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## Pine Island association under fire

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Allegations of hostile take-overs, violations of the Florida Sunshine Law and the exclusion of potential members are flying between members of the Greater Pine Island Civic Association (GPICA).

So much infighting is occurring, the GPICA has taken measures to prevent future disruptions in meetings by rejecting new member applications they believe are affiliated with landowners who are in litigation to oppose the amendments to the 1989 Greater Pine Island Land Use Plan.

It appears, the new "coastal rural" amendment is what has landowners and farmers upset.

Under the amendment, a landowner wanting to develop 100 hundred acres would have to "cluster" the houses in 30 percent of the 100 acres and return 70 percent of the land to "pristine uplands." All exotics would need to be uprooted and replaced with 50-200 native trees per acre.

"If there had been a real consensus and involvement of agriculture there would be a plan in place today," Bokeelia palm grower Bob Glennon said. "I agree with 95 percent of the new plan, it's just the coastal rural designation I have a problem with. I want to know how much this will cost me."

### Sunshine Laws

Glennon has accused the GPICA of trying to keep him and others from GPICA by-laws meetings and becoming an active part of the board of directors. Glennon, who is a second alternate on the GPICA board of directors believes this is a direct violation of the Florida Sunshine Law.

"There may have been a time when the GPICA could stand up and say they have been inclusive," Glennon said. "That time, if it ever existed, has vanished. The complete disregard for members rights, open government rules, sunshine laws, the association's by-laws make any suggestion of full community participation in the land use plan questionable."

GPICA attorney and member Phil Buchanan disagrees.

"This is a private organization and not subject to the Sunshine Laws," Buchanan said at the March 2 GPICA general meeting.

According to the association's bylaws, the GPICA was created for the betterment of Pine Island but the group cannot create any laws or regulations.

Tim Jones of the Lee County's Attorney's Office does not agree entirely with Buchanan's interpretation of the GPICA.

"Any meetings that deal with community planning are supposed to comply to open government," Jones said. "If we are going to grant money to do planning for the community we would not want to exclude people."

According to the 2003 Community Planning Agreement between Lee County and the GPICA signed by then president William Stanley, the GPICA is subject to Sunshine laws.

The document states: "The parties agree that the community planning effort is subject to Florida laws on Open Government. Accordingly, all meetings of the Pine Island Community and its subcommittees will be open to the public."

Buchanan says that document only pertains to the Greater Pine Island Land Use Implementation Committee, which is governed by the Sunshine Law.

Attorney Steven Carta, who specializes in Sunshine Law and works for Simpson, Henderson, Carta & Randolph, believes there are some gray areas in regards to the GPICA and Sunshine.

"Are they violating the Sunshine Law? Possibly," Carta said. "They would have to have their

doors open only if what they were discussing related to the community planning effort. Not everything this organization does is subject to the Sunshine Law.”

Glennon is frustrated by the whole process and does not know if he will ever get any answers.

“Clearly this has become about win at all costs for certain members of the GPICA. The whole island is being divided,” Glennon said. “It has really ended up to be about forcing a landowner to cluster and restore land.”

#### Limiting members

A letter, which was dated Feb. 27, was handed out at Tuesday’s meeting stating temporary changes in the GPICA’s new policy on membership.

The letter states: “The Membership Committee is further instructed not to accept membership of any applicant who is in litigation against the association, the county, the state or their agencies as regards the Pine Island Section of the Lee County Land Use Plan.”

Buchanan believes this is a fair way to deal with the people he says are trying to acquire power over the GPICA.

“We just survived a blatant attempt of a hostile takeover,” Buchanan said referring to Glennon’s accusation Tuesday that Sunshine Laws have been broken and his request to place new officers in charge until it can be determined if any bylaws have been broken.

Glennon’s motion was denied at Tuesday’s meeting.

Buchanan says that the 36 applications that were recently sent in and rejected were because the GPICA board of directors believed all of the applicants were affiliated with land owner and palm grower Edd Dean who opposes the “coastal rural” amendments to the land use plan.

“The check for \$345 was signed for by one of the people who is part of the litigation,” Buchanan said. “It’s his people. He is the largest employer on the island.”

Dean denies he was trying to put “his people” in position. He admits to knowing some of the applicants, but says he was just trying to generate new members and that many of the applicants came from the Century 21 real estate office.

Glennon and Dean both said when they confronted GPICA president Noel Address about the denied applications, he suddenly resigned from the GPICA.

Buchanan admitted Address was no longer the president. Several attempts were made to contact Address.

During the GPICA Membership Committee report on Tuesday, one of the applicants asked committee chair Dave Lukasek why she was being denied and did not feel she got an answer.

“I have lived on Pine Island for 30 years. I raised two children here,” Alexa Groth said. “I am not a palm grower. I have never sued anybody. I want to know why I was denied.”

Buchanan agreed on the Wednesday after the meeting it is possible the board made a error.

“If she is not really working for the opposition and is an ordinary person, then we should reconsider,” Buchanan said.

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