

Conservation 2020 Audit

November 15, 2011

By Commissioner Ray Judah

Charlie Green's incessant attacks on Lee County Conservation 2020 are a reflection of his disdain for the program since its approval by the voters in 1996.

Ever ready to dispense his personal opinion beyond the scope of his duties as Clerk of Courts, Green felt compelled to advise the Lee County Commission at our joint meeting with the Constitutional Officers on July 6, 2010 "to use the 2020 revenue to offset the operating deficit."

In *The News-Press* article on Nov. 28, 2010, Green was again on record proposing that the county use the Conservation 2020 maintenance fund to pay for general government services and divert the program's revenue to help pay the county's budget deficit.

Such reckless abandonment of an environmentally sensitive land acquisition program approved by the voters to protect precious water resources and open space would violate the public's trust.

The Lee County Commission understood the importance and sanctity of a program that safeguards our water supplies, attenuates flooding, protects critical wildlife habitat and provides open space for public recreational uses. The Lee County Commission respectfully declined Green's suggestion and instead determined to reduce government expenditures totaling \$94 million over the past four years, increase employee contributions for insurance coverage and medical co-pays, curtail any employee salary increases for four consecutive years and reduce the number of county employees by 416 since 2008.

Unhappy with the Lee County Commission decision to reject his proposed raid on the Conservation 2020 funds, it was no surprise that Green decided to launch another audit of the Conservation 2020 program within the last four years.

Interestingly, in May 2007, Green's Auditor's Office conducted a very thorough evaluation of the Conservation 2020 program and reported "no corrective action is needed." Furthermore, the auditor "found that the Division of County Lands' personnel work diligently to obtain property at a reasonable market price."

To sow the seeds of doubt on the integrity of the Conservation 2020 program, Green and his Internal Audit Department made unsubstantiated claims that Lee County paid too much for two parcels of land at the headwaters of the Six Mile Cypress Slough known as Orchid Isles and the Huether tract. In evaluating those acquisitions Green and his auditor erroneously compare the prices paid by Lee County based upon independent state-certified fee real estate appraisers – and the assessed values established by the Lee County Property Appraiser.

While a fee appraiser will analyze a single property as of a specific date, the Property Appraiser performs a mass appraisal of entire neighborhoods and does not take into account highest and best use when assessing vacant land until permitting has been initiated. Furthermore, both parcels are located within the municipal boundaries of the City of Fort Myers, and land value was high due to entitlements received by the city.

In the case of Orchid Isles, the property had received approval as a Planned Unit Development for the construction of 283 single family residential units prior to county purchase in 2007. The county obtained two appraisals, which valued the property at \$17.25 million and \$18.4 million. The county rejected the seller's offer of \$22 million and ultimately paid \$16 million for the property.

The roughly 1,200-acre Huether tract at the headwaters of the Six Mile Cypress Slough Preserve was directly in the path of future growth and development with frontage along State Road 82 and within 500 feet of the I-75 interchange. The property was vested with commercial and residential zoning and development approval in excess of 6,000 dwelling units.

The county obtained two appraisals, which valued the property at \$39.69 million and \$33.99 million. The final purchase amount was \$35,827,822.

Green is a master spin doctor, but truth and the integrity of the Conservation 2020 program will prevail.