opposed

Freitas parcel

Mr. Kacer moved to place the Freitas parcel on the A-list. Second by Mr. Jenkins. Carried unanimously 8-0.

Gore-1 parcel (#19)

Mr. Kacer moved to place the Gore-1 parcel on the A-list. Second by Mr. Kriz.

Carried 7-1. Mr. Espinar opposed.

Gore-2 parcel (#20)

Mr. Kacer moved to place the Gore-2 parcel on the A-list. Second by Mr. Jenkins.

Motion failed 4-4. Chairman Poteet, Mr. Espinar, Mr. Kriz and Mr. Weiner voted "no."

Mr. Espinar moved to place the Gore -2 parcel on the B-list. Second by Mr. Kacer.

Motion failed 5-3. Chairman Poteet, Mr. Pires, Mr. Kriz, Mr. Kacer and Mr. Jenkins opposed.

Mr. Pires moved to place the Gore-2 parcel on the A-list. Second by Mr. Kacer. Carried 5-3. Mr. Weiner, Mr. Jenkins and Mr. Espinar opposed.

Mr. Pires left the meeting briefly.

Kaye Homes parcel

Mr. Espinar moved to place Kaye Homes on the A-list. Second by Ms. Wolok. Carried 7-0.

Mr. Pires returned to the meeting

Kirby parcel

Mr. Espinar moved to place the Kirby parcel on the C-list. Second by Mr. Jenkins. Carried 5-3. Chairman Poteet, Mr. Pires and Ms. Wolok opposed.

Murphy parcel

Mr. Espinar moved to place the parcel on the C-list. Second by Mr. Kacer. Carried unanimously 8-0.

Pepper Ranch

Mr. Espinar moved to place Pepper Ranch on the A-list. Second by Ms. Wolok.

Mr. Pires noted that this is an A-list type property however there are too many unanswered questions regarding the proposal at this time including the completion of the Restoration Plan and its status, maintenance costs, the oil and mineral rights, the appraisal values, status of the restoration zone along Lake Trafford, lack of development pressures in Immokalee, possible easements on the property, large pasture lands for restoration, possible partnering with the Parks and Recreation Department.

Amanda Townsend, Operations Analyst for Parks and Recreation stated that the Department is interested in the property, but at this time cannot commit any funds to the project.

Mr. Kriz stated that the issues with the property may be addressed as the process continues and if the property is available it should be pursued before property values rise.

Motion carried 7-1. Mr. Pires opposed.

Purpero parcel

Mr. Espinar moved to place the Purpero parcel on the C-list. Second by Ms. Wolok. Carried 5-3. Chairman Poteet, Mr. Weiner and Mr. Pires opposed.

Su parcel

Mr. Kriz moved to place the Su parcel on the C-list. Without a second the motion was not considered.

Mr. Kacer moved to place the Su parcel on the A-list. Second by Ms. Wolok. Motion failed 4-no- 3-yes. Chairman Poteet, Mr. Kriz, Mr. Jenkins and Mr. Weiner voted “no.” Mr. Pires abstained.

Mr. Kriz moved to place the parcel on the C-list. Second by Mr. Espinar. Motion failed 4-no -3-yes. Mr. Jenkins, Mr. Kacer, Chairman Poteet and Ms. Wolok voted “no.” Mr. Pires abstained.

Mr. Jenkins moved to place the Su parcel on the B-list. Second by Ms. Wolok. Carried 4-3. Mr. Kacer, Mr. Espinar and Mr. Kriz opposed. Mr. Pires abstained.

Trinh-1 (#33) (Mellvane Marsh)

Mr. Espinar moved to place the Trinh-1 parcel on the A-list. Second by Mr. Kriz. Carried 6-1. Mr. Kacer opposed. Mr. Pires abstained.

Cycle 5 Prioritizations

I-75 properties

Mr. Jenkins moved to place the properties on the A-3 list. Second by Mr. Espinar. Carried 6-2. Mr. Pires and Ms. Wolok opposed.

Unit 53 properties

Mr. Jenkins moved to place the properties on A-1 list. Second by Mr. Kriz. Carried 7-1. Mr. Espinar opposed.

River Road properties

Ms. Wolok moved to place the properties on the A-3 list. Second by Mr. Espinar. Carried unanimously 8-0.

Devisse parcel (#12)

Mr. Kriz moved to place the parcel on the A-1 list. Second by Ms. Wolok. Motion failed 5-3. Mr. Pires, Mr. Kacer, Mr. Espinar, Chairman Poteet and Mr. Weiner voted "no."

Mr. Kacer moved to place the parcel on the A-2 list. Second by Mr. Espinar. Carried 7-1. Mr. Weiner opposed.

Dyches parcel

Mr. Kriz moved to place the parcel on the A-1 list. Second by Mr. Pires. Motion failed 5-3. Chairman Poteet, Mr. Weiner, Ms. Wolok, Mr. Jenkins and Mr. Kacer voted "no."

Mr. Kriz moved to place the parcel on the A-2 list. Second by Mr. Jenkins. Carried 5-3. Mr. Kacer, Ms. Wolok and Mr. Wiener opposed.

Freitas parcel

Mr. Espinar moved to place the parcel on the A-3 list. Without a second the motion was not considered.

Mr. Jenkins moved to place the parcel on the A-1 list. Second by Mr. Kacer Carried 7-1. Mr. Kriz opposed.

Gore-1 parcel (#19)

Mr. Espinar moved to place the parcel on the A-3 list. Second by Mr. Wiener. Carried 6-2. Mr. Pires and Mr. Kacer opposed.

Gore-2 parcel (#20)

Mr. Kriz moved to place the parcel on the A-3 list. Second by Mr. Weiner. Carried 6-2. Mr. Pires and Mr. Kacer opposed.

Kaye Homes parcel

Mr. Jenkins moved to place the parcel on the A-2 list. Second by Mr. Kriz. Carried 7-0. Mr. Pires abstained.

Pepper Ranch

Mr. Espinar moved to place the property on the A-1+ list. Second by Mr. Jenkins. Carried 7-1. Mr. Pires opposed.

Trinh-1 parcel (McIlvane Marsh) (#33)

Mr. Espinar moved to place the parcel on the A-2 list. Second by Ms. Wolok. Carried 7-0. Mr. Pires abstained.

D. Outstanding Advisory Committee Member Program

None

E. Coordinator Communications

Alex Sulecki noted the following:

- She will be appearing in front of the Board of County Commissioner for the Starnes parcel on December 11, 2007. She received a report on Phase I and Phase II regarding pesticides which are a low level. There will be more samples collected to ensure the condition of an Environmental Hazard. Copies of the report are available for review.
- She is working with the Planning Department on TDR issues.

VI. Subcommittee Meeting Reports

A. Outreach – Tony Pires, Chair

The Committee met on October 16th and discussed Conservation Collier logo design. Mr. Pires requested Ms. Belpedio research any proposed design to ensure there are no trademark violations.

B. Lands Evaluation and Management – Kevin Kacer, Chair.

Mr. Espinar noted there was a special meeting held for Pepper Ranch where issues such as restoration were discussed.

C. Ordinance Policy and Procedures – Will Kriz, Chair

None

VII. Chair Committee Member Comments

Chairman Poteet requested Ms. Belpedio provide a clarification with the issue of emails sent to Committee member's personal addresses and possible violations of the Statute upon deleting of an email by a Committee member.

Chairman Poteet thanked the Staff for their efforts in preparing for this meeting.

VIII. Public General Comments

None

IX. Staff Comments

None

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 11:50 A.M.

**Conservation Collier Land Acquisition Advisory
Committee**

Bill Poteet, Chairman

These minutes approved by the Board/Committee on _____
as presented _____ or as amended _____.