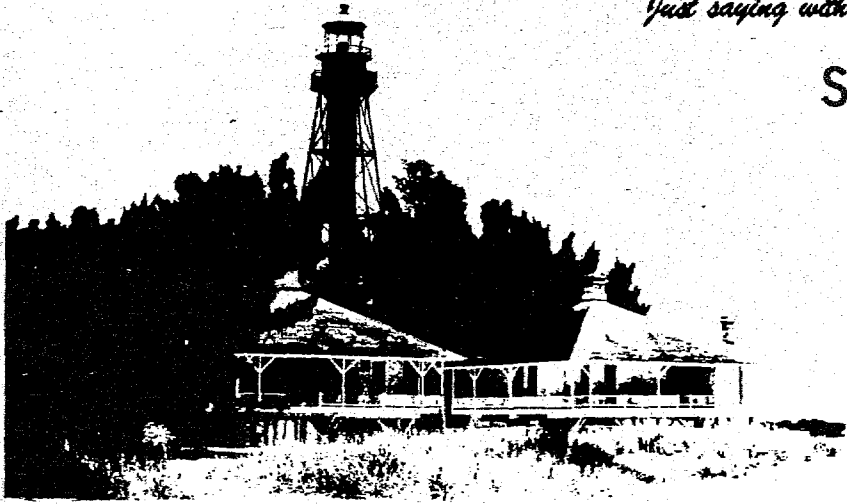


To Sanibel, City of, on her 1st birthday

We've tried cute, we've tried clever But we can't beat, however

Just saying with glee "Happy Birthday to thee!"



SANIBEL — CAPTIVA

# ISLANDER

Serving the Islands since 1961

Vol. 15 No. 46

Tuesday, November 4, 1975

1 Section, 10 cents

## Sundial suit may cost city \$4,000,000 plus

The order has been drawn on the Sundial case and has been presented to the city. Dick Vogel made a lengthy plea and appeal to the city council last Friday in an unscheduled agenda item. Vogel, one of the principals in Sundial, apparently had been informed that council would discuss the order. He

reminded council that Sundial had won the case, that he had asked that the order be drawn to be "as palative as possible" to the city. The order could not have been "poorly drawn" since the city attorney had been involved in the making of the order, he said.

Although there has been no

publicity as to what the order said, nor was it read at council meeting, some guesses could be made that the order read that county permits were to be considered valid if issued precity.

Vogel explained he found himself before the council, \$30,000 in legal fees later,

after winning the law suit, after paying \$300,000 in interest, \$150,000 in taxes and maintaining a \$1 million payroll on the island, asking council not to appeal the suit.

An appeal could cost the city up to \$4 million just for an appeal bond, he said. "The cost of litigation far exceeds the cost of the park. . ." (there has been nothing said publicly about a park offer from Vogel) "and reduces the density of the project." He added that he could not believe the citizens, the lawyers, the courts, the bondsmen would not prefer to make a park out of Phase Six of Sundial. On the appeal he said, "I may win and be broke or you may win and be broke."

In referring back to the \$1 million payroll he said that in these days of unemployment no one could be so callous not to take the needs of the youth and elderly into consideration. He employs 160 people.

In trying to clarify the high occupancy rates ascribed to the project by many he assured the council that there were 10 whole humans

in Sundial during the hurricane season, that there was a year round occupancy rate of 22 per cent, there had been only a couple of minor police calls and no fire problems. "As a citizen and taxpayer on this island I'm trying to get this back to the beginning and get on with it. "Let's compromise."

Councilman Vernon MacKenzie said that the compromises suggested were "cosmetic" only and asked Vogel if he would be willing to wait for the land use plan as a means of compromise.

Vogel said that the city compromise was "surrender and go broke."

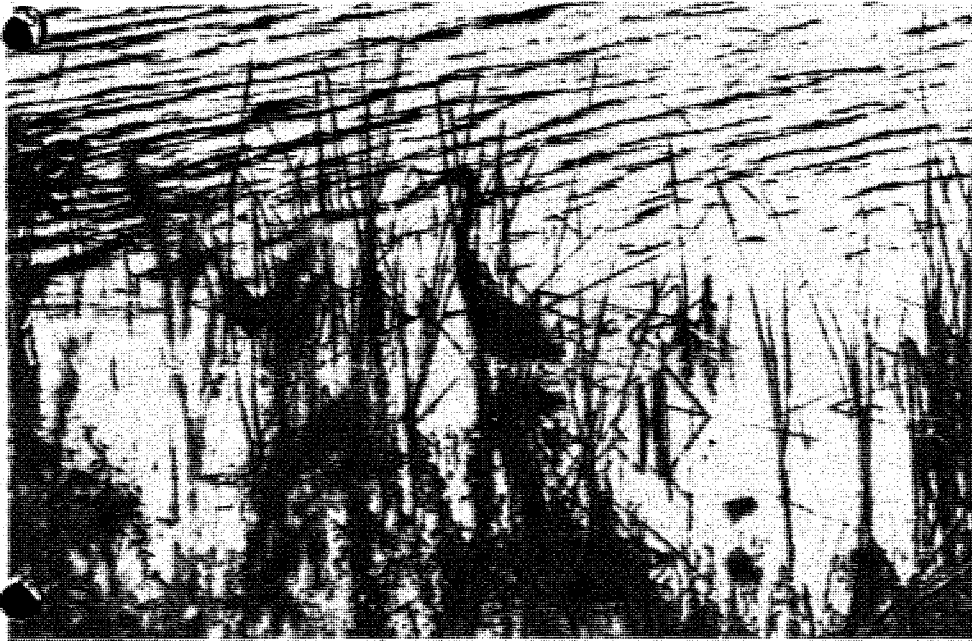
Mayor Porter Goss said that the findings were a mixture of apples and oranges, reminding Vogel that the city gave permits to Sundial to build tennis courts. The question was, Goss continued, under whose authority was Sundial going to continue to build? He said that other builders had been willing to work with the city, build one building at a time, or wait for the plan, but

Vogel wanted all or nothing. "We can't cut ourselves in half" Vogel objected. "Maybe we could go on a diet to lose density," but it wasn't his idea to have a "leg here and an arm there with no body in between." He said that he was willing to have the attorneys rewrite the order if the city was willing. Otherwise, "the courts are going to run Sanibel," he said.

The mayor said that under the order the city was left with puzzling problems, namely how to treat other permits issued by the county.

Vogel, himself an attorney, said that the order could be amended. At that point Frank Watson, city attorney, informed Vogel that the city had filed that afternoon a petition for rehearing and gave Vogel a copy. This was not publicly read either.

The meeting with Vogel ended with the comment "We can't stand still for an order that says 'permits never expire.'"



"See the birdie. . ." see story page 9

## Roberts presents "most of" plan to PC yesterday

After granting the request by Sam Price to build an addition on to the Casa del Mama restaurant yesterday (Monday) morning the Planning Commission addressed questions to Bill Roberts who is on-island for a couple of days.

Roberts brought with him three charts which are on the walls of city hall temporarily for public perusal, and a fairly hefty sheaf of papers, which, he said, was "The Plan," a great deal of which is in final form.

"It will be a fat and heavy document," he said, and added, "weighty."

Chairman Duane White asked Roberts to clear up a misconception. "Did we instruct you to put a 6,000 dwelling unit cap?"

Roberts said "No," but qualified the "no" by saying that the commission instructed the planning firm to make a plan for a growth increment (50 per cent over the

existing 4000) of 6,000 dwelling units. He did note that it was "difficult not to seem ambitious."

Further increments of growth, he continued, would have to be evaluated as time passed in order to see if orderly growth could be accommodated.

Roberts said he wanted to clear up another misconception, that the city was going to take people's property. "This is simply not part of the plan. It is part of the plan that we will say 'The city should buy property which we feel should be public,' " giving as an example parking lots at beach access points. The city will purchase the land so designated at 100 per cent of the fair market value, he continued.

Regarding density, Roberts said that revising density downward by the city did not constitute a "taking" or a confiscation of land. He gave an example of a piece of

property carrying a density of 50 units. During this growth increment, the land owner might be able to build ten and "land bank" the rest of the units, he said. The only area on the Island where there will be zero dwelling units will be in the area of the Department of Natural Resources coastal construction set back lines.

He said that there were thousands of lots in the USA which were sold, which later were declared sub-standard, e.g. submerged lands. Down-zoning is "not an area when Sanibel is going out on a limb," he said.

White asked about hundreds of people who had bought lots before Sanibel became a city, who intended some day to build. He asked what would happen to those people if the city changes the rules.

Roberts answered that the city had a greater commitment to those who are on the Island now than to those who are to come later, in regard to the protection of the

neatn, safety and welfare of the people, and mandated by them to also protect the environment.

In answering questions from the council, Roberts said that if the census shows the population to be as high as estimated, a rise in ad valorem taxes should be slight, that existing zoning would be "null and void" after the adoption of the plan, but that property owners would have the choice of how to build the number of units allocated. For instance, if 20 units were allocated to a piece of property now, the 21st person would be turned down until such time as the city can provide services.

Regarding the replatting of "lots of record" he said that the city could replat and have stricter rules because of recent court decisions, which said that a person had a right to ownership, but that the community has a right to determine the use.

## What's happening at city council today

9:30 a.m. 5. Consider request by Mr. and Mrs. Thomas L. Loughney to construct a single-family detached dwelling in a tract or parcel of land lying in Government Lot 4, Section 19, Township 46 South, Range 23 East, Sanibel, Lee County, Florida.

9:45 a.m. 6. Consider request by Mr. and Mrs. David I. Joffe to construct a single-family detached dwelling on Lot 143, Block G of The Dunes Subdivision, lying in Section 19, Township 46 South, Range 23 East, Sanibel, Lee County, Florida (Kittiwake Circle).

10:00 a.m. 7. Consider request by Robert Stevens Construction, Inc., on behalf of Robert S. Sagers to construct a triplex on Lot 2, Block 7, Unit No. 1, Sanibel Estates Subdivision, being in Section 20, Township 46 South, Range 23 East, Sanibel, Lee County, Florida (Part 2 of "The Colony", East Gulf Drive).

10:15 a.m. 8. Consider request by the Sanibel-Captiva Chamber of Commerce, Inc., to make alterations to an existing commercial structure and parking lot located in the N 1/2 of Section 20, Township 46 South, Range 23 East, Sanibel,

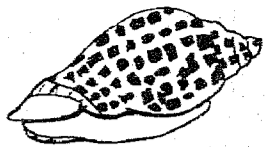
Lee County, Florida (1159 Lindgren Drive, also known as Causeway Road).

10:30 a.m. 9. Consider request by Mr. and Mrs. Sherwood H.K. Finley to construct a single-family detached dwelling on Lot 4 of Gulf Pines 1, an unrecorded subdivision lying in Government Lot 9, Section 20, Township 46 South, Range 22 East, Sanibel, Lee County, Florida (Gumbo Limbo Lane).

10:45 a.m. 10. Consider awarding bids for "Litter Removal," "Grass Mowing," "Paved Road Maintenance," and "Unpaved Road Grading."

11:00 a.m. 11. Consider resolution granting a permit to Jamestown Beachview, Inc.

12:00 noon Lunch



SANIBEL-CAPTIVA ISLANDER  
Established 1961

Editor ..... Virginia N. Brown

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# In your opinion . . .

As a taxpayer would you be willing to sacrifice to help New York City? What if Sanibel were in the same position?



Kathy Bunnell, Sanibel: I'd consider it thoroughly and possibly would do so—we all need help from time to time.



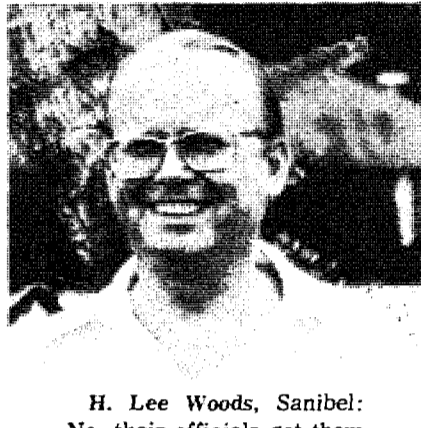
Norma Chuback, Sanibel: I don't really know what I'd do.



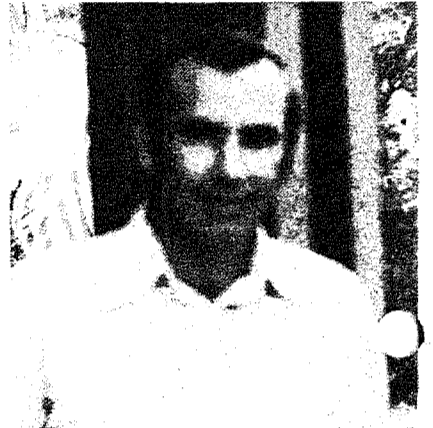
Mary Nix, Sanibel: No. It would set a spendthrift precedent, and where would that eventually lead? As to Sanibel? Ditto.



Faye Holt, Deep Lagoon Estates, Fort Myers: No, I think it's bad management and agree they should stick to their own budget.



H. Lee Woods, Sanibel: No, their officials got them into this mess, so let them bail them out. If Sanibel were to have similar problems, I would sacrifice all to save it.



Donald T. Bissell, Sanibel: No. New York, as well as all cities in the nation, has to learn to live within its budget.

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**NOTICE**  
The regularly scheduled monthly meeting of the Captiva Erosion Prevention District Commission will be held the second Tuesday of each month at the Captiva Island Association Building. The Commission will convene at 4:30 p.m.  
-s- Raymond Booth  
Chairman

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## Around Town by georgie mankin

Fall's in the air and the usual fall type activities are prevailing on the islands. Classes in ceramics, macreme, and all the other arts are in full swing.

But the best of all fall activities was the annual Halloween Party at the Sanibel Community House last Friday night. Ghoulies and ghosties and long-legged beasts and things that go bump in the night paraded and pranced during one of the most successful parties ever!

Madame Haunter used her extra-sensory perception to read the fortunes of the young and give them a glimpse of their futures. The Haunted Alcove was filled with your usual assortment of monsters who did an excellent job of frightening those brave souls that meandered in for a look. All in all it was a great party.

Mr. and Mrs. Henry Blevins of Ontario, Canada, have been enjoying their annual visit to Sanibel. They have been most successful in the fishing category and say that the weather has been perfect for swimming. (It's hard for those of us who live here year round to believe that the "water is quite warm and perfect for bathing.") Frankly, I think it's a bit cool—but Henry says the water in Canada doesn't get this warm through the summer.

Carla Harrison of Louisville, Ky., has been visiting Captiva for a few days.

It seems as though people are finally taking our advice and keeping their canine counterparts off the beaches. We really appreciate their co-operation.

Sean and Margaret Kennedy have been enjoying the islands this week. They hail from Avon Park.

Roland Espinosa of Sanibel is recuperating from his recent motorcycle accident. Hope you're up and about real soon, Roland!

Guests at Blind Pass Cottages this week include: Mr. and Mrs. Delmar W. Gero of Troy, Ohio; Mr. Clark A. Groshort and Mr. Wm. Conklin of Florence, South Carolina, who are here for their bi-annual fishing trip; Miss Sandi Langly and Miss Mary Lee Falls of Fort Lauderdale, Fla.; Mr. and Mrs. Paul Geison, Jr., also of Fort Lauderdale; Mr. and Mrs. Frank Marziano of Miami; Mr. and Mrs. Frank Pierson, also of Miami; and Mr. and Mrs. Joseph Arata of Los Angeles, who are here for their yearly six-week visit.

All sorts of fascinating people are staying at the Castaways Resort this week. Among them are Dr. James G. Delano, who is a child psychiatrist at the M.D. Clinic in Rochester, Minn., his wife, Alice, his mother, Mrs. B. Delano of St. Louis, and the family dog, Yossarin.

Mr. and Mrs. Forrest Doolittle and their son, Jim, (who's named after the famous flyer and family friend, Rebekah Chisholm). Jim and his dad have been catching a lot of snook and redfish each night—Jim's best, so far, was a 12 pound snook.

Also guests at Castaways are Mr. and Mrs. Carl Hawthorn of Chillicothe, Ohio. He is head of engineering at the Chillicothe Power Plant, and is hoping to stay quite a bit longer next trip (maybe over two months!)

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# P.R. task force in "limbo"

After an hour or so at the Public Information Task Force meeting Wednesday, Hal Harrison, chairman of the task force, determined that they were "in limbo."

Planning Commission chairman Duane White spent the time filling in the task force since the advent of the postponement of the WMRT presentation of the land use plan. He informed the group that the postponement had been initiated by Wallace, Roberts, McHarg and Todd, the city's hired planners, who need more time to do the legal work and some more leg work with task forces and the Island Water Association. Bill Roberts will be on Island for several days this week seeing to more chores.

White said that the city informed WMRT to use all the time they needed up to a maximum of one month after which the city would "tolerate no more delays." (The new date for the presentation of the plan is December 1.)

The plan is going to be presented in "elements," White said. There are 15 to 18 interlocking elements; safety and welfare, water and sewage, fire protection, housing, capital improvements, subdivisions etc., all of which will have ordinances attached.

As the planning commission hears each element and gives its blessing, the city council will apparently have a crack at considering ordinances based on the plan which may be adopted as interim ordinances while the plan is going through the review process. Harrison said he'd hate to build a house under interim ordinances.

Ed Underhill said that perhaps some of the elements wouldn't be blessed by the commission in which case those in doubt would be sent back for more work. It was his opinion that the task force should consider how best to get information out to the public. Harrison responded that the idea of a tabloid (which was scratched along with the questionnaire at the phase three stage of the plan) wasn't a "cut and dried deal." It was at this point he said that the task force was in "limbo."

Alan TenBroek said that some of the public was disappointed in the method of presentation of the alternatives and that in order that there be no "back biting" at the next presentation the broadest element (of the public) must be satisfied. "We must take our public relations to the nth degree," he said.



Public relations task force members

Harrison questioned what if someone wanted to talk for an hour?

White responded that the planning commission had already established speaking rules; five minutes for individuals and fifteen minutes for organizations and that he didn't care what was talked about...the moon, property...communism...But he did say that legal arguments must be put in writing even though he expected the city attorney to be present.

It is the duty of the public information task

force, White said, to put out proper information since there had been some misinformation about the "alternatives." He said that the plan would cut down on density and effect the plans of some developers but that there would be "no confiscation of private property," that people should be properly informed and not misinformed about things that probably won't happen and that it was never his intention to make a secret out of anything.

The meeting came to a close.

# City council passes four ordinances

The Sanibel City Council met late Friday afternoon and passed four ordinances—on the moratorium, dogs, expanding the sign committee and the city's millage rate.

The latter, which fixed the city's millage rate, was merely a formality, since many Sanibelites received their tax bills on Thursday, the day before. In passing the ordinance, someone mentioned that the council "wanted to do it right," to which a member of the public, John Peurifoy, commented, "I got my tax bill yesterday, and according to the size of it, they must have done it right!"

Getting back to the beginning (the moratorium, now scheduled to end December 3), it was mentioned that it might be necessary to extend the emergency ordinance for yet another 30 days past Dec. 3.

Robert Taylor asked if anything in the ordinance precluded another extension.

Mayor Porter Goss responded to Taylor's question by saying that the request to extend (he was referring to Wallace, McHarg, Roberts and Todd, (WMRT) the city's hired planners, request to postpone presentation of the plan until the first week in December) had caught the council unawares, like "a thunderbolt."

Councilman Vernon MacKenzie said that no one on the council was happy about the delay, as reasonable delay to make the plan right was alright, but the city would not allow "indefinite procrastination."

Arthur Hunter referred to the county planning sessions as the "bogwash in the county commission room," and that "it's understandable that we want to get the best job we can."

And so the moratorium ("respite") was extended.

The dog ordinance sparked a lively discussion. It contains three sections—

registration and licensing dogs for \$5; a rabies section requiring inoculation; and a restraint section.

Dr. Simmons, head of the public health committee, announced that Pine Island had reported a case of rabies.

George Campbell asked what kind of animal had the rabies (on Pine Island) and why the fee was "\$5.00 and not \$1.50 like it is anywhere else?"

Simmons said a racoon had the rabies. Councilman MacKenzie said that part of the fee would be used for "impoundment," which he didn't feel was unreasonable. (Where dogs will be impounded has not been determined.)

Council decided that dogs visiting Sanibel for more than 90 days would need a city license.

Charles LeBuff said the restraint clause was not strict enough, and after some graphic discussion, asked what disposing of feces "in a sanitary manner" meant.

MacKenzie said it was obvious. LeBuff said what happened to the hookworms if the feces were buried.

Simmons replied it was better to have them down in a hole, rather than having it "squeeze between your toes."

LeBuff decided the best place for it was salt water to kill organisms.

Goss asked if LeBuff was suggesting no dogs on beaches.

LeBuff said "No unrestrained dogs."

Francis Bailey wanted to strike section 5-E; it was "tough luck" if a dog happened to mess the beach, he said, but he was for the rabies and licensing sections.

Goss said maybe dogs could be restricted on more populated beaches and allowed in less dense areas.

Someone in the audience said "that's illegal."

Campbell reminded all that Sanibel was a bird sanctuary and that dogs are a disturbance to birds.

Herb Heller wanted to know how the law was going to be enforced.

Alice Kylo said that the citizens of Sanibel would be glad to inform dog owners they were breaking the law.

Goss said, "I never doubted it for a minute."

MacKenzie motion to approve the ordinance as written.

# PSC and city conflict

Robert Taylor was asked to participate in a discussion regarding his Jamestown Beachview Sewage Treatment plant at Friday's council meeting. There seemed to be some confusion of conflicting laws; that of the city franchise rules and the Public Service Commission rules regarding certification of waste treatment plants.

Taylor only wanted "to comply with the law" he said, in applying for certification from the PSC, which he had done before Sanibel became a city.

It was decided that assistant city attorney Roger Berres would write to the public service commission to ask their help in resolving the conflict.

HOURS 10 - 5

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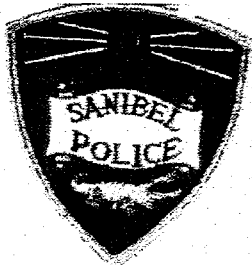
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# Police Report

Lee County Sheriff's Department reported someone had reported an open door to them; investigation showed old warehouse door open, no further action.

Man called in to SPD to report two vehicles on beach where they shouldn't be. Investigation showed vehicles to be on beach; drivers asserted they didn't know vehicles were not supposed to be on beach; removed same on officer's request.

Officer on routing patrol discovered orange disabled vehicle; sent for help.

Business person called and

complained that people were parking in places reserved for customers and instead being customers went walking on beach. Advised person to erect signs stating private parking for (business) only; violators will be towed away at own expense, etc. No further action.

A B&E (breaking and entering) was reported as having happened sometime during night. Investigation showed entry had been made through men's room window via a 13x15 inch opening made by removing window louvers. Cash and a check gone. Dusted for fingerprints; investigation continuing.

Lady called and said snake was in her house. Snake was in her house; was removed by investigating officer (caught him in a fish net and imprisoned him in same until snake was released in empty field.) No bond.

Honest person (whom the Islands seem to have a lot of) turned in purse found on beach, complete with wallet, credit cards, etc. SPD turned purse over to sheriff's deputy who was personal friend of owners of purse, to be returned to owners.

Person drank some soup purchased from a vending machine. Drank it in dark and didn't look, but it tasted bad. Examination in light showed can to be rusted inside. Fearful that other soup in machine might be tainted, complainant called Lee Memorial and supervisor of building in which vending machine was located. Officer checked vending machine; it had been disconnected by management.

Car reported racing thru property in "wreckless" (sic) manner. Fortunately, nothing was wrecked by reckless driver.

Lady's car reported on fire. Call answered by SPD and seven members of Sanibel Fire Department.

SPD helped with traffic control while fire was being put out. Fire Department on was back to station eight minutes after arrival. Traffic took a bit longer to clear.

Man's car disabled; said transmission had blown and requested ride home for himself and passenger. Said he would arrange to have vehicle towed away.

Security guard reported "suspicious persons" drove vehicle to end of road near beach and then exited with flashlights. Turned out to be two tourists from out-of-state shelling on low tide. Officer advised that part of beach perhaps not safest place to be a wee hours of morning, since it was sometimes frequented by undesirable (and illegal) campers.

Person complained of small boat which operated in a docking area at high speeds when operator of boat thought people weren't looking but slowed down when people became visible. Boat gone when officer arrived.

While investigating above, noticed an open door to storage area. Door had been and padlock but no... Owner notified, said he would secure.

Cont'd. on P. 14



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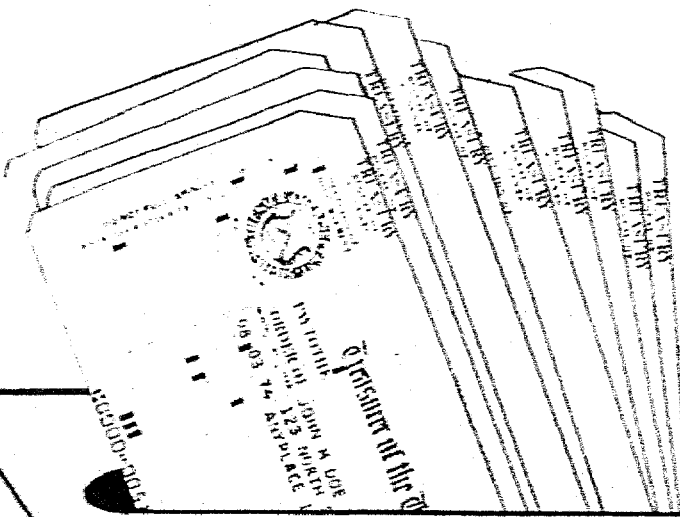
*If two or more persons go in disguise on the highway, or on the premises of another, with the intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured —*

*They shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years or for life."*

U.S.C., TITLE 18, Sec. 241

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# Sanibel Stinger

"Why ain't ya happy? The Reds won last week an I din't even try to collect the bet."

"You were sick, remember?"

"Well, O.K. so what's makin you look so sad? Thet a better question?"

"Why don't we go for a walk on the beach?"

Now, mostly when Bets wants to walk on the beach, she's got somethin botherin her. I walk a lot on the beach jest cause it's so beautiful but some people finds a special sort a strength watchin the wind play with the waves, almost like bein in church I reckon. So they don't jest go beachin anytime. They go fer a special reason. So I says, "O.K.", even though I'd done my beach walkin fer the day.

We walked near a mile before she said a word. Finally she says, "You know where I live?"

I wasn't gonna tell her thet was a dumb question so I jest said "yeah."

"It's a nice place, huh?"

"Yeah."

"Well," she stopped. We walked some more. She picked a couple of shells up, looked at em then threw em down agin."

"Well...." she sighed.

"Well, what?" I askes gently. She had a problem so big she jest couldn't talk about it...not even to me. I felt a big weight on me even in the evening with the sea an the big sun about to go swimmin. Generally, when I go walkin in the sunset, most likely I kin fergit anythin botherin me but I reckon it wasn't the same with Bets, so I didn't say nothin.

Purty soon she picks up a stick an throws it into the Gulf.

She stands fer a couple of minutes lookin out onto thet big body of water then she says, "My landlady asked me to move out!"

"What? How's come...didn't ya pay the rent?"

I couldda bit my tongue after I said thet.

She spins around, her eyes flashin fire.

"Course I paid the rent. What do you think I spend my two bucks an hour on...fancy clothes and high living?"

"O.K....o.k. calm down. I didn't mean it but now's your mad instead of feelin sorry fer yerself you want to talk about it?"

"Yes, Come on, let's sit down, I'm really tired."

"So what happened?"

"When I got home from work yesterday...."

"Yesterday? An it took you til today to..."

"Be quiet a minute. I had to think about everything."

"Well, I knowed you was slow but..."

"Will you be quiet? You want me to tell you or not?"

"Bets, you really put me down. Did ya think I couldn't help?" I asks tryin to sound hurt which was a clumsy way of gettin her to put her arm around me but she fell fer it. She puts her arm around me, I put my arm around her an we set real close. Then there didn't seem to be no need fer any more words. She puts her head on my shoulder an we both got carried away by the sunset and the quiet lappin of the waves. We set quiet so long I figgured she went to sleep.

"You sleepin?"

"No...just enjoying being at one with nature and you."

"Well, now I don't want to spoil everythin, but what'd yer landlady say?"

"She said it was tourist season and she wanted to rent the place for \$350 a month, an if I could pay it, I could stay. We had a big argument cause I asked her why she didn't tell me when I moved in that she wanted to up the prices in tourist season. So she said that she had trouble renting in the summer and she knew if she had told me I wouldn't have moved in."

"On thet she was right....but it ain't right to throw you out now. Some landlady!"

"Well, in a way I can't blame her. After all, she can make more in one month than she gets from me in two, so there it is...money. Everything always comes back to money."

"Now don't git started on thet. What ya



Reflections

gonna do?" I asks hopin strong thet she's gonna marry me after all, but thet was too much to expect.

"I went around last night to everybody I know who has anything to rent, but they're all doing the same thing. High tourist prices, and everything booked up til May."

"You didn't ask me effen I had a room to rent! In fact, you could share my house fer free....an" But she weren't listenin.

"So I decided to go look in Fort Myers."

"Bets! Durn it all...thet ain't the least sensible. Why yer car can't go comutin...it's fallin apart now."

"That's not what I had in mind. I thought I'd just move into town and find a job there and..."

"And what? What about me? Don't ya care fer me at all?"

"You know I do...but...well...I thought

about staying with you but there's no way I could live with anybody who comes in the door an drops everything he owns from one end of the house to the other."

"But Bets," I says, tryin to defend myself, "I pick it all up agin on my way out."

She started laughin. "Well, if nothin else I kin git a smile out of ya once in a while," I says givin her a hug. "When ya got to move?"

"End of the week."

"How ya gonna find a place an a job all before the end of the week?"

"I don't know."

"I'll tell ya what. Let's go git us a big steak outta my kitchen an cook it over the charcoal an talk about it somemore. Come on now, I'm gittin hungry."

"O.K., me too, and maybe tomorrow will be better."

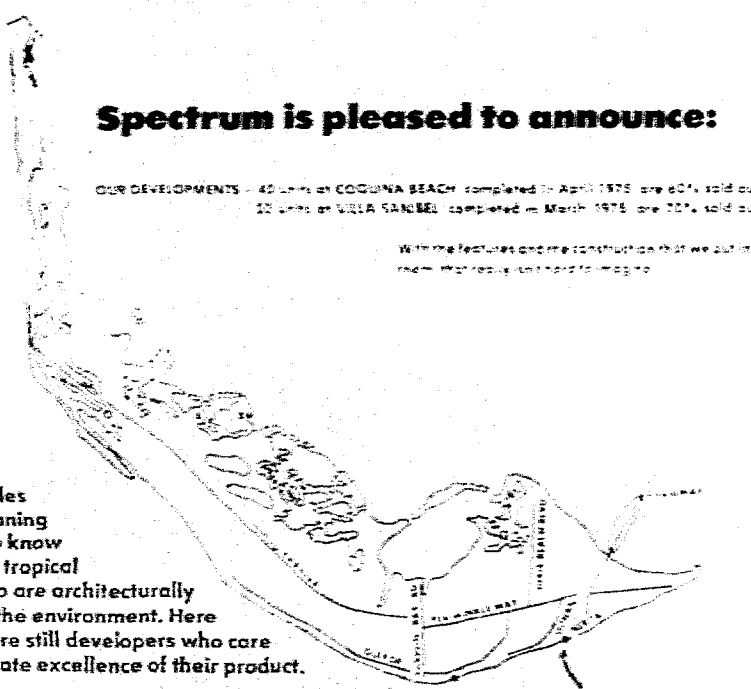
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NOTICE:

To Members Of  
Sanibel Captiva Planning Board, Inc.  
Sanibel Tomorrow, Inc.

## FIRST MEETING COMMITTEE OF THE ISLANDS, INC. 8 p.m. Thursday, Nov. 20, 1975 Sanibel Community House

- \*\* To approve Articles of Incorporation
- \*\* To approve By-Laws
- \*\* To select the first Board of Nine Directors from a slate of fifteen nominees.

Pursuant to the approval granted by the members of the Sanibel-Captiva Planning Board, Inc. and Sanibel Tomorrow, Inc. at their annual meeting in June, The Committee of the Islands has been chartered by the State of Florida and is now operating with a temporary Board of Directors.

All Current members of the Sanibel Captiva Planning Board, Inc. and Sanibel Tomorrow Inc. are eligible to vote at this meeting and are urged to attend.

**Committee Of The Islands, Inc.**  
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## Beware! Mail order cigarettes may have hidden costs

'Tis said only a dishonest person can be conned, but that's not always so. There are times when completely honest persons are taken in by what they think is a perfectly legal scheme and then--bam! comes the payoff!

Perhaps a good example of this is a letter we got this week--personally addressed (couldn't spell Palm Ridge worth a darn, though--it came out "Premridgek") and enclosing both a pink form and a yellow slip or order blank.

Seems as if you fill out the pink form with the names and addresses of 15 of your good friends who might more than willing to buy cigarettes at a heck of a discount

(under \$3.50 a carton) for which you then get absolute-LY FREE, a carton of cigarettes of your choice.

And, in case you want to order some (six carton minimum) there's a handy dandy order blank attached. On said slip is a little line for you to sign right below a printed disclaimer that you're 18 or over, aren't going to re-sell the cigarettes and will be responsible for the state tax, IF ANY. (Caps are on form.)

That "if any" might lead you to believe that Florida is a state to which it doesn't apply. It does.

Not only do you pay the full tax when and if you get caught (and it's more likely when, as we'll explain in a

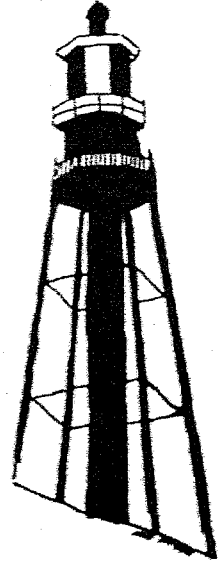
moment) you also may be liable for a penalty and interest.

The reason you're more than likely to get caught is that many (not all, of course) of these mail order houses play a double-edged game--they sell you cigarettes for "X" number of months and then quietly send a list of their customers to Florida state tax officials. They, under the law, haven't broken any laws (though entrapment might be argued) by selling you the cigarettes, you get hit with a whopping amount of money from the state and they (the cigarette selling people) get a reward.

Neat and nasty, huh? So--as we started out saying--beware!

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## Noah's Ark opens today

Noah's Ark, the thrift shop operated by the women of St. Michael's Episcopal Church, opens for the season today (Tuesday).

The shop is located back of the church and shopping

hours are 10 a.m. to 1 p.m. Tuesdays through Fridays.

The shop, as always, has many bargains for you to choose from—plus, of course, their new items—furniture taken on consignment, so if

you want to buy some, take a look, and if you have a chair or something you might want to part with (plus make a little on your downpayment) why not stop in and ask how it's done?

## Community concert season outstanding

1975-76 will be an outstanding season for Community Concerts Association.

Yehudi Menuhin, the world renowned violinist, will be featured in a season that also includes Tedd Joselson, pianist, a rising young star on the musical horizon; the Minnesota

Symphony Orchestra, formerly the Minneapolis Symphony; the Pittsburgh Ballet Theatre, with an additional performance to be announced at a later date.

Attendance at all five concerts is by season membership only. No in-

dividual performance tickets are sold. Adult memberships for the entire series is only \$20; student memberships are \$10.

For information you may call 936-2905 or write to Community Concerts Association, P.O. Box 606, Fort Myers, Florida, 33902.



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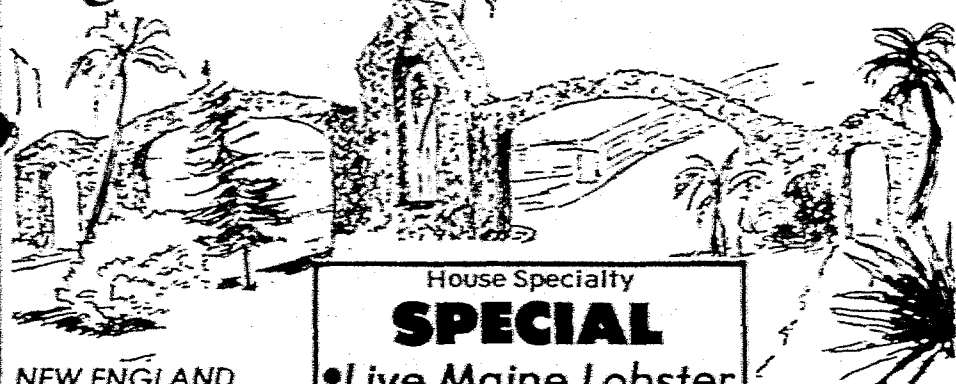
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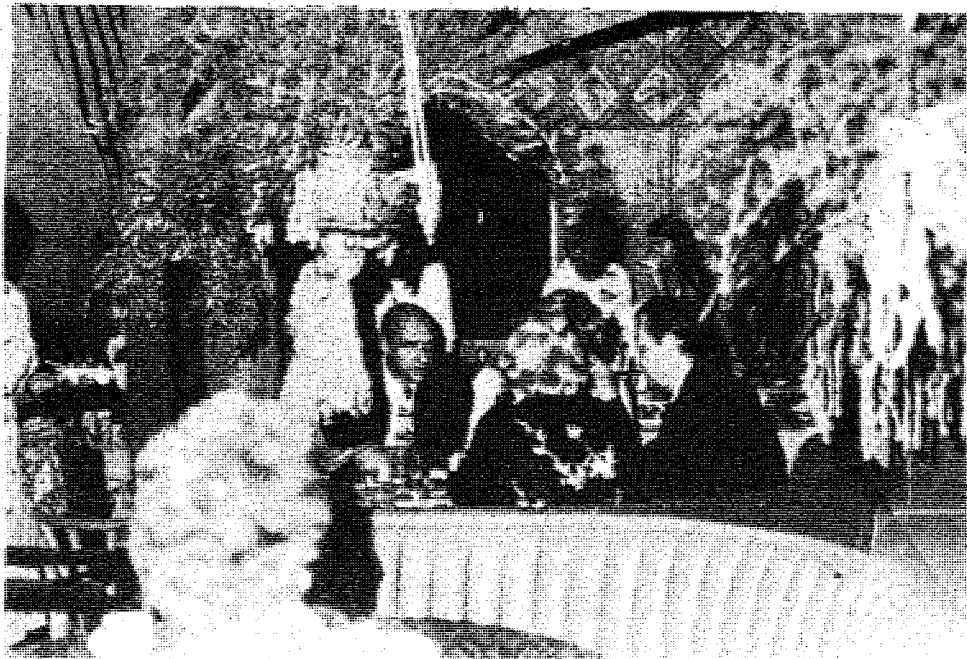
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## Letters to the Editor

To the ISLANDER:

Your "News and Editorial Notes" column repeated an unfounded rumor that constitutes a calmy on both the City and the WMRT planning firm. It asserted that the Florida Local Government Comprehensive Planning Act of 1975 "was indeed on the Florida law books in early April before the planning firm (by a few days) was hired."

As your records will probably indicate, the planning firm was hired by the City on April 22nd. It was not until April 25th, however, that the Senate Committee on Governmental Operations recommended that HB782 with two amendments be cleared to the Senate Ways and Means Committee for their action. It was not until May 29th that the bill came onto the Senate floor for debate. After six pages of debate reported in the Senate Journal and several more amendments the bill passed the Senate by a 27 to 10 vote. It was ordered engrossed and enrolled by the House on June 5th - the final day of the Session. The Governor signed it on June 30th and it thus became law to go into effect on July 1, 1975. So, in effect, the planners were working more than two months before it was a certainty that the provisions of the law would apply. The law, now referred to as Chapter 75-257, is stretched over 31 pages of

very small type and is extremely technical and demanding. The mandatory features of the Act take up over four pages and the optional ones take up almost as much space.

It seems grossly unfair to imply that either the City or the planning firm were remiss in not acting upon the complicated provisions of the Act until at least June 30th when it was unequivocally "on the Florida law books" particularly in view of the facts that a similar bill was pickled in the 1974 Session, and the Governor's all-time high of 33 vetoes.

Regarding the stinging criticism by "a prominent Sanibel businessman" of the \$15,000 planning budget attributed to the Sanibel Tomorrow group, it is well to consider the source of that criticism. My recollection, from attendance at the recent Concerned Property Owners of Sanibel meeting, was that the present President of the Chamber Of Commerce commented vigorously on the point. You will recall that the Chamber's budget proposal for planning at that same time was only \$5,000 higher than the criticized one. "Let he who is without sin cast the first stone." is still pretty good advice.

-s-Paul A. Howe

More letters on Page 10

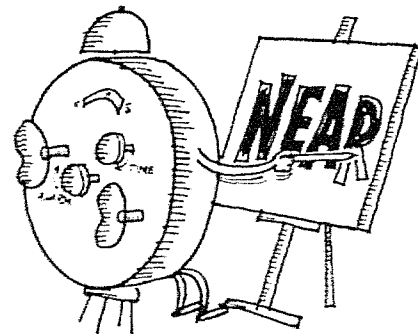
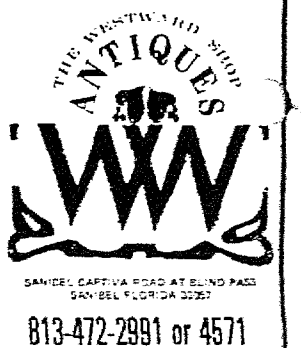
### LOOKING FOR ANTIQUES?

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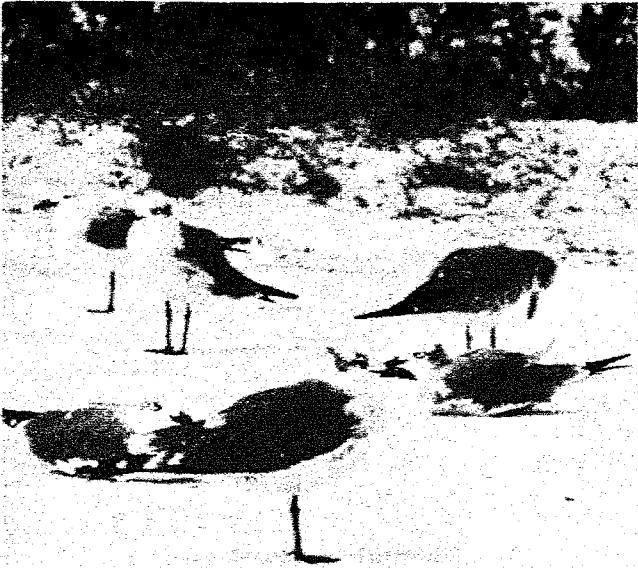
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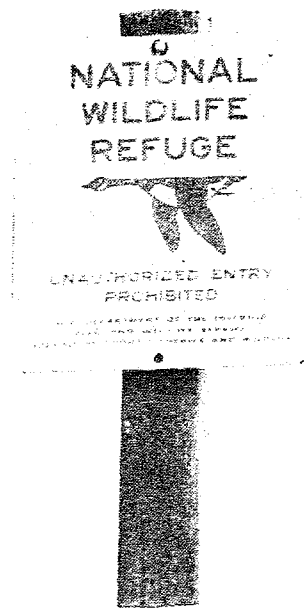




Unflappable terns



Spider



"Thing"

## Some strange sights in the sanctuary

By Ginni

Since WMRT (Wallace, Harg, Roberts and Todd) canceled this week—well, canceled most of the news, at any rate, by postponing presentation of the CLUP (comprehensive land use plan) till December—we decided, in our editorial eyrie, that it would be a good week to do a feature story on all the pretty birds who live in the J.N. (Ding) Darling Sanctuary, right here on our wonderful Islands.

Well, somebody turned the birds off, too. (NO, we're NOT blaming WMRT for that—or anything else. We want to get that clear at the outset.)

So in we drive. There are pretty mangroves, making what we hope are pretty reflections, but no birds (and no alligators.) Then—a ha—we see him! (I'm not about to get technical, but he's sorta tall and mostly greyish, but when he spreads his wings, they are a beautiful, glossy black.) Aim camera, adjust focus, try for

"f" stop, at which point he dives into bushes. Put camera down, get back in car, at which point he makes a beautiful take off. Sigh.

See spider. Hope its picture comes out.

See bird again. Repeat process as above.

Walk out on walkway. See thing. It looks like a leaf, but then it sprouts legs and flows around post. Lie down on walkway and take picture, for what it may be worth. (Hands shaking a bit, since it flowed so ickily and unexpectedly.)

Return to car to change film. Grey bird lands, watches change of film and then takes off before camera is refocused.

Try driving down road with one hand on wheel and one hand holding semi-focused camera out of window. Fortunately not caught by SPD or little men in white coats.

See cluster of something ahead. Get out of car, fix "f" stop, walk toward cluster slowly so as not to frighten them. Turn out to be terns.

They don't move. One lifts a wing. Four people come up behind me, also taking pictures. More birds sit down. Other picture takers return to various vehicles and drive (slowly) past birds. They all got up and stood for one: ignored others.

Walked back to car, drive up to birds (within four feet) stick camera out of car. Birds stare back. Don't move. Drive on, leaving birds in middle of road.

Grey bird flies by, below mangrove line.

No spoon bills. No alligators. Hear lots of grunts and splashes. See: Nothing.

Finally come on grey bird sitting on edge of bush. Get him in focus. He folds neck under. Say a few choice editorial words. He sticks neck out. Slowly open door (knowing he's going to take off) and keep camera on bird at all times. Bird looks at me.

Slam door with foot, keeping camera perfectly focused on bird. Bird winks.

Scream. Bird turns head—AWAY!

Lean elbow on horn (bad form, that)—obviously deaf bird.

More editorial words, unprintable. Bird stretches neck, tucks wings further back.

Look at camera, remember famous maxim. (Who he? Well, I hear he has a great place in Paris—oh, forget it.) Famous maxim is "Never take last picture on roll: if you do, will miss shot of life while looking for film." Have five shots left according to little hole on top of camera. Take picture of bird with neck stretched. Get in car. Bird stays put. Four shots left.

Almost out of Sanctuary, big, beautiful bird RIGHT there!

Stop. Bird still there. Take head-on picture. Bird turns, take profile picture. Bird spreads wings—camera lied. Out of film.

Obviously, CLUP isn't the only thing which needed to go back to the drawing board. Shoulda stayed in bed.

## CPOOS request draws comment and confusion

The Concerned Property Owners of Sanibel (CPOOS) petitioned the city to consider an ad hoc board to study alternative policies to the land use plan. The petition came under fire at the "dinner theater" council session late Friday afternoon. (Dinner, however was not included.)

The request did not stand the test of fire and was rejected with dispatch but not without some comment. Mayor Porter Goss, after reading parts of the open letter of request, said that he rejected the philosophy of a portion of the letter saying that opposing views had not been heard or taken into consideration at the planning commission meeting adopting the 6,000 unit cap.

He commented that the state law under which the planners are working CH 257 (HB 782) spelled out the ways to adopt a plan. The council, he said, could appoint another board, but there were already 11 task forces in operation. (Task forces were set up to gather facts, not to study problem areas which are bound to arise in any land planning effort.)

Although the council was certainly anxious to secure as much input as possible, "in the absence of pure fact," he did not feel that another board was necessary. "Once we have the plan," then would be time enough to see whether council was representative of the whole community, he said.

Goss said the group does have legitimate concerns and made assurances that the State of Florida would not allow the city to go off half cocked, that there were safeguards built into the state law to insure for a democratic planning process and an equitable land use plan.

Councilman Vernon MacKenzie stated that the state law provided for the designation of a planning commission for the purpose of over-seeing a land use plan and it would be "utterly ridiculous" to appoint another body to look in other directions. The planning commission was made up of "responsible members who will carry out their duties." It was "deplorable" that "devices" were being used, including all the other bad words, rumour, guesswork and so on, which were not "honorable, not ethical or

even honest," he said, and continued that he was "sorry to see it happen."

(It was not clear what he was sorry about: the request for a study group? the concerns of property owners in regard to the plan? the questions regarding the actions of the planning commission? A group of concerned property owners asking questions?)

Councilman Zee Butler was opposed to another committee. She felt that everyone had an ample opportunity to express their viewpoints at the public meetings, and added that there was even one task force that called everyone on the island to get people out to the meetings.

Councilman Charles LeBuff said that there had been a "premature breakdown in communications" in the city and made a plea to the newspapers to keep the facts straight. He said that the off-island property owners were not abreast of the current situation and that there would be plenty of time, after the plan, to explore problem areas.

Councilman Francis Bailey said that the

council should "flag our task forces and planning commission to go the extra mile" in receiving more input.

In discussing the letter sent by CPOOS to off-island property owners, Goss said that it would not be a good idea to respond to the replies from that letter. There cannot be a definite posture by the city at this time since "we don't have a plan."

Planning Chairman Duane White said that of the 43 people who had signed the petition of an ad hoc board, only four had attended the meetings part of the time, two had attended all the time and that a lot were "retired." In regard to the off-island letter, he said that if he had gotten a letter like that he would be "seriously concerned." The letter had not given the facts, he said, and was "full of innuendos" which would lead anyone to believe that there would be "confiscation" of their property.

A motion was made and passed to deny the petition.

Betty Robinson, in the audience, said that

(Continued on Page 9)





Dick Schmidt of CETA

## CETA processes applications for jobs

Dick Schmidt, County Projects Officer and Beth Breckenridge from the County Personnel Department held forth Tuesday and Wednesday at the Community House taking applications for the CETA program (Comprehensive Employment Training Act.)

As of noontime Wednesday between 20 and 25 people had applied for the eight positions offered by the City of Sanibel. More than 224 positions are open with Lee County. Some of the people applying on Sanibel were referred to County positions. Schmidt said that the City of Fort Myers would soon be announcing their requirements. Anyone in the county can apply for any of the CETA positions.

The CETA program was instituted in 1973 and added to in 1974, had five Titles, two providing for administration, one providing for funding of programs at the Governor's discretion which were: vocational-technical training, a senior citizens program and a summer youth program in Lee County.

A third provided for help in high areas of unemployment (over 6 per cent) of which only the Alva-Tice area of Lee County qualified in 1974.

The original Title passed in 1973 provided for the training of enemployed persons who had no work skills.

In 1974, a new law was passed to provide assistance for those with marketable skills who were unemployed, or underemployed. This law became Title 6 under the CETA program.

Unemployed needed no explanation. Underemployed was defined by Schmidt as "part-time workers looking for full employment" or persons working full time and relative to family size who are receiving a salary below the poverty level (e.g. a family of four being supported by the wage earner of up to \$5,050 per year is classified as "below the poverty level.")

Persons applying for the positions are qualified on a point system. Plus points are given for Vietnam



Clowns and pirates and pretty, pretty girls at Friday's halloween party for pre- and elementary grade school children at The Community Center.



veterans, the retired, welfare recipients, minority groups including "female persons," the disadvantaged and those with physical disabilities. Minus points are given if a person has an income of any type or is on unemployment compensation. The points are evaluated arriving at an

E (eligibility) number.

The point evaluation is done by the County; the interviews are done by the cities.

Although the program may seem a bit complicated on the surface, Schmidt said, "I see the need for this program and I'm behind it."

### Real Eel Tips . . .

## How to choose your tackle

By Skip Purdy

Whether you've been fishing for many years or just beginning as an angler, choosing proper tackle is a must.

You want a rod that will bring in the fish in the shortest amount of time, cast your bait with ease and accuracy and still provide

the most amount of pleasure.

A seven foot rod is an ideal general-purpose spinning rod for light saltwater fishing. You can develop good leverage on the cast and easily handle lures for the purpose on hand.

The problem in live bait fishing is to be able to cast the bait without throwing it

off the hook. But, when the fish strikes you will still need a rod stiff enough for the fight. The fast-action spinning rod has the advantage. The tip is light and supple to be loaded easily with the bait on the cast. Yet, the remainder of the rod, being rather stiff, can handle a husky fish when it strikes.

If you plan on fishing off-

shore for sailfish, dolphin, and big blues, etc. you'll need a heavier saltwater spinning rod. It should have a medium action and be designed to cast about one-half to one ounce weighted lures.

When using surface lures where the rod is snapped quickly to cause the plug to pop and gurgle, I recommend a relatively stiff rod.

There is much more to consider when choosing a new casting rod. In the next few weeks I will present various information to help you make the right decision.

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## Sanctuary dike will be built

The U.S. Fish and Wildlife Service announced last week that work is expected to resume soon on a water control structure and an impounding cross-dike on the J.N. ("Ding") Darling National Wildlife Refuge. The construction of this somewhat locally controversial refuge development package was suspended July 3 after Sanibel conservationists questioned the overall project because it was proceeding without a permit issued by the U.S. Army Corps of Engineers.

According to the Atlanta office of the U.S. Fish and Wildlife Service, the permit was issued on October 14 on behalf of the Corps of Engineers by Colonel Wisdom, District Engineer,

Jacksonville. The permit, number 75K-0736, authorizes the construction of the cross dike and water control structure. A public hearing relative to this wildlife habitat enhancement project was waived when the Corps of Engineers was of the opinion that the project was not of major environmental impact.

The cross dike will in effect produce two defined impoundment cells and the control structure will permit exchange or prevention of water interchange between the two compartments. Ultimately, as funding permits, three additional water control structures will be strategically located in the outer dike or wildlife drive.

These structures, of different and more costly design, will permit discharge of high water levels created by storms from within the impoundments to prevent dike damage and a die-off of mangrove. Then too, as an effective and desirable management tool, input of salt water may be utilized to control undesirable vegetation and to permit the eastern impoundment to aid the Pine Island Sound estuary by management of the impoundment as a brackish system. Such salinity manipulation and discharge would be highly productive of and beneficial to marine organisms. Such management would intend that the western water cell be maintained as now; at as near a fresh water system as possible.

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AFTER HOURS 472-1846

## Police Report

continued from Page 4

Dog injured in hit and run accident. Notified owner, helped place dog on plywood board so owner could transport to vet. Driver of car not found.

Man complained of speeding car up and down a short dirt street. Vehicle gone on officer's arrival; did not return to scene in next half hour. Status, GOA-UTL.

Calm Halloween. So far, at least. Electric lines down across road in wee hours discovered by officer on regular patrol. Notified Lee County Electric Co-op. Co-op truck arrived an hour and 15 minutes later.

Man reported lost wedding ring, yellow gold, engraved. \$20 reward offered.

Complainant reported very intoxicated driver and

vehicle near a shop on Periwinkle. Vehicle gone on officer's arrival.

Business called and reported suspicious person in vehicle stopping in parking lot of their business about every half hour and taking a drink of substance unknown out of a bottle. Didn't stop after officer's arrival.

A couple of pre-teen kids not getting along too well; parents stepped in and chaos resulted, including bad language, etc. Officers called in, and with much talking, got things smoothed over.

Open windows and doors reported. Officers closed same and reported closing to man who should know.

Oops. Reported calm Halloween too soon. Complainant said someone threw egg at car. To quote report, "about this time, other egg throwing contests started, including the patrol car receiving a sample." That's not a yoke.

Anonymous phone call reported apparently ill person sitting in a car, who asked people for help. Officer arrived on scene, member of man's family arrived about the same time and took care of the situation.

Investigation of a reported abandoned car turned out to be a reported (out of district) stolen car. Car locked up.

Person reported vehicle on beach. Officer found vehicle on beach. Occupants said they had driven on beach from mid-island dirt road, turned towards Bowman's Beach and got lost. Officer escorted the vehicle and occupants back to Sanibel-Captiva Road.

Another door left open in shopping center after hours. Owner notified and closed same.

Another business alarm went off, apparently without human assistance. Officers checked outside of premises, everything looked ok. Business man checked inside of premises, everything still ok.

### M. Hulot returns to screen

Sarasota—The hilarious frustrations of people facing a chaotic highway system is the theme of "Traffic," next

Monday's presentation in the Ringling Museum's Fall Classic Film Series.

### Weather

Slightly over two and a half inches of rain fell into Mario Hutton's rain gauge in October—3 on the 6th, .7 on the 9th, .5 on the 17th, .2 on the 27th, .4 on the 29th and .5 on the 30th, adding up to a grand total of 2.6 inches.

Actor-director Jacques Tati recreates the comic, bumbling Monsieur Hulot in the 1971 French release. In "Traffic," Hulot appears as the designer of an ingenious auto camper which takes to the highway destined for an International Motor Show. Mechanized chaos ensues.

That's dry, but not nearly as dry as 1974, when only .3 inches fell the whole month of October. It's a lot dryer than the 5.1 inches that fell in October, '73, though.

The 89-minute color film will be shown at 2:30, 7 and 9 p.m., Monday Nov. 10, in the Asolo Theater. Admission is one dollar plus tax.

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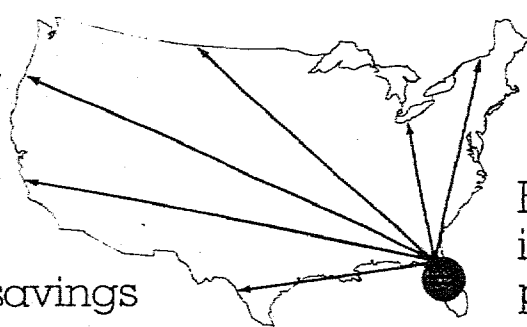
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# CPOOS cont. from p. 9

she had no comment to make on the petition but wanted to make a correlary: 1.) that the average citizen could not be expected to study in detail the Phase three report by WMRT (Wallace, McHarg, Roberts and Todd) giving alternatives; 2.) that regardless of what the newspapers said, it was not up to them to carry the responsibility of the plan; 3.) that information regarding the plan be put out in simple form; 4.) that something must be done about the three minute speaking time limit since there should be an interchange of ideas. "Maybe in the whole plan there will be time for this," she said. 5.) In the working sessions between WMRT and the planning commission, the public was not

invited to speak unless there was time left over; 6.) that there are people who cannot speak in public and 7.) that people have a right to say what is on their minds.

Maxene Michl introduced herself saying that she was one who had signed the letter. "I am concerned," she began. "The plan is going to effect everyone" and added that if the Phase Reports were read carefully, it would be understood that things are not going to stay as they are, that property in the more restrictive areas would not, in fact, be built upon.

She questioned the "unanimous accolade of acceptance" by the planning commission of the "most restrictive of all the alternatives" suggested by the planning firm saying that there was an "impression of predetermination." Based on the most

restrictive alternative of 6,000 units, "we have hired a planning firm to prepare a plan on these very severe restrictions," she said.

The restrictions which were discussed at the meetings, however, concerned the casurina trees but not time was given to the very valid and very real concerns of the people, Michl continued. "No place in the entire discussions has the city faced up to the individual rights of the people." She quoted Fred Bosselman, who wrote that land planning deals with "real people with real economic problems."

In regard to the letter to off-island property owners which has been said to contain misrepresentations and inuendos, she said, "if you will tell us what the misrepresentations and inuendos are, we will try to correct them."

No response was forthcoming except that Councilman MacKenzie said that it would have been better to have made "quotes" rather than "paraphrase" the reports before the final product; that through interpretation one might be misleading and misled and asked that the group give exact words, not paraphrased words.

Michl continued that the city does have "established policies" and that there are "restrictions" that the property owners must take into consideration. "Tell us that there are no areas of concern," she asked. "We're not for uncontrolled growth."

In response, Mayor Goss said that the Concerned Property Owners were "prejudging the plan. There are five people sitting up here who are not going to vote for something that's clearly illegal."

## Islander classified advertising

### REAL ESTATE FOR RENT

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FOR RENT: Furnished 1 bedroom duplex, close to beach, shady yard. Winter season or monthly. Reasonable. Write P.O. Box 347, Branchport, NY, 14418.

### Boat Hunting? Look In Classified

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FOR SALE: Sanibel Arms West. Gulf and Tennis condominium. Spacious 2 bedroom, 2 bath apt. Large screened porch with beautiful gulf view. Decorator furnished with many extras. Will show at your convenience. THE KNUDSEN COMPANY, Realtor, 440 San Carlos Blvd., Fort Myers Beach, 463-9652, after hours, 472-2385.

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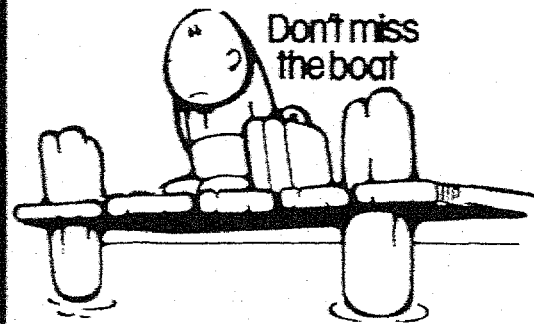
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## Sanibel-Captiva power squadron

It is not too late to join the free Boating Class sponsored by the Sanibel-Captiva Power Squadron. The first session held on November 3 was just for registration and orientation. The Course material will be distributed and the first lecture will take place on Monday evening,

November 10, beginning promptly at 7:00 p.m. at the Sanibel Community Association building. The Course runs for 12 sessions including a final exam. There will be a two session break for the Holidays on December 22 and 29.

This Boating Course is

open to all people 12 years of age and over that have an interest in safe boating. There are no other qualifications. Topics to be discussed include handling under normal and adverse conditions, compass and chart familiarization, emergency techniques, lights and navigational aids and even proper trailering techniques.

Remember, safe boating is no accident. It comes out of knowledge and skill. One way of getting both is to enroll in this free Boating Class. The Sanibel-Captiva Power Squadron looks forward to seeing you at 7:00 p.m. on Monday, November 10, at the Sanibel Community Association building.

### Men honored

Tom Nix and Floyd Pflough were honored Sunday at a dinner given for them at the Coconut Grove by the Sanibel Fire Department men and their wives.

Marty Holtz, master of ceremony, gave a history of the fire department starting with green palm fronds to fight fires and dry palm

fronds to make back fires up to the present sophisticated equipment now in use by the Fire department.

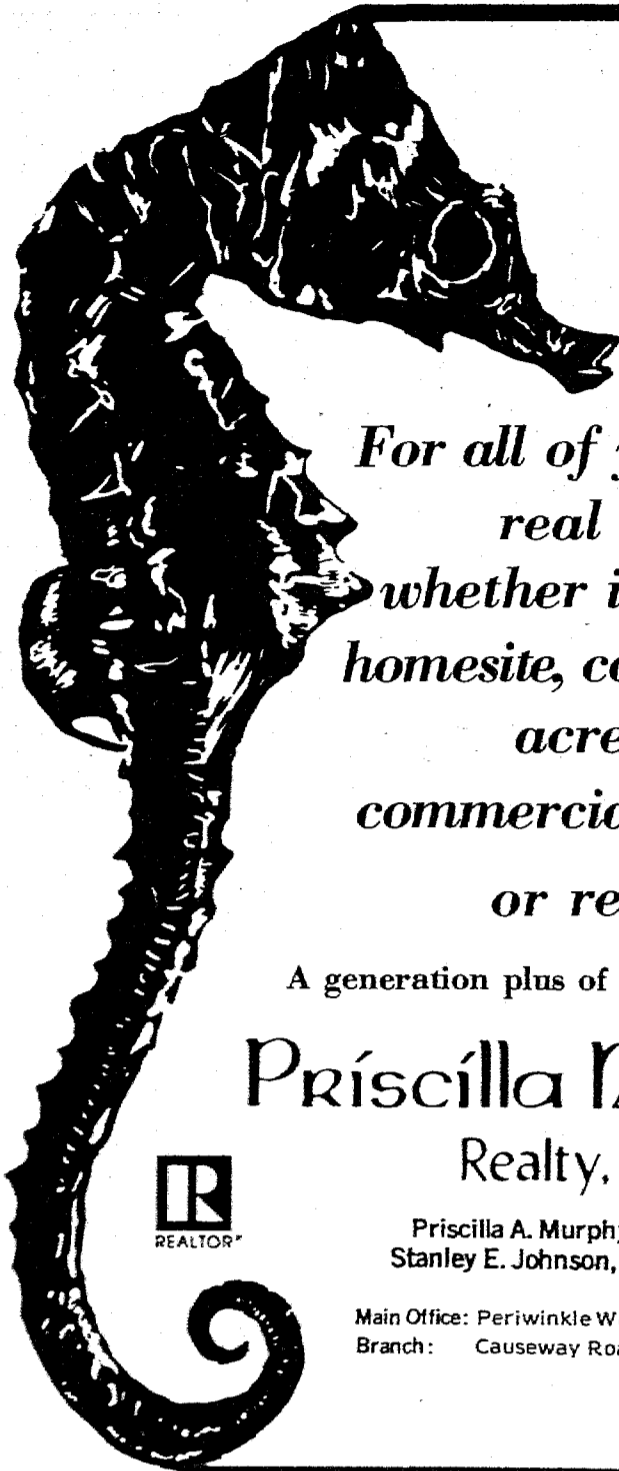
Gold engraved plaques were presented to Nix and Pflough by the members of the Sanibel Volunteer Fire Department in recognition and thanks for their many years of faithful devotion to duty.



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