

DECEMBER 8, 2009

Chairman Hall: I WOULD LIKE TO WELCOME EVERYONE TO BOARD OF COUNTY COMMISSIONERS MEETING.

TODAY IS TUESDAY, DECEMBER 8th.

WE'LL START WITH AN INVOCATION BY PASTOR BETSY ROBBINS FROM THE LAMB OF GOD CHURCH.

WELCOME AND THANK YOU, PASTOR.

THANK YOU.

LET US PRAY.

LOVING LORD, AS THE STREETS AND AIRWAVES FILLED WITH MESSAGES ABOUT HOW TO SPEND MONEY TO FIND HAPPINESS FOR OURSELVES, HOLY GOD, HELP US TO HEAR YOUR MESSAGE ABOUT HOW TO SHARE OURSELVES TO GIVE HAPPINESS ON THE OTHERS.

HELP US EACH TO BE A GIFT TO LOVED ONES IN OUR LIVES.

TO OUR ENEMY, LET US BE THE GIFT OF A PATIENT EAR.

TO OUR NEIGHBORS LET US WITH THE GIFT TO OUR GENEROUS THAN.

TO OUR COWORKER LET US BE GIFT TO A RESPECTFUL VOICE, AND TO OUR CHILDREN, LET US BE THE GIFT OF PROTECTING ARMS.

WE ASK YOUR BLESSINGS ON OUR COMMISSIONERS THAT THEY SHOW US THE WAY HOW TO TREAT EACH OTHER, AND ALL WHO LIVE IN OUR COMMUNITY.

AMEN.

Chairman Hall: AMEN.

I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE WITH LIBERTY AN JUSTICE FOR AIL.

PLEASE, BE SEATED.

BEFORE BEGIN WITH OUR VERY SPECIAL MUSICAL TALENT, I WILL LIKE TO TURN TO COMMISSIONER JUDAH TO SAY A FEW WORDS AND COMMENTS.

Comm. Judah: THANK YOU MADAM CHAIR.

WE IN LEE COUNTY ARE VERY FORTUNATE, WE HAVE SO MANY WONDERFUL MEN AND WOMEN WORKING FOR OUR COUNTY, MEETING THE EXPECTATIONS AND THE DELIVERY OF SERVICE FOR OUR COMMUNITY AT LARGE.

AND PROVIDING FOR THE QUALITY OF LIFE THAT WE ALL CERTAINLY APPRECIATE.

WE REALLY ARE A FAMILY.

AND WE HAVE A LOT OF EMPLOYEES THAT WORKED VERY QUIETLY IN THE SHADOWS OF THEIR EXPECTED WORK OF NOT NECESSARILY EXPECTED BUT JUST THE FACT THAT THEY TOIL IN ANONYMITY.

THEY REALLY DON'T STEP UP AND SEEK PUBLICITY, RECOGNITION, A PAT ON TO THE BACK.

THEY REALLY FOR THEM IT'S JUST A LABOR OF LOVE IN WORKING FOR COUNTY GOVERNMENT.

THEY ARE VERY, VERY LOYAL TO THEIR RESPONSIBILITY, IN HELPING TO MEET NEEDS OF THIS COMMUNE.

ONE SUCH INDIVIDUAL HAS REALLY I THINK SET HIMSELF IN A VERY HONORABLE AND EXEMPLARY WAY IN BEING SO HUMBLE, BUT HAVING SUCH A HUGE IMPACT BECAUSE OF HIS INVOLVEMENT IN THE DEVELOPMENT OF A PROGRAM THAT WE ARE SO PROUD OF AND MAKE SUCH A DIFFERENCE IN GIVING PEOPLE IN THE COUNTY A BETTER UNDERSTANDING OF HOW COUNTY GOVERNMENT OPERATE.

IT'S A TREMENDOUS PROGRAM WHERE PEOPLE THROUGHOUT THE COURSE OF THE YEAR WITH SOME FOUR OR FIVE DIFFERENT SESSIONS HAVE A CHANCE TO GET TO UNDERSTAND COUNTY GOVERNMENT, BY MEETING WITH DEPARTMENT DIRECTORS, SEEING AND VISITING OUR FACILITIES, AND EVENTUALLY BECOMING OUR AMBASSADORS.

AND IN PROVIDING THE NECESSARY INPUT SO WE CAN CONTINUE TO STRIVE TO BE BETTER HE ALSO IS AN INDIVIDUAL WHO TAKES A GREAT AMOUNT OF PRIDE IN THE HISTORY OF OUR COMMUNITY, AND TOOK IT UPON HIMSELF TO WRITE A FAIR AMOUNT OF MATERIAL ABOUT THE IMPORTANCE OF OUR HISTORIC AND CULTURAL RESOURCES HERE IN OUR COUNTY.

AND HE IS BELOVED BY EVERYONE IN THIS COMMUNITY BECAUSE HE IS ALSO NOT ONLY A PUBLIC INFORMATION SPECIALIST, BUT SOMEONE WHO IS ONE THAT ALSO GETS INVOLVED WHETHER IT'S A RAINY RIBBON CUTTING CEREMONY LIKE NORTHWEST REGIONAL AND CAPE CORAL LAST SATURDAY, OR WHATEVER INCLEMENT WEATHER

MIGHT COME OUR WAY, HE'S ALWAYS OUT SETTING UP THE GROUND BREAKING CEREMONY OF RIBBON CUTTING CEREMONIES, COORDINATING AND ORGANIZING ALL THESE WONDERFUL EVENTS FOR THE COMMUNITY, AND HE'S GOING THROUGH SOME DIFFICULT TIMES RIGHT NOW.

BUT AS I SAID, WE'RE A FAMILY.

AND THIS IS AN INDIVIDUAL THAT WE DEARLY LOVE.

WE DEARLY RESPECT, AND ON THE OF ADMIRATION AND OUR APPRECIATION FOR HIS PROFESSIONALISM THROUGHOUT THE YEARS, WE'RE GOING TO DESIGNATE TODAY DABUCH DAY IN HONOR OF HIM.

[APPLAUSE] WE LOVE YOU AND IN YOUR TYPICAL HUMBLE SELF, YOU BROUGHT THESE LOVELY CHILDREN BEFORE US TODAY.

THANK YOU.

[APPLAUSE] Chairman Hall: COMMISSIONER JUDAH, I THINK THAT'S A WONDERFUL WAY TO BEGIN OUR MEETING THIS MORNING WITH THE INTRODUCTION OF THE EDISON PARK ELEMENTARY STUDENT.

THERE WILL BE THREE PERFORMS A SONG, A DANCE AND VIOLIN.

AND WE'RE READY WHEN YOU'RE READ.

THANK YOU FOR BEING HERE.

\M \M \M [APPLAUSE] Chairman Hall: IF THIS IS WHO OUR FUTURE LEADERS OF LEE COUNTY, WE'RE IN VERY GOOD HANDS.

I WOULD LIKE TO HEAR FROM YOU AND MAKE A FEW COMMENTS.

GOOD MORNING, MY NAME IS SANDY LANSON, I'M THE MUSIC DIRECTOR, AND IT IS A THRILL AND JOY TO BE HERE AGAIN THIS YEAR.

AND A THRILL AND A JOY TO WORK WITH ALL THESE WONDERFUL KIDS AND BRING THEM AROUND TO LEE COUNTY, AND SPREAD OUR JOY OF THE SEASON TO EVERYONE THAT WE'RE WITH.

I BRING YOU GREETINGS FROM JAIME, OUR PRINCIPAL, AND WE ARE ALWAYS, ALWAYS SO MUCH IN GRATITUDE FOR THE SUPPORT THAT YOU GIVE TO THE ARTS IN OUR COMMUNITY, AND TO THE ARTS THIS OUR SCHOOL SYSTEM.

THANK YOU AND HAVE A WONDERFUL HOLIDAY.

Chairman Hall: THANK YOU VERY MUCH.

[APPLAUSE] Comm. Mann: IN THE SPIRIT OF MY ESTEEMED COLLEAGUE ON THE OTHER

END WHO ALWAYS HAS SOMETHING PROUD TO SAY ABOUT HIS FLORIDA GATORS, ALTHOUGH HE'S BEEN KIND OF QUIET OF LATE, I WOULD LIKE TO POINT OUT PROUDLY THAT 62 YEARS AGO I BEGAN MY FIRST GRADE AT EDISON PARK ELEMENTARY.

THEY'VE COME A LONG WAY.

[APPLAUSE] Chairman Hall: I'M GLAD RISA FLANDERS, THANK YOU FOR BRINGING YOUR DAD WITH YOU THIS MORNING.

KIDS THANK YOU SO MUCH.

YOU HAVE A GOOD DAY.

NEXT WE ARE GO ON TO THE RECAP.

AND ON THE RECAP AGENDA, WE HAVE TWO WALK-ONS AND ONE CARRYOVER SO WE CAN MOVE ON THEN TO PUBLIC COMMENT ON THE CONSENT AGENDA.

ADMINISTRATIVE AGENDA OR ANY OF THE CARRYOVER OR WALK-ON ITEMS AND JENNIFER I SEE YOU HAVE TWO COMMENTS YOU CAN DO BOTH AT THE SAME TIME.

THANK YOU.

THANK YOU, GOOD MORNING, JENNIFER FROM SOUTHWEST FLORIDA HERE TO REPRESENT OUR ORGANIZATION AND OUR 5,000 MEMBERS.

WE WANT TO EXPRESS OUR SUPPORT FOR THE PROPOSED RESOLUTION ON DESIGNATED USES.

THE CORNERSTONE OF OUR WATER QUALITY, OUTLINES OUR EXPECTATIONS AND OUR GOALS WITH WHAT WE EXPIRE TO WITH REGARD TO WATER QUALITY.

CURRENTLY MOST OF OUR WATER BODIES ARE SWIMMABLE AND FISHABLE IN THEIR DESIGNATED USE, AND THAT'S IN ACCORDANCE WITH THE GOALS OF THE CLEAN WATER ACT WE STRIVE FOR THESE SWIMMABLE FISHABLE GOALS BECAUSE, EVEN WHEN WE DON'T USE WATER BODIES SUCH AS CANALS FOR THAT PURPOSE, OUR WILDLIFE DOES AND THOSE WATER BODIES FLOW INTO OUR NATURAL BEACHES WHICH WE UTILIZE FOR SUCH.

THIS PROPOSAL TO CREATE NEW SPLASHABLE AND UNSWIMMABLE STANDARDS WE BELIEVE WOULD BE EXTREMELY DETRIMENTAL AS ITS CURRENTLY PROPOSED, SPLASHABLE IS TALKING ABOUT WATER QUALITY THAT WOULD ONLY BE LIMITED FOR LIMITED HUMAN CONTACT.

UNSWIMMABLE WOULD BE SAFE FOR FISH CONSUMPTION.

WE BELIEVE THIS COULD CAUSE FIVE MAJOR ISSUES.

NUMBER ONE HELD THE CREATE UNDEFINED UNSWIMMABLE CLASSIFICATION OF USE

THAT DON'T SPECIFY WHICH WATER BODIES WOULD BE INCLUDED IN THEM.

THIS IS A MAJOR DEPARTURE FROM OUR CURRENT PROCESS WHICH ONLY LIMITS UNSWIMMABLE STANDARDS TO AGRICULTURE AND INDUSTRIAL WATER BODIES.

WE BELIEVE THAT SHOULD BE MAINTAINED.

THIS WOULD CREATE LOWER STANDARDS UPSTREAM THAN DOWNSTREAM ALLOWING POLLUTION TO STREAM DOWNSTREAM.

THIS WOULD LESSEN SOURCE CONTROL.

WE DID BRING A MAP, I'M GOING TO VERY BRIEFLY HOLD UP.

THIS IS THE CALOOSAHATCHEE.

A LOT OF THE WATER SHED IS NOT.

RIGHT NOW UNDER THE CURRENT REGULATORY SUBPOENA, THIS AREAS WOULD HAVE TO PITCH IN WITH ADDITIONAL SOURCE CONTROL, IF THESE CHANGE GOES THROUGH AND THOSE AREAS ARE DOWNGRADED.

THAT WOULD DIRECTLY IMPACT US IN THAT INSTEAD OF COURSE CONTROL, WE WOULD HAVE ADDITIONAL POLLUTION COMING DOWNSTREAM THAT WOULD HAVE TO BE INTERCEPTED AND CLEANED UP AT THE PUBLIC'S EXPENSE.

WE DON'T BELIEVE THAT'S APPROPRIATE, WE DON BELIEVE THAT'S A SOLUTION TO THIS PROBLEM.

ALSO THIS WOULD CAUSE SUBSTANTIAL DELAY TO OUR WATER QUALITY RESTORATION MEASURE THAT ARE ALREADY UNDER WAY.

IT WOULD NOT PROTECT DOWNSTREAM WATER QUALITY BECAUSE RIGHT NOW WE'RE IN THE PROS OF GETTING CRITERIA AND WE BELIEVE THAT IT WOULD BE IMPERATIVE TO WAIT TO HAVE THAT SO WE CAN MAKE SURE THAT ANY CHANGES TO OUR REGULATION MAKE SURE TO HIT THAT TARGET.

THERE ARE BETTER ALTERNATIVES.

WE'VE OUTLINED THOSE IN MATERIALS WE'VE GIVEN TO YOU.

THERE'S AN EXISTING DEVIATION PROCESS.

THERE'S MINOR IMPROVEMENTS THAT CAN BE MADE TO TAKE A SCHEDULE PELL APPROACH RATHER THAN AN AXE APPROACH.

I WANTED TO CONCLUDE THAT OVER 60 ORGANIZATIONS HAVE WRITTEN TO THE D.E.P. EXPRESSING CONCERNS THAT THEY'RE CURRENTLY DRAFTED INCLUDING THE ISLAND COMMUNITY OF SANIBEL AND THE ISLAND COMMUNITY OF MARCO ISLAND.

THIS IS AN IMPORTANT THAT WILL AFFECT CITIZENS FOR YEARS TO COME.

IT ENDS THIS FRIDAY.

SO WE REQUEST THAT THE COMMISSION CONSIDER PASSING THIS RESOLUTION AND TRANSMITTING IT IMMEDIATELY.

Chairman Hall: YOU NEED TO WRAP UP.

THANK YOU.

Chairman Hall: GO AHEAD ON YOUR OTHER ITEM.

OTHER ITEM IS ON THE 951 AGENDA.

I JUST WANTED TO COLLECTIVELY EXPRESS ON BEHALF OF MYSELF AND OTHER ORGANIZATIONS THAT HAVE ALREADY SENT TO YOU A COLLECTIVE STATEMENT THAT WE DO NOT BELIEVE THAT THE EXTENSION OF 951 IS NECESSARY, THAT THE NEED HAS CHANGED THAT IT DOES CAUSE TREMENDOUS ENVIRONMENTAL DAMAGE, AND WE DO HAVE THREE OAKS BOULEVARD AND OTHER ALTERNATIVES THAT HAVE BEEN IMPLEMENTED NOW, SO WE WOULD ENCOURAGE THAT TO BE ABANDONED OR AT LEAST BEEN SERIOUSLY RECONSIDERED, AND THAT IS JUST ESSENTIALLY WHAT WE WANTED TO COMMUNICATE IS TO PLEASE YOU KNOW DO WHATEVER YOU CAN TO TAKE A SERIOUS HARD LOOK AT THAT AND CONSIDER NOT MOVING FORWARD WITH THAT, THANK YOU.

Chairman Hall: NEXT IS JACK FOLLOWED BY GARY BRYANT.

GOOD MORNING, JACK.

GOOD MORNING COMMISSIONERS.

JACK NEESON FROM ESTERO, FOR THE RECORD.

I WOULD ASK YOU TO PULL ITEM 12-A FROM THE CONSENT AGENDA AND OPEN IT UP FOR DEBATE.

I DON'T KNOW WHAT IT MEANS TO ABANDON THE FEDERAL NATIONAL ENVIRONMENTAL POLICY ACT IN FAVOR OF A COUNTY PROCESS.

I DON'T KNOW WHAT THAT MEAN, AND IF YOU PULL IT FROM THE CONSENT AGENDA, I THINK I WOULD GET A FEEL FOR IT.

ALONG WITH EVERYBODY ELSE.

I'M OPPOSED TO 951.

I DON'T THINK WE NEED IT.

WE CAN'T AFFORD IT.

THERE'S A LOT OF OTHER AREAS TO BE IMPROVED IN THIS COUNTY WITH THE FUNDS THAT WOULD TAKE.

AND I THINK THE MONEY WOULD BE A BETTER SPENT IN OTHER AREAS.

THANK YOU AND MERRY CHRISTMAS AND HAPPY HOLIDAYS.

Chairman Hall: THANK YOU.

GARY BRYANT? THANK YOU MADAM CHAIRMAN, I'M JERRY BRYANT FROM GOODWILLS AND I WOULD LIKE TO SAY YOU GUYS LOOKED GREAT WITH YOUR CAPS ON THIS MORNING.

THEY REALLY LOOK GOOD.

AND I NOTICE WE'VE GOT A UNIVERSITY OF MIAMI HAT AND OKLAHOMA HAT AND BEING FROM THE GREAT STATE OF ALABAMA IT'S OBVIOUS THERE ARE NO GATOR HATS THIS MORNING.

COMMISSIONER JUDAH, I WOULD LIKE TO COMPLIMENT YOU ON YOUR WHITE TIE THOUGH.

THAT COULD BE DANGEROUS IN FLORIDA THIS TIME OF YEAR THOUGH.

I WILL LIKE TO SAY THANK YOU VERY MUCH FOR THE GREAT COOPERATION AND COMMUNICATION THAT WE'VE HAD WITH LEE COUNTY AND WITH LEE RAN THE LATELY.

AND PARTICULARLY I WOULD LIKE TO SPEAK IN IS UP OF AGENDA ITEM 7-C.

WE'VE WORKED VERY CLOSELY WITH LEE TRAN ON THE DECISION OF TWO VEHICLES THROUGH THE STIMULUS PROGRAM AND LEE TRAN AND STEVE AND CARMEN HAVE VERY GRACIOUSLY ALLOWED US TO PROCURE TWO VEHICLES THROUGH THEIR GRANT PROGRAM.

THAT'S GOING TO ALLOW US TO PROVIDE ADDITIONAL SERVICE IN RURAL AREAS.

I WOULD LIKE TO SAY THANKS FOR THE CORPORATION THAT WE'VE RECEIVED IN BEING AWARDED NEW FREEDOMS GRANT TOTALING \$88,000 THAT WE WILL USE UNITED WAY LOCAL MATCHING MONEY THAT WILL ALSO ALLOW US TO PROVIDE ADDITIONAL SERVICE FOR THE MOST NEEDY IN OUR COUNTY AND THE COOPERATION, THE COMMUNICATION AND THE PARTNERSHIP WE'VE HAD WITH LEE COUNTY AND PARTICULARLY WITH LEE TRAN IN THE LAST FEW MONTHS HAS BEEN UNBELIEVABLE AND WE WANT TO SAY THANK YOU, WE APPRECIATE THAT AND WE WOULD LIKE YOUR SUPPORT ON THAT AGENDA ITEM.

THANK YOU VERY MUCH.

Chairman Hall: THANK YOU, GARY.

NEXT JULIA DAVIS FOLLOWED BY BRAD CORNEL.

GOOD MORNING MADAM CHAIRMAN AND MEMBERS OF THE BOARD.

GO PEN STATE.

[LAUGHTER] FOR THE RECORD I'M JULIA DAVIS WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT.

ONE MOGUL DEVELOPMENT OFFICE HERE IN FORT MEYERS.

AND I'M HERE ON BEHALF OF THE DEPARTMENT TO CONGRATULATE GOODWILL FOR THE WALK-ON ITEM WHERE THEY HAVE RECEIVED THE FIRST EVER CREATIVITY AND INNOVATION AWARD FROM THE FLORIDA PUBLIC TRANSIT ASSOCIATION FOR THEIR GASOLINE HYBRID POWERED BUS.

THIS IS A REALLY EXCITING PROJECT, AND IN PARTICULAR, IT COULDN'T HAVE HAPPENED WITHOUT THE HARD WORK AND DEDICATION OF ANOTHER ONE OF YOUR LEE COUNTY EMPLOYEES, CARMEN MONROY.

GRANT WITH LEE TRANS.

I'M SPEAKING TO ITEM 7-C.

THE FEDERAL TRANSIT 5311 THE RECOVERY INVESTMENT ACT.

THIS IS A HOUSEKEEPING ITEM FOR YOU.

LEE RAN THE DID APPLY FOR THE GRANT BECAUSE OF THE QUICK COMPRESSED TIME TO APPLY BACK IN MARCH.

MANY AGENCIES HAVE HAD TO COME BACK TO THEIR BOARDS AT THIS TIME AND GET ONE OR TWO MORE PIECES OF PAPER INTO THEIR FILE, SO THAT'S ALL RIGHT MEANWHILE, WE THE DEPARTMENT DID AGREE TO A TRANSFER OF \$159,384 SO WE CONCUR ON THIS TRANSFER.

AN I'M HERE TODAY TO MENTION THAT.

THANK YOU VERY MUCH.

Chairman Hall: THANK YOU, JULIA.

NEXT THE BRAD.

GOOD MORNING MADAM CHAIR APPROXIMATE.

I'M HERE ON BEHALF OF AUDUBON FLORIDA.

THESE ARE MY NOTES.

SO I WILL BE BRIEF.

I DID WANT TO TAKE THE OPPORTUNITY TO COMMENT, AUDUBON CHECK AND WITH OUR COLLEAGUES AND ENVIRONMENTAL ORGANIZATIONS, DO NOT SUPPORT THIS EXTENSION INTO LEE COUNTY AT THIS TIME.

WE BELIEVE THAT THIS IS ENVIRONMENTALLY IRRESPONSIBLE NOT REALLY FULLY MITIGATABLE.

NOT AFFORDABLE AND THERE ARE MUCH BETTER OPTIONS TO ADDRESS THE TRAFFIC ISSUES AND NEEDS FOR LEE COUNTY AND FOR THE REGION.

AND I WOULD POINT TO THE GREAT WORK THAT LEE COUNTY HAS DONE IN PLANNING FOR THE DRGR, AS AN EXAMPLE OF THE WAY TO MOVE FORWARD TO ADDRESSING TRAFFIC ISSUES.

TRANSIT-ORIENTED DESIGN IS ANOTHER OPPORTUNITY THAT LAYS AT THE FEET OF LEE COUNTY AND TRANSIT ITSELF, AND YOU HAVE BEEN EXPLORING OPTIONS AND TWICE PAY FOR AND BUILD TRANSIT OPTIONS FOR MEETING TRANSPORTATION NEEDS.

SO, I WOULD AGAIN URGE YOU NOT TO MOVE FORWARD ON COUNTY ROAD 951 OR TO AT LEAST SHELVE THE IDEA FOR SOME FUTURE RECONSIDERATION WHEN PERHAPS THAT NEED BECOMES CLEARER.

THING VERY MUCH.

Chairman Hall: I HAVE NO OTHER CARDS.

ANYONE ELSE WHO WOULD LIKE TO COMMENT ON THE CONSENT ADMINISTRATIVE ITEM? SEEING NO ONE, I WILL GO TO THE BOARD ON CONSENT ITEMS TO BE PULLED.

COMMISSIONER BIGELOW? .

Comm. Bigelow: THANK YOU MADAM CHAIR.

I'M GOING TO PULL A COUPLE OF ONES THAT WERE MENTIONED.

I'M NOT GOING TO PULL BUT I DO SUPPORT ARE THE TRANSIT ITEMS.

I WILL PULL 8-C AND 12-C AND BECAUSE THERE'S A REQUEST FOR 12-A FOR SOME DISCUSSION, I'LL PUT IT AS WELL.

THANK YOU, MADAM CHAIR.

Comm. Judah: NONE, MADAM CHAIR.

Comm. Janes: NONE MADAM CHAIR.

Chairman Hall: I HAVE NONE.

I HAVE A MOTION BY COMMISSIONER JUDAH.

A SECOND BY COMMISSIONER JANE.

FURTHER DISCUSSION? ALL THOSE IN FAVOR, OPPOSED IN THE MOTION CARRIES.

COMMISSIONER BIGELOW, 8-C.

Comm. Bigelow: I'LL JUST STAND UP ONCE AGAIN AND LOSE ON A 4-1 VOTE HERE I'M SURE BUT IT BEARS TO BE SAID THAT OUR SELECTION COMMITTEES ARE IN MY OPINION POTENTIALLY UNFAIR.

I THINK THE MAKEUP OF THE BOARDS OR THESE COMMITTEES PROVIDE FOR UNDUE INFLUENCE BECAUSE WE HAVE SUPERVISORS SERVING WITH SUBORDINATES, THAT IS THE CASE.

SO I WON'T SUPPORT IT BECAUSE I DON'T THINK IT'S TRANSPARENT OR FAIR AND CAN LEAD TOWARD FAVORITISM.

Comm. Judah: MOVE THE ITEM, MADAM CHAIR.

Chairman Hall: FURTHER DISCUSSION? ALL THOSE IN FAVOR, OPPOSED? MOTION CARRIES 4-1.

COMMISSIONER BIGELOW DISSENTING.

12-C.

Comm. Bigelow: I'LL JUST SAY DITTO TO EVERYTHING I SAID BECAUSE IT WAS THE SAME.

Chairman Hall: I HAVE A MOTION BY COMMISSIONER JUDAH, A SECOND BY COMMISSIONER JANE.

ALL THOSE IN FAVOR, OPPOSED? MOTION CARRIES, 4-1 COMMISSIONER BIGELOW DISSENTING AND ITEM 12-A.

Comm. Bigelow: I'LL JUST ASK DON IF HE CAN PLEASE ADDRESS HOW IT IS THAT

PULLING OR BANNING THE NIPA PROCESS FOR THIS ROAD IS I GUESS TO THE COUNTY MANAGEMENT'S FAVOR? BECAUSE THAT'S REQUEST.

Chairman Hall: I WILL LIKE TO RHYME THE BOARD THAT THIS TEAM, THIS IS A RESULT OF MANAGEMENT AND PLAN MEETING AND A DISCUSSION THE BOARD HAD LAST MONTH, AND THIS IS THE ACTION THAT RESULTED FROM THAT WORKSHOP, SO FOR THE PUBLIC BENEFIT WHO OBVIOUSLY THEY DIDN'T HAVE A CHAN TO SEE THE MEETING, GO THROUGH WHY WE PULLED THIS AND HOW WE GOT THIS NOW KIND OF SOMEWHAT ON HOLD OTHER THAN THIS ONE PARCEL.

GOOD MORNING COMMISSIONERS.

DON DEBERRY, THIS IS A CONTINUATION BASICALLY AT THE REQUEST OF THE BOARD FROM MANAGEMENT AND PLANNING IN NOVEMBER, WE PRESENTED STAFF'S RECOMMENDATION TO BASICALLY ABANDON THE FEDERAL NATIONAL ENVIRONMENTAL POLICY ACT PROCESS FOR COUNTY ROAD 951.

AT THIS TIME THE REASON FOR STAFF BRINGING THE ISSUE FORWARD TO RECEIVE EFFECTIVELY THE FIFTH ROUND OF COMMENTS FROM THE FLORIDA D.O.T. AND THE FEDERAL HIGHWAY ADMINISTRATION REGARDING THE PROJECT.

AND SOME CHANGES THAT HAD OCCURRED IN THE FEDERAL APPROVAL PROCESS THAT HAVE JUST BEEN PUT IN PLACE BY THE AGENCIES THEY WERE PASSED WITH THE 2007 REAUTHORIZATION OF THE TRANSPORTATION ACT AND THAT CREATED A SCENARIO WHERE THE E.I.S. DOCUMENT, THE NIPA APPROVAL THAT WE WERE SEEKING WAS NOT GOING TO BE ABLE TO BE REALIZED BECAUSE OF THE CHANGE IN THE LAW.

SO, IT PUT US IN A POSITION WHERE TO CONTINUES TO SPEND DOLLARS TO TAN QUESTIONS THAT WE'RE ASKED, AND THE SIGNIFICANT QUESTIONS WERE PLEASE UPDATE YOUR DATA, BECAUSE OF THE CHANGES IN THE ECONOMIC SITUATION, WHICH WOULD REQUIRE A SUBSTANTIAL EXPENDITURE OF FUNDS TO UPDATE OUR DATA THAT WE CHECKED ON THE PROJECT MOSTLY TRAFFIC DATA.

BUT, WE STILL EVEN IF WE UPDATED THE DATA WE WEREN'T GOING TO BE ABLE TO OBTAIN A SIGNATURE ON THE DOCUMENT FROM FEDERAL HIGHWAY BECAUSE WE DO NOT HAVE ANY ADDITIONAL FINDS OR PHASES OF THE PROJECT FUNDED THROUGH M.P.O. TIP AND STIFF PROJECT.

SO SOME FUNDING THROUGH TRANSPORTATION IMPROVEMENT PROGRAM UNTIL SOME FUNDING OCCURRED IN THE FIVE-YEAR WORK PROGRAM THROUGH THOSE TWO PROGRAMS, WE CAN'T GET THE DOCUMENTS SIGNED.

SO WE'RE BASICALLY CHASING OUR TAIL FROM MY PERSPECTIVE.

SO WE CONDITION WANT TO RECOMMEND THE CONTINUED EXPENDITURE OF FUNDING TO UPDATE DATA AT THIS TIME, THAT WASN'T GOING TO REALLY GET US ANYWHERE.

IF WE WANT TO PURSUE THE 951, WE CAN REVISIT THE DOCUMENT AT THAT POINT IN TIME.

CERTAINLY THEY WILL ASK US AGAIN TO UPDATE THE DATA AT THAT POINT, A LOT OF THE ENVIRONMENTAL DATA WE'VE COLLECTED WON'T CHANGE.

THE RANGES, THE HABITAT TYPES AND ALL SHOULD NOT SUBSTANTIALLY CHANGE.

OVER THE SHORT PERIOD OF TIME THAT WE WOULD BE CONSIDERING.

BUT, CERTAINLY THE TRAFFIC NUMBERS DO CHANGE AND THE LAND USES COULD CHANGE.

CERTAINLY THE UNIVERSITY CAN GROW AND THE TRAFFIC ON ALICO AND CORKSCREW WILL CHANGE WITH TIME AND OBVIOUSLY THERE ARE ALTERNATIVES THAT CAN BE IMPLEMENTED THAT WOULD AFFECT THE NEED FOR THE ROAD OR GENERATE A GREATER NEED FOR THE ROAD.

SO, IT WAS OUR RECOMMENDATION TO AT THIS POINT IN TIME ABANDON THE FEDERAL PROCESS IN FIVE OF THE LOCAL PROCESS, WHICH EFFECTIVELY YOU HAVE ALREADY IMPLEMENTED THE LOCAL PROCESS BY THE ADOPTION OF THE ALIGNMENT AT THE PUBLIC HEARING IN AUGUST OF 2005, YOU HAVE ALSO DESIGNATED THE ROAD, THE CORRIDOR AS A LIMBED ACCESS FACILITY IN ACCORDANCE WITH STATE STATUTES IN A MEETING IN 2006.

WE CAN LEAVE THOSE ACTIONS IN PLACE.

TAKE THE DOCUMENT, CLEAN IT UP WITH RESPECT TO THE COMMENTS THAT WE'VE RECEIVED FROM FEDERAL HIGHWAY AND FROM FLORIDA D.O.T., THERE ARE REALISTIC COMMENTS IN THERE, YOU KNOW, PLACES THAT WHERE STUFF HAS BEEN LEFT OUT OR MISS OR NEEDS TO BE MOVED.

WE'RE GOING TO CORRECT, WE WANT TO GO AHEAD AND CORRECT ALL THAT AND EFFECTIVELY SHELVE THE PROJECT, STAVE THE ONE REMAINING RIGHT OF WAY DECISION WE ARE PURSUING, AS THAT HAS BEEN A JOIN GOAL ALL ALONG AND ACCOMPLISHES MORE THAN JUST THE 951 RIGHT OF WAY ISSUE.

Chairman Hall: ANY QUESTIONS FOR MR. DEBERRY.

COMMISSIONER MANN.

Comm. Mann: WHAT DOES IT ACCOMPLISH BEYOND THE RIGHT OF WAY.

WHAT YOU JUST FINISHED SAYING ABOUT THE WATER MANAGEMENT DISTRICT PIECE IF WE PURSUE THAT.

WELL, THERE'S A JOINT EFFORT IN CONSTRUCTING A BURM ALONGSIDE OF THE CANAL THAT WILL ASSIST, IT WILL ALLOW US TO EXCHANGE SOME LAND.

IT'S NOT JUST A DECISION.

IT'S A SWAP.

THERE'S 15 ANY OF SWAP AND THEN ABOUT 70 ACRES OF DECISION.

IT WILL ALLOW US TO SWAP SOME LANDS WITH THE DISTRICT THAT THE DISTRICT IS ASKING US TO EXCHANGE WITH THEM.

THOSE ARE THE TWO THINGS, COMMISSIONER.

AND THEN THE DISTRICTS DESIRE TO SWAP LANDS AND MAKES SENSE TO US BECAUSE IT'S IN THE PATH.

Comm. Mann: THE SWAP, BUT IS IT AN EXACT SWAP WE'RE CONTEMPLATING HERE OR WILL THERE BE COSTS TO US TO BUY THIS FROM THEM.

WE HAVE BUDGETED THE D.O.T.

HAS IN THEIR BUDGET, THE FUNDS TO ACQUIRE THE BALANCE THAT'S NOT BEING SWAPPED.

Comm. Mann: WHICH IS ABOUT HOW MUCH MONEY? .

AROUND \$2 MILLION.

Comm. Mann: POINT NEEDS TO BE MADE MANY THIS DISCUSSION THAT THAT'S \$2 MILLION THAT WE WOULD BE EXPENDING OUT OF OUR CAPITOL BUDGET OF D.O.T. THAT WE MAY OR MAY NOT EVER SEE COME TO FRUITION IN TERMS OF THE TOTAL PROJECT EVER BEING PURSUED.

IT MAY NOT BE FINANCIALLY FEASIBLE, WHERE WE ARE SO DESPERATELY SHORT ON C.I.P.

DOLLARS RIGHT NOW, YOU NEED TO AT LEAST WAIVE THIS EXPENDITURE AND WITH ALL THE IFs THAT ARE ATTACHED TO THE PROJECT 951 ANYWAY AGAINST THE DESPERATE NEED FOR THOSE LIMITED DOLLARS WE HAVE IN THE D.O.T., C.I.P.

BUDGET.

THERE'S BEEN REFERENCE MADE IN OUR PAPERWORK HERE ABOUT THE FEDERAL DOLLARS THAT MIGHT BE AVAILABLE TO US, IF WE CONTINUE WITH ANY P.A. PROCESS.

ALLOW THE PURSUIT OF FEDERAL FUNDING FOR THE PURCHASE.

WHAT OTHER THAN THE INTERSTATES AND THE FEDERAL PORTION OF THE U.S. HIGHWAY PROGRAM, LIKE U.S.

41 OR 27, WHAT FEDERAL DOLLARS TRULY ARE LIKELY AVAILABLE FOR THIS PROJECT?

COMMISSIONER, THE PROJECT WAS PURSUED UNDER THE GUIDES THAT IT WOULD BE A TOLL ROAD, AND THAT WOULD BE HOW WE WOULD FUND THE MAJORITY OF THE PROJECT.

THE FEDERAL DOLLARS THAT WOULD BE BENEFICIAL TO BE ABLE TO SEEK WOULD BE THE TIFIA, I'M NOT SURE WHAT THE ACRONYM STANDS FOR.

SETS ASIDE FOR PROJECTS TO BORROW AGAINST TO CONSTRUCT TOLL PROJECTS OR OTHER LARGE TRANSPORTATION PROJECTS.

Comm. Mann: CAN YOU GIVE ME AN EXAMPLE OF FEDERALLY-FUNDED PROJECTS IN EVEN SOUTHWEST FLORIDA? NOT, I DON'T WANT TO CONFUSE STIMULUS WHICH IS IN ALL THE OTHER SEPARATE NEW CREATION.

BUT, HISTORICALLY, I DON'T KNOW OTHER THAN THOSE TWO THAT I KEEP MENTIONING.

THE FEDERAL AID SYSTEM IS PRETTY VAST IN LEE COUNTY OBVIOUSLY WE ACCEPTED A LOT OF THE STATE'S ROADS BACK I THINK IN THE 70s WHEN THE STATE HANDED OVER JURISDICTION TO THE LEE COUNTY.

BUT -- Comm. Mann: I'M TALKING ABOUT TODAY'S FEDERAL GRANT PROGRAMS THAT WOULD BE AVAILABLE.

THE FLORIDA D.O.T.

Comm. Mann: GIVE ME AN EXAMPLE OF ONE WE'VE DONE RECENTLY AFTERNOON HERE.

THERE MAY NOT BE ANY.

THE FROM FLORIDA D.O.T. USES FEDERAL FUNDING AND A SUBSTANTIAL PORTION OF THE PROJECT.

SO ANY PROJECT THAT COULD NOT BE STIMULUS THAT THEY'VE DONE RECENTLY COULD HAVE FEDERAL FUNDING.

Chairman Hall: I-75 IS THE MOST RECENT EXAMPLE OF FEDERAL DOLLARS COMING DOWN TO WORK WITH THE STATE.

THAT'S PROBABLY THE MOST RECENT ONE.

Comm. Mann: I'M TRYING TO FIND OUT WHAT WOULD BE UNIQUE ABOUT THIS 951 PROJECT THAT WOULD MAKE IT QUALIFY FOR ANY FEDERAL DOLLARS.

I'M NOT FAMILIAR WITH ANY ADDITIONAL FEDERAL PROGRAM THAT WOULD TO THE BENEFIT OF 951 AND I'M TRYING TO FINE AN EXAMPLE OF ONE THAT MIGHT MAKE ME UNDERSTAND THAT MORE CLEARLY.

THE PROGRAM WE WOULD BE SEEKING, THE LOAN PROGRAM.

I'M NOT AWARE OF A TIFIA LOAN WE HAVE IN SOUTHWEST FLORIDA.

THE MOST RECENT ONE I'M AWARE OF IS A ROAD IN NORTH CAROLINA.

THAT WAS BONDED ROUGHLY A YEAR AGO, AND BORROWED SUBSTANTIALLY FROM TIFIA TO CARRY THE BOND LOAD PRIOR TO INITIATING THE BONDING.

Comm. Mann: MADAM CHAIRMAN AND COMMISSIONERS, I DON'T KNOW AT THIS VERY SECOND WHETHER I'M GOING TO SUPPORT THIS MOTION, BECAUSE I'M NOT TOTALLY OPPOSED TO IT IF THERE ARE OTHER BENEFITS TO THIS LAND SWAP REFERRED TO HERE.

I DON'T WANT TO CLOSE THE DOOR ON IT AND CONTINUOUSLY LOOKING AT THAT.

BUT I WANT TO SAY QUITE CLEARLY, THAT IN MY OWN MIND THE JURY IS STILL OUT ON 951 ON A VIABLE PROJECT.

IF I SUPPORT THIS, I DON'T WANT ANYONE TO MISCONSTRUE THAT AS MY COMMITMENT FOR THIS PROJECT, PARTICULARLY WHEN IT COMES TO ADDITIONAL COUNTY FUNDING.

SO, I HAVE VERY MIXED EMOTIONS ON THE WHOLE 951 PROJECT AT THIS POINT, AND JUST WANT TO STATE THAT FOR THE RECORD.

THANK YOU.

Chairman Hall: THANK YOU COMMISSIONER MANN.

AGAIN, THESE ARE THE SAME COMMENTS AND INFORMATION WE'VE HAD AND CERTAINLY AGAIN FOR THE PUBLIC'S BENEFIT STATING YOUR POSITION, I WILL CERTAINLY CLARIFY FOR THOSE, COMMISSIONER JUDAH THEN COMMISSIONER BIGELOW.

Comm. Judah: YES, COMMISSIONER THANK YOU.

THIS IS AN APPROPRIATE APPROACH TO TAKE.

WE CANNOT FULLY FUND PROJECT.

THAT IS WHAT THE FEDERAL HIGHWAYS ADMINISTRATION IS REQUESTING FOR ANY DIRECTION OF THE NIPO REVIEW PROCESS.

AND WE NEED TO KEEP THIS POTENTIAL ALIGNMENT IN THE PLANNING STAGE WE CAN LOOK BACK AT THE AT THE TIME OF U.S.

HOMES WHICH IS NOW STONEY BROOKS SOUTH OF CORKSCREW ROAD.

AND THAT CAME BACK TO HAUNT US.

WE'VE DONE THAT IN A NUMBER OF AREAS THROUGHOUT THE COUNTY WHERE WE

DIDN'T SECURE THE RIGHT OF WAY WHICH WAS NEEDED TO MOVE TRAFFIC WITH OUR GROWING COMMUNITY.

WE'VE GOT A SITUATION RIGHT NOW WHERE WE'RE SEEING A BLIP IN TERMS OF POPULATION GROWTH, BUT I DON'T BELIEVE THERE'S A QUESTION THAT WE'RE GOING TO ONCE AGAIN START TO MOVE FORWARD TO THAT EXPECTED \$1.4 MILLION IN LEE COUNTY.

AND I KNOW ALL THE MODELING DONE WITH REGARD TO THE NEEDED CAPACITY, DEMONSTRATED THE IMPORTANCE OF 951 EVEN WITH THE WIDENING OF 975, METRO EXTENSION, THE LIST GOES ON.

I WOULD RATHER BE IN POSITION OF DETERMINING THIS ALIGNMENT IN AN AREA THAT CAN ACTUALLY BENEFIT FROM A VISIONARY FAR-SIGHTED DECISION NOW, VERSUS A REACTIVE APPROACH YEARS DOWN THE ROAD WHEN SOME OTHER MEMBERS OF THE BOARD ARE GOING TO BE PRESSED TO COME UP WITH ANOTHER NORTH-SOUTH CONNECTER REGION BETWEEN COLLIER, LEE AND UP THIS AREA NORTH OF US.

I TRULY BELIEVE THAT THIS IS ALSO A GREAT EXAMPLE OF WHERE WE'VE BEEN ABLE TO COLLABORATE WITH, THE SOUTH FLORIDA FILTRATION OF RUNOFF AND THIS IS NOT I BELIEVE COMMITTING ANY MEMBER OF THIS BOARD TO GO FORWARD WITH 951 OTHER THAN TO KEEP THE OPTIONS OUT THERE WITH AN ALIGNMENT THAT I BELIEVE WOULD BE IN THE BEST INTEREST OF PROTECTING THE CRITICAL AND ENVIRONMENTAL RESOURCE, I WOULD MAKE THE MOTION TO MOVE ITEM 12-1.

I HAVE A MOTION BY COMMISSIONER JUDAH.

A SECOND FOR FURTHER DISCUSSION.

Comm. Bigelow: THANK YOU MADAM CHAIR.

I DON'T SEE THAT VOTING AGAINST THIS IS INDICATIVE OF ANY COMMISSIONERS OR THIS BOARD'S SUPPORT OF THIS ROAD.

OR NOT.

SO I'M PROBABLY GOING TO VOTE FOR THIS.

LET ME JUST SAY THIS ABOUT THE DISCUSSION THAT TOOK PLACE WITH M.M.P. AND THE DOLLARS WITH DON DEBERRY.

DOLLARS WE HAD ON HAND TO BE SPENT IN THIS WAY LEG OF THIS ROAD ALIGN.

THAT'S \$2 MILLION THAT WE NEED FOR THIS COPY AND THE UP WITH I MENTIONED WHICH I THINK IS VERY APPROPRIATE FOR ME TO MENTION AGAIN BECAUSE WE HAD MEMBERS OF THE TOWN OF FORT MEYERS BEACH COUNCIL HERE, THAT'S \$2 MILLION THAT WE ARE NOT GOING TO BE ABLE TO SPEND ON A ROAD PROJECT THAT IS DECADES BEHIND THE BALL, IF YOU WILL.

AND I WOULD SUGGEST THAT WE REVISIT THAT AUTHORIZATION.

I GUESS WE WILL BE WHEN IT COMES BACK TO FINAL VOTE.

BUT, IT'S AN EXCELLENT EXAMPLE OF WHERE WE'RE SPENDING A LOT OF MONEY THAT'S BECOMING MORE RARE EVERY DAY AS WE MOVE INTO OUR NEXT BUDGET YEAR, ALTHOUGH HARD WORK WE'RE DOING, THE STRATEGIC PLANNING REVIEW AND EDUCATION.

IT'S \$2 MILLION THAT WE CAN'T SPEND ON A DESPERATE NEED WE HAVE RIGHT HERE, RIGHT NOW.

AND I'M SO OPPOSED TO THAT KIND OF SPENDING HABIT.

NOW LET ME ALSO SAY THAT ABOUT THIS ROAD, AND MY FEAR OF WHAT THIS ROAD WILL DO TO THIS AREA OF OUR COUNTY, EVEN IF WE WERE ABLE TO SNAP OUR FINGERS AND REALISE SOONER THAN LATER EVENING WHAT THIS ROAD WILL DO IS EVERY BIT WHAT OTHER ROADS WE'VE BUILT INTO WHAT I CALL THE HI HER THE LANDINGS AND THE RURAL AREAS.

THE REMOTE LAND OF OUR COUNTY.

IT JUST ADDS FOR MORE OF THIS ENCROACHMENT FURTHER OUT, AND WE SPREAD OUR DENSITIES OUT IN SUCH SMALL NUMBERS OVER SUCH A LARGE TERRITORY, IT BECOMES UNSUSTAINABLE FOR US.

IN THE JUST FROM A COST PERSPECTIVE BUT BECOMES UNSUSTAINABLE AS FAR AS HOW WE MOVE AROUND AS HUMAN BEINGS.

OR MOVING AROUND YOU KNOW PROPOSING THE MOVE AROUND IN AREAS WHERE OTHER ANIMALS ARE TRYING TO AND WE SHARE THIS ENVIRONMENT WITH THEM.

AND I THINK WE SOMETIMES FORGET, LIVING IN THIS KIND OF A GLUTEN APPROACH TO ACCOMMODATING OUR FUTURE POPULATIONS.

WE FORGET THAT WHAT WE'RE DOING BY ACCOMMODATING OUR LOVE FOR THE AUTOMOBILE, AND OUR INDEPENDENCE THAT COMES WITH THAT, WE'RE DOING IT AT A GREAT EXPENSE TO OUR ENVIRONMENT.

I THINK BRAD CORNELL PUT IT WELL, TRANSIT-ORIENTED DESIGN IS AN ALTERNATIVE THAT WE SHOULD BE EMBRACING.

THAT'S ANOTHER WAY WE CAN SPEND \$2 MILLION.

DENSITY AND AREAS THAT ARE ALREADY BACKED, SO WE CAN RAIN IN THIS SPRAWLING PATTERN.

THE HABIT OF OURS JUST KEEP GOING OUT FURTHER AND FURTHER AND FURTHER.

I'M GOING TO SUPPORT THIS, BUT I WANTED TO PUT MY TWO CENTS WORTH IN THERE.

THANK YOU MADAM CHAIR FOR LETTING ME DO THAT.

Chairman Hall: YOUR COMMENTS ARE VERY WELL HEATED AFTER JUST COMPLETING AN URBAN PLANNING CLASS AND REGARDING THE IMPORTANCE OF WHAT YOU'RE SAYING AND THE IMPORTANCE AND I APPRECIATE MARY GIBBS' E-MAIL TO US ON HOW SHE PLAN ON IMPLEMENTING HER PLAN, THE TRANSPORTATION AND PLANNING DOES HAVE TO COME TOGETHER.

IT HAS TO BE A JOINT EFFORT.

AND THE GOOD NEWS IS WE'RE IN THE PROCESS NOW OF STARTING THE 2035 PLAN AND OBVIOUSLY 951 AND ITS ROLE IN ALL OF THAT AND WHERE IT PLAYS WITH THE PROJECTS COMING FORWARD SUCH AS METRO THREE OAKS.

EVENING WE'LL SEE A LOT OF THING SHAKE OUT IN THAT PLAN, SO I THINK ITS INDICATIVE THAT THE SPORT IS NOT, WE'RE VERY CAUTIOUSLY MOVING FORWARD.

I THINK THE PROPERTY THAT WE'RE INVESTING IN HAS GOT ENVIRONMENTAL IMPACTS AND THIS BOARD GOING TO HAVE TO FACE TOUGH DECISIONS AND WHERE WE WANT TO PRIORITIZE.

AS WE LOOK AT THE COMMUNITY AS A WHOLE, AND I THINK THE BOARD IS WHETHER IT'S COMMISSIONER, AN LET'S MOVE THAT WAY.

SO, WE APPRECIATE YOUR COMMENTS COMMISSIONER BIGELOW.

MR. JANES.

OK, ANY FURTHER DISCUSSION? ALL THOSE IN FAVOR OPPOSED.

Comm. Mann: RECORD ME NO, MADAM CHAIR.

Comm. Judah: MOVE THE ITEM, MADAM CHAIR.

Chairman Hall: I HAVE A MOTION BY COMMISSIONER JUDAH.

I HAVE A SECOND BY COMMISSIONER JANE.

FURTHER DISCUSSION.

ALL THOSE IN FAVOR? OPPOSED? THE MOTION CARRIES UNANIMOUSLY.

NEXT WE GO ON TO THE WALK-ON ITEM NUMBER ONE.

Comm. Judah: THE AMENDED RESOLUTION.

Chairman Hall: I THINK WANTED TO SAY SOMETHING, BUT I DON'T KNOW IF IT'S AN

ACTUAL MOTION.

Comm. Judah: I'M SORRY, I WENT TO CARRYOVER ITEM NUMBER ONE.

I'M SORRY.

IT'S WALK-ON ITEM NUMBER ONE NO GORILLA, MADAM CHAIR AND MEMBERS OF THE BOARD.

MY NAME IS STEVE MEYERS AND YOU WANTED TO PRESENT THE AWARD THIS MORNING THAT LEE RAN THE RECEIVED FROM THE FLORIDA PUBLIC TRANSPORTATION AT THEIR MEETING RECENTLY IN JACKSONVILLE.

THIS AWARD WAS PRESENTED TO LEE TRAN AS THE 2009 AWARD FOR INNOVATION FROM THE PUBLIC.

THIS AWARD IS REPORTED ANNUALLY, WHO HAS DEMONSTRATED INNOVATIVE CONCEPTS FOR THE PUBLIC TRANSPORTATION INDUSTRY.

THE AWARD IS BASED ON LEE TRAN, BEING IMPLEMENTED BY LEE TRAN WHICH WAS SHOWCASED IN.

WE WILL BE OFFICIALLY UNVEILING THIS FIRST HYBRID BUS IN LEE COUNTY AS PART OF A RIBBON CUTTING CEREMONY ON THURSDAY AT 1:30 AT THE STUDENT UNION.

WES WATSON THE DIRECTOR SENDS HIS REGRETS HE COULDN'T BE HERE TODAY BUT HE IS ATTENDING TO RATHER IMPORTANT BUSINESS IN TALLAHASSEE WHICH HAS A LOT TO DO WITH FLORIDA.

SO WE PRESENT THIS TO THE BOARD WITH OUR GRATITUDE THAT WE'RE FORTUNATE TO WORK IN A COUNTY WHERE CREATIVITY AND INNOVATION IS EMBRACED AND ENCOURAGED.

WE THANK YOU VERY MUCH AND CONGRATULATIONS TO YOU ON THIS AWARD.

Comm. Mann: THANK YOU VERY MUCH.

[APPLAUSE] Chairman Hall: GET A PHOTOGRAPH WITH STEVE.

THANK YOU VERY MUCH.

YOU WANT TO GIVE THAT TO KAREN SO SHE CAN PUT IT IN THE CASE.

STEVE, WE APPRECIATE GARY POINTING OUT THE EFFORT OF THE COOPERATION.

OBVIOUSLY GETTING THROUGH THESE DIFFICULT TIMES IS A PROCESS OF COMMUNICATION AND COOPERATION AND WE APPRECIATE YOUR TEAM AND STAFF REACHING OUT TO THIS COMMUNITY TO MAKE SURE WE'RE TRYING TO FIND SERVICE FOR EVERYONE.

THANK YOU VERY MUCH.

Comm. Bigelow: CAN I? IT'S VERY NICE TO PRESENT THIS TO US AS IF THIS IS AN AWARD FOR US, BECAUSE REALLY, YOU'RE A HUMBLE MAN AND YOU AND CARMEN AND THE WHOLE GANG THERE DESERVE HUGE ACCOLADES FOR THIS ACCOMPLISHMENT.

THIS IN MY OPINION IN MY HOPE IS THAT THIS WILL BE THE BEGINNING OF MORE OF THESE KIND OF PROJECTS COMING TO REALITY.

ALSO I WOULD LIKE TO POINT OUT FOR THOSE HERE, THAT YOU KNOW IF YOU'RE NOT FOLLOWING THE THIS MORE CAREFULLY YOU MAY HAVE MISSED THE FACT THAT WE ARE REALLY INTERESTED AS THE UNITED FRONT FIVE COMMISSIONERS I THINK, ARE TO BE UNITED TOGETHER WHICH IS, TO IMPROVING OUR TRANSIT SYSTEM HERE IN LEE COUNTY.

NOT JUST IN MY OPINION WHAT WE HAVE, BUT WHAT WE MIGHT HAVE, HOW WE MOVE FOLKS AND THAT MIGHT BE ON REAL LINES AS WELL AS ON INVESTORS SUCH AS THAT.

SO STEVE, I WOULD SAY THIS IS FOR YOU BUDDY.

THANK YOU SO MUCH AND CONGRATULATIONS.

THANK YOU, MADAM CHAIR.

Chairman Hall: THANK YOU.

[APPLAUSE] NEXT WE HAVE WALK-ON ITEM NUMBER TWO WHICH IS TO EXECUTE MODIFIED IN.

TWO TO CONTRACT BETWEEN THE STATE OF I HAVE A MOTION BY COMMISSIONER JUDAH, SECOND BY COMMISSIONER JANE.

ALL THOSE IN FAVOR? OPPOSED.

THE MOTION CARRIES AND OUR LAST CARRYOVERS A I THINK EVERYONE HAD A CHANCE TO READ IT, ANY QUESTIONS? I HAVE A MOTION BY COMMISSIONER JUDAH, A SECOND BY COMMISSIONER MANN, FIRST-DEGREE MURDER DISCUSSION.

Chairman Hall: PUT DISCUSSION IN ALL THOSE IN FAVOR? THE MOTION CARRIES UNANIMOUSLY.

NEXT WE GO ON TO THE COMMISSIONER ITEMS.

COMMISSIONER BIGELOW.

Comm. Bigelow: WELL, I GUESS I HAVE TO EAT A LITTLE CROW HERE THIS MORNING AND JUST SAY, GO GATORS.

[LAUGHTER] BUT I ALSO IS BOOCH HERE.

Chairman Hall: HE LEFT.

Comm. Bigelow: WELL I WANTED TO SAY TO BOOCH, THAT WHAT A GUY.

HE HAS BEEN HERE MAYBE LONGER THAN YOU? IS THAT POSSIBLE? HAS HE BEEN HERE LONG ETHAN YOU? Comm. Judah: WHEN DINOSAURS ROAMED THE EARTH.

Comm. Bigelow: THERE WAS A DINOSAUR THAT USED TO SIT IN THIS CHAIR.

AN OUR WISHES AND PRAYERS AND OUR ATTA BOYS TO BOOCH, AND SO, BOOCH MY HATS OFF TO YOU BUDDY, WHERE EVER YOU ARE AND HANG IN THERE.

Chairman Hall: THANK YOU COMMISSIONER BIGELOW.

Comm. Judah: JUST ALSO THAT WE LOVE YOU BOOCH.

Chairman Hall: COMMISSIONER JANES.

Comm. Janes: I WANT TO SAY TOO THAT I SECOND AND THIRD THE COMMENTS ABOUT BOOCH.

HE'S TRULY ONE OF THE GREAT REPRESENTATIVES OF LEE COUNTY.

AND WE'RE LUCKY TO HAVE BOOCH AN LUCKY TO HAVE HAD HIS SERVICES FOR MANY YEAR.

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Comm. Bigelow: THANK YOU VERY MUCH.

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Comm. Mann: I'M HAPPY TO SAY WHEN I HEARD WHAT BOOCH WAS STRUGGLING WITH I JUST RAN DOWN AND GAVE HIM A HUG.

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Chairman Hall: THANK YOU, LEE COUNTY IS VERY BLESSED AND WE'RE BLESSED IN MANY WAY.

WE'RE BLESSED BY THE PEOPLE WHO MAKE UP OUR COMMUNITY, AND THE LOVE AND SUPPORT WE GIVE TO EACH OTHER, WHETHER WE KNOW EACH OTHER VERY WELL OR AS ACQUAINTANCES.

I WANT TO THANK ALL OF YOU FOR THE SUPPORT YOU GIVE EACH OTHER EVERY DAY,

AND BOOCH KNOWS WE LOVE HIM.

I COMMENTED SATURDAY AT THE NORTHWEST REGIONAL LIBRARY OPENING WHEN I MET BOOCH WE WERE CUTTING STARS OUT THE SUPPORT A TOURISM EVENT, AND IT WAS A LITTLE HAIR RAISING BECAUSE WE WERE SITTING THERE WITH CARDBOARD AND CHEAP SCISSORS.

WE GO BACK A LONG WAY, WE DO LOVE HIM AND HERE TO SUPPORT HE AN HIS FAMILY.
AND IT'S A GOOD DAY TODAY.

WE HAD A VERY NICE MEETING.

NEXT I HAVE THE PLEASURE OF HAVING TWO LOCAL ARTISTS DISPLAYING THEIR ART WORK IN MY OFFICE THIS MONTH.

FIRST-TIME ARTIST DANIELLE WEINER AND ANNETTE WATKINS WILL BE ON DISPLAY UNTIL DECEMBER 30th.

I INVITE THE COMMUNITY AND EMPLOYEES TO.

KOBE AND SUPPORT DANIEL'S TALENT.

I WANT TO THANK DANIEL AND ANNETTE FOR SHOWING THEIR WORK WITH LEE COUNTY RESIDENTS AND AGAIN SUPPORTING THE CULTURE AND ACTIVITIES THAT WE HAVE IN OUR COMMUNITY.

NEXT I HANDED OUT A MEMO TO ALL OF THAT GOES OVER THE LIAISON APPOINTMENTS.

IF THERE'S ANY COMMENTS, I KIND OF LOOKED AT WHERE WE DID NOT HAVE ANY INVOLVEMENT THIS YEAR AND I COULD AS NEEDED, BUT TO JUST DOWN SIZE ACTUALLY APPOINTMENTS THIS YEAR, AND I WENT OVER THIS A LITTLE BIT WITH THE COUNTY MANAGER, AND SHE WAS IN SUPPORT OF THAT, I THINK ON SOME OF THE BOARDS IF THERE'S A CONCERN, WE CAN COME BACK AND APPOINT.

BUT RIGHT NOW LOOKING AT KAREN AND SUPPORTING WHAT DIRECTION SHE WOULD LIKE TO GO IN WE WILL LIKE TO FUNNEL SOME OF THESE TO HER OFFICE, BUT IF WE FIND ONE OF THE COMMITTEES THAT WE'RE NOT APPOINTING A LIAISON, WE CAN ALL DO THAT THROUGHOUT THE YEAR SO, IF THERE'S AN ORGANIZATION YOU FEEL NEEDS A LIAISON, WE CAN ADD IT ALSO TODAY, OR THROUGHOUT THE YEAR.

BUT IF I DON'T HAVE ANY CHANGES.

GO AHEAD, COMMISSIONER BIGELOW.

Comm. Bigelow: THANK YOU, MADAM CHAIR.

I ACTUALLY WAS PLEASANTLY SURPRISED BY THIS INITIATIVE OF YOURS AS CHAIRWOMAN.

I APPRECIATE IT, ACTUALLY.

I THINK IT'S TIME THAT WE LOOK AT THE ADVISORY BOARDS AND THEY'RE AFFECTING US AS WELL AS THE TIME WE SPEND WITH THEM.

I GUESS YOU ARE ACTUALLY THOUGH NOT NOW SUGGESTING THAT ANIMAL SERVICE LIAISON BE ELIMINATED.

Comm. Bigelow: YOU'RE NOT.

Chairman Hall: I AM SUGGESTS THAT IT BE ELIMINATED BECAUSE IT IS A DEPARTMENT AND AGAIN LOOKING AT THE COUNTY MANAGERS, THE ONLY REASON WE LEFT THE DEPARTMENT SOLID WASTE AND UTILITIES BECAUSE THEY REQUESTED A LIAISON.

BUT OTHERWISE I FELT THAT THIS IS AN ISSUE FOR THE COUNTY MANAGER AND THAT IT'S A BOARD MEMBER NEEDS TO BE APPOINTED TO ANIMAL SERVICES, BECAUSE THE COUNTY MANAGER FEELS THAT SHOULD HAPPEN, THEN WE COME BACK IN THE MIDDLE OF THE YEAR AND PIT THAT PERSON IN PLACE.

OTHERWISE THESE ISSUES SHOULD BE COMING THROUGH MANAGER THEN TO US.

I AGREE.

Chairman Hall: ON THE FRONT ARE THE ELIMINATED ONCE AND ON THE SECOND PAGE ARE THE ONE I'M SUGGESTING TO MAINTAIN.

OK, FOR SOME REASON I GOT TO NOTE THAT YOU WERE REVISING IT AND ADDING ANIMAL SERVICES LIAISON BACK.

Chairman Hall: NO.

SORRY.

Comm. Bigelow: MY FAULT.

OK.

GOOD I'M GOOD TO GO THEN.

Chairman Hall: ANY OTHER COMMENTS.

COMMISSIONER JANES.

Comm. Janes: I WOULD LIKE TO MAKE A PITCH FOR STILL INCLUDING PUBLIC SAFETY COORDINATED COUNCIL, AND THE REASON FOR THAT IS A LOT OF LEGISLATION COMING DOWN AT STATE LEVEL ASKS FOR A ROLE, DEMAND OF ROLE OF THE COORDINATING COUNCIL.

EN I THINK BECAUSE WE'RE GOING INTO SOME AREAS THAT WILL REQUIRE SOME CLOSE LIAISON IN TERM OF NEW JAILS, NEW FACILITIES, THINGS LIKE THAT.

THIS IT'S IMPORTANT HA WE DOMAIN TAKEN A WORKING RELATIONSHIP WITH THEM.

I FOR YEARS WAS A SPECTATOR.

AN SINCE I'VE HAD A CHANCE TO OBSERVE WHAT'S HAPPENING, AT STATE LEVEL I'VE CHANGED MY OPINION TO SUGGEST THAT MAYBE WE OUGHT TO JUST DEEP IT IN THE HOLDING PATTERN FOR A YEAR AND IF WE DON'T NEED IT, DO AWAY WITH IT.

I REALLY WOULD LIKE TO URGE US TO CONTINUE IT.

I THINK WE'RE IN A VERY, VERY IMPORTANT POSITION RIGHT NOW.

Comm. Bigelow: SO YOU WOULD LIKE TO HAVE A COMMISSIONER APPOINTED TO THAT COMMITTEE, THEN WE'LL ADD THAT ON TO THE ONES TO KEEP COMMISSIONER MANN ANY COMMENTS? .

Comm. Mann: YES, FRANKLY I WOULD COMMEND YOU FOR THESE SUGGESTED CHANGES.

AS YOU WILL PROBABLY WELL REMEMBER, LAST YEAR I WAS RELUCTANT TO BE EVEN INVOLVED WITH SOME OF THESE ASSIGNMENTS.

I THOUGHT TO A LARGE EXTENT THEY HAD GROWN AND I THINK THAT'S WHAT YOU'VE TAKEN NOTE OF HERE.

AND ANY INDIVIDUAL COMMISSIONER CAN INVOLVE HIMSELF WITH ANY OF THESE OTHER OFFICES, AND ANYWAY.

SO, I THOUGHT WE WERE KIND OF LOSING TOUCH WITH ANY MEANINGFUL INVOLVEMENT IN THESE OTHER COUNSELS, ET CETERA.

SO I THINK THIS IS A GOOD START AND I COMMEND YOU FOR IT AND I DON'T HAVE ANY CHANGES.

THEN, WITH THAT, YES.

Comm. Bigelow: CAN I JUST COMMENT ON THE COORDINATING PUBLIC SAFETY COUNCIL? I SUPPOSE I CAN COULDN'T THAT, ACTUALLY WHEN I SAW IT ON THE LIST IT RAISED A FLAG FOR ME TOO.

LOOKING PAST YOU AT COMMISSIONER JANES BECAUSE I WOULD LIKE TO BE ATTENDING SOME OF THE MEETINGS AND I'M STARTING TO LEARN MORE AND MORE ABOUT THE IMPORTANCE OF COORDINATING IN ORDER TO MAKE DIVERSION AIR PROGRAMS WORK, IF WE'RE GOING TO BUILD FEWER JAILS, WE HAVE TO COME UP WITH ANOTHER WAY TO APPROACH THEMSELVES WHO FIND THEMSELVES IN CONFLICT WITH THE LAWS.

I SUPPOSE I WOULD SUPPORT KEEPING IT ON THERE.

I WOULD LIKE TO ASK IF IT WOULD BE OK, IF I WERE NOTICED ON THE MEETINGS AND THEN ASKED THE COUNTY TO ATTEND.

Chairman Hall: THEY'RE ALL PUBLIC MEETINGS.

SO MY MULTIPLE COMMERCIALS CAN GO.

THE REASON I KEN THESE PARTICULARLY BECAUSE THESE ORGANIZATIONS HAVE ASKED FOR A POINT PERSON.

ANY COMMISSIONER CAN INVOLVE.

BUT WHEN IT BECOMES AN ISSUE THEY'RE GOING TO GO TO THIS COMMISSIONER FIRST WHO CERTAINLY ANY OF THESE MEETINGS ARE OPEN TO PUBLIC.

Comm. Bigelow: THE REASON I ASK BECAUSE THERE WASN'T ANOTHER COMMISSIONER THERE.

BUT IT DON THINK THEY WERE BEING RECORDED.

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Chairman Hall: WE CAN CHECK INTO THAT AND MAKE SURE THAT IT'S APPROPRIATELY.

YES COMMISSIONER JUDAH.

Comm. Judah: I WANT TO MAKE SURE THE MESSAGE WE ARE SENDING OUT WE DEEM THESE COMMITTEES AND PROGRAMS ABSOLUTELY EXTREMELY MEANINGFUL.

IT'S JUST AS I UNDERSTAND WHAT YOU'RE ATTEMPTING TO ACCOMPLISH HERE IS RECOGNIZE BETWEEN A POLICY MAKING BOARD AND A COORDINATING WITH THESE VARIOUS I WANT TO MAKE SURE THE CHAIR WILL STILL PROVIDE THE RESOURCE AND WE WILL VALUE THEIR ROLE IN THIS COMMUNITY.

BUT THAT WE'RE PROCEDURALLY ADJUSTING WHEN WE WILL PROVIDE THAT MEANINGFUL EFFORT WITH THOSE COMMUNITY.

THAT WE DO NOT HAVE A COUNTY COMMISSIONER FEEL THAT THERE THERE IS AN ISSUE THAT A COUNTY COMMISSIONER NEEDS TO BE ENGAGED WE CAN ALL MAKE AN APPOINTMENT THROUGHOUT THE YEAR BECAUSE THE ISSUE IS UP AS THE LEE COUNTY SCHOOL BOARD OR ANIMALS OR THE FAIR BOARD.

WE'RE NOT, I'M NOT TRYING TO SUGGEST THAT THERE'S ANY LESS MEANINGFUL ACTION HAPPENING ON THESE COMMITTEE.

WHEN WE LOOK AT OUR SCHEDULE, AND HAVING THE FOR THE PURPOSE THERE A REASON FOR THAT COMMISSIONER TO BE THERE? AND AS CHAIR I'M HAPPY TO TAKE

THOSE POINTS.

AND MANY OF THE MEMBERS OF THESE ORGANIZATIONS KNOW ALL OF US INDIVIDUALLY AND THEY PICK AND CHOOSE WHO THEY CALL ANYWAYS I THINK WE'RE AULD AVAILABLE WHEN NEEDED.

ALL FIVE COMMISSIONERS WILL AVAILABLE TO ANY OF THESE ORGANIZATIONS TO ADDRESS CONCERN.

SO WITH THAT I'M GOING TO ADD PUBLIC SAFETY BACK.

CAR MEN WILL SEND BACK A MEMO.

IF YOU CAN MAKE SUGGESTION OF THE COMMITTEES YOU WILL LIKE TO SERVE ON I WOULD LIKE TO POINT NEXT WEEK.

I APPRECIATE AND DAVID, DO I NEED A MOTION TO ADOPT THIS? NO.

OK, GREAT.

Comm. Judah: I APOLOGISE, IF I COULD INSERT ADMINISTRATION WAS KIND ENOUGH TO ADDRESS THE ISSUE OF COMPLETE STREETS.

WE AS A BOARD APPROVE THE COMPLETE STREETS POLICY.

THERE IS A COMPLETE STREETS ACT OF 2009 THAT WOULD LIKE TO GET THE CONGRESS TO SUPPORT, AND ALSO INCORPORATE THE COMPLETE STREETS INTENT AND DESIRE GOALS AND OUTCOMES WITHIN THE FEDERAL TRANSPORTATION REAUTHORIZATION.

SO I WOULD ASK IF WE CAN CITIZEN A LETTER UNDER YOUR SIGNATURE.

I DON'T THINK ANYONE ON THIS BOARD HAS A PROBLEM WITH THAT.

Chairman Hall: I HAVE A MOTION BY COMMISSIONER JUDAH, SECOND BY COMMISSIONER JANES.

ALL THOSE IN FAVOR? OPPOSED? MOTION CARRIES UNANIMOUSLY.

COMMISSIONER BIGELOW.

Comm. Bigelow: NO, MA'AM, I HAVE NONE.

Comm. Judah: NONE.

Comm. Janes: NONE, MADAM CHAIR.

Comm. Mann: NOT TODAY.

Chairman Hall: I HAVE ONE, A LOCAL PLANNING AGENCY.

Comm. Mann: SO MOVED.

ALL THOSE IN FAVOR, OPPOSED? THE MOTION CARRIES UNANIMOUSLY.

COUNTY MANAGER ITEMS.

NONE.

Chairman Hall: COMMISSIONER BIGELOW.

Comm. Bigelow: I WANT TO THANK KAREN AND YOU MADAM CHAIR FOR TAKING THE TIME AND ENERGY AND EFFORT TO GO TO WASHINGTON AND TRY TO SEE THAT OUR OLYMPIANS THAT THEY ARE REALISE A MUSEUM HERE AND DISTRICT TOO.

THE CITY OF FORT MEYERS CITY PIER.

WE ARE TAKE A FIVE MINUTE RECESS AND RECON FEET WITH THE MEETING OF FORT MEYERS BEACH.

Comm. Mann: CAN WE MAKE THAT AT 11:00.

Chairman Hall: CERTAINLY.

IT'S IN THE FIRST FLOOR OF THE BUILDING.

Chairman Hall: WE ARE RECESS AND I GUESS WE'LL ADJOURN THIS MEETING AND CONVENE AS A JOINT MEETING.

OK, WE'RE GOING TO RECESS THIS MEETING, JOINT YES, WE HAVE A PUBLIC HEARING AT 5:00 ALSO.

THANK YOU.

5:00 PUBLIC HEARING

I'D MOVE THAT COMMISSIONER JUDAH CHAIR THE MEETING.

Chairman Judah: THANK YOU VERY MUCH.

WE WILL START OFF WITH THE 5:00 PUBLIC HEARING ITEM NUMBER ONE.

THANK YOU, MEMBER OF THE BOARD, SCOTT KERBIT ASSISTANT COUNTY ATTORNEY.

ITEM NUMBER ONE IS TO CONSIDER ADOPTING A RESOLUTION ELECTING TO USE THE UNIFORM METHOD OF COLLECTING THE NON-AD VALOREM SPECIAL ASSESSMENTS FOR THE FOLLOWING BENEFIT UNITS.

THERE ARE FIVE OF THEM.

THE FIRST BEING MCGREGER ISLAND, SEWAGE, PINE ISLAND SHORES DREDGING, PORT CARLOS ISLAND DREDGING ST. CARLOS ISLAND DRAINAGE.

I EXAMINED THE PUBLICATION NOTICE OF ATTEMPT PUBLISHED IN THE FORT MYERS NEWS PRESS ON NOVEMBER 10, 17, 24 AND DECEMBER 1 OF THIS YEAR.

AND AS SUCH, I FIND IT LEGALLY SUFFICIENT AS TO FORM AND CONTENT AND HEREBY PUT IT INTO THE RECORD AND WILLING TO ENTERTAIN ANY QUESTIONS THE BOARD MAY HAVE.

Chairman Judah: QUESTIONS AT THIS TIME? OK.

WE WILL OPEN UP TO THE PUBLIC AND WE WILL NOW TURN IT OVER TO CHAIRWOMAN COMMISSIONER TAMMY HALL FOR THE PUBLIC COMMENT PORTION OF THE AGENDA.

Comm. Hall: DID YOU WANT TO COMMENT ON THIS ITEM? YES.

Comm. Hall: OH, WE AREN'T READY FOR YOU YET.

WE WILL CLOSE PUBLIC COMMENT AND COME BACK TO THE BOARD.

I HAVE A MOTION BY COMMISSIONER JUDAH, SECONDED BY COMMISSIONER MANN.

ALL THOSE IN FAVOR, OPPOSED? IT CARRIES UNANIMOUSLY.

NEXT WE WILL MOVE ON TO MATTERS OF CONCERN OF CITIZENS AND THAT WOULD BE DON BACON.

THANK YOU.

CHAIRPERSON HALL AND COMMISSIONERS I AM DON BACON.

I LIVE SOUTH OF FORT MYERS.

I DON'T KNOW WHERE EVERYBODY IS BUT I GUESS I CAN TALK TO YOU FOR ABOUT AN HOUR TONIGHT BECAUSE THERE'S NOBODY ELSE HERE TO SPEAK.

Comm. Hall: WELL JUST TO THE POINT.

OH, WELL ACTUALLY BECAUSE I WAS SO SURE BECAUSE OF THE ISSUE ON THE BEACH, THIS HOT ISSUE, THAT I WOULDN'T BE ABLE TO SPEAK ANYHOW SO I DID NOT COME PREPARED WITH ANYTHING IN WRITING.

SO I AM SORRY TO SAY I CAN'T SPEAK FOR AN HOUR.

BUT I WILL SAY THAT I AM HERE TONIGHT FOR, TO SPEAK ABOUT AN ISSUE THAT IS

IMPORTANT TO ME AND IT'S IMPORTANT TO MANY IN THIS COUNTY AND I KNOW VERY, VERY WELL THAT IT IS IMPORTANT TO EACH PERSON HERE BECAUSE I READ HOW EACH OF YOU FEELS AS MUCH AS YOU DID SPEAK ABOUT THIS ISSUE FROM TIME TO TIME IN THE PRESS AND I HAVE WATCHED YOUR COMMISSIONERS WITH THE GREATEST LONGEVITY FOR 15 OR 16 YEARS AND I KNOW GREAT CARE BECAUSE I'VE SEEN THEM WORK ON ISSUES FROM, FROM NORTH TO SOUTH TO EAST AND WEST AND I KNOW THAT'S TRUE.

AND, THIS ISSUE THAT I AM ABOUT TO ADDRESS IS ALSO BEEN WRITTEN ABOUT IN THE NEWS PRESS IN AN EDITORIAL.

NOW I KNOW THAT THEY ARE RIGHT IN THEIR VIEW ON THIS MATTER AS I KNOW THAT EACH ONE OF YOU PERSONS IS RIGHT NO MATTER HOW YOU FEEL YOU ARE RIGHT AND I'M SURE YOU ARE SINCERE.

SAM COOK WROTE ABOUT IT.

I KNOW HE'S SINCERE.

I DON'T SEE HIM HERE BUT I KNOW THAT HE IS.

AND THIS ISSUE IS A MATTER, AN ISSUE OF CARING, IT'S A MATTER OF COMMUNITY, IT'S A MATTER OF COMMUNITY ART AND WHAT I AM ABOUT TO SPEAK ABOUT IS THE MATTER OF THE OAK TREE.

AND, DOES THAT MEAN I HAVE HALF -- Comm. Hall: YOU HAVE ONE MINUTE LEFT.

WOW.

OK.

THEN I WOULD SAY I AM IN FAVOR OF US NOW WHILE WE HAVE AN OPPORTUNITY, WE CAN'T RAISE, THE ARBORIST HASN'T MADE A DECISION YET.

IF THERE'S ANY CHANCE THAT THAT TREE CAN BE SAVED, THERE'S A LOT OF GOOD POSSIBILITIES.

IN EUROPE THEY WROTE TO CATHEDRALS.

THESE BEAUTIFUL CATHEDRALS ARE HELD UP BY WONDERFUL FLYING BUTTRESSES.

THESE METAL THINGS AREN'T WORKING BUT AN ARTIST THAT YOU COULD COMMISSION THE COMMUNITY COULD WORK TOGETHER WITH ART GROUPS IN TOWN AND IT COULD BE A GREAT, WONDERFUL COMMUNITY ART PROJECT.

SOMETHING THAT THE CITY COULD BE PROUD OF.

OUR PROGENY COULD BE PROUD OF.

IT WOULD BE A WONDERFUL PROJECT IF HANDLED PROPERLY.

IF THE TREE CAN STAY, WE CAN DO IT.

WE CAN ARRANGE FOR SOMEBODY TO, ARTISTS AND ENGINEERS TO PERHAPS BUILD AN EDIFACE THAT WOULD PROP UP THE TREE AND IN ITSELF BE BEAUTIFUL AND IF THE TREE MUST GO IN 50 YEARS, THE EDIFACE WILL BE SO BEAUTIFUL ITSELF IT WOULD EDIFY THIS BUILDING IN WHICH WE ARE SPEAKING.

THIS HAS POSSIBILITIES AND I AM HOPING, I AM, WHAT I AM SAYING IS LET'S, LET US CONSIDER ALL OF THESE POSSIBILITIES AND THINK OF IT AS AN OPPORTUNITY TO BEAUTIFY THIS COUNTY FOR ANOTHER 125 YEARS.

Comm. Hall: THANK YOU MR. BACON.

WE APPRECIATE YOUR COMMENTS AND YOUR THOUGHTS AND HOLLY'S BEEN OUR OAK TREE EXPERT AND SHE WILL MAKE A NOTE OF YOUR COMMENTS AND THOUGHTS.

IS THERE ANYONE ELSE FROM THE PUBLIC WHO WOULD LIKE TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS? WE WILL ADJOURN THE MEETING AND WE APPRECIATE.

WAIT, WAIT, WAIT.

I HAVE AN IMPORTANT ITEM BEFORE WE DO ADJOURN.

-- WELL, OK.

Comm. Hall: WE USUALLY DON'T TAKE COMMISSION ITEMS AT PUBLIC HEARING.

NO, IT'S REGARDING CARRYOVER ITEM TWO OR ONE.

IT'S IMPORTANT TO YOU, RAY.

AND I JUST WANT TO MAKE A PUBLIC COMMENT HERE OR I WANT TO PUT IT ON PUBLIC RECORD THAT I THINK WE NEED TO BE VERY MINDFUL OF.

IT'S COME TO MY ATTENTION THAT THIS RESOLUTION THAT WE ARE ABOUT TO SEND TO THE D.P. MAY BE FLAWED AND I JUST LIKE TO POINT OUT THAT I THINK THAT WE MAY NOT HAVE ACTUALLY SENT A LETTER TO D.E.P. EXPRESSING OUR CONCERNS.

ASSUMING JUST FOR THE SAKE OF THIS CONVERSATION THAT WE HAVE NOT DONE THAT, I THINK IT'S STILL IMPORTANT THAT WE SEND THIS RESOLUTION BUT BE SURE THAT WE ACTUALLY SENT THIS LETTER.

BECAUSE -- Comm. Hall: WE WILL FOLLOW UP.

YEAH.

WE HAVE AN EIGHT-PAGE COMMENT AND WE WILL MAKE SURE, DAVE IF YOU CAN MAKE

SURE THAT THOSE COMMENTS WENT ON TO D.E.P.

THE ATTACHED EIGHT-PAGE LETTER? Comm. Hall: YEAH.

YOU MAKE SURE THAT -- CAN YOU MAKE SURE FROM A LEGAL STANDPOINT? I THINK IT WOULD BE MORE APPROPRIATE FOR YOUR OFFICE TO MAKE SURE -- WHATEVER NUMBER OF PAGES IT IS.

WE WANT TO BE SURE THEY GO TOGETHER AND -- Comm. Hall: YEAH.

THEN THERE'S THE SCRIBNER'S ERROR.

WE REFER TO THE FLORIDA ASSOCIATION OF COUNTY COMMISSIONERS.

IT'S ACTUALLY THE ASSOCIATION OF COUNTIES.

WE MIGHT WANT TO CORRECT THAT, TOO. I GUESS WE HAVE PASSED IT BUT THERE'S THESE -- THOUGHTS.

OK.

AND IF YOU WANT TO LEAVE, I HAVE JUST ONE MORE ITEM.

WITH THE INDULGENCE OF THE BOARD -- Comm. Hall: NO THAT'S FINE.

OK.

I MEAN BECAUSE WE HAVE CONVENED.

RECONVENED.

Comm. Hall: WE HAVE RECONVENED BUT WE HAD COMMISSIONER TIMES THIS MORNING.

WE TAKE CONCERNS OF CITIZENS AND DO NOT GO BACK TO COMMISSIONER TIMES, COMMISSIONER AGAIN THESE COULD HAVE BEEN HANDLED TODAY WITH STAFF AND WE ARE HAPPY THAT YOU BROUGHT THEM TO OUR ATTENTION IN A PUBLIC FORMAT BUT A SIMPLE E-MAIL COULD HAVE SUFFICED AND I THINK OUR INTENTION WAS -- I'LL WAIT TO NEXT WEEK.

I WANT TO SAY MR. BACON.

THE CHAIRWOMAN REFERS TO HOLLY.

THIS IS HOLLY.

YOU KNOW WHO TO SPEAK TO.

Comm. Hall: THANK YOU.

WE ARE ADJOURNED.