
MICA WAVE

A Periodic Publication of the Marco Island Civic Association.
News and Reviews of What's Really Happening on Marco Island.

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May, 2005

2005 Issue 2

The Fleecing of the Marco Island Residents' Beach Members!

by Staff

As you know, the 2004 hurricane season brought four hurricanes to our area in just 44 days. With each of these hurricanes, the Marco Island Residents' Beach experienced damage which required extensive clean up, repairs and associated costs. The first hurricane, Hurricane Charley, delivered the most devastating winds to the property and required the greatest amount of debris clean up and repairs.

The Residents' Beach accumulated costs totaling \$38,507 associated with hurricane damage repair, which included debris clean up, moving benches and grading, sand removal from the boardwalk and handicap ramp, and chickee repairs/replacements. Unfortunately, none of the expenses were covered by insurance, thereby, requiring payment by the Marco Island Residents' Beach.

As many of you are aware, prior to September 1, 1994, the Residents' Beach was managed

by a separate corporation called the Marco Island Residents Beach Association (MIRBA). MIRBA had an annual contract with MICA, the property owner, to manage and operate Residents' Beach for \$1 a year. MIRBA collected an annual fee from members of the Residents' Beach in order to operate the property.

During the period MIRBA was managing the beach two major lawsuits took place. The first lawsuit was when the Marco Island Board of Realtors joined a lawsuit against MICA to open Residents' Beach to non-residents and short term renters; and the second lawsuit was filed against MICA and developer Jack Antaramian by Collier County claiming that non-Marco Island residents were being excluded from the South Beach parking lot. Because of the seriousness of both suits, MICA took charge of the defense and MICA's attorney was the defending

lawyer. MICA successfully fended off the Realtors' suit and to settle the lawsuit involving the South Beach parking lot, MICA agreed to give the County a portion of the property, now known as the Collier County Parking Lot at South Beach.

Unfortunately, MICA incurred legal bills of approximately \$40,000. Since these legal bills were directly associated with the defense of the Residents' Beach MICA asked MIRBA to reimburse MICA for a small portion at a cost of \$1,000 per month for 12 months totaling \$12,000. MIRBA refused to sign the annual lease with MICA and MICA took over direct operation of the Residents' Beach properties on September 1, 1994.

MIRBA still has approximately \$95,000 in residual funds which were collected from Residents' Beach members for the annual fee, which their bylaws state may be expended

Continued on page 6

**MARCO
ISLAND
HURRICANE
PREPAREDNESS
SEMINAR**



**Thursday,
June 2, 2005 - 6 p.m.
at the
Radisson Hotel**

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President's Letter

by Jim Arnold

Another season has come and gone, and now we begin our preparations for a, hopefully, quiet hurricane season! The new, updated "Hurricane Preparedness Manual" will soon be available and Marco Island's "Hurricane Seminar" will be held on Thursday, June 2nd, at the Radisson Hotel. Please attend to discover what you should do differently in 2005.

This past February MICA hosted a "MICAFEST" for our members. Entertainment by the Coasters was the main attraction, and there wasn't a still foot on the Green! As always, wonderful, lively pictures appear in this issue as proof of the fun had by all!

You'll notice at each event that MICA sells beverages. The net income from the sale of beverages is applied toward the cost of the entertainment. Of course, it doesn't cover it, but every little bit helps. Our thanks go to all those who continually support the events held at Residents' Beach.

MICA hosted two more seminars since our last newsletter, and attendance at both filled the room! Some very good suggestions were offered at our seminar entitled, "Marco Property Taxes are Going Up, Up & Away" by Maury Dailey,

attorney Chris Thornton, and appraisers Armalvage & Associates. City Manager Bill Moss and Public Works Director Rony Joel presented the "Marco Island Utilities Business Plan" in March where many questions from the audience were fielded and answered. MICA members are very concerned, intelligent, and inquisitive, and we thank you all for your interest in our community.

A MICA Board member for more than six years, Preston Mottram, has, unfortunately, resigned from the Board for health reasons. Preston served as MICA's Vice President for the last two years and as Chairman of MICA's Infrastructure Committee. We thank Preston for his wonderful input and contributions, and we wish him well.

As we lose one highly qualified individual from the MICA Board of Directors, we gain another in the appointment of Maury Dailey. Maury has been an active supporter of MICA over the years and this past season he assisted in coordinating two of the MICA seminars. He will be a great asset to your association.

I pass along the best wishes of the MICA Board of Directors for a terrific summer!

Beach Pavilion Update

by Lynn Bradeen

Hopefully, by the time you read this article, MICA received the building permit from the City of Marco Island, and you are seeing signs of construction. It is our hope to have construction of the beach pavilion completed by the end of the year.

MICA members continue to sign up in record numbers to have their names prominently displayed at Residents' Beach. This will be the last opportunity members and supporters of our beautiful beach will have to put their family names into the Residents' Beach history book.

Because of the overwhelming response to the beach pavilion fund raiser, the Residents' Beach Advisory Committee is considering a monument along the lines of the millennium fountain. We will keep you posted as the plans develop.

Placing your name on the granite at the Residents' Beach pavilion is a gift that will last forever. So please don't miss this final opportunity to have your name displayed at the Marco Island Residents' Beach.

Don't Miss the Last Opportunity!

The Marco Island Civic Association is pleased to announce that along with a new Beach Pavilion at the Marco Island Residents' Beach comes a very rare opportunity.

Granite slabs on the Beach Pavilion will be engraved with the names of supporters of the Beach Pavilion and the Marco Island Residents' Beach.

You may have your name engraved on the granite with a minimum of 15 characters and spaces and a minimum charge of \$450. Each additional

space is charged at a rate of \$30 per character or space.

THIS WILL BE YOUR LAST CHANCE TO HAVE YOUR NAME ENGRAVED INTO HISTORY!

Requests will be filled on a first come, first served basis. All net proceeds will be applied toward Beach Pavilion construction.

Simply fill in the spaces below with the inscription exactly as you wish it to appear on the column, enclose check made payable to "MICA-Residents' Beach" for the amount required and send it to:

MARCO ISLAND CIVIC ASSOCIATION
1770 San Marco Road, #204, Marco Island, FL 34145.
Telephone: 239-642-7778

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17

18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34

Name: _____

Mailing Address: _____

Telephone #: _____

Number of characters: _____ X \$30 = _____

TOTAL: _____ (Minimum charge of \$450 applies)

Our Waterways

by Vickie Kelber, Chairwoman, Marco Island City Council

The proposed draft of a Waterways Ordinance that came before City Council Monday, May 2, was just that: a rough draft. During the time allotted for public comment, it was evident that elements of the ordinance were viewed by some as “unfriendly to boaters”.

Clarification of our public policy process and a summary of broader waterways issues may be informative to Marco Island citizens.

The original draft was developed by the Waterways Advisory Committee and city staff. The City Manager first saw the document about one month prior to the May meeting and was uncomfortable with it

as written. While he faulted neither the Committee nor his staff, and would not do so in a public meeting, he believed the ordinance needed significant editing.

The City Manager first discussed his concerns with the Waterways Advisory Committee. He informed them that he and his staff would work on a new draft and then present the new draft to the Committee for further review and discussion.

He intended to explain staff rationale, attempt to attain consensus, and then forward both the Committee’s and staff’s recommendations to City Council for further policy discussion.

Typically, “rough” drafts are not presented at Council meetings. However, the City Manager met with me, as the Council Chairwoman, and expressed concern that the policy recommendations were becoming a “high-profile” issue, and that there had been no information provided to City Council. Since Council members were beginning to receive calls, letters and e-mails regarding this issue, but had not yet been provided any information, we agreed to place the latest draft on the Council’s agenda ‘for information only’, before another meeting with the Waterways Committee. Too

often, in the past, Council has been made aware of critical issues “after the fact”.

Prior to the discussion on May 2nd, Council and the public were advised that this agenda item was ‘for information only’ and the intent was to further discuss the revised draft at committee level and seek citizen input. The next step was to take the ordinance draft back to the Waterways Committee and other stake holders.

The draft did provide options for the duration of time of 72 hours for live-aboards, those who anchor and live on their watercraft. It also provided an option of 15 days with a permit. The optional 72-hour duration was not arrived at arbitrarily. While it might not be the “right” number for Marco Island, it is the rule in a number of Florida locations. In addition, the draft offered many provisions not previously discussed by the Committee.

Perhaps the most significant purpose of the public discussion was lost by references of some that the City is not “boater friendly”. There are many policy options that must be debated, including:

- Should live aboard anchoring be allowed in all bays and canals, just river, bays and not canals, or only in designated



Unused Cell Phones Cluttering Your Drawers?

Drop them at the MICA office and The Shelter for Abused Women and Children will retrofit them to dial 911 only.

bays, and which bays are acceptable?

- If living on board is permitted in our bays, waterways, and/or canals, what is the acceptable duration?
- Is our community prepared for anchorage in Smokehouse Bay as it becomes an increasingly popular destination for boaters from other areas?
- How will sanitary discharges be regulated and enforced?
- Should unoccupied boats be allowed to anchor in canals and bays for extended periods?
- The Waterways Committee recommends that watercraft be permitted to continuously anchor for 15 days within a 30 day period. Is that better than 10 days, 5 days, or 3 days?
- Do our citizens want visiting boaters to anchor for extended periods in a canal behind their home?
- Should visiting boats be allowed to anchor behind single-family residences, in addition to boats that may already be docked?
- Do our citizens want people living on boats behind single family residences?
- Should watercraft maintain a minimum distance from private property when anchoring?
- Should fishing from vacant property without permission be prohibited, and should fishing from bridges be prohibited?
- Should there be regulations for boat rental companies to ensure minimum training for

those who rent watercraft?

- Should there be provisions to deal with abandoned and/or derelict watercraft?
- Should commercial watercraft (dock and seawall contractors) be allowed to anchor anywhere when not engaged in construction?
- What level of enforcement will be necessary to protect our waterways?

While not advocating one position or another at this time, one should agree these are debatable policies that deserve community discussion as we address a comprehensive waterways policy. The issues affect many citizens including those who frequently use their watercraft and anchor for some

duration of time. These policies will help define Marco Island's quality of life and they will help our community deal with those who are not willing to abide by or respect our community values.

Our City Council understands the public policy process, and we encourage broad citizen participation. There will be differing opinions as the waterways policy is reviewed by our valuable Waterways Committee, and by those citizens who believe their opinions should be considered before a policy is adopted. We should respect all opinions and strive to reach consensus on the best policy for Marco Island.



*Lance Corporal, Andres Lazo, USMC, is stationed in Iraq.
He's the son of Rina and Alberto Lazo of Marco Island.
Rina works at the MICA office and Alberto works at the Marco Island
Charter Middle School.*

"The Fleeing"... continued from page 1 when "a situation exists for the appropriate payment of Association funds, which situation was necessitated by catastrophic weather or other emergency conditions . . ."

MIRBA's bylaws also state that the decision to expend these funds must be by unanimous vote. In other words, one "no" vote prevents a motion from passing.

In accordance with the bylaws of the Marco Island Residents Beach Association (MIRBA), on November 8, 2004, MICA requested that the Board of Directors of MIRBA reimburse the Marco Island Residents' Beach for the costs associated with the extensive clean up and repairs following the four hurricanes. Documentation of the expenses was included with the letter to MIRBA.

Bedford Biles, President of the Marco Island Residents Beach Association, responded on February 17, 2005, and advised that the request for payment of these expenses was denied. In a letter to MICA Mr. Biles stated, "We do not feel that storm damage restoration and monthly maintenance are catastrophic designations." The complete letter from Mr. Biles and the MIRBA Board of Directors is shown on the next page.

Any individual who was on or near Marco Island for any of the four hurricanes last year will tell you how much damage was experienced. Specifically, the majority of the Residents' Beach damage occurred as a

result of Hurricane Charley which hit on Friday, August 13. In fact, the City of Marco ordered the evacuation of Marco Island. Thankfully, Marco Island was not a recipient of the eye of any of the four major hurricanes last year, however, significant damage did occur at the Residents' Beach as a result of each of them. MICA expends tens of thousands of dollars on routine maintenance each and every year. The extraordinary clean up and repairs after the hurricanes had absolutely nothing to do with routine maintenance.

Unfortunately, the reserve fund held by MIRBA for repairs following "catastrophic weather or emergency conditions" has failed to assist Residents' Beach members in a time of need. The MIRBA Board of Directors has denied the support so needed to cover hurricane repair and clean up costs. State of Florida records show the following individuals as members of the MIRBA Board of Directors: Bedford Biles, Helen Tateo, Bernadette Lavin, Jim Love, and Morton Ray Paret.

As you know, in the past the MICA Board of Directors has expressed its concern with this arrangement of the so-called "reserve fund" and has asked the MIRBA Board of Directors to place the approximate \$95,000 of Residents' Beach members' funds with a local bank with instructions and terms for future disbursements in order to avoid exactly what

happened in this case. The MIRBA Board declined this request and chose instead to continue to spend Beach members' funds on directors' insurance, accounting fees and any legal fees they may incur.

MICA needs your support to influence the MIRBA Board of Directors to reimburse the members of the Residents' Beach \$38,507 to cover repairs suffered during four hurricanes that affected Marco Island in 2004. We ask that you address your comments to the MIRBA Board of Directors, c/o Registered Agent Bedford Biles, 1588 Heights Court, Marco Island, FL 34145.

Letters

The Deltona concept of having an area of the island for large homes or "castles," called the Estate Area, was excellent. The rest of the living area was for smaller homes, attractive, and enough room for modest size families and retired people. In the early years this created an excellent character of our island. However, now with the availability of big money, a change has taken place. Modest homes are being sold, leveled and mega-homes, "castles," "Look at Me" homes are being constructed. As a result, the fine character of the island is going downhill. In a few years it will no longer be a place for modest income families, only those who can afford to destroy the fine community we had. Something must be done to stop this trend.

John B. Maerker

Letters from our members

May 10th, 2005

I just filled out your request form for the Health Center and bridge suggestions. I would like to ask you to look back on or about when we became a City.

My thoughts and remembrance of people running for positions on City Council was, when the question of a second bridge was brought up, and how we would pay for it, they all said emphatically that we would not have to pay in any way for the building of a bridge, and there would never be any tolls.

They explained that the federal, state and county money was already set aside for the second bridge. I also believe that I read those statements in the Marco Island Eagle, and many times at meetings of these new Council people.

Now we are heading towards a Sanibel fiasco of up to \$6 to come onto Marco. Once you start a toll, it never ends. The Mackle family took down tolls when the bridge was paid for.

Please make some noise about this or send me a letter telling me that this never happened and I am wrong.

Thank you.
Richard Gassne

February 17, 2005

Mr. James Arnold
Marco Island Civic Association
1770 San Marco Road #204
Marco Island, Florida 34145

Dear Mr. Arnold:

The Board of MIRBA held their annual meeting on February 8, 2005. The members question why MIRBA was not alerted to any damages when they occurred so that they could ascertain the nature and extent of same since they were all present on the Island August 12 and 13 when Tropical Storm Charley with winds of 40 to 60 mph was off-shore a couple of hundred miles.

Charley was the first of the Tropical Storms to evolve into a Hurricane as it progresses and turned upcoast. The weather service did not designate Marco Island as site of any of the four hurricanes that hit Florida. Frances and Jeanne started on the East Coast and Ivan was several hundred miles out in the Gulf of Mexico.

As you know the MIRBA charter designates the reserve funds for "catastrophic" damage. Punta Gorda and Port Charlotte were catastrophic. Captiva Island and Fort Myers Beach were disastrous.

Our investigation shows no indication of catastrophic damage to chickees. Mr. Clay's estimate seems to be for normal maintenance.

So far as J.E.S. Tractor Service, Inc.'s bill incurred – this was usual and customary beach maintenance done 2 months after (10/7, 10/8).

Marco Island Bobcat Service, 9/10 and 9/27 – "moving sand from boardwalk" – this was normal and routine beach maintenance.

Our by-laws specifically state that the funds are reserved for maintenance and repair of Residents Beach caused by catastrophic weather and/or other emergency circumstances; therefore the present bills as presented do not meet the requirements of our by-laws.

We do not feel that storm damage restoration and monthly maintenance are catastrophic designations.

If you want MIRBA to participate, you must notify us in a timely fashion so we can be given an opportunity to inspect damage and determine whether of a "catastrophic" nature, and the weather bureau will determine hurricane status.

Sincerely

Bedford Biles
President, MIRBA

Up Close and Personal with the MICA Office Staff

Editor's Note: Not all statements in this article are factual! We believe you will be able to pick out the little white lies as you read along!

The Marco Island Civic Association office operates like a well oiled machine and that is thanks to the staff members who are so knowledgeable and dedicated. *(Editor's Note: This is not one of those little white lies!)*

Rina Lazo has worked full time at MICA for the past five years, starting with MICA when she moved to Marco from Miami. Rina is originally from Cuba but moved to the United States with her family when she was 13 years old. She and her husband, Alberto, have two sons, Albert and Andy, and a little fury, four-legged daughter, named Cashmere. Alberto is a familiar face on the island to many because he works at the Marco Island Charter School! Albert works full time and attends Florida International University, taking three classes per semester. Andy is a member of the U.S. Marine Corps and is presently stationed in Iraq. Rina enjoys walking, bike riding, and spending time with family and her many friends.

Lavonne Fiser (pronounced "Fisher") works part time at MICA, while also working for the Marriott Hotel. She grew up in West Bloomfield, Michigan, and attended Michigan State



left to right: Rita Mundok, Ruth McCann, Rina Lazo, Kathy Creighton, Pauline Tilton and Lavonne Fiser

University, majoring in General Business Administration. While Lavonne was in college, her mother made the move to Naples. Following graduation in 1998 Lavonne came for a *brief* visit with her mother! She met her husband, Josef, originally from the Czech Republic, through a co-worker at the Marriott. They married in 2002 in a small ceremony in Las Vegas surrounded by family. Lavonne and Josef are building a house, which is close to completion. Soon Milo, a chocolate lab, will join the family in their new home.

Pauline Tilton, 28 years old and originally from west of Boston, also works part time at MICA. She is a Registered Nurse in the states of Massachusetts and Florida. Pauline's husband, Don, retired from his position with the Customs Department at Boston Airport. Pauline and Don have two children, Christine and Don. Following retirement in

1997, Pauline and Don moved to Marco Island. Pauline began working part time at the Residents' Beach gate house shortly after moving to Marco and eventually became part of the office staff, giving her the unique perspective from both the office and gate house. She enjoys wave running and boating in her free time.

Rita Mundok, "Princess-in-Training," PIT, for short, is 39 years old and is still married to her first husband, Larry. Rita and Larry's family is growing quickly as they have two sons, two daughters-in-law, and five beautiful grandchildren. Rita is from Western Pennsylvania and taught elementary school for 35 years. Rita and Larry retired to Marco Island in 2001, which is when Rita joined the MICA team as a part-time employee. She enjoys playing cards, games, the beach and spending time with friends and family.

Kathy Creighton, 21 years old, is the newest member of

Beach Pavilion Update

by Jack McGowan

Construction of the new Residents' Beach Pavilion is progressing on schedule. The building has taken shape now that the trusses have been installed and the roof "dried in." The 2200 square foot building has enabled us to enlarge the toilet facilities, snack bar, eating and storage areas. Extended gables will provide covered areas where patrons of the snack bar can enjoy a bite to eat. The covered area on the north side will also function as a stage for the special events held during the year. The pavilion is user friendly, easily accessible by the handicapped, providing slightly inclined paved walkways

in lieu of wooden ramps currently serving the existing facility.

It is anticipated that the old stilt building will be demolished in November in order to permit final hookup to the utilities and finalize the new landscaping. Considerable effort has been put into the design and construction of the building, and we are confident that the membership will enjoy the facility for many years to come.

For those of you who have not been on Marco over the last few months (and for those who have been), you'll enjoy the photos on the preceding page showing a timeline of construction through mid-October.

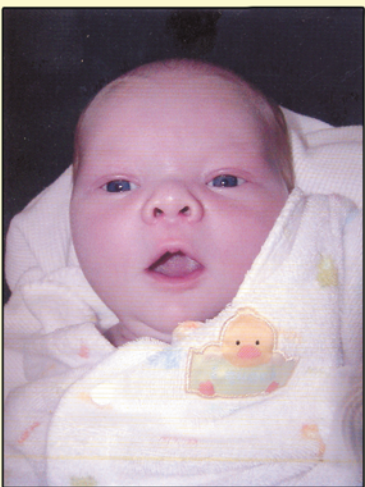
Residents' Beach Pavilion Fundraiser Goes Over the Top

Past President Lynn Bradeen reported to the MICA Board of Directors at the October 6, 2005, monthly meeting that \$310,000 has been received from supportive members to be used for the construction of the new members' pavilion.

Bradeen, who chaired the Pavilion Fundraising Committee, expressed the Board's gratitude for the broad support of the membership. "The overwhelming support, encouragement, and generosity of the members show how much the members value their beautiful Residents' Beach," Bradeen stated.

Each contributor's name will be placed on the "Recognition Wall" of the state-of-the-art building. Bradeen said a few premium benches that display the donor's name are still available. Interested members should call Executive Director Ruth McCann for details at 239-642-7778.

Welcome!



Andrew James Lypen

September 2, 2005
at 4:48pm
8 pounds, 14 ounces

Congratulations to Amy and Andy Lypen of the Snack Shack at Residents' Beach.

America's Waterway Watch

by Randy Weimer FSO-PA
Public Affairs, US Coast Guard Auxiliary

After the events of September 11, 2001, the vision of security in the United States changed dramatically for all Americans and for the United States Government. The US Coast Guard is the military organization protecting our country's maritime community. The United States Coast Guard Auxiliary, the lead volunteer service in the Department of Homeland Security, is responsible for teaching the recreational boating community how they can help to protect America by participating in *Waterway Watch*.

Waterway Watch was developed by the US Coast Guard Auxiliary as a part of Operation Patriot Readiness III, to promote public awareness of how they (the public) can become involved in Maritime Domain Awareness and Homeland Security.

Every recreational boater, marina operator, bridge tender, longshoreman, commercial fisherman and waterfront concessionaire is part of the boating community. Those with boating interests regard waterways as their communities and recognize the need to protect them just like they watch their own homes and neighborhoods. Boaters and those who live around boats are the first to know when someone doesn't belong on the dock or that some activity on the

water is outside normal routines. The Coast Guard and law enforcement personnel cannot possibly see everything going on in marinas, on bridges, around locks and other waterfront facilities....but the citizens that are part of the boating community can! We can be additional "eyes and ears" for those protecting our nation.

Marco Island is a unique and safe community. There would seem to be little reason for terrorist or other suspicious activity here. However, areas like our waters and the Ten Thousand Islands are wide-open borders to the western Caribbean. They are an open invitation for suspicious off-shore activities and intrusions. Keep your eyes and ears open, but remember – **do not intervene.**

Show your community that you, as a concerned boater, are

keeping watch on your local waterways. Display the *Waterway Watch* decal on your boat or waterside facility and be ready to call the *Waterway Watch* National Response Center at 1-877-24 WATCH. The stickers are available from your local US Coast Guard Auxiliary Flotilla on Marco Island.

While underway be observant for suspicious boating activity near bridges, oil, fuel and chemical storage or processing facilities, pipelines, power lines, shipping, cargo and fuel loading docks, facilities abutting the water, water treatment plants or intakes and locks and dams.

Everyone who lives, works or has fun on our inland and coastal waterways needs to participate in *Waterway Watch*. There's nothing to join, no dues to pay, no meetings to attend. All that any American

continued on page 22

Here's What to Look For

- *Suspicious persons conducting unusual activities*
- *Unknown persons photographing or making sketches*
- *Unknown or suspicious persons loitering for extended periods*
- *Unknown vendors attempting to sell or deliver merchandise*
- *Vessels anchored in an area not typically used*
- *Recovering or tossing items into/onto the waterway or shoreline*
- *Unusual transfer of personnel or items while vessel is moving*
- *Boats with unusual or obviously inappropriate modifications*
- *Dangerous cargo or suspicious items that are being loaded onto boats*
- *Anything that strikes you as being wrong – fishing in areas not typical, unusual boat characteristics, unusual SCUBA diving operations, lights flashing between boats or boat and shore at night*

Collier County Wants Your Junk Mail!

by Ruth McCann

As many of our members return from cooler climates, they will be greeted with a new addition to their homes – a large green cart, on wheels with a bright yellow lid! On October 1 Collier County began a very serious campaign to increase recycling and decrease the amount of trash being deposited in the landfill.

Collier County spokeswoman Margie Hapke said the goal is to change people's thinking. Most household garbage is recyclable and can be put in the new carts. Because the county's landfill, located at I-75 and Collier Boulevard, is just a half-square mile in size, they want to save space because once it is full, the county will have to haul its garbage elsewhere.

The county's landfill can accommodate up to 93 million tons of garbage. With the way garbage has been hauled to date and taking into account the rate of growth in Collier County, the landfill will be full in 20 years. And we all know how quickly 20 years can pass! Hapke said the county is trying to extend the life of the landfill with this new, aggressive recycling program.

So, what can be placed in the nifty cart? Most of what you may have placed in the "garbage" before can now be recycled. **Everything with the chasing arrows recycling symbol goes in the yellow and green recycling cart!**

Okay, you've diligently rinsed your cans, bottles and Styrofoam. You've flattened the cereal and tissue boxes, and you've recycled all that nasty

Below is a list of the many items that should be placed in the recycling cart.

Newspapers	Phone Books	Catalogs
Junk Mail	Brown Paper Bags	Cardboard
Cereal/Food Boxes	Aluminum Cans	Magazines
Cardboard (flattened & bundled into pieces measuring 3' x 3' or less)		
Steel Cans	Tin Cans	All Plastics #1 -7
Clear Glass	Brown Glass	Green Glass
Styrofoam Trays	Egg Cartons	

Of course, you should remove any food residue from all items.

The list of objects that should absolutely NOT be placed in the recycling cart is much shorter.

Foam Peanuts	Window Glass	Pots & Pans
Kitchenware	Hardcover Books	Mirrors

junk mail. Now what? On Thursday morning you'll notice that your "garbage" can is just about empty, and your recycling cart is nearly full! Good for you, and good for the next generations! Simply wheel your carts down to the curb, being sure to keep at least three feet of clearance between the carts and any other items you've placed curbside. The Waste Management trucks will take care of the rest, and you can begin again!

Another new and convenient segment of Collier County's Recycling Program is Electronics Recycling. Items such as computers, monitors, keyboards, printers, scanners, televisions, telephones, cell phones, pagers, fax machines, copiers, stereos, and radios may contain hazardous waste, such as lead, mercury and cadmium. Recycling these items reduces the amount of hazardous waste that ends up in the waste stream

and saves precious landfills space. All electronic devices are reused, demanufactured, or recycled in the state of Florida. Electronics can now be recycled curbside by calling 403-2380 48 hours prior to setting items out or by bringing them to the Marco Island Recycling Center, which is located at 711 East Elkcam Circle. The Recycling Center is open Tuesday through Saturday, 8 a.m. to 5 p.m.

The Marco Island Recycling Center also accepts all objects on the recycling list above as well as some additional items, such as scrap aluminum and metal, used motor oil, vehicle fluids, paint and many other items.

Questions? Everything you'll ever want to know about recycling in Collier County can be found online at www.colliercountyrecycles.com, as there's no need to print a huge handbook on paper that will have to be recycled anyway!

Spotlight on Roger Reinke of the Marco Island Police Department

Roger began his career with the Marco Island Police Department on June 18, 2001. He came from Milwaukee, Wisconsin, where he was born and raised. He served for 27 years with the Milwaukee Police Department. Roger worked as a street officer for 9 years and received several promotions, rising to the rank of assistant chief of police, second in command of the 3000-person department.

Roger has a bachelor of science degree in criminal justice and a master's degree in industrial and labor relations, both from the University of Wisconsin-Milwaukee. He has completed the Florida Department of Law Enforcement's



Chief Executive Seminar and is a graduate of the North Western University's School of Police Staff and Command and their Executive Management Program for law enforcement leaders.

Roger and his family live on the Island. His wife, Cheryl, is a first grade teacher at Tommie Barfield Elementary School. Their twin sons graduated from Lely High School and are attending the University of Florida.

Yard Debris Clean Up

City staff appreciates the efforts of property owners to clean up their yard debris in the aftermath of Hurricane Wilma. In an effort to ensure that the roadsides are cleaned up as quickly as possible, City staff requests that all property owners who have not yet placed their yard debris in the swale areas in front of

their home, do so as quickly as possible. The debris piles should not obstruct the sidewalk or the roadway.

Beginning November 8, 2005, staff will patrol the City streets and identify those homes where the yard debris has not yet been placed in appropriate piles for pickup. A letter will be sent to each property owner requesting that

they place the yard debris in the swale in front of their homes within 10 days of receipt of the letter. Failure to do so may result in the City hiring a contractor to remove the yard debris at the property owner's expense.

For more information, please call Eric Wardle at 389-5060 or Nancy Paton at 389-5014.

Bill Patterson - Deed Restriction Specialist

Who is this Bill Patterson? Bill is MICA's Deed Restriction Specialist. The irony in that fact is that Bill was unaware of the Deltona Deed Restrictions when he contemplated building his home on Marco Island! He quickly became familiar with the Deed Restriction setbacks and at the same time was recruited to volunteer for MICA's Architectural Review Committee. That was back in 1993. In 1995 Bill took on the responsibilities of the Deed Restriction Specialist.

Of course, Bill's history began long before his move to Marco Island. He was born and raised in Philadelphia. After graduating from high school and serving in the Marine Corp, Bill worked in the construction trade while attending college at night. After several years he received his degree in Civil Engineering from the Drexel Institute of Technology. He worked in 20 different states as a project manager for a major construction company. Some larger projects that he managed include the Philadelphia Textile Institute, Harrah's Casino in Atlantic City, and sewer treatment plants throughout the east coast.

Before he moved to Marco Island, Bill enjoyed the island life on Long Beach Island, New Jersey, with his wife, Joan



O'Connor. He has two children from his first marriage and four from his second, and Bill very proudly announces that he has seven wonderful grandchildren! Bill and Joan also enjoy boating in the waters surrounding Marco.

Following cityhood, Bill Patterson served on the Selection Committee for a City Hall site. He was a member of the City's Code Enforcement

Board for five years and is presently a member of the City's Planning Board.

Enforcement of the Deed Restrictions is very important to Bill, who states that, "MICA's role on Marco Island is critical. There are important benefits to living in a community with deed restrictions, one of which is the maintenance and enhancement of property values."

Nancy Dowdall
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News from Your Residents' Beach Lifeguards

Finally! The *Travel Channel's* show *Best of* finally ranked a Southwest Florida Beach as the best family beach in the nation. I know what you are thinking, "why not Marco?" Well, in due time they will make it down CR951 to our neck of woods.

Or perhaps we'd rather they didn't find their way to our little island and we can keep Marco Island Residents' Beach one of Southwest Florida's best-kept secrets! A select few hundred thousand visitors have the luxury of stepping into the soft sands of your Resident's Beach. Imagine cramming what locals do over a year's time, into one week. Your visitors love your beach as much as y'all do; however, they only get a chance to "bask in the sun" a fraction of the time that you do.

Safety should always be a priority at the beach, as dangers are always present. Marco residents are under the belief that "nothing happens on Marco". Well, it is that very thinking that creates a formula for disaster. Please take a minute of your time to read the Lifeguard Board each and every time you come to the beach. This board is used to communicate with you, the member, any precautionary measures, hazards, or simple information you may need to be aware of. With this in mind, please consider the following subjects: *fishing in the swim area, glass containers on the beach, motorized watercraft in the*

swim area, and setting-up umbrellas in front of the lifeguard stand.

Fishing in the swim area:

Recently, there has been a great deal of complaints and concerns about fishing on the beach. Please use common sense when fishing at the beach, especially if your lures pose a danger to your fellow members. "Knowing that a lure or hook can break off, why would anyone want to fish in a swim area?" is one question voiced by members. "If a lure or hook breaks off of their line, are they going to go out and retrieve it?" is another. The list goes on and on. The point is that fishing in the swim area is not safe! Please refrain from fishing in this area. Ask yourself this question, "would I want to step on a lure or hook, and get it stuck in my foot?" Besides the fact that there is wonderful fishing at Tigertail or at South Beach, near the jetty.

Glass containers on the beach:

Like the fishing concern, members have voiced concerns about *glass containers on the beach*. Quite simply, glass containers are not permitted on the beach, period. This is a Florida State Statute and it prohibits bringing glass containers of any kind to the beach. In the interest of making our lives safer, several breweries have chosen to offer their beer in plastic bottles. For all of you "beer connoisseurs" stick with plastic bottles for one reason, IT'S THE LAW.

Motorized watercraft in the

swim area: Slow-moving swimmers, divers, and kids are just a few reasons why motorized watercraft vehicles should never enter the swim area. Face the facts, we're all getting older and do not move as swiftly in the water as we once did. A snorkel diver, in some situations, can be difficult to see. Kids! Small children are fearless and tend to tip-toe boundary lines. They are normally not aware of their surroundings and can get caught up in the excitement of being at the beach. Given these scenarios, motorized watercraft should never enter the swim area. Regardless of whether or not you are "dropping off" or "picking up", do so outside the swim area. Please refer to the Florida State Statutes on boating. Wave runners may not create a wake within 750 feet, and a boat may not create a wake within 500 feet. Consider this: the "sand bar" (no, not the tavern behind Porky's), is roughly 100 yards off-shore (that's 300 feet). Do the math, a wave runner must be at least 450 feet past the sand bar to even consider creating a wake, and a boat must remain an additional 200 feet past the same point of reference. Again, perform all drop-offs outside the swim area (yes, even if your party is located in the middle of the beach). After all, it's just "a walk at the beach". By far, this is the most popular concern that our members have about YOUR

beach. Yes, boating is a wonderful luxury, but be cognizant of your surroundings and the safety of those in the water.

Setting up umbrellas in front of the lifeguard: They protect you from the rain. They protect you from the sun. They also prevent the Lifeguards from properly scanning the area along the shore. Yes, umbrellas have been a nuisance at times. The lifeguard stand places the Lifeguard in a position to view the beach and water areas from an elevated spot. When an umbrella is placed between the water and the stand, a large area of water is blocked. So, what's the big deal?

An umbrella placed between the stand and the water blocks a great deal of water coverage. This deters the Lifeguard from accurately scanning the water. In the event that a small child needed help or an elderly person falls, those areas are being blocked from the viewing of the Lifeguard. Understandably, most members like to be close to the water because of the short distance to cool off. There are two suggestions that we recommend:

1. Close your umbrella when you leave your "spot"
2. Place your umbrella behind the Lifeguard stand and enjoy "a walk at the beach" as you go to the water to cool off.

We truly appreciate your cooperation in considering these issues each time you visit the beach. Remember, a safe beach is a fun beach to visit over and over.

By the way, in case you were wondering what beach in Southwest Florida was named the Best Family Beach, it is Naples!

PERKS OF BEING OVER 50

1. Kidnappers are not very interested in you.
2. In a hostage situation you are likely to be released first.
3. No one expects you to run—anywhere.
4. People call at 9 pm and ask, "Did I wake you?"
5. People no longer view you as a hypochondriac.
6. There is nothing left to learn the hard way.
7. Things you buy now won't wear out.
8. You can eat dinner at 4 pm.
9. You can live without sex but not without your eye glasses.
10. You enjoy hearing about other people's operations.
11. You get into heated arguments about pension plans.
12. You no longer think of speed limits as a challenge.
13. You quit trying to hold your stomach in, no matter who walks into the room.
14. You sing along with elevator music.
15. Your eyes can't get much worse.
16. Your investment in health insurance is finally beginning to pay off.
17. Your joints are more accurate meteorologists than the national weather service.
18. Your secrets are safe with your friends because they can't remember them either.
19. Your supply of brain cells is finally down to manageable size.
20. You can't remember who sent you this list.

And you notice these are all in Big Print for your convenience.

Life After Wilma

by Joe Hausauer, President, MCB Commercial Lending Corp.

Marco Island was renowned for not getting hit by hurricanes but now that we have had a direct hit and survived, we can safely say we know how to deal with them. The preparation and evacuation orders were taken seriously and no lives were lost.

Early estimates by FEMA indicate that at least 70% of homes and businesses on Marco Island experienced some damage from Hurricane Wilma. Most of the damage was to roofs and from blown out windows, as well as awnings and signs on businesses and pool cages on residences. Water damage occurred where water was driven under doors or through broken windows and failed shutters. However, most structures held up remarkably well on the island.

There was a significant amount of damage to trees and landscaping. We lost some of the landmark trees on the island including the one at the entrance of the Snook Inn. Home owners and lawn services were out in force the day after the storm cutting trees and picking up branches. Debris removal was accomplished by cutting up the larger limbs and dragging it next to the street for curbside removal.

Most of the power lines remained undamaged allowing a



significant amount of the Island to get power back within 2 days from LCEC. Thankfully, storm surge did not reach significantly above seawalls, or cause massive flooding of buildings.

Insurance settlements were best accomplished directly through the individual agent who had the ability to streamline the process. Otherwise you would spend countless hours on hold when you tried to dial a company 800 number. A claim number became the magic key to the status of the claim and the timeframe for action.

Not enough can be said for the speed and response of our emergency services by the City of Marco Island. Stop signs were posted at signaled intersections

that had been destroyed by the time authorities were allowing residents and business owners to return to the island. Identification was required to get back on the island immediately after the storm and a strict curfew remained in effect for days after the storm.

Gas was available at Progressive Auto and propane was available at Ace hardware by the day following the storm. The rapid response to make primary services available to the island showed businesses operating here and those thinking of coming here that there was not much operational down time even after a category 3 hurricane.

...continued on page 22

The Florida Intangible Tax

by Howard J. Jordon AAMS

Rather than institute a state income tax, the state of Florida raises revenues in a variety of other ways. Florida imposes an “intangible property” tax on all non-exempt property owned by Florida residents. The tax is imposed on all intangible property having legal “situs” in the state of Florida. Situs refers to the “location” of something for tax purposes. Intangible property, generally speaking, has situs in the state of residence of the owner.

Typical examples of intangible property include common stocks, bonds, mortgages, mutual funds, and the like. The tax is imposed using the value of intangible assets as of January 1 of the year. For publicly traded stocks, bonds, mutual funds, etc. the value is the closing price on the last business day of the previous year. The tax is imposed on all individuals who are residents of Florida on January 1 of each year.

Certain types of intangible property are exempt from the tax. The exempt assets include: 1) cash; 2) franchises; 3) general and private limited partnership interests; 4) Florida municipal bonds; 5) **direct** U.S. Government agency bonds; 6) property held in a tax qualified retirement plan or an IRA; 7) notes secured by real estate outside Florida; 8) units of unit investment trusts organized under the Investment

Company Act of 1940 if the assets of the trust consist **solely** of exempt property (e.g. Florida municipals or U.S. government bonds).

“Cash” includes not only paper currency and coins but certificates of deposit, checking accounts, bank money market accounts, and the cash value of life insurance and annuity contracts as well. Cash also includes the accrued interest on cash deposits. Money market mutual funds are **not** considered cash. However, if the money market mutual fund meets the exception number 8 above (i.e., it is properly organized and invests **solely** in U.S. government paper) you may be able to secure an exemption on that ground.

Public limited partnership interests are not exempt and are to be valued at the traded market value when traded on an exchange or over the counter. If there is not a traded market value, it is to be valued at the acquisition cost. If the owner feels that partnership should be valued at a lesser value, he/she may submit evidence (naturally, they don’t define this term) along with the return to support that.

The tax is imposed according to the following schedule:

Single	Rate
\$0 - \$250,000	0
Over \$250,000	1 mill

Married/Joint	Rate
\$0 - \$500,000	0
Over \$500,000	1 mill

A “mill” equals \$1 for every \$1,000 of intangible property or .001. One mill equals 10 “basis points” (a basis point equals .01% or .0001).

Consider this example: a couple (a married couple who are residents of Florida) have \$1,300,000 worth of non-exempt intangible property.

Their tax will be \$800
 $[(500,000 \times 0) + (800,000 \times .001)]$

New residents of Florida should pay the tax enthusiastically since it only applies to residents (and they are trying to establish their residence) and the rate is so much lower than state income tax rates. Existing residents may wish to purchase Florida municipal bonds. However, if the yield on a comparable out of state bond is more than 20 basis points higher than the Florida bond, the better economic decision is to buy the out of state bond. Note, however, that the intangible tax is a deductible tax for federal income tax purposes.

*Howard Jordon is Vice President
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 Associates, Inc.*

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 Howard.jordon@Raymondjames.com*

Advances in Back Pain Relief

by Dr. Roger Sessions

The word “pain” comes from the Latin “poena” which means punishment or torment. In 1931, the famous missionary Dr. Albert Schweitzer wrote that “Pain is a more terrible lord of mankind than even death itself.” Ancient civilizations recorded their thoughts on pain on stone tablets and on walls. The treatments they tried to eliminate pain included heat, water and sun, among others. Early men and women believed that pain was caused by evil demons or spirits. Thus, people turned to sorcerers, shamans, priests or priestesses for pain relief and used various herbs, potions, rituals and ceremonies to treat their pain.

An estimated 90 million Americans suffer from chronic pain or continuous pain which lasts more than 6 months, with the resulting disability and lost productivity amounting to more than \$100 billion a year. According to the American Academy of Orthopedic Surgeons, 80 percent of Americans will experience back pain some time in their life. And, in a September 2004 survey it was found that one in three Connecticut adults are experiencing pain on a daily basis while as many as 60 percent of Connecticut adults experience pain on a monthly basis.

A doctor’s solution for pain management typically consists solely of the use of drugs. However, according to conservative estimates in the *American Journal of Medicine*, 107,000 patients are hospitalized

annually for nonsteroidal anti-inflammatory drug (NSAID)-related gastrointestinal complications and at least 16,500 related deaths occur each year among arthritis patients alone. These anti-inflammatory drugs include Advil®, Aleve®, Tylenol®, ibuprofen, naproxen, and Aspirin®. *The New England Journal of Medicine* in June 1999 reported that “If deaths from gastrointestinal toxic effects from NSAIDS were treated separately in the National Vital Statistics reports, these effects would constitute the 15th most common cause of death in the United States. Yet these toxic effects remain mainly a ‘silent epidemic,’ with many physicians and most patients unaware of the magnitude of the problem. Furthermore, the mortality statistics do not include deaths ascribed to the use of over-the-counter NSAIDS.” Doctors frequently prescribe prescription narcotics, which dull the patient’s perception of pain by preventing pain messages from reaching the brain. But many of the most heavily prescribed narcotics, such as morphine, have serious negative side effects such as sedation and the potential for addiction.

Over the past few decades many doctors, scientists and companies have been studying the causes and mechanisms of pain in hopes of finding out how to manage and relieve this worldwide crisis. One company specializing in nanotechnology, Ferris Pharmaceuticals Inc. of

Hinsdale, Illinois, has participated in a number of medical and scientific studies on relieving pain. The result of Ferris Pharmaceuticals’ research on back pain was the invention of the ActiveWorks® Pain relief systems for acute and chronic back pain. Ferris Pharmaceuticals’ research led to the discovery of the NanoTech™ Pain relief systems for acute and chronic limb pain for the shoulders, elbow, wrist, ankle, and knee.

In the January 2003 issue of *Orthopedics* by Dr. Brian Cole, M.D. (Department of Orthopedic Surgery, Division of Sports Medicine, Rush Presbyterian-St. Luke’s Medical Center, Chicago, Illinois), Dr. Cole found that patients had significant reduction in postoperative pain and lower skin temperatures after knee surgery when using the Ferris Pharmaceuticals NanoTech™ Pain Pad. In his study Dr. Cole found “statistically significant reduction of postoperative pain” and “less postoperative swelling”

In the February 2004 *Journal of Pain of the American Pain Society*, it was reported in a clinical study by Alvin J. Beitz, PhD and Alan R. Kahn, M.D., that the Ferris Pharmaceuticals NanoTech™ Pain Pad was “useful for reducing pain,” there was “a significant reduction in Fos expression,” and that the pad “significantly reduced both the number of inflammatory cells and the spread of inflammation.” Dr. Beitz and Dr. Kahn also found that the tested Ferris Pharmaceuticals NanoTech™ Pain Pad

“produces a local analgesic effect when applied to the skin.”

Two important back pain studies have been performed with the Ferris Pharmaceuticals NanoTech™ back pain relief system. In each of these studies, the patients were treated for 10 days. The patients had back pain for at least six months prior to enrolling in the study.

In the most recent study of patients with untreatable chronic lower back pain by Dr. Alan Kahn, M.D. and Dr. Hans Ersgaard, M.D., 87 percent of the patients responded well within the 10-day treatment period with 73 percent of the patients experiencing total relief from lower back pain with the Ferris Pharmaceuticals NanoTech™ back pain relief system.

In an earlier study that examined 47 participants suffering from chronic back pain, 72 percent of the participants treated with the ActiveWorks™ back pain relief system obtained relief and 90 percent of those discontinued the use of their back pain medications. Of those who received back pain relief, 27 percent had pain relief within four hours or less of beginning to use the product. And more than two weeks after completing treatment, the participants in the study reported that the ActiveWorks® provided significant lasting relief when compared to their regular treatment methods.

NanoTech™ Pain Pads contain no drugs or harmful chemicals. Over 100 million tons (of 4x4 inch pads of the material) have been used in healthcare facilities worldwide over the past 12 years without a

single reported adverse reaction (no MDR's or Medical Device Reports). The Ferris Pharmaceuticals NanoTech™ pain relief system is comfortable to wear and causes no discomfort upon application and removal during the recommended 10-day treatment process.

Dr. Alvin Beitz, an eminent neurophysiologist, suggests that the NanoTech™ pain relief systems relieve pain by disrupting the signals sent through the pain circuitry and by simultaneously activating the pain relief mechanisms which exist in the spinal cord. Dr. Beitz also speculates that the NanoTech™ Pain Pad somehow activates a different type of new neuron.

Evidence presented by Dr. Brian Cole suggests that this pain relief effect is accomplished by the selective absorption of very small (nano) quantities of sodium ions from the skin into the NanoTech™ Pain Pad. The absorption of the sodium disrupts the pain signal transmission so the pain receptor and transmission systems are not activated, therefore the pain is “short-circuited.”

According to Dr. Beitz, the NanoTech™ pain relief system uses spinal cord pathways similar to those seen with acupuncture. However, the NanoTech™ pain relief system provides added advantages over acupuncture. First, it eliminates the use of needles in order to get the beneficial effects, and second, the treatment can be delivered continuously rather than just during the limited time that a person is able to be treated at the office, which speeds up the healing process.

In the thousands of years since mankind first suffered with pain and the accompanying anxiety and depression, science and physicians have provided us with dramatic improvements in pain management. In 1869 Friedrich Bayer founded a small company in Barmen, Germany, to produce dyes. In 1887, a Bayer chemist developed a “wonder drug” called the aspirin which has been used ever since to relieve pain. And, now in the 21st century scientists have again developed another “breakthrough” medical device- the drug-free ActiveWorks® back pain relief system.

For more information on the Ferris Pharmaceuticals ActiveWorks® back pain relief system for your chronic or acute pain or the other PolyMem® family of products, call toll-free 1-800-POLYMEM. Or, please visit and speak with Elizabeth LaLonde, a Registered Nurse with over 25 years experience specializing in patient pain, ostomy and wound care. Elizabeth LaLonde is at the Medical Shoppe of Marco at the Shops of Marco, 135 S. Barfield Drive, Marco Island. Hours are 9 a.m. to 5 p.m. Monday through Friday and Saturday 10:00am to 2:00 p.m. Her office can be reached at 239-389-4890.

Dr. Roger Sessions is a Staff Physician at the Baylor Regional Medical Center, Grapevine, Texas; Diplomat of the American College of Emergency Physicians; Assistant Director of Baylor Regional EMS; Director of the North Texas Medical Center; and, a member of the American College of Sports Medicine.

The Marco Island Coast Guard Auxiliary

by Randy Weimer FSO - PA

The United States Coast Guard Auxiliary was created by an act of Congress on June 23, 1939. It was originally called the Coast Guard Reserve. The name was changed to the Coast Guard Auxiliary on Feb 19, 1941. The Coast Guard and Auxiliary were at first organized under the direction of the Department of Transportation. However, today both are administered by the Department of Homeland Security.

The Marco Auxiliary is entering its 38th year of service to Marco Island and the Ten Thousand Islands. Fifty years ago the Naples Auxiliary was the only Coast Guard Auxiliary in the area. Then, as the area grew, Naples started the Marco Auxiliary. Today the Marco Island Auxiliary is assigned an AOR (area of responsibility) that is 220 square miles and takes in the Ten Thousand Islands. The Auxiliary on Marco Island has over 60 members, 18 authorized vessels 18 ft to 44 feet, 1 base radio station and seven home based land radio stations. The auxiliary is not a law enforcement agency but serves as a support team for and operates under orders from, the Coast Guard. All of our members are required to undergo strict Homeland Security clearance checks.

We offer a wide variety of boating programs including our

most popular course, Boating Skills and Seamanship. All of our classes are taught by certified Coast Guard instructors. These programs are designed for individuals who either own a boat or are thinking of buying a boat. They provide valuable information to help make us all safe boaters. Other courses include GPS, Advanced Coastal Navigation, Weather, How to Read a Chart, Hurricanes and Your Boat, and many water safety programs aimed at school age children.

Unfortunately, Florida leads the nation in boating fatalities, injuries and accidents. Courses such as the ones we offer are a key to a safer boating public. We encourage all boaters to expand their knowledge base by looking into the various Auxiliary courses that are offered. Many insurance companies give discounts on boat insurance if you successfully complete these classes and present them with the appropriate certificates. Current Florida Law requires that anyone born after September 30, 1980, and operating a vessel powered by a 10 horsepower or more motor, must pass an approved boater safety education course. They must also have in their possession, photographic identification and a boater safety identification card issued by the Florida Fish and Wildlife Conservation Commission.

These identification cards will be processed at no charge upon completing the courses offered by the Marco Island Coast Guard Auxiliary.

Free Vessel Safety Checks (inspections) are available from certified Coast Guard Auxiliary members here on Marco Island. They can be done right at your dock. The goal of these inspections is to assure that you have all of the required safety equipment on your boat. The Auxiliary will work with you until your boat meets all of the Coast Guard safety requirements. You will then be awarded a Vessel Safety Check Certificate to affix to your boat.

In addition to an elected Flotilla Commander and Vice Commander, we have twelve appointed Staff Officers in our Flotilla that have separate assigned responsibilities, including a certified Marine Safety Officer who responds to water pollution investigations.

Although our vessel facilities (boats) are privately owned, they must be inspected to meet USCG standards. The required equipment on board costs the member an average of twelve hundred dollars. The coxswains and crews on all of our boats must be certified as well as undergo annual requalifications. A coxswain undergoes 4 months of training and then must be tested on the water in the

daytime and nighttime by a QE (Qualified Coast Guard Examiner). Crewmembers undergo similar training and testing.

Anytime an auxiliary vessel is on the water flying the Patrol Ensign and the Coast Guard Patrol Sign, that vessel is under US Coast Guard orders. It is assigned as Coast Guard Property, as is the radio equipment supporting it. The Marco Auxiliary is designated as Flotilla 5 in Division 9 and is under the command of the United States Coast Guard Seventh District. Flotilla 5 has supported the Coast Guard with well over twenty thousand hours in 2004 including many search & rescue missions and boater distress calls.

The importance of the Auxiliary became very evident after 9/11 when it was called upon to fill vacant USCG positions in stations that had deployed staff to meet the demands of national security. Today our trained members are utilized to staff positions at the Fort Myers Coast Guard Station.

Our Auxiliary station on Marco Island (located at Caxambas Park) has received many awards from the USCG. Its accomplishments include leadership in establishing new seminars on boating safety, installing updated radio communications, providing docking for emergency response vessels and for completing a 24-month re-charting of the Ten Thousand Island.

For information on boating classes, vessel inspections, seminars and availability of speakers please call the station at 394-5911 and leave a message. If you would like information on joining this fine family of volunteers and have eight hours a month to give, please call also. Information on the Auxiliary membership requirements, class dates, and course descriptions is also available at our web site: www.uscgaux.org/~0700905.

Special Note on Boating Speed Zones

We get many questions about local boating speed zones. Therefore, in conjunction with local authorities, the following information was prepared to briefly cover some examples of common boating speed zones found around Marco Island.

Boat speed limits are posted throughout our waterways, just be alert for the white signs and markers while on the water. Remember that PWC's (personal watercraft) are class A motorboats and must follow the same rules as other boats. Boat speed limits do not give anyone the option to operate in an unsafe manner. There is no "right-of-way" on the water! Some speed zone examples are shown below.

On the Gulf- Boats must be operated in a safe manner, at a safe speed.

From the entrance of Capri Pass to speed marker just past the Snook Inn- Idle speed (no wake and a minimum speed

at which you can still maintain control).

From this point up to within 300 feet either side of the Jolley Bridge- 30 miles per hour within the channel.

Within 300 feet either side of the Jolley Bridge- Slow speed (minimum wake and boat in an off-plane position, riding level in the water with the bow down).

Outside of the Marco River channel- Unless marked otherwise, the speed limit is slow speed.

Marco Island bays and canals- Idle speed. This includes all bays* and canals on Marco Island. Also included in this speed limit is the area along the seawalls east of the Jolley Bridge.

Special speed zones- areas such as Rookery Bay and some areas around Goodland are marked with 20 miles per hour signs.

* Barfield Bay speed limits are under evaluation by the City of Marco Island.

Boating authorities can suspend speed limits at any time if unsafe conditions exist. Monitor channel 16 on your VHF radio at all times for safety alerts and emergencies.

Please remember, safety is everyone's responsibility. We cannot possibly cover all of the specific speed zones on Marco; so we have included some here for clarification purposes. Water speed zones are clearly marked! It is the boater's responsibility to operate his/her watercraft in a safe manner; this includes operation at no more than the posted and safe speed. Courtesy goes a long way on the water, if in doubt, give-way.

United Way of Collier County

by Shannon Anderson

Isn't it great to have Marco Island as your place in the sun? Whether you are here year 'round, a few months or few weeks, very few will argue that Marco has the best of so much for so many. It's easy to understand why the residents are justly proud of their community.

Residents and civic groups seek to improve life on the island for all residents through hard work and generosity and donations to the United Way assist with that task.

From the beginning of the Marco YMCA's existence, the United Way of Collier County

has been a generous supporter, helping to pay for supervised, after-school care. The United Way also helps to fund Marco's scouting activities, with approximately 115 children benefiting.

Marco residents can count on all United Way-funded agencies including those off the island to give support in times of crisis. Unfortunately, Marco Island shares some of the same serious issues that exist throughout Collier County. Project Help provides 24 hour-a-day counseling for survivors of rape, crimes and suicide and offers support groups as well. Typically, 60 individuals from Marco are served by Project Help annually.

Some agencies hope the need for their services declines.

The Child Protection Team (CPT) is one such agency. Their mission is to provide medical and social diagnosis of child abuse and neglect. This past year, CPT was involved with 64 children from Marco.

The list of agencies that serve Marco residents continues: Sunrise/Tech of Collier County, providing the developmentally disabled opportunities to live productively in the community; Step by Step, delivering intervention programs for preschoolers with development delays; the Care Club, caring for Alzheimer's sufferers in Collier's only licensed adult day program. These are a few of the 29 local agencies that are supported by the United Way.

Although many businesses support the United Way generously, Collier County doesn't have as many large businesses from which to draw support as other communities do. In addition, local government does not fund charitable organizations. The financial support of the residents of Marco Island and the rest of Collier County are greatly needed for the United Way to meet its goal of \$2.5 million. Thank you for your support.

Please contact the United Way for more information at 239-261-7112. And finally, you may lend your support to the United Way by sending your tax-deductible gift to: The United Way of Collier County 848 1st Avenue N. Ste. 240 Naples, FL 34102



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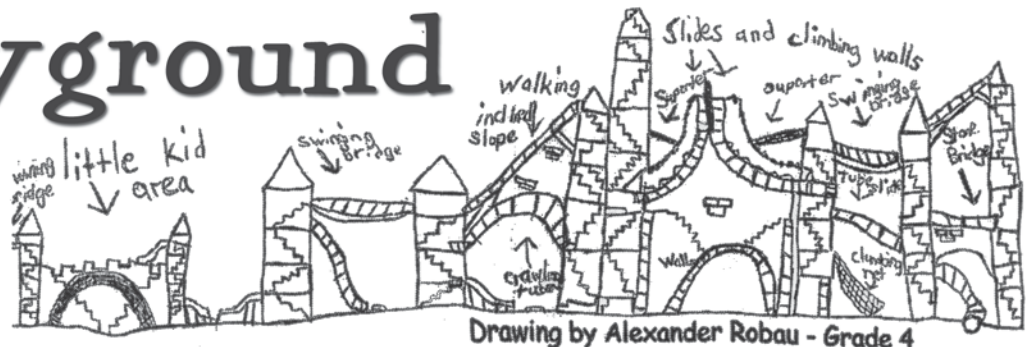


MICA's Architectural Review Committee (ARC) meets the second and fourth Monday of each month and is looking for qualified individuals to serve on the committee.

The ARC reviews construction plans for compliance with the deed restrictions.

If you are interested in obtaining further information, please call the MICA office at 239-642-7778.

The Mackle Park Playground



Come Join us March 8-13

The City of Marco Island in conjunction with community organizations and volunteers from across the island will build a state-of-the-art playground for the youth of the island. What makes this project unique is that the playground is designed by children, and the entire community will help supply the labor to build the playground.

Calling All Volunteers!

Please call and sign up for
a shift

8am - 12pm
12:30pm - 5pm
5:30pm - close

Heidi Moss 825-8269
Natalie Kirstein 394-2986
Jill Baldwin 642-1076

Skilled Volunteers:

Cutting a straight line with a circular saw; familiar with power tools, measuring, cutting etc.

Unskilled Volunteers:

Carrying, assembling, sanding, shovelling, carpenters, helpers.

Also need:

Food service, Childcare, sign-in table etc.

There will be food, refreshments and childcare on-site.

Please let us know if you can donate or loan tools!

Mackle Park Community Park 642-0575

Nonprofit Collier County Animal League, Inc. Formed to Save Lives of Local Animals

Foster homes, volunteers and donations urgently needed

Ronnye Randall, a health care industry consultant, couldn't stand the idea of the stray dog she had turned in to the county shelter being put down, so she decided to do something about it.

In May of 2004, Randall found "Fate," as the little black lab came to be called, while out walking her own three dogs. He had no identification tags, so she took him to the county shelter.

"He didn't look like he had been dumped or abused, so I assumed he had got out in the storms the night before and that his owners would quickly pick him up," said Randall.

Unfortunately, no one claimed little Fate, and, because he had an injury to one of his front legs and also had Heartworm, a fatal parasitic condition if left untreated, the shelter prepared to euthanize him, as they do not have the resources to treat or care for dogs in such condition.

The thought of this friendly, happy young pup being put down was too much for Randall to bear, so she set about trying to find his owners or, if that failed, to find him a suitable home.

"I put up flyers in all the nearby shops and posted them in the local residential communities," she said. "But it



Honeybear is one of the animals at the Collier County Animal League, Inc. looking for a new home

was pretty stressful, as I knew if I didn't find him a home quickly, he would be euthanized."

Fortunately, this story had a happy ending, as a wonderfully generous family agreed to adopt Fate and treat his medical conditions at their own expense.

After experiencing the satisfaction of finding a home for Fate, Randall began to research whether it would be possible to find homes for other animals in the county shelter that would otherwise be euthanized. She quickly met Tammy Morris, owner of Amigo's Restaurant on Marco Island, who had been quietly rescuing dogs and cats from shelter for over 13 years. Morris had been using her network of friends, family and customers to find the animals permanent homes, paying for any medical

treatments needed out of her own pocket. The two began working together toward their common goal and, over the last seven months, working with other individuals and rescue organizations have found homes for over 150 animals.

As Randall and Morris met more and more animal lovers who wanted to get involved with their efforts, they decided to organize the process, and recently formed the nonprofit organization Collier County Animal League, Inc. (CCAL).

"We've just filed our incorporation papers and are waiting to get our exempt status so that we can accept tax deductible donations," said Randall. "Then we can really start helping some of the more desperate cases that need expensive medical treatment," she continued.

CCAL's stated mission is to end euthanasia in Collier County by reducing the population of homeless and unwanted animals through low cost and no cost spay/neuter programs and community education; and by helping local animal shelters and rescue organizations with any needs that are not covered by their operating budgets.

Financing a rapidly growing, young company can be a challenge for the lender, but if the borrowing entity is organized, has a good accounting firm and has a designated internal person to respond to the myriad of documentation requests, a successful financing can be achieved. High Velocity met the challenge by giving the lender complete access to its accounting firm and designating a highly placed individual within the firm to act as a point person for the lender to gather the information necessary to close the loan.

MCB Commercial Lending Corp. met the challenge by creating a collateral and down payment structure that responded to the needs of High Velocity as well as the needs of the lead bank, Marco Community Bank and those of the participating bank.

Now that High Velocity owns the property, the company has positioned itself to be able to seek construction financing since their equity in the land is increasing rapidly as values rise. The company's ability to acquire future financing in general has been enhanced because they can put up real estate as collateral. This is an important point because many businesses that are new as well as restaurants are traditionally hard to finance without the collateralization of real estate.

Here is what Steve Camposano, the President of High Velocity, had to say about the process: "Building a solid financial profile in a fledgling small business is a challenge that I believe requires equal amounts of skill and luck. High Velocity has outgrown its leased 30,000 sq. ft. Naples facility so we were in dire need of acreage for a new site. I quickly discovered a serious shortage of opportunities in

available industrial parcels. Since vacant industrial acreage in Collier County is so scarce, we were lucky to discover a parcel in the White Lake Corporate Park that we were able to put under contract, but the clock had started ticking.

"MCB Commercial Lending customized the loan to the borrower's ability and circumstances. They reviewed our request in detail and spent the time required to satisfy all our concerns in a deal of this size. Compared to the run around we received from the rest of the banking industry, where underwriters in some other city and state were not familiar with our company or our proprietary and patented products. Nor were they aware of the statutory regulations and building codes requiring hurricane protection in Florida.

"MCB took the time to really take a look at our company, customers, vendors, financials, business plan and future growth plans. Without the experience of MCB Commercial and their willingness to tailor a loan for the exact

purpose intended, I doubt that High Velocity would be the proud owner of industrial acreage today.

"I truly believe that business is about relationships and strategic alliances. MCB Commercial is squarely on that page. This transaction was handled personally, on time, on schedule and closed without incident. Considering the seller had multiple back-up contracts for the parcel, what MCB Commercial accomplished for us was tremendous. Therefore, we have enlisted their support to finance the building of our approx 100,000 square foot world class manufacturing facility, on our rapidly appreciating, lakefront, 5.10 acre industrial site.

MCB Commercial Lending Corp. and Marco Community Bank exceeded all of our expectations in achieving this financing. Acquiring this location for our new manufacturing facility is huge for our company. We put the future of our unique company in the hands of MCB Commercial Lending Corp. and Marco Community Bank and they came through."



MARCO ISLAND CIVIC ASSOCIATION "MEMBERS ONLY" DISCOUNT PROGRAM

The following businesses would like to say "thank you" and are extending a minimum 10% discount to MICA & Residents' Beach members who present their MICA membership cards AT THE TIME OF PURCHASE. These discounts are not valid with any other offers and are at the discretion of each business. Discounts are for MICA & Residents' Beach members' purchases only.

Airboat Experience
Base of Goodland Bridge, 642-3141

Always There Home Health Care
After first month of service, deduct 5% discount on weekly billing. Not to be combined with other offers.
317 N. Collier Blvd #201, 389-0170

Dr. Constance Aria
Licensed Psychologist
997 N Collier Blvd, Suite D
Royal Palm Mall, 394-5599

Autocraft
5% off non-insurance repairs
Present card prior to estimate being prepared
754 Elkcarn Circle, 642-5309

Avon by Judy & Lucinda
10% discount.
642-0297

Balloon Dreams & Party Themes
850 Bald Eagle Drive-Lanai Plaza
642-9698

Beachworks
10% off excluding sale items
Marco Town Center Mall
642-4888

Beach Unlimited
1001 N. Collier Blvd, 642-4888

Blue Marlin Marine Construction
10% off Seawall Inspections
418 S. Barfield Dr. Suite A
642-4284

**Jeffrey M Bogan
Insurance Agency, Inc.**
15% off annual premium for long term care. 261-6533

Cache Dry Cleaners
666 Bald Eagle Dr., Below MICA office
394-0099

Carolyn's Personal Growth Center -
Carolyn Katchmar, Counselor-Marco
Healthcare Center
40 Heathwood Drive, 394-1784

Cedar Bay Marina
10% off boat rentals & .10/gal off fuel
705 E Elkcarn Circle, 394-9333

Champions Pizza
10% off any Large Pizza
910 N Collier Blvd, 642-5662

China Rose Florist
10% off fresh flowers,
excluding out-of-town orders
678 Bald Eagle Drive,
642-6663

Cold Stone Ice Cream
\$1 off purchase or
\$3 off ice cream cake
Esplanade, 111 N. Collier Blvd,
393-0046

Mai Cooley Cleaning
393-1727

Critter Cafe
10% off all goods excluding dog & cat
food - 810 Bald Eagle Drive,
389-8488

Crystal Blue Pools
New customers take 10% off first
3 months' service
799 E Elkcarn Circle, 394-8240

Nancy Dowdall Photography
20% off sitting fee of family portrait
on beach at sunset, 642-9685

Dry Clean & More
Shops of Marco, 642-7222

Dry 'n Clean Carpet Cleaning
Complete dry cleaning of your carpets
642-0092

Enterprise Rent-A-Car
10% off daily & weekly rates
Across from Texaco
717 Bald Eagle Drive #1C, 642-4488

Favorite Finds Antique Shop
10 Marco Lake Drive, 642-6206

Front Street Italian Steakhouse
10% off menu entrees
23 Front Street, 393-2255

Georgie's and the Shoe Resort
Town Center Mall, 394-2621

GNC, General Nutrition Cntr
Shops of Marco, 642-3336

Golden China Super Buffet
10% off all bills (dine-in or take out)
1831 San Marco Road, 642-6666

Great Garage Doors
10% off tension spring repairs,
642-9050

Gulf American Marine Inc.
10% off parts
994 N Barfield Dr, Suite 4
642-9515

**H.I. Studios, Ltd,
Memorable Keepsakes,** 393-6273

Harbor Goldsmith
10% discount on non-sale items
1 Front Street, 394-2975

Holiday Rentals
10% off all crib rentals
1759 San Marco Road
394-6349 or 1-800-472-4064

House of Mozart Restaurant
151 S Barfield Dr, 642-5220

Island Pet Sitters
389-1837, 272-1659

Island Print Shop
10% off all printing - excludes copies
& typesetting 11 Front Street,
642-0077

Islander Pool and Patio, Inc.
10% off patio accessories
& pool toys
559 Bald Eagle Drive, 642-4844

JetSet Surf Shop
10% off everything except hardgoods
674 Bald Eagle Drive, 394-5544

Jewelry by Laura
at the Marriott Hotel, 394-2511

Joey's Pizza & Pasta House
10% off entree items. Dine in Only
257 N Collier Boulevard, 389-2433

Kahuna Sailing Catamaran
10% off all trips, including Shell Kat &
Sailing Club & School
1081 Bald Eagle Drive, 642-7704

Karisma Gallery
Pottery, jewelry, mixed media with an
island flair, 389-0955
Marco Walk, 599 S. Collier Blvd #315

Konrad's Restaurant
Marco Walk, 642-3332

La Casita Restaurant
1817 San Marco Road, 642-7600

Little Caesar's Pizza
10% discount off regular menu prices
911 N Collier Boulevard, 394-4422

Lotus Blossom Feng Shui Designs
10% discount on 1st consultation
404-0678

Maintain Domain, etc.
Joan Jennings, 941-394-1971

Marco Community Bank
1770 San Marco Road, 389-5200

Marco Cat
Town Center Mall, 394-6944

Marco Dollar Store
Buy 10 items, get one \$1 item
of your choice free
Town Center Mall, 642-6700

Marco Island Fine Jewelry
Jewelry & Fine Gifts
Town Center Mall, 394-3377

Marco Island Floor Covering
Special discounts vary from product to
product. We will not be undersold.
1711 San Marco Road, 394-1171

Marco Island Photography
642-3500

Marco Island Princess
Marco River Marina, 642-5415

Marco Island Ski & Watersports, Inc
10% off their water sports activities at
the Marriott, Hilton & Radisson Hotels,
393-4344

Marco Pool Service
10% off chemicals
812 Elkcam Circle, 394-3946

Marco River Marina
10% off retail goods-excluding
sale items & fuel
951 Bald Eagle Drive, 394-2502

Marco Tanning Salon, Inc.
1,000 N Collier Blvd, #13B
642-3646

Marco Upholstery
10% off cornices & headboards,
not to be used with any other offers
919 N Collier Blvd,
394-8338

Margie's
Please present at time of purchase
Shops of Marco
389-4224

Nikken
10% off retail wellness products
651 S Collier Boulevard,
394-1580

Off the Hook Adventures
Sailing, Shelling Sightseeing Charters
\$30 off half day sailing charter &
\$50 off full day sailing charter
239-571-HOOK

Old Marco Lodge
401 Papaya - Goodland, 642-7227
Optical Boutique of Marco
Marco Walk #209,
642-4776

Chet Palys Screen
PO Box 801, Marco, 394-0310

Paradise Shrimp Company
10% discount on all seafood products
Not valid with other discounts
721 Bald Eagle Dr, 394-3686

Prime Outlets
Discount pack at Management Office
1722 Isle of Capri Rd, Naples, 775-8083

Roberto's Gourmet Coffee
Marco Town Center, 394-8388

Rolsafe Shutters
909 N Collier Blvd, 394-7489

Royal Palm Hair Studio, Inc.
10% off all hair products by Joico &
Paul Mitchell
981 N Collier Blvd, 394-7800

The Sand Bar
10% off food. Regular menu items only
(please present card before ordering)
826 E Elkcam Circle, 642-3625

Scubadventures
1141 Bald Eagle Drive, 389-7889

Sealco of S.W. FL., inc
10% on any exterior repaint with
premium paint package, 642-0906

Shattuck Lawn & Landscape
New customers take 10% off 1st
3 months service
389-6244

Shells by Emily
The Resort Bldg,
651 S Collier Blvd, 394-5575

Snook Inn Restaurant
10% off entire bill
1215 Bald Eagle Drive, 394-3313

Southern Comfort Air
10% off any repair or service work
107 North Sunset Drive, 642-6642

Southwest Marine
960 Chalmer Drive #101
394-4168

Summer Day Café
10% off vitamins
Town Center Mall, 394-8361

Suncoast Pools
594-9353

Sunshine Books
10% off hardback books
1000 N. Collier Blvd, 394-5343 and
677 S. Collier Blvd, 393-0353

Tide Beachfront Bar & Grill
(at Apollo Beach Front)
900 S Collier Blvd, 389-0509

Tiny Tikes Treasures
247 N Collier Blvd 389-1868
4776 Radio Rd, Naples 417-2742

Townsend Retirement Services
10% off Long Term Care Insurance
654 Bald Eagle Drive
642-7299 or Toll Free 800-831-8328

Vantastic Tours
10% off up to 2 children's fares when
each child is accompanied by an adult.
394-7699

Walkers Marine
Parts & service discounted 10% to
customers in Walkers Marine computer
785 Bald Eagle Drive, 642-6764

*We welcome the following new
Discount Program Participant:
Marco Tanning Salon, Inc.*

MICA's Architectural
Review Committee
(ARC) meets the second
and fourth Monday of
each month and is
looking for qualified
individuals to serve on
the committee.

The ARC reviews
construction plans for
compliance with the
deed restrictions.

If you are interested in
obtaining further infor-
mation, please call the
MICA office at
239-642-7778.

Our little “Y” is Stretching at the Seams...

by Steve Stefanides

You just have to try and pull up and find a parking space on any given morning and you can understand why the “Y” Board decided 2 years ago it was time that we took on the hard task of expanding the facilities due to the overwhelming demand for the services offered at the Marco YMCA’s Sandhill Campus.

Not many on Marco understand the full range of programs and age groups served here at the “Y”, but a short walk through the campus will find you bumping into parents

dropping off their preschoolers, seniors hustling to a tennis lesson or one of your neighbors hustling into the “Y’s” exercise room or into an aquatic aerobic workout in the Olympic pool.

The Marco YMCA is the island’s largest child care provider and has a waiting list of over a dozen children to join their progressive educational and recreational programs. They also run an after-school program at Tommie Barfield Elementary.

This year marks the 28th anniversary of the Marco YMCA,

which began in 1977.

There is an air of excitement concerning many of the planned modifications to the existing campus; an environmentally controlled and elevated jogging and walking track which will allow the year round pursuit of our most basic form of exercise.

A new social center will be highlighted in the facilities, allowing seniors and active adults a place to gather.

A new computer room will also be included as part of the social center, where instruction will be available. Meeting space for social organizations across the island, along with a regulation gymnasium with seating so parents, grandparents and friends can watch their children play their favorite sports, will be added.

Even our parking situation will greatly improve as we realign the access to our buildings and outdoor areas, along with the improved landscaping and fencing so we become even better neighbors to those homeowners that we share this paradise with.

Yes, our “Y” has come of age, now they need your help to fund the project and make the dream a reality. Feel free to call Steve Stefanides the Capital Campaign Coordinator at 642-7695 or Cindy Love, CEO of the Marco Y at 394-7327 (ext. 201).

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SMALL ENOUGH TO KNOW AND CARE ABOUT EACH INDIVIDUAL CUSTOMER.....

YET BIG ENOUGH TO RESPOND TO ALL YOUR POOL RELATED NEEDS

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799 E Elkcam Circle,
Marco Island

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POOL EQUIPMENT INSTALLATION



MICA's seminars were very well attended this season!

Sunshine Books Shines Brightly!

by Ruth McCann

Sunshine Booksellers, which is owned by Kevin and Linda Merritt, opened five years ago on the south end of the island at 677 South Collier Boulevard. They expanded their operations three years ago in a northerly direction when they purchased a packing and shipping store at 1000 North Collier Boulevard.

As the name says, they are “booksellers” and books they do have! Both stores have a grand selection of best sellers, classics, cookbooks, children’s, health and diet, and self-help books, not to mention the audio books! They also feature local authors and books about our unique surroundings, such as “A Girl Named Tommie” and “The Last Paradise – The Building of Marco Island.”

Books aside, sometimes you may want to catch up on a little national or international news. They can help you by carrying the New York Times, the New York Daily News, the Miami Herald, Barron’s, Investor’s Business Daily, the Wall Street Journal, the British Daily Mail, and the Daily Examiner, as well as local papers. Planning a trip? They have travel books and the maps to get you there! They also have a good selection of greeting cards.

On a recent visit to Sunshine Booksellers on North Collier Boulevard I was pleasantly surprised to find they had



remodeled the store, making it much brighter and adding more treats for the mind. They receive many compliments about their children’s sections in both stores, especially the kid-friendly seating at the South Collier location.

Each store, in addition to regular book store offerings, has its own specialties. At the South Collier location, they feature a satellite office of the United States Post Office and a coffee bar, and the North Collier store has a wonderful pack and ship service that is utilized by many on the island. There’s no need to stand in line at the main post office when you can sip a coffee while you browse through the cards, buy your children or grandchildren’s birthday cards, and mail them all in one trip! And speaking of mailing, the north store will take care of all your shipping needs. Bring it boxed, and they can ship it for you. Bring it unboxed, and they will box it up

and ship it, too! Sunshine Booksellers at 1000 North Collier can ship anything via FedEx or UPS.

Were you aware that Sunshine Booksellers is the only store on Marco Island that sells CDs? Did you also know that they will order any book just for you? If you see a book featured on a talk show on television, they either have it in stock or they’ll be happy to order it for you.

This past February Senator George McGovern hosted successful book signings at both locations when his new book, “The Essential America – Our Founders and The Liberal Tradition” was published.

Sunshine Booksellers is located at 1000 North Collier Boulevard, 394-5343, and 677 South Collier Boulevard, 393-0353. They offer 10% off hardcover books to members of MICA who produce their discount cards prior to checkout.

New Bankruptcy Law Provides Cap on Florida's Homestead Property Exemption

by: Cheryl L. Hastings

In Florida, our home is our castle. The Florida Constitution supports this statement by making it a castle that is impenetrable by creditors. The new bankruptcy law signed by President Bush on April 15, 2005, however, places more stringent restrictions on the homestead exemption for bankruptcy purposes and, in some cases, may eviscerate Florida's castle concept.

This new bankruptcy law is not likely to matter to many of us, as very few will ever need to file for bankruptcy. However, there is always the possibility of a financial disaster and prudent planning in light of this new law may be wise. After all, the attorney, physician, dentist or other professional could be faced with a malpractice claim that exceeds policy limits and wipes out lifetime savings. Similarly, the wealthy retiree could be involved in a motor vehicle accident where several people are seriously injured. A judgment against the retiree could exceed both his or her insurance coverage and wipe out lifetime savings.

Florida's Constitutional Protection:

The Florida Constitution protects a homestead by

(1) protecting it from forced sale (e.g. to creditors in bankruptcy which is the subject of this article), (2) regulating descent at death, (3) prohibiting transfer without a spouse's consent, and (4) providing a \$25,000.00 reduction in the assessed value for real estate tax purposes. The Florida Constitution defines homestead as one's principal place of residence up to 1/2 acre within a city and up to 160 contiguous acres in any Florida county. (Note that apportionment issues will exist for those owning a home located on more than 1/2 acre within a city. If this applies to you, there are estate planning techniques that may assist in protection.) Florida courts have liberally expanded definitions of homestead property to more than just a single family house. Condominium units, manufactured homes and mobile homes are also afforded homestead protection. To qualify for homestead protection, a debtor must be a Florida resident and the homestead property must be his or her primary place of residence. Property purchased as a future residence is unprotected until the property is

occupied as a principal residence. A second home or other investment property cannot be considered a Florida homestead.

Unlike many states, in Florida the dollar value of the exemption is unlimited, which means that 100% of the value of homestead property is exempt. This unlimited monetary protection is what makes Florida's homestead protection such a unique and powerful asset protection tool. It has also made Florida a "debtor's paradise." This means that a Florida resident can invest millions of dollars in large estate homes and protect the full value of these luxury residences under the protection of Florida's homestead provisions. Florida's homestead exemption applies equally to the \$30,000,000.00 estate home as it does to the \$200,000.00 condominium unit – 100% of the value is exempt from creditors regardless of the amount. The Florida Supreme Court has also ruled that a person can transfer protected, nonexempt assets to his or her homestead at any time by either buying a new home or reducing the principal balance of an existing mortgage and protect

this money under the homestead umbrella, even if the asset transfer was clearly designed to hide money from creditors.

Generally, consensual liens, such as mortgages or mechanics liens associated with labor or materials to repair or improve the home, cannot be eliminated inside or outside of bankruptcy, even when they are attached to homestead property.

New Bankruptcy Law:

After 8 years of strenuous efforts by congressional backers, banks and credit card companies, President Bush signed the bankruptcy reform legislation into law on April 15, 2005.

Prior to the enactment of this new law, debtors in Florida, Texas, Kansas, Iowa and South Dakota were able to shield an unlimited amount of home equity from creditors by filing for bankruptcy protection. This meant that a New York physician faced with an uninsured multi-million dollar judgment could sell his New York residence, move to Florida, buy a \$30,000,000.00 estate home and shield it from creditors. However, under the new law, which was a combination of amendments between Sen. Herb Kohl and Rep. Sensenbrenner, in order to be eligible for a state's unlimited homestead exemption, an individual must own a residence in the state for at least 40 months before declaring bankruptcy. If unable to meet the residency requirement, the debtor would be allowed to take

only a \$125,000.00 homestead exemption. The new language applies only in states whose homestead cap already exceeds \$125,000.00, such as Florida, and is aimed at stopping millionaires in bankruptcy from flocking to lenient states to buy mansions and avoid foreclosure. The deal would bar individuals convicted of felonies or securities crimes in the past 10 years from having access to the unlimited homestead exemption. In the New York physician example, if the New York physician filed for bankruptcy within 40 months after closing on the purchase of the \$30,000,000.00 Florida estate home, only \$125,000.00 of the home value would be shielded from creditors. The \$125,000.00 homestead cap is one of the few provisions that became effective immediately after the bill was signed into law.

Some of the other reforms included in the law are: implementation of a means test to determine how much debt would be paid off by the debtor, limits on a debtor's ability to run-up significant debt just prior to bankruptcy, protections for the rights of secured creditors to continue to receive payments on certain secured loans (e.g., auto loans) during the pendency of the bankruptcy proceeding and stricter limits on how often debtors can file bankruptcy.

Supporters of the law argue that bankruptcy protection has increasingly become an easy

option – a “first stop” rather than a “last resort” – for many borrowers who can afford to meet at least some portion of their financial responsibilities. Further, the banks and credit card companies argue that bankruptcy frequently is the last refuge of gamblers, impulsive shoppers, divorced or separated fathers avoiding child support and multi-millionaires who buy mansions in states like Florida with liberal homestead exemptions to shelter assets from creditors who want to shift costs to other hardworking Americans and escape their own debt.

On the other hand, critics say the new homestead cap is a giveaway for the wealthy because it still preserves asset protection trusts, which are used to shelter assets in bankruptcy.

For more information, please contact Cheryl L. Hastings, Esq., a member of the Grant, Fridkin, Pearson, Athan & Crown, P.A. business and real estate section at 514-1000 or chastings@gfpac.com.

Cafe de Marco

*Fresh
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244 Palm Street, Olde Marco
Reservations please 394-6262

Water Conservation Tips

Many residents are looking to replace landscape plants, either for a change of scenery, or due to storm damage. Keep in mind that native plants will not only thrive on less water during the dry season, but will also survive the rainy season. Make a landscape plan before planting, grouping those with the same water and sunshine needs together.

Whether using irrigation at home or business, everyone needs to closely monitor outdoor water use. Watering less frequently but thoroughly will help lighten the load on both pocketbooks and the shared regional pool of water.

Keep water conservation in mind, since only constant awareness will maintain a constant water supply. Big Cypress Water Basin offers free assistance with landscaping plans by calling 239-353-4244

Pick up your copy of the Marco Island Utilities and Water Conservation booklet for more information.

City of Marco Island Water Irrigation Restrictions

ODD Numbered Addresses

3 days each week: Monday, Wednesday, Saturday;
12:01 AM to 8:00 AM for irrigation systems

EVEN Numbered Addresses

3 days each week: Tuesday, Thursday, Sunday,
12:01 AM to 8:00 AM for irrigation systems

REMEMBER, FRIDAYS ARE DRY DAYS



Sunrise Realty
of florida, inc.

Trust Your Property To Professionals You Know

Watch For Sunrise Community Events &
Sun Times Real Estate column by Maury Dailey

**Steve Brausen, Neal Bedford, Maury Dailey,
Pat Frates, Bonnie Hurt, Joanne Leithauser,
Donn May, Werner Schaefer**

**AmSouth Bank Bldg., 606 Bald Eagle, Suite 202, Marco Island
Call us or see us on line at
239.394.2054 or www.MarcoRealty4U.com**

MARCO ISLAND CIVIC ASSOCIATION

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