

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

Naples, Florida, January 14, 2008

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", 3<sup>rd</sup> Floor, Collier County Government Complex Naples, Florida with the following members present:

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

ALSO PRESENT: Jennifer Belpedio – Assistant County Attorney  
Cindy Erb – Sr. Property Acquisition Specialist  
Alexandra Sulecki – Conservation Collier Coordinator  
Melissa Hennig – Principal Environmental Specialist

**I. Roll Call**

The meeting was called to order at 9:01AM by Chairman Poteet. Roll call was taken and a quorum was established.

**II. Approval of Agenda**

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

**III. Approval of December 10, 2007 Minutes**

*Mr. Weiner moved to approve the minutes subject to the following corrections:*

Page 3, Item B paragraph 4 line 3 "Approximately \$43M for bonding is available." to *approximately \$43M (gross bond issue) could be issued.*

*Second by Mr. Delate. Carried unanimously 8-0.*

**IV. Old Business:**

**A. Real Estate Services Update – A - list properties**

Staff provided the following updates:

**Fleischmann North** – The Survey has been received and the agreements for management with the Transportation Department and Parks and Recreation are under review. They are awaiting the appraisal.

**Starnes** – The parcel was closed on December 17, 2007. The County received 64% of the mineral rights waivers prior to closing and they are pursuing the remainder.

**Winchester Head** – To date 11 parcels have been acquired totaling 13.44 acres and 15 are under contract totaling 21.85 acres.

**Melissa Hennig, Environmental Specialist** provided a review of the estimated budget and funds available to the program. It was noted that Winchester Head and Golden Gate Estates Unit 53 costs were not included in the estimates. Only properties under contract and on the current acquisition list were considered.

**Alex Sulecki, Conservation Collier Coordinator** provided a "Cycle 5 Recommended Active Acquisition list" updated 1/12/08 to the Committee.

**B. Contracts**

**1. Winchester Head**

**Cindy Erb, Sr. Property Acquisition Specialist** presented the Contract for the Raymond and Terry Bennett 1.14 acre parcel at a cost not to exceed \$27, 820.

*Mr. Delate moved to approve the Contract. Second by Mr. Kacer. Carried unanimously 8-0.*

**C. Reading of Conflict of Interest Forms (3) – Tony Pires**

**Mr. Pires** read conflict of interest disclosures into the record for the following proposed acquisitions:

- RJS, LLC.
- Kaye Homes parcel
- Su Parcel
- Trinh – 1 (Mellvane Marsh properties)

**D. County Attorney Memo regarding Sunshine law question and staff providing member contact information to the public**

**Jennifer Belpedio, Assistant County Attorney** provided a memorandum to the Committee “Re: E-mails Conservation Collier Land Acquisition Advisory Committee RLS NO.07-PRM-00079” for their review. The document outlined 3 options for e-mail communications between Staff or public and Committee members which are:

1. Do not communicate with public employees at all.
2. Continue to communicate with public employees by e-mail, but when your term is completed either print or download your e-mails onto a disk and then return the disk staff liaison. Those e-mails may then be deleted from your personal computer.
3. Cease using your personal e-mail address and use a County e-mail address. To request a County e-mail address, complete and return the attached forms to the staff liaison. A County e-mail address may be terminated if it does not meet your needs.

She noted that the method of distributing emails is a Sunshine law issue and each member is free to choose their option individually. She also provided the Collier County “Employee User Account Management Form” for those choosing to utilize County e-mail accounts.

**E. Clarification as to Committee recommendation regarding the structure on the Dyches property**

Staff requested direction from the Committee regarding the structure on the fate of the structure on the Dyches property. The direction would be provided to the Board of County Commissioners for their assistance in deciding whether or not to acquire the parcel.

**Melissa Hennig** provided an overview of the pros and cons of retaining the structure:

**Pros**

- Additional Parking for Otter Mound Preserve
- Educational facilities
- Restroom facilities
- Presence of on-site volunteers

**Cons**

Neighborhood opposition  
A Visitor Center challenge by the Marco Island Civic Association  
Maintenance costs  
Less area available for restoration  
30,000 dollars has already been spent on educational signage at Otter  
Mound preserve

A discussion ensued on the suitability of the structure as a visitor center and whether it should be razed. It was noted that if it was to be razed the cost should be subtracted from the appraisal price.

*Mr. Kacer moved to acquire the property less the house. Second by Mr. Weiner.*

**Speakers**

**Elizabeth Perdichizzi of the Marco Island Historical Society** stated the Historical Society is in favor of the County acquiring the property with or without the house. She noted tours have been held at the Otter Mound preserve without complaints by neighbors and parking on this site would allow on-site parking as opposed to parking along the roadway.

**Mr. Delate** stated that the property was already approved by the Committee for acquisition and requested clarification on the motion under consideration.

*Mr. Kacer withdrew the motion.*

*Mr. Kriz moved that if the County is successful in acquiring the property that the structure subsequently be razed.*

*For lack of a second the motion was not considered.*

*Chairman Poteet moved to recommended to the Board of County Commissioners that as part of the purchase agreement that the cost of removal of the structure and improvements be included in the sale price (the costs be deducted from the price). Second by Mr. Pires.*

**Ms. Wolok** requested clarification if the motion included a recommendation to raze the structure.

**Chairman Poteet** stated no.

**Speakers**

**Jim Dyches, landowner** stated that his intent was that if the appraisal is in the area of \$1.6 million, he would be willing to discount the price by \$100,000.

*Motion carried 6-2. Mr. Weiner and Ms. Wolok voted no.*

**V. New Business**

**A. Gore parcel – Naithloriendun addition**

**Alex Sulecki** presented the addition of the parcels offered by Dr. Gore (Gore 3) to the Committee. She noted that it could be added to Cycle 5 with the Gore 1 and 2 parcels for acquisition that were previously approved or it could be added as a separate proposal.

**Jennifer Belpedio, Assistant County Attorney** agreed that it could be added to the formal Cycle 5 ranking list before the list goes before the Board of County Commissioners on January 29, 2008.

**Mr. Espinar** requested clarification if the addition of this parcel to Cycle 5 would be considered as "properly noticed" since the formal voting occurred at last months meeting.

**Jennifer Belpedio** noted the concern and the Committee could determine whether it should be considered in Cycle 5.

It was noted by other Committee members that these parcels were discussed various times and that these parcels may possibly be added to the Cycle 5 at a later date. The previous minutes reflect that Dr. Gore expressed interest in selling his entire holdings.

**Chairman Poteer** agreed that the timing is a concern and directed Alex Sulecki to present the Initial Criteria Screening Report to the Committee before making a determination on the parcels.

**Alex Sulecki** presented the Conservation Collier Initial Criteria Screening Report - Gore 3 (Naithloriendun) dated January 14, 2008 noting that the Total Score is 239 out of 400. She has contacted the Collier County Soil and Water Conservation District for a possible Management partnership. A parcel containing a residence belonging to Dr. Gore is located in the middle of the properties and was not nominated for acquisition.

#### Speakers

**Dennis P. Vasey, Supervisor, Seat 3, Collier Soil and Water Conservation District** appeared before the Committee noted that these parcels have a high potential of assisting the restoration of the flora, wetlands, water treatment/storage and wildlife corridors in the region. These parcels are not on the District's acquisitions list. He stated that the District would be interested in partnering with the County in Management of the parcels should they be acquired. Further, he would be interested in land managing additional Conservation Collier properties.

*Ms. Wolok moved to place Gore - 3 on the Cycle 6 list. Second by Mr. Delate. Carried unanimously 8-0.*

It was noted that the home site parcel should be investigated for possible acquisition.

#### **B. Request by DeLaSol Community Association to apply conditions to recommendation for purchase of Devisse parcel- Jim Culkar, President, DeLaSol HOA**

**Jim Culkar** appeared before the Committee to request 2 conditions be attached to the Devisse (Devisse #2 on the Cycle 5 list last updated 1/12/08) property should it be acquired by the County.

1. The access is limited to pedestrian access only.
2. The improvements are limited to the Southern half of the property.

He requested these stipulations be approved and forward to the Board of County Commissioners before acquisition of the parcel.

**Mr. Espinar** disclosed that he is an Environmental Consultant to the County on this on the proposed Delasol Park.

**Jennifer Belpedio, Assistant County Attorney** determined that no conflict of interest existed at this time.

**Mr. Delate** disclosed that his firm is a consultant to the County on this property. He is not associated with the work.

A discussion ensued regarding the timing of the request and whether it should be addressed by a Sub-Committee if the property is acquired. It was noted that further study would need to be completed to determine the optimal location for any improvements and types of access legally permitted, etc.

*The Committee determined that the proper avenue for these issues would be a Sub-Committee review upon acquisition. This is the procedure for all parcels acquired by the program. They noted that that the Delasol Community as well as the general public could participate in these meetings and any concerns brought forth could be addressed.*

**C. Outstanding Advisory Committee Member Program**

*Chairman Poteet moved to send the nomination of Will Kriz (as an Outstanding Advisory Committee Member) to the Board of County Commissioners for approval. Second by Ms. Wolok. Carried unanimously 8-0.*

**D. Applications for Conservation Collier Committee**

Five individuals have applied for appointment to the Committee: Jeffery Robert Schmid, Anthony Pires, Jeffery S. Curl, William Poteet, Jr. and Stanley Weiner (Mr. Pires's, Mr. Poteet's and Mr. Weiner's terms expire in February). The Board of County Commissioners has requested that the applicants be ranked in order of preference by the Committee.

*Mr. Delate moved to rank the following top to bottom, not necessarily based on qualifications but the County Commission should approve them: William Poteet, Jr, Anthony Pires, Jeffery S. Curl, Stanley Weiner, Jeffery Robert Schmid. Second by Mr. Kriz.*

Ms. Wolok stated that Mr. Curl should be ranked higher.

*Motion carried 6-2. Ms. Wolok and Mr. Weiner opposed.*

**E. Coordinator Communications**

**1. Alex Sulecki** provided a memo from Dennis P. Vasey, Supervisor, Seat 3, Collier Soil and Water Conservation District to Kim Bucceri, stating that he has

requested a moratorium on land purchases in Winchester Head and Horsepen Strand (Mr. Vasey spoke earlier in the meeting but was not currently present). It was noted his concerns are costs issues, not the intent of the program, and he indicated early in the meeting his interest in assisting in management of Conservation Collier land holdings.

*Mr. Pires moved to have the Staff explore entering into an inter-local agreement and discuss with the Soil and Water Conservation District inter-local agreements for the District for assistance in managing of Conservation Collier properties. Second by Mr. Poteet.*

**Mr. Espinar** noted that the goals of the Soil and Water Conservation District are different than that of Conservation Collier.

**Mr. Delate** is opposed of meshing the programs together based on the different state of both programs at this time.

*Motion carried 5-3. Mr. Kacer, Mr. Delate and Mr. Espinar opposed.*

**Mr. Espinar** asked for clarification if Mr. Weiner had a conflict of interest in voting as he sits on the Collier Soil and Water Conservation District Board. **Jennifer Belpedio, Assistant County Attorney** determined that no conflict of interest existed at this time.

**2. Alex Sulecki** notified the Committee of proposed Land Development Code Amendments regarding for rules of off-site preservation for small preserves (under 1 acre) and for poorly performing preserves. She noted in the amendment offers an option to donate lands to Conservation Collier in lieu of landowners maintaining small preserves. A fee schedule would need to be determined. The parcels could be rejected and the fees should be consistent with the TDR conveyances. She suggested making a recommendation on this proposed amendment via an Ordinance Policy and Procedures Sub-Committee action.

## **VI. Sub-Committee Meeting Reports**

### **A. Outreach – Tony Pires, Chair**

**Mr. Pires** reported that the Committee will meet on January 16, 2008 for continued work on the Conservation Collier Logo.

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

None

### **C. Ordinance Policy and Procedures – Will Kriz**

**Mr. Kriz** noted that a meeting will be scheduled to discuss the proposed Land Development Code amendment regarding small preserves discussed in #2 above.

## **VII. Chair Committee Member Comments**

None

**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 11:04 A.M.**

**Conservation Collier Land Acquisition Advisory  
Committee**



**Bill Poteet, Chairman**

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