

Lehigh Acres Community Planning Corporation, Inc.

February 9, 2005 Minutes

Call to Order by President Fleming @ 7:00 PM

Roll Call by Recording Secretary

Present

- ✓ Jim Fleming, Frank LaRosa, Bo Turbeville, John Dixon Morrow, Liz Eilf, Azelma Simmons, Charlie Difelice, Desmond Barrett, Keith Richter, John Miller

Excused

- ✓ Colin Feng, Willard Baker

Unexcused

- ✓ Wayne Elrod

Invocation

Pledge of Allegiance by Vice President LaRosa

Open Public Comment on the Following Agenda Items

- ❖ Kevin Shea voiced his concerns re:
 - Possible conflict of interest by Desmond Barrett discussing this item since he is also with the ECWB
 - Inadequate time limit being given by BOCC to complete the plan by Dec '05
- ❖ Sue LaLeike
 - Stated she would go to the ECWB to discuss Linear Trails
- ❖ Linda Carter – reminded all of the Feb 18th deadline to register for the Mar 11 & 12th training sessions
- ❖ John Mark Antoinio voiced his concerns re:
 - Security, theft, liability of Linear Parks
 - How they were previously proposed and not accepted

ORGANIZATIONAL AGENDA:

1. Review and Approval of the Agenda

Motion approved - Approval of the Agenda

Motion approved (M35) - for setting Agenda's

- To be emailed to the Board 1-week prior to the meeting
- To include Old Business / New Business
- To stay with topics only on the Agenda

2. Review and Approval of the Minutes of the Meetings of Dec. 15th, Jan. 5th & Jan. 12th

- Minutes from Jan 12th to include at the request of Charlie Difelice – that he knew that BOCC would not approve a referendum due the fact that this is an Advisory Committee not a Policy Setting Committee.

Motion approved (M36) - All other meeting minutes were approved as previously recorded.

- Due to the fact Charlie Difelice made a revision to the Jan 12th minutes Frank LaRosa voted against the approval them.

3. Presentations by candidates to replace Grace Parish, who resigned at the last Board meeting
 - Linda Carter and Dr George T Duncan gave their presentations to the Board.
4. Election of new Board Member
(Public Comment 2-3 Minutes) no comments
 - Dr George T Duncan won the election 13 to 17.
 - The Board expressed their appreciation and hoped for the continued support from Linda Carter.

LACPC 02/09/05	TOTAL	BAKER	BARRETT	DIFELICE	EILF	ELROD	FENG	FLEMING	TURBEVILLE	LAROSA	MILLER	MORROW	RICHTER	SIMMONS
CARTER, LINDA	17	0	2	2	2	0	0	2	1	1	2	1	2	2
DUNCAN, DR GEORGE	13	0	1	1	1	0	0	1	2	2	1	2	1	1

5. Appointment by Jim Fleming for a Sergeant of Arms
 - Appointee to be Robert Anderson
 - Charlie DiFelice against another item not currently on the Agenda being brought to the table
 - Desmond Barrett expressed his opposition due to the fact of the ongoing feud between Barrett and Anderson
 - John Miller expressed his opposition due to the fact Anderson has repeatedly expressed his lack of support for the Board on numerous occasions to the public and BOCC
 - Bo Turbeville questioned as to why we needed a Sergeant of Arms
 - Fleming stated it was his right according to Robert's Rules to appoint a Sergeant of Arms
 - Fleming explained their duty was to remove any person, including Board Members who disrupted the meetings
 - Several others voiced their opposition to this appointment
 - Charlie Difelice motioned and Desmond Barrett seconded to have the appointment for Anderson to be Sergeant of Arms overturned by the Board

Motion approved (M37) - to have the Appointment of Robert Anderson as Sergeant of Arms overturned (For – Difelice, Miller, Barrett, Simmons, Eilf, LaRosa, Morrow //Against – Richter, Turbeville, Fleming)

COMMUNITY PLANNING AGENDA:

6. Discussion on the new criteria for acceptance of the contract with the Board of County Commissioners for the \$25,000 Seed Money Grant.
(Public Comment 2-3 Minutes)
 - Information and details provided by Wayne Daltry and Jim Mudd. Wayne stated that the contract was a draft, and that the Board could propose their wants to BOCC, that it was a document in the rough, a give and take proposition, and that some of the verbiage could be amended.

- Jim stated that a condition of the \$25,000 was there be no referendum, BOCC did not want to pay \$25,000 and not have a completed plan
- Wayne stated that BOCC recognized LACPC and was entering into a contract with them to deliver a plan, additional time could be requested if needed, additional funds could be requested for various parts of the overall plan
- Jim and Wayne reiterated that the public would have their say by getting involved to create the plan, they also would have input when it goes to BOCC
 - If the plan is not what Lehigh wanted it could then go to collecting signatures and pursuing a referendum if BOCC does not act on the plan provided to them
 - Wayne will investigate with the County Attorneys - being able to be sued as an individual vs LACPC Corporation
 - Grants are audited for results or could be requested to be paid back
- Robert Anderson stated
 - That the \$25,000 would be paid in increments
 - BOCC able to stop the contract with 24 hr notice
 - That he hoped the Board would refuse the seed money and seek their funding elsewhere where they would not be under such strict guidelines and minimal notices.
- Frank Lohlein stated
 - BOCC can request a referendum, if they so wish
 - County could write their own plan
 - Believes in the right to vote on the plan
- Wayne Daltry restated this was a draft contract – negotiable
- Liable only for the funds received for work accomplished
- Draws on the funds for the consultant with Board approval could be worked out
- Will get the County Attorney's to elaborate
- BOCC will approve and modify items submitted to them, the plan is not all inclusive other information is included
- Jim Mudd will make other contracts available for comparison to the Board
- Desmond Barrett disagreed with the Boards previous motion to take the plan to a referendum. The Board works for BOCC to accomplish the task of preparing the plan. We are tasked with completing the work we were assembled for.
- A motion was attempted by Desmond Barrett to remove the referendum vote from the Articles of Incorporation, Difelice seconded the motion. Jim Fleming, chair, did not acknowledge several attempts by Barrett to call the motion.
- The Board tabled the decision until March, since the Articles of Incorporation would need to be discussed and revised in order to accept the \$25,000. The referendum that was added to the Articles of Incorporation in January would need to be deleted.
- Frank LaRosa stated that if the decision to have a referendum was reversed he would step down from the Board, he was "for the people, and believed they should have a say in the final plan"

Motion approved (M38) – Agenda item for the March Meeting - Articles of Incorporation to omit referendum (For – Richter, Morrow, Eilf, Simmons, Duncan, Turbeville // Against – LaRosa, Miller, Fleming // Abstained – Difelice, Barrett)

7. Motion by Member Desmond Barrett to support several subcommittees' recommendations to create linear trails along canal rights-of-way, in cooperation with the East County Water Control District, and seeking a formal vote of support for such an agreement by the District Supervisors at their next public meeting. (Note: Board Members Fleming & Barrett must abstain from voting in both instances).

Motion rescinded (M39) - by Desmond Barrett to remove Linear Trails as a discussion item

8. Discussion of the RFQ and RFP process for the selection of a Professional Planning Consultant – Jim Mudd
(Public Comment 2-3 Minutes)
 - Request for Quote and Request for Proposal for Consultant – suggest using subcommittee
 - LACPC Board would make the selection
 - Appointment of Fiscal Committee by Jim Fleming – Colin Feng to head up, Bo Turbeville to assist in the solicitation for Consultant
9. Subcommittee Reports
(Public Comment 2-3 Minutes)
 - Media releases are to be submitted to the Recording Secretary by Tuesday @ Midnight, in order to be included in the local papers weekly editions
 - Beautification & Conservation - John Miller
 - Reminder of Feb 18th being the deadline to register for the upcoming FGCU training course
 - Linda Carter designed some business cards and offered them available to all on the Board
 - Possible fund raisers – t-shirts etc
 - Adopt a highway for National Arbor Day – Lee Blvd to Sunshine; high school students and others would assist in the roadside clean up
 - Roads, Bikepaths, Utilities etc – Charlie DiFelice
 - Has recruited several experienced professionals to assist on his sub-committee
 - Community Involvement - John Dixon Morrow
 - Created bumper stickers to sell “Your Future, Your Plan”, and create more involvement with residents
 - Parks & Rec, Youth etc – Frank LaRosa
 - Wants other sub-committees to involve him when they speak to Parks & Rec
 - Stressed he did not feel it was fair for Board members to pay \$25.00 to attend the upcoming training. They spend time etc and should not incur additional out of pocket expenses.
 - Planning & Zoning – Desmond Barrett
 - Feb 16, Mar 16, Apr 2, May 18 – next four meeting times and locations

Open Public Comments

- ❖ Sue LaLeike – requested general list of Board Members and contact information be provided
- ❖ Linda Carter – provided an ADA CD to Frank LaRosa for his sub-committee
- ❖ DiFelice – requested Agenda Item to include re-election of officers at the next meeting

New Business

- Articles of Incorporation omit referendum
 - Inclusion of Dr Duncan as Board member
- By-Laws to be approved as revised Jan 12th
 - Inclusion Dr Duncan as Board member
- Re-election of LACPC Officers
- \$25,000 BOCC seed money
- Sergeant of Arms
- Funding for Board members to attend training Mar 11 & 12 from current funds
- LACPC Logo

Old Business

- PO Box (to be obtained by Willard Baker)
- Articles of Incorporation to be updated with the State (submission of paperwork)

Adjournment @ 9:30 PM

Karen Adams, Recording Secretary