

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

Naples, Florida, November 16, 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 2:00 P.M. in REGULAR SESSION at the Collier County Community Development Services Center, at Conference Room, 609/610 Naples, Florida with the following members present:

CHAIRMAN: Bill Poteet (excused)

VICE CHAIRMAN: Will Kriz

Marco Espinar

Wayne Jenkins

Kevin Kacer

Michael Delate

Tony Pires

Stan Weiner (excused)

Mimi Wolok

OTHERS PRESENT: Christal Segura, Conservation Collier Land Manager
Jennifer Belpidio, Assistant County Attorney
Cindy Erb, Sr. Property Acquisition Specialist
Alexandra Sulecki, Conservation Collier Coordinator
Melissa Hennig, Environmental Specialist
Noah Strandridge, Comprehensive Planning
Robert Wiley, Engineering Services Dept.
Roosevelt Leonard, Real Estate Services
Amanda Townsend, Parks and Recreation

I. Roll Call

The meeting was called to order at 2:00 PM by Vice Chairman Kriz. Roll Call was taken and a quorum was established.

II. Approval of Agenda

Mr. Jenkins moved to approve the agenda. Second by Mr. Delate.

Carried unanimously 6-0. The agenda was amended to add an item as V.B. – Review of Ranking Procedures.

III. Approval of October 8, 2007 minutes

Mr. Delate moved to approve the October 8, 2007 minutes with the following corrections:

Page #1, Mr. Kriz is Vice Chairman, not Mr. Delate. This was also reflected in the September minutes.

Second by Mr. Jenkins. Carried unanimously 6-0.

Mr. Espinar arrived at 2:04 PM

IV. Old Business

A. Real Estate Services Update – A-list properties

Connelly Trust and RJS LLC - Cindy Erb reported closing on the Connelly Trust and RJS, LLC properties.

Mcllvane Marsh - Cindy Erb reported to date acquisitions totaling 6 parcels consisting of 259.54 +/- acres.

Fleischmann North - Alexandra Sulecki reported that a survey has been ordered for separating 13.5 +/- acres of Fleischmann North; Real Estate Services is working on the appraisal; she will meet with Parks and Recreation and Stormwater to establish the Management Plan.

Starnes - Cindy Erb reported a tentative closing of December 17, 2007 for the Starnes parcel.

Alexandra Sulecki noted 22% of the 51% of the required mineral rights waivers have been received and at their December 11, 2007, the Board of County of Commissioners will either extend or terminate the Contract. There was a Phase I Environmental Assessment completed and a chemical contaminant present in the soil was identified. It was determined that if the County intends to flood the property or build a pond further soil tests should be completed.

The Committee requested Alexandra Sulecki to provide the depths of soil contamination.

B. Contracts

1. Winchester Head

Cindy Erb stated the Board approved the first 5 parcels at the October meeting and are slated for a December 17, 2007 closing. 14 additional parcels will be presented

today for agreement approval. These will be forwarded to the Board of County Commissioners for the December 11, 2007 meeting.

Mr. Pires requested the basis for the valuations of the parcels.

Cindy Erb stated the parcels were appraised by 2 separate certified appraisers in July and August. The average of the two appraisals was utilized for the final value. She noted the appraisals are valid for a period of 6 months.

Mr. Delate moved to approve the 14 parcels. Second by Mr. Kacer. Carried unanimously 7-0.

C. Hamilton Property – Owners request to reconsider

Alexandra Sulecki provided an Executive Summary on the Joseph Hamilton property dated November 16, 2007. Mr. Hamilton requested reconsideration of property for acquisition. Ms. Sulecki noted that since the owner refused the previous offer, he was now under obligation to pay for new appraisals which will be completed at the direction of Collier County. It is still on the active acquisition list or it would be recommended for re-application in the next cycle.

Mr. Kriz stated he thought it should be accomplished in the current cycle.

Mr. Pires stated he had previously represented Mr. Hamilton on another matter and Jennifer Belpidio, Assistant County Attorney determined no conflict existed.

Ms. Wolok moved to re-consider acquisition of the parcel. Second by Mr. Delate. Motion carried 5-2. Mr. Kacer and Mr. Espinar voted no.

D. Update – Ordinance and Purchase Policy Resolution changes

Alexandra Sulecki presented the handout “Collier County Board of County Commissioner’s Purchasing Policy for the Acquisition of Lands by the Conservation Collier Land Acquisition Program”. It was approved by the Board on October 23, 2007.

E. Update – TDR Conveyance Resolution

Alexandra Sulecki stated that this item should be completed by the end of the year.

F. Update – Florida Communities Trust Grant – CDC property

Alexandra Sulecki stated that she attended the Florida Community Trust meeting on November 2nd to request Project Excellence points. The application is still on the cusp for eligibility as it received 5 additional points, as did many other applications. It is still eligible as existing applications may be withdrawn, etc.

V. New Business

A. Conflict of Interest review for Cycle 5 properties

Alexandra Sulecki reminded Committee members to disclose any potential conflicts of interest.

B. Review of Ranking Procedures

Alexandra Sulecki presented the handout “Conservation Collier Ranking Procedure” dated November 2007.

C. Cycle 5 Applications – final list including the cycle 4 B-List properties

Alexandra Sulecki presented a handout “Conservation Collier Cycle 5 Ranked Scores” for use by Committee members in deliberations.

D. ICSR Reports

The Committee reviewed the following Initial Criteria Screening Reports via Power Point Presentations:

1. Su parcel - presented by Christal Segura

- Score 220 out of 400
- Mr. Pires noted he has a conflict with this application and filed the necessary documents
- The Florida Department of Environmental Protection is willing to partnership on the management of the property
- The estimated market value is \$7,121,280 however the applicant is willing to accept \$6,000,000
- The exact final acreage is under determination

2. River Road properties – Presented by Melissa Hennig

- Score 223 out of 400
- Mr. Espinar noted that he had previously completed work for Mr. Stirns and it was determined by the Assistant County Attorney that no conflict of interest existed
- The properties consists of 9 total parcels totaling 71.9 acres
- There is some solid waste and debris identified on site
- There are roads on the various properties that are privately owned
- Estimated market value - \$5,268,530

Mr. Pires noted the debris on the parcels as well as a pond that crosses property lines could possibly create Code Enforcement issues for the County upon acquiring the properties.

Mr. Espinar wanted to ensure that any Code Enforcement issues that may arise on potential parcels are liability concerns for the County acquiring the parcels and the mitigation therein as opposed to the Committee reporting any potential violations to Code Enforcement which may hinder property owners from offering parcels for acquisition.

Mr. Pires agreed and noted these issues are a concern as it may affect the valuation of the property should the County acquire the parcel and need to financially participate in remediation of a potential site.

Ms. Wolok questioned the status of the owner’s willingness to remove any debris.

Melissa Henning stated she would research this with the property owners.

3. Pepper Ranch (Lake Trafford Ranch)– Presented by Alexandra Sulecki

- Score 264 out of 400 – second highest scoring in the Cycle
- The property consists of 10 parcels totaling 2,499.31 acres available for various land uses
- Various types of Mitigation credits are potentially available from the site

- Letters of support have been received from Immokalee Master Plan and Visioning Committee, Immokalee Local Redevelopment Advisory Board, South Florida Water Management District – Big Cypress Basin, Immokalee resident Paul Midney and Dr. Richard Williams, who has conducted Audubon bird counts on the ranch between 2001 and 2006.
- The site contains a Stewardship sending area
- Pasture restoration is occurring on site
- A below surface material – limestone - material suitable for concrete processing is available for mining on the property
- There are 3 active oil wells on the property that will remain in use on 2 quarter-sections; other oil, gas and all mineral rights will be released
- Estimated market value - \$35,000,000

Mr. Kriz requested the status of the Stewardship Sending Area and how they would be affected should the County acquire the property.

Jennifer Belpidio, Assistant County Attorney stated that Stewardship easements are perpetual, remaining with the land, this issue will be studied in further detail with Comprehensive Planning and Legal Services.

Alexandra Sulecki stated that the property appraisal conducted by the County took into account the Stewardship easement and affected values.

Noah Strandridge, of Comprehensive Planning stated that the Stewardship credits are separated and severed from the property and may be utilized anywhere within the Receiving Area including this property if the owner so chooses. A potential total of 3600 credits exist in the agreement. The applicant has received 1800 credits to date for “early entry” and will receive an additional 1800 upon completion of the required restoration plan. Restoration has not been initiated to date.

Mr. Pires noted a variation in the Assessed Value (\$5,000/acre +/-) vs. the Estimated Market Value (\$14,000/acre +/-) and requested clarification on the procedure utilized in determining the Estimated Fair Market Value. He further noted that a portion of the property was acquired in 2005 for a price of \$465 per acre, yet the appraisal value provides a value of \$14,000 an acre. He asked if the restoration is not completed before transfer of the property, will the County be required to complete the restoration plan.

Alexandra Sulecki stated that restoration issue is being researched through the County Attorney’s Office.

Roosevelt Leonard, Collier County Real Estate Appraiser provided a handout entitled “Estimated Vacant Land Appraisal,” Owner Name: Lake Trafford Ranch, LLLP, 2,512 acres. He reviewed the document with the Committee and noted the following:

- Appraisals are based on the highest and best use of a parcel
- Historic selling prices are not a basis for appraising a parcel
- Developable Acreage – 953 acres valued at \$20,000,000
- Stewardship Sending Area – 985.5 acres valued at \$6,406,000
- Agricultural Acreage – 573.5 acres valued at \$8,316,000
- Total Estimated Value \$34,722,000

Mr. Pires noted the following concerns:

- The lands listed not having Agriculture exemptions have “Save Our Home Exemptions”
- The value of the Stewardship Area which the development rights have been stripped (except for level 7 and 8) leave limited uses and the \$6,500,000 is a relatively high expenditure to gain public access to a protected property

Mr. Kriz stated that valuation issues will be completely addressed if the property is forwarded to the acquisition list; at which time two independent appraisals will be required.

Tom Taylor, owner of the property stated the selling price should be based on fair market value and that \$14,000 an acre is one of the lower prices per acre the Committee has paid for properties. If the appraisal is high enough for “their” purposes, some adjustments may be made in the asking price.

Ms. Wolok left the meeting at 4:40 PM

D. Updates – including all Cycle 5 and Cycle 4 B-List properties

1. **Kaye Homes** – Cindy Erb noted the parcel contains easements on the south half of parcel B and an improperly recorded easement on parcel “A” which will be corrected.
2. **Dyches property** - Melissa Hennig noted a structural inspection of the house had been completed and received a rating of structurally sound.

Jim Dyches, property owner clarified the donation issue and stated if the appraisal is \$1,600,000 or higher, they would reduce the price by \$100,000 in the form of a “donation”. Further if the appraisal is high enough, they would also consider a donation to the Marco Island Historical Society.

Elizabeth Perdichizzi of the Marco Island Historical Society submitted a document to the Committee entitled “Conservation Collier Acquisition of Dyches Property for Otter Mound Preserve” dated November 16, 2007.

Mr. Delate left the meeting at 4:50 PM

I. Floodplain Management Plan – Robert Wiley, Principal Project Manager, Engineering Services Dept.

Robert Wiley of the Engineering Services Department presented a Memorandum addressed to Alexandra Sulecki dated November 6, 2007, Re: “Coordination of the Floodplain Management Plan with the Conservation Collier Program”. The document outlined a new objective (Objective 1.6) for the Floodplain Management Plan.

Mr. Pires moved to approve the Objective subject to the following change:

Paragraph 4, Objective 1.6 to read, “Continue acquisition of Conservation Lands within the floodplain to assist with mitigation of flood events, *by maintaining natural systems with no manipulations.*”

Second by Mr. Espinar. Carried unanimously 5-0.

E. Otter Mound Final Management Plan

Melissa Hennig presented a document entitled “Otter Mound Preserve 3rd Draft Land Management Plan.”

Mr. Kacer moved to approve the Plan. Second by Mr. Espinar. Carried unanimously 5-0.

Mr. Pires left the meeting at 5:00 PM

With lack of a quorum, the following points were noted:

Elizabeth Perdichizzi of the Marco Island Historical Society expressed support for acquisition of the Dyches property.

Bill Perdichizzi of the Marco Island Historical Society expressed support for the acquisition of the Dyches property.

Alexandra Sulecki provided an update on the Trinh parcel.

Amanda Townsend of Parks and Recreation addressed the Committee regarding an article in the Naples Daily News by Mark Strain dated Thursday, October 25, 2007.

Alexandra Sulecki noted that the Bob Gore - Nathloriendum property, consisting of 70 parcels, is now for sale.

There being no further business for the good of the County, the meeting was adjourned by order of the chair at 5:20 P.M.

**Conservation Collier Land Acquisition Advisory
Committee**

Will Kriz, Vice Chair

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