

» ONLINE: Physicians warn of 'Medicare meltdown' if Congress doesn't act

Marco Eagle



UPFRONT
FISHING GUIDE COMES CLEAN
 Captain Kevin Merritt knows a lot about fishing, and he doesn't mind sharing his expertise. The fishing guide comes clean on techniques, equipment and what's biting now. You can even attend his talk on Saturday, **3A**

EAT & DRINK
WORRIED ABOUT PREPARING THANKSGIVING DINNER?
 Demand for minced meat pie may be down, but the good old turkey for Thanksgiving is still the tradition. Looking for tips on cooking the venerable bird, call the Butterball Turkey Talk-Line, **12B**

SPORTS
EAGLES LADIES RUN AT STATE
 The Marco Island Charter Middle School girls cross country team traveled to Lakeland to run in the state middle school cross country meet as a reward for having such an outstanding season., **9A**

Today ↑80° ↓63° Tomorrow ↑80° ↓61° Sunday ↑82° ↓63° » see complete **FORECAST 19A**



SUBMITTED

Casey Weston will open for the Jimmy Buffet tribute band, the LandSharks, at the Marco Island Charity Beach Music Festival on Saturday. She performs at 6:15 p.m., followed by the LandSharks at 7:30.

The ballad of Casey Weston

Popular local singer at this weekend's Beach Music Festival

By Joanna Chau
 Special To The Eagle

Casey Weston started playing the guitar four years ago. At first, she always kept her eyes down, looking at her fingers while they plucked the guitar strings. Then one day, she looked up.

And that is when Weston said "performer Casey"

came out. Now, the 17-year-old singer/songwriter keeps a steady gaze on her audience, playing and singing her melodic tunes about love and loss at bars, restaurants and music festivals all over Florida.

"I was very timid at first," said Weston, a petite dirty-blonde with sparkling brown eyes and

▪ see **Festival**, on **2A**

Stan's, Wishing Well celebrate anniversary

10 years of helping seriously ill children

By Vicki Torbush
 Executive Director
 Wishing Well Foundation

Sunday marks a special day of celebration for Stan's and the Wishing Well Foundation as they celebrate their 10th annual Angels Over Stan's in Goodland, beginning at noon until 6 p.m.

Stan has an attitude of gratitude and is famous

for his commitment to supporting charities by raising much needed funds. He certainly has proven his commitment to Wishing Well's special kids by helping raise over \$60,000 in the 10 years.

Stan has been a much needed angel to our local kids for whom sometimes a wish may have to last a

▪ see **Anniversary**, on



LINDA FLORES STAFF

Judy Barney of Arturo's Restaurante Italiano, cuddles up to a teddy bear while hosting the annual Christmas tree lighting ceremony and the Marco Island Chamber of Commerce After Five party on Wednesday.

Christmas comes early with tree lighting

ARTURO'S TRADITION REACHES 11 YEARS

By Allie Garza
 Special to the Eagle

Judy Barney held the microphone to her mouth and slowly counted down from 10. The crowd, gathered around her, counted along, some holding up their cameras and cell phones, others holding onto each other's hands.

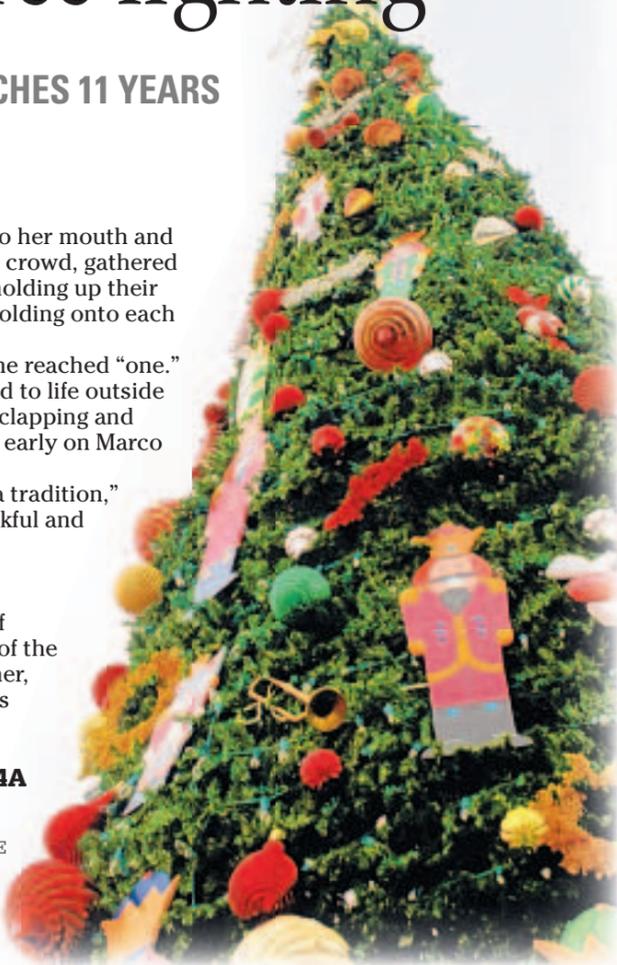
Barney counted faster and suddenly she reached "one." The 43-foot tall Christmas tree illuminated to life outside Arturo's Restaurante Italiano, the crowd clapping and cheering as Christmas seemingly arrived early on Marco Island.

"This is our 11th year and its become a tradition," Barney said. "In this economy we're thankful and humble we can still have this tradition."

The tree lighting took place during November's Chamber After Five, where members of the Marco Island Chamber of Commerce meet every third Wednesday of the month at different locations to get together, mingle, network and support each other's business.

▪ see **Arturo's**, on **4A**

ALLIE GARZA SPECIAL TO THE EAGLE
 The 43-foot tall tree stood ready for lighting at Arturo's Restaurant before the 11th annual Christmas tree lighting on Wednesday during the Chamber After Five event.



Upfront	3A	Sports & Recreation	9A	Marine Directory	18A	Islander	1B	Restaurant Guide	10B	Diversions	14B
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UpFront

» **HAVE A STORY, PHOTOS?**

Upload to yourmarco.com
or send to mail@marcoeagle.com



IT'S THE LAW

William Morris

Tree damage two ways

Q: *My neighbor's tree is a problem. It drops lots of leaves in my yard, discoloring my driveway and its roots reach to my pool deck. I want to sue my neighbor for nuisance and force him to cut down the tree. Can I win that case?*

A: Problems caused by a neighbor's landscaping are frequent in Florida. Plants grow so fast that what is not a problem when you first move in quickly becomes an issue.

Under Florida law, your neighbor is not liable to you for any nuisance caused by overhanging branches or roots, falling leaves, seeds or fruit.

Sadly for you, Florida follows the majority rule of the common law we inherited from England. Under Florida law, your neighbor is not liable to you for any nuisance caused by overhanging branches or roots, falling leaves, seeds or fruit. At common law, a land owner also has no legal right to unobstructed light, air or view from a neighboring property.

The leading case on Florida in this issue is *Gallo v. Heller*, decided by the 3rd District Court of Appeal in 1987. In that case, Gallo sued Heller because Heller's Ficus and Melaleuca trees were damaging Gallos property. Damage included damage to the roof by tree branches, sidewalk cracking from tree roots, Melaleuca leaves falling on Gallos property causing their dog to contract a severe allergy and shade from the trees caused some of Gallos' landscaping to die.

The Gallo court ruled that Florida follows the common law and that a land owner is not liable to persons outside of the land for a nuisance resulting from trees and natural vegetation. The court stated the underlying rationale is as follows: "It is wiser to leave the individual to protect himself, if harm results to him from this exercise of another's right to use his property in a reasonable way, than to subject

▪ see **Tree**, on **6A**

Fishing guide coming clean on fishing techniques

Toss your line in at Calusa Island Marina

By Lance Shearer
Special to the Eagle

Captain Kevin Merritt knows a lot about fishing, and he doesn't mind sharing his expertise. If you've ever gotten a vague answer when you asked an angler just where he hooked that big one, you know that fishermen are not always eager to give away their secrets.

Merritt, though, will come clean on wintertime inshore fishing in Southwest Florida, at 4 p.m. on Saturday at Calusa Island Marina. The marina in Goodland is hosting a series of seminars with Merritt and other local fishing guides providing tips on technique, equipment, and other information to improve your fishing. They even provide sandwiches and light refreshments at the no-charge events.

Merritt, who is also a writer and photographer whose work has appeared in the Eagle, is a star in the world of competitive fishing. He holds two IGFA world-record catches on fly tackle, and is a three-time Inshore Tournament of Champions qualifying guide.

"I love doing hands-on," he said. "I bring the actual tackle I use, and pass it around and let everyone handle it."

Local angler Pat Reardon buttonholed Merritt before heading out Coon Key Pass for a little fishing on Wednesday morning, and trolled for some advice on a question raised at Merritt's last seminar.

"You said the worst days were before and after the full moon?" he asked. "I thought those were the best."

"Yeah, the fish feed all night, with all the extra light," answered Merritt, so they are not as eager to take an angler's bait.

"His talk was outstanding. If you only go to one



LANCE SHEARER SPECIAL TO THE EAGLE (2)

The eyes of a fisherman: Expert angler and fishing guide Captain Kevin Merritt will give a fishing seminar at Calusa Island Marina in Goodland on Saturday.



Carol and Joel Rubin bring their boat up to the gas dock for some fuel at Calusa Island Marina.

seminar, this is the one," said Reardon, who said he had extensive fishing experience on both Florida's coasts.

"I love fishing the Ten Thousand Islands," said Merritt, adding that while he has not made an actual count, he believes "10,000 is a very low estimate. You

have a seamless transition from offshore to the backwaters. There's no barrier, no beach to disrupt the flow.

"Everybody wants to catch the big four – tarpon, snook, redfish, and trout – and all of them are available year 'round," he said, subject to catch and

release provisions during closed seasons.

The area has two distinct seasons for fishing, and the specific techniques to catch fish during the colder months will be the focus of his talk, he said. "It's either hot or cold. In the summertime, the fish are a lot more aggressive." Right now red-

fish are hitting on the backside of the outside islands, and any of the passes will have pompano.

Goodland is a great jumping-off point for all types of fishing, said Merritt, and the location and facilities at Calusa Island make it ideal.

"There's a great selection of fishing gear. It will look minimalist, but there's no fluff – nothing here you don't need," he said, his enthusiasm showing. "There's a great feeling. It's a nice place to just hang out." Merritt credited general manager Andrew Barksdale and his staff, including "retail empress" Cheryl Bataran, with setting the friendly tone of the marina.

Merritt said one tip he would share with all anglers is "don't fish the same place twice. When you find a good spot, dissect it. To be a good fisherman, you have to be a good deducer." Turning around the old cliché about 90 percent of the fishermen, he stated "90 percent of the fish are in 10 percent of the water."

Island Style having special Christmas tree raffle

By Steve Stefanides
Christmas Island Style Chairman



STEVE STEFANIDES

Kris Hodgdon, left and Barb Dasti, with a professionally-decorated Christmas tree, magnificently done by Marco Island Florist and valued at \$3,000, is being raffled in support of Christmas Island Style.

It's that time of year again that we start thinking about unpacking all the stored away Christmas decorations and prepare to turn our homes into a festive holiday wonderland that reflects the wonderful Christmas season.

This year the Christmas Island Style Committee is offering a once in a lifetime opportunity to add a special addition to your home or business as they offer a \$3,000 professionally decorated Christmas Tree, which will become the focal point of any home. The tree

has been made available to the committee through the generosity of Marco Island Florist at 178 S. Barfield Drive here on Marco Island and is on display at their shop.

Nancy Carrington, owner of the florist shop, had a similar tree on display last year which caught the eye of the committee members and one thing led to another when she offered to create a similar tree for a lucky member of the community. The winner of this year's raffle for the special tree will be drawn at the community tree lighting ceremony on Dec. 4 at Veterans Community Park.

Christmas Island Style Commit-

tee member Barb Dasti worked with Carrington along with Kris Hodgdon, another CIS board member, to create this once in a lifetime opportunity for islanders. "The tree is so beautiful, Nancy has done just a great job bringing together both the Christmas and tropical island touch with it," Dasti said. "People have to really see it to appreciate it."

Raffle tickets for the tree are available at Marco Island Florist at 178 S. Barfield, at the Marco Island Chamber of Commerce, at Erin's Isle Restaurant, or by calling Kris Hodgdon at 850-7899 or Barb Dasti at 393-6204. Only 250 tickets will be sold for the tree.

Pet of the Week



Naome is a 6 year old beautiful muted tortoiseshell female available for adoption at For the Love of Cats on Marco Island. She was found dumpster diving for food. Naome was abused and is trying to understand that hands do not mean something bad. She is an amazingly smart cat and likes younger cats and kittens. Naome loves to play and wants lots of attention. She is spayed, tested, treated, up to date on vaccinations and microchipped. Her adoption fee is \$35.

For the Love of Cats is a no-kill rescue and shelter on Marco Island. See all the cats and kittens available for adoption at Patsmart on Pine Ridge Road Saturday 9-3 and Sunday 11-3 or by calling 239-642-8674 for an appointment or online at www.floridacatreue.com. Low Cost Spay/Neuter Certificates available.



PICK A pet

Lea is a female pit bull mix, one year old. She's friendly to both people and other dogs, and she loves to get out and exercise. Her adoption fee is \$75.

All dogs and cats adopted from The Humane Society Naples come with a medical exam, vaccinations, sterilization surgery, county license, ID microchip and 30 days of free pet health insurance. Visit the fine pets ready for adoption at The Humane Society Naples, 370 Airport-Pulling Road North. Adoption Center hours are 11 a.m. to 7 p.m. Tuesday and Thursday; 11 a.m. to 5 p.m. Wednesday, Friday, Saturday and Sunday. Call 643-1555 for adoption information or log onto HSNaples.org.

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