

August 17, 2010

Chairman Hall: Good Morning.

I'd Like To Call The Board Of County Commissioners Meeting To Order.

We Would Like To Start With An Invocation.

I See Pastor Anastasi Is Not Here, But We Have A Representative From The Word Of Life Church.

Introduce Yourself, Please Rise And We'll Follow With The Pledge Of Allegiance.

Good Morning.

Lord, We Thank You Father For This Day And These Fine People That Have Gathered Together To, Father, Lake Sure Justice And Your Law Is -- Thank You For The Sacrifices They Make And Carry The Heavy Responsibility They Carry, Lord.

I Pray That Confusion Or Anything That Would Hinder From These Proceedings Going Forward Be Relieved And We Thank You, Lord, For The Awesome, Wonderful Things You Are Going To Do In Their Lives And The Lives Of Our People Represented Here Today.

In Jesus' Name.

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 Have I Had, With Liberty And Justice For All.

Chairman Hall: This Morning We Have A Couple Of Ceremony Presentations And The My Pleasure To Read The First One, Water Pollution Control.

Doug And Staff, Tom Hill, Hank Barso, I'm Sorry, Hank, Justin Dodd And Anyone Else There With You, Please Come To The Podium.

This Board Has Taken A Water Pollution, Water Quality Our Environment Very Seriously And We Appreciate The Hard Work Your Staff Does On Behalf Of The Board Policies On Behalf Of This Community.

It's My Honor To Thread To You This Morning.

It Reads [Reading From Agenda] -- As Well As The Proper Collection, Treatment, Reuse And Disposal Of Waste Water And Stormwater And This Organization Is Committed To Protecting The Health Of Florida Health And Our State's Natural Resources And Support The Training, Certification, Licensing Of Water Personnel As A Means To Achieve These Goals And This Organization Is Recognizing The Florida Statute And Code That Regulate The Water Industry And The Florida Environmental Protection And Industry Personnel And The Operators Association Recognizes All Those Who Have Played A Significant Part In Operating And Maintaining Drinking Water, Water And Stormwater Systems By Celebrating Florida Water Week Applauding Their Had Work.

Greetings And Best Wishes To All Observing August 16-20, 2010 As Water Week In Lee County.

Signed By Myself The Chair, Tammie Hall.

We Can't Thank You All Enough.

[Applause]

Chairman Hall: We'll Have You Up Here For A Photograph.

Our Utility And Public Works Plays A Critical Roll In Everything -- Critical Role In Everything We Do.

Thank You Very Much.

Good Work.

I'll Scoot Over.

Over.

We Got The Taller Guys Right In The Middle.

Thank You So Much.

Much Better.

Ok.

One, Two, Three.

To Your Left.

My Right.

Thank You.

Ready?

Chairman Hall: Doug, We'd Like To -- -- We'd Like To Hear From You And Your Team.

It's Certainly A Pleasure To Have The Operators Association Sponsor This Resolution Recognizing Utilities In The State Of Florida And Southwest Florida.

It's A Great Organization, An Organization That Supports Exceptional Operations.

It Does Information Dissemination, It Does Training, Certification.

The Gentlemen With Me Today Represent A Fraction Of The Members.

Over 60% Of Lee County Utility Staff Belong To This Organization.

I Think That's A Great Statement, That They Are Willing To Spend Their Time To Improve Their Performance And In Turn Improve The Performance Of Lee County Utility For The Benefit Of Our Customers.

I Appreciate Their Effort And The Organization Providing This Recognition Today.

Thank You.

[Applause]

Chairman Hall: If Commissioner Judah Would Be So Kind We Have An Industry Appreciation Awards.

Home Run Pat O'rourke, Step Record.

He Is With The Horizon Foundation And The Lee County Development Office.

Pat, It's Great To Have You Here.

On Behalf Of Your Office You Have Had A Tremendous Year.

With FI Biofuels In The Next Couple Of Months.

Source Interlink, Pair Gone Transportation, The List Goes On.

Why All Have -- Y'all Have Done Us Proud Recruiting New Business To The Area To Provide More Value-Added Jobs To Enhance The Economic Recovery In This Community.

I Want To Thank You For Your Tremendous Work.

The Resolution Reads As Follows --

Whereas Lee County Existing Industries Are A Key To The Future, The Expansion Of The Industries Are Responsible For New Jobs Created, Sustain Our Quality Of Life, Public Knowledge Is Essential To Good Industry Relationships, Be It Resolved, The Week Of September 13 To September 17, 2010 As Industry Appreciation Week In Lee County.

Signed By The Chair Of The Board Of County Commissioners, Tammie Hall.

Congratulations.

[Applause]

It Will Be An Honor To Have My Picture Taken With You.

One, Two, Three.

Chairman Hall: Thank You.

It's My Pleasure To Represent Our Office And The Horizon Council This Morning.

It's An Interesting Point For Me.

This Is My 15th Year.

I Was A Volunteer As Tammie Knows For The Horizon Council Before I Came To The County.

I've Been With The County 14 Years This Year.

It's A Pleasure To Accept This From The Commission For Our Luncheon, Which Is The Industry Appreciation Week.

We Are Expecting Between 800 And 850 Of Our Closest Friends At That Event, One Of The Largest In The State Of Florida Of Its Type.

We're Proud Of That Distinction.

U Y'all Are Invited And Thank You For Your Support Object Behalf Of This Program And Our Office.

Thank You.

[Applause]

Ok.

Next, The Recap.

If I Could Have A Motion To Defer The Carryover Item Which Is The Deep Well Injection To August 31st, 2010.

Motion By Commissioner Mann.

Check By Commissioner Manning.

The Motion Carries Unanimously.

Revisions And Corrections On Administrative 7 A And 14 A.

If I Could Have A Motion To Accept The Revisions?

Motion By Commissioner Mann And Second By Commissioner Judah.

Commissioner Bigelow.

Commissioner Bigelow: Why Is A 3 A Being Changed From A Recommendation To Suspend The Educational Assistance Program To Provide Direction To Staff?

I'm Curious As To Why You Changed It.

Commissioners, There Needs To Be A Resolution Attached And Plus There Will Be Other Revisions To The Overall Policy Coming Next Week.

We Thought The Better Thing Was To Put Them Altogether Instead Of Piecemeal The Whole Thing.

Say That Again.

The Policy Revisions Are Coming To The Board With A Resolution Next Week.

For The Educational Assistance Program There Is A Resolution To Follow?

Yes.

What They Are Asking For Is Permission To Bring That One.

That One Will Suspend That Particular Program Along With The Rest Of Other Revisions.

Christine Brady, Human Resources.

The Changes Coming To The Board On The 31st.

Part Of That Process Is It's A Change To Administrative Code.

We Can Only Do It By Resolution.

Instead Of Doing Two Resolution To Change It Two Times We're Looking For Direction To Make This Change And When We Bring The Policy And Procedure Manual Back To You This Will Be In Here At Your Direction.

Commissioner Bigelow: I Think We Lost My Question In All This.

Why Is It The County Management Is Changing From A Recommendation Of Suspending Indefinitely The Educational Assistance Program To Board Direction?

We're Looking For You To Give Us That Direction To Bring That Change Back With The Policy And Procedures.

Commissioner Bigelow: But We Are Recommending It Be Suspended.

Chairman Hall: The Blue Sheet Read Suspend Indefinitely.

And We Can't Do That So They Will Bring It Back So We Can Do It.

Under The Blue Sheet We Can Not Do It Today.

That Was The Change.

They're Not Changing Their Recommendation.

Commissioner Bigelow: We Could Not?

Chairman Hall: No.

That's Why They Changed The Blue Sheet Giving Them Guidance To Suspend To Bring Back The Document To Suspend.

Commissioner Bigelow: Why Doesn't The Recap Say That.

Chairman Hall: It Does.

Providing -- It Does Say That.

Unless We Want To Debate The Words More.

Commissioner Bigelow: What You Just Said Isn't In The Recap.

It Seems Like That Would Have Been Simpler To Put That In There That We Can't Suspend It Indefinitely.

Chairman Hall: This Is A Revision To The Blue Sheet And The Blue Sheet Reads Currently Suspend Indefinitely The Educational System As Defined In Lee County Policy.

It Now Reads Provide Direction To Staff In Suspension Of And That's What We're Going To Do.

A Motion, A Second, All Those In Favor?

Opposed?

The Motion Carries Unanimously On Those Provisions.

Is There Anyone Here From The Public That Win To Comment On The Consent For Administrative Agenda?

Seeing No One I'll Close The Comments.

Consent Agenda.

Commissioner Bigelow?

Chairman Hall: Commissioner Judah?

7 A.

Reporter: Commissioner Mann And Manning.

I Have None.

Chairman Hall: And I Have None.

I Have A Motion By Commissioner Manning And A Second By Commissioner Judah.

It Carries Unanimously.

Commissioner Judah: I Wanted To Move The Item First.

Chairman Hall: I Have A Motion.

It's Been A Phenomenal Program Giving People From All Over The Community A Chance To See How Government Operates As Effectively As It Does.

It Wouldn't Be The Program It Is Without Those Who Contribute And Donate To This Program.

I Wanted To Highlight That Jeff Roseman And Susan Crawford Donating Up To \$1,000 To Aid With The Continuation, A Generous Offer.

Thank You.

Chairman Hall: Again A Motion And A Second.

Furs Discussion?

All In Favor?

Opposed?

The Motion Carries Unanimously.

The Administrative Agenda And Item 7 A To Provide Direction To The Staff On The Educational Assistance Program.

Move The Item As Amended.

Chairman Hall: I Have A Second By Commissioner Judah.

Commissioner Bigelow, Commissioner Mann.

Commissioner Mann: I Would Like The County Management To Explain The Recommendation.

Suspend It Indefinitely.

For The Cost Savings Incurred.

Christine Brady For Humanity Resources.

The Recommendation Is To Suspend Education Reimbursement Program As A Cost Saving Measure For The Next Fiscal Year.

Commissioner Bigelow: Indefinitely.

We'll Move For A Resolution And If It's To Be Reenacted We Have To Go Through The Same Process, Correct?

We'll Have To Seek Board Input Or Direction And Then Go To -- OK.

Thank You.

Chairman Hall: Commissioner Mann?

Commissioner Mann: I Have A Relative Perspective I'd Like To Share With Everybody This Morning.

This Is A Maximum Last Year With The \$33,000 Program Whereby We Reimbursed Our Employees For Taking Educational Schooling.

Every Corporation In America, Throughout The World Actually Encourages Their Staff To Get Additional Training And In Most Cases They Reimburse All Or Part Of It.

It's A Good Program.

Every Profession Does It, Doctors, Lawyers, Everybody Does This.

This Is A \$33,000 Issue.

We Have A \$70 Million Shortfall.

It Strikes Me As A Penny Wise And Pound Foolish Approach To Balance The Budget.

You've Done It In A Lot Of Cases Looking To Places To Save Money, But I Mean, We're

Going To Be Spending Tens Of Millions Of Dollars On Economic Development.

Tens Of Millions.

Maybe We Have It Set Aside And Won't Spend It.

But \$33,000 I Would Prefer To Let It Sit And Become A Part Of Our Budget Process.

Set A Approximate Mum Of First Come First Serve Of \$20,000.

But This Is A Positive Program With Tangible And Meaningful Results.

I Just Want Us To Think About That Before We Throw The Baby And The Bath Water Out To Save \$70 Million.

Chairman Hall: Commissioner Judah.

Commissioner Judah: With Ever Surprising Comments From The Board Let Me Withdraw The Second.

I Couldn't Agree With Commissioner Mann More.

Chairman Hall: I Have A With Drawing Motion.

Is There Directions From Staff?

The Resolution Will Come Back On The 31st.

What They Are Saying We Don't Want To Bother It At All.

The Motion Fails Due To A Second -- Lack Of A Second.

Karen, I Have A Question For You.

I Wasn't Going To Support This Motion Anyway.

I Was Going To Make A Recommendation That If We Only Spent \$8600 Last Year, Rather Than Put In \$33, Cap It At 10.

We Could Always Come Back To It But Again, I Think What We're Trying To Do Is Just Like The Private Sector They Don't Have Their Educational Budgets At The Same Level They Did Last Year Either.

I Recognize The Importance Of These Kinds Of Programs Especially For Some Of Our

Professionals, We Have To Do What Private Sector Is Doing And Bring It Down.

I Would Recommend That We Have -- As You Come Through, That We Come Through More In Line With What We Are Actually Spending.

That Would Be Great.

I Know The Employees Would Really Appreciate It.

Continuing Their Education It Would Be Great.

Thank You.

Chairman Hall: I'm Going To Defer To The Attorneys.

Do We Need A Motion Not To Move It Or Does It Just Fail?

Commissioner Mann?

Commissioner Mann: I Appreciate Your Comments And I Think Fiscally Speaking It Makes Sense.

We Spent Just Over \$8,000 A Year, To Bring It Back As A Budget Recommendations I Think Is A Good Suggestion And I'd Be Happy To Leave It At That.

Chairman Hall: More Comments?

The Item Just Goes Away, I Guess.

I'm Having One Of Those Moments This Morning.

I Apologize.

Next On The Agenda, Consider Adoption Of Certain Amendments And Revisions To The Administrative Code Provision Of Rules Of Procedure For Board Meetings.

We All Received, There Is An Amendment On The Revision And Recap Sheet, So If You'll Look At That.

Good Morning.

David Owing.

I Have This One And Also 14 B A Bond Refinancing For Springs Utilities.

With Your Kind Permission If We Could Take That Up First With Our Lawyer Here From Tampa And Bonita Springs That Have Other Commitments And I Would Like To Move Them Forward.

Chairman Hall: We'll Go To 14 B And I Have A Motion By Commissioner Manning And A Second By Commissioner Mann.

Further Discussion?

All In Favor?

Opposed?

The Motion Carries Unanimous.

Thank You.

Appreciate Your Indulgence.

Chairman Hall: Back To 14 A.

David, Do You Want To -- I Think Everyone Had An Opportunity To Meet With You On This Item.

There Is Highlights Or Board That Wants To Jump In.

I Have Met With Most Of You About This.

This Was Hanging Around Constitutionally From Last Year, Really, When It Was First Floated Around.

We Have Had The Opportunity To Discuss The Items, What I'll Call Items Of Issue, The Vast Majority Are Scrivener's Revisions.

Most Have To Do With Taking Out Certain Things That Have Changed Over Time.

I Don't Believe This Particular Part Of The Administrative Code Had Been Revised In Quite A While.

We Have Added Revisions But Not Gone -- Gone Back And Taken Out Gender Things And Policies, Which Are Your Local Rules.

You Don't Have To Have Local Rules But These Were Put Together In The 70s And 80s. I've Put In Revisions, Tightened It Up And Provided Three Items By Memorandum Back In May.

As A Result Of Discussions With You I Have Added On To The Blue Sheet By Way Of The Recap Sheet Some Recommendations That Were Provided To Me After Speaking With You Having To Do With A Definition For The Terms Most Senior Which Come In Two Places With Respect To Your Administrative Code.

One Has To Do With The Event When There Is No Chair Or Vice Chair For The Meetings And The Other Has To Do With Signatures For Documents.

It Has Come In Handy For Signing On Bond Documents.

Independently Enough When It Comes To Your Bond Documents A Number Of People, Underwriters, Council And Underwriters Themselves Are Finicky Nicky About How Documents Are Signed.

They Prefer The Chair Or Vice Chair But Because We Have That Provision In Your Code Allowing The Most Senior Going Down Through The Ranks Which Has Allowed Us To Have Documents Executed When The Chair Or Vice Chair Is Not Available.

Same With The Chair Or Vice Chair Not Being Presented, It Doesn't Happen Frequently But It Gives An Opportunity To Have The Chairmanship And Operation Of The Board With The Have I Had Most Senior And Work On Down From There.

The Other Two Items I'll Leave Them To You If You Want To Discuss That.

Number Two On The Recap Sheet Deals With Rule 1.07 With Respect To Commissioner Items And Discussions With You Again.

Rather Than The, I'll Call It A More Directive Type Statement In The Last Sentence.

I've Loosened It Up A Little Bit But Still Has The Same General Feel To It.

What We're Trying To Do Is Get More Information Out From The Commission To One

Another And Particularly, Often Times, To The County Manager And Myself.

Commissioner Items, If You Are Going To Have Meaningful Discussion With Respect To Them, If You Have Written Materials, Provide Them To Us And We Can Give You A Little More Input Rather Than Deferring It To The Next Week Or Setting Aside For Another Meeting.

I Recognize This Sometimes Matters Do Come Up Where They Require The Board's Attention In A Short Period Of Time.

That Is Between One Board Meeting And The Next.

This Is One Way To Bring It Forward At A Minimum And Gives Everybody An Opportunity To Address It If There's Something That Needs To Be Addressed Prior To The Next Meeting. Whatever The Board Directs.

The General Rule That We Have Followed In The County Since I've Been Here, 24 Some Odd Years.

No Items Are Brought Up By A Commissioner To Be Voted On By The Commissioner Involving The Expenditure Of Funds.

I've Loosened The Language A Little Bit To Give You More Flexibility.

The Last Sentence In Rule 1.07 Reads One Practicable Any Written Information, Information Brought Forward As A Commissioner Item Should Be Provided To The Commission Members And The County Attorney Prior To The Board Meeting When It Will Be Brought Up At The Regular Meeting.

I Think That Gives You Enough Flexibility And Keeps The Spirit And Intent Of What We're Trying To Do.

So Everybody Is Apprised When It's Coming Up And We Can Discuss It From There.

The Last One Is On Rule 1.14.

That Is The Motion To Rescind.

That's A Motion To Rescind Brought Up By The Board.

This Doesn't Deal With Rescissions Brought Up By The Board.

We Will Bring To You On A Blue Sheet A Request For The Board To Rescind.

This Is Where The Board Members Bring It Up.

The Only Thing I Have Changed Is In The Last Sentence.

I Had Originally Drafted It For A Unanimous Motion Of The Board To Adopt That Motion.

Roberts Rules Only Calls For A 2/3 Or Supermajority Of The Board So The Lastson Reads The Motion To Rescind Will Only Be Adopted By 2/3 Or Supermajority Of The Entire Membership Of The Commission.

I'll Kind Of A Compromise.

Unanimous Decisions Are Hard To Come By.

It Gives You Flexibility If You Have A Shorter Board, A Four-Member Board Which It Would Translate As Unanimous.

Motion To Rescind Is Usually A Serious Matter And I Think It's Best Handled By The Supermajority Rather Than A Simple Majority.

I'll Stop.

If You Have Questions Or Comment, If You Want To Make Any Motions.

I'm Ready To Proceed.

Chairman Hall: Thank You.

Commissioner Manning.

Commissioner Manning: For Clarification, David, If The Chair And Vice Chair And Most Senior Member Are Not Available Does It Go By Age Or Something Like That?

No, Sir.

What Refined The Most Senior.

Here's What It Reads The Most Senior Means The Most Cumulative Time In Office Rather

Than By Age.

This Has Come Up Before.

You Weren't Here.

Commissioner Manning: I've Been Away For A While.

It Was Lively, Interesting And Full Of Light Water.

I Fresh.

When It Comes To Commissioner Mann He's Most Senior In Two Ways Now.

Chairman Hall: Questions For David Now.

Commissioner Mann: I Would Move That Issue Relating To Most Senior If You Want To Take Them One At A Time.

Chairman Hall: I Have A Motion With Regard To The Language Most Senior Definition By Commissioner Mann, Second By Commissioner Manning.

All In Favor?

Opposed?

The Motion Carries.

I Was Hoping Not To Have To Go Page By Page, Strike Out Some Underlines.

These Are Amendments He Made.

Are You Just Taking The Revisions.

Commissioner Mann: I'll Do It The Way He Presents Them This Morning And I'm Looking At The Alternative Final Sentence To Rule 1.07, J, Page 514,

Chairman Hall: Are You Making A Motion To Approve?

Commissioner Mann: I Am.

Chairman Hall: Motion By Commissioner Mann To Have Change The Final Chang And Second By Commissioner Manning?

All In Favor?

Opposed?

Motion Carries Unanimously.

Item Three.

A Motion By Commissioner Mann, Second By Commissioner Manning.

There To September Be Final Sense To 1.14.

All In Favor?

The Motion Carries Unanimously.

All Of Those Amendments Go Back To The Actual Document.

I Move The Entire Document.

Chairman Hall: I Have A Motion By Commissioner Manning.

Second By Commissioner Mann.

Discussion?

Commissioner Bigelow.

Commissioner Bigelow: David, You Have Made An Amendment To, I'm Sorry, I Moved Away From It.

Taking The Floor Improper Personal Comments To Be Avoided Is The Title Of The Section.

What Page Are You Looking At, Commissioner?

Page 714.

I Have It.

Thank You.

Commissioner Bigelow: It Reads Every Commissioner Designed To Speak For Any Purpose Shall Address The Chair And Upon Recognition Confine The Discussion To The Question Under Debate Avoiding Personal Comments Toward Other Commissioners, Staff, Or Members Of The Public In Any Indecorous Language.

Would An Example Of That Be Something Like, Referring To A Commissioner Whining For

Four Years?

I'm Not Going To Comment On That.

Commissioner Bigelow: Can You Give Me An Example Of What That Might Cover?

Any Experiences In Your 24 Years Here Where You Might Find An Example?

Actually, I Can't.

Interestingly, In Some Of My Discussions With You, I Have Had Very Little Dealings With The Roberts Rules And The First -- In The First 20 Years Of My Practice Here.

In The Last Few Years I Have Had Meats That Have Come Up.

I'm Not Going To Get Into A Discussion.

I Think The Chair Can Always Determine What Would Be Improper And Indecorous Once That Has Been Recognized And The Behavior Ceased It's Ended As Far As I'm Concerned.

Commissioner Bigelow: Thank You Very Much.

Chairman Hall: Further Discussion?

All Those In Favor?

Opposed?

Motion Carries Unanimously.

Thank You, David.

Thank You, Commissioners.

Chairman Hall: Ok.

We Don't Have The Carryover Item.

That's Been Deferred To August 31.

We Will Go Back To Commissioner Items.

We Have A Walk-On Here.

The Carry Hover Has -- Carry-Over Is Deferred.

I'm Sorry.

Chairman Hall: Commissioner Bigelow.

Commissioner Bigelow: Thank You, Madam Chair.

Interestingly Enough, We Just Considered Some New Rules Of Engagement, If You Will.

And One Of Them Addressed Commissioner Items.

In The Spirit Of Our Unanimous Vote To Approve That, Especially The One That Was Most

Recently Amended By County Attorney, That Reads Now When Practical Any Written

Information Relating To A Commissioner Should Be Provided To All The Other

Commissioner And The County Manager And County Attorney Prior To The Board Meeting.

Brought Up To The Board At A Regular Meeting.

That's A New Amendment.

I Appreciate It Moved Forward To The Best Extent Possible.

I'll Try To Do That.

But I Have Provided Today Some Written Thoughts, So I'm Going To Read My Written

Thoughts And I Have Some Information I Would Like To Present.

Last Week At Least One Of My Colleagues In The Public Works Director Took Issue With Me

Raising Concerns Over Vendor Selection Processes.

Area Reports Were They Were Wildly Misleading And Unfair To How We Govern The County.

When The Voters Elected Me They Put A Human Being In Office.

Chairman Hall: Mr. Bigelow, I Appreciate You Reading Your Opinion You Put In The Paper

Or Comments, But Let's Try To Stay In Commissioner Items For Information On County

Business, Not Your Personal Relationship With Your Colleagues Here.

I'll Give You More Latitude If You Can Get To The Point.

Commissioner Bigelow: Thank You.

However Nothing I Said Was Meant To Be An Attack On Any One Person Or Any One's

Integrity.

I'm Focused On Process.

Despite My Colleagues' Criticisms I'm Convinced That My Call For Change Are Well-Funded.

Today I Wish To Justify My Concerns And Repeated Questioning.

I Don't Relish Making Any Employee A Subject Of Criticisms.

I Was Asked To Provide Proof And Thus I Am Doing So Today.

As I Press For Answers Please Don't Think I Take My Job Lightly Or That I Intend To Cast

Dispersions On Employees Doing The Right Thing On Behalf Of Our Citizens.

However, I Do Believe We Can Do Better.

We Can Change.

In Fact, If We Are Ever To Improve, We Must First Be Willing To Change.

So, I Want To Submit This.

I Would Hope You Would Read My Comments Enclosed In -- Enclosed Comments In
E-Mails.

Doing So Won't Take Long.

After Doing So, You Might See That You Come To The Same Questions That I Have Come
To.

So These Copies Are For The Board Members, County Attorney And The Clerk.

Thank You.

Chairman Hall: Thank You, Commissioner Bigelow.

Commissioner Bigelow: That's All I Have For Commissioners Items.

Chairman Hall: Commissioner Judah.

Commissioner Judah: I Would Like To Ask The Chair How Would You Like To Proceed.

Last Week I Brought Up An Issue With Regards To An Applicant Requesting An Application
Which I Thought Would Be Catastrophic In Thee Aquatic Preserve.

To Give You A Heads Up, If You Haven't Received The Information, The D.P. Did Issue A

Permit Last Wednesday.

We Have Until Next Wednesday To Object And Appeal The Permit To Go To Administrative Hearing.

Commissioner Mann: Did They Approve It?

The Florida Environmental Protection Approved The Construction Of A Boat Dock Last Wednesday Giving An Intervener To Weeks To Intervene, Next Wednesday.

Before I Got Into My Comments I Did Provide Back-Up This Morning To Fellow Board Members.

Even Though This Is Something I Brought Up Last Tuesday To Be Discussed Today, If You Don't Feel Comfortable Taking Action Today We Have Until Next Tuesday.

If You Feel Comfortable Listening To My Position And The Board's Possession Hopefully Ultimately I Would Like To Discuss It.

Chairman Hall: What I Would Like To Do Is Provide This On A Blue Sheet As Walk On For Next Week.

Financial We're Going To Have This Dialogue The Applicant Needs To Have Public Comment On It As Well.

I Would Like To Put You Under County Attorney Items.

The County Attorney Will Have To Advise Us As To Process And Procedure.

Commissioner Provided You With Back-Up And Concerns.

I Think We Will Be More Prepared For A Discussion.

David, If You Could Look At That And I Would Like The County Manager And Appropriate Staff To Look At It From Staff Perspective And Then We Can Have A Better Dialogue.

It Will Be Agendaed And Anyone Could Comment.

Perfectly Fine.

Commissioner Manning: David, A Question On Procedure.

Since The Permits That Will Emanate To This Applicant If All Approvals Are Done Are State Permits In Nature, I Believe There Are One Or Two Others That Have To Be Approved.

I May Be A Little Vague On That, But We Can Object And Gain Standing In Any Kind Of A Procedure, But What's The Realistic --

Chairman Hall: That's What We're Going To Talk About Next Week.

I Think The Whole Be Point Of This Issue Is To Give Staff Time To Engage In Dialogue To Review All Of That And See What The Issues Are And Anyone From The Public Has A Chance To Comment Then As Well On Their Concerns.

There's More Than One Permit Involved, A State Permit And Lot Permits I'll Given An Analysis Of Your Chances Or Opportunities With Both.

Commissioner Bigelow: Question?

Chairman Hall: Commissioner Bigelow.

Chairman Hall: Has Anyone Asked The Owner If They Are A Willing Seller?

Chairman Hall: I'm Not Going To Have A 20/20 Conversation.

I'm Going To Move It Forward.

Commissioner Bigelow: Have We Asked The Owner Is He Willing?

Chairman Hall: There Have Been Issues With This Property Coming Through 20/20 Whether It Was Received And All Kinds Of Things.

At That Let's Get The History On The Particular Parcel As Well So We Can Get History On What's Happened Historically That Came Up Not Along Ago.

We'll Get The Historical Perspective As Well.

I Appreciate Mr. Mcgee Coming Here This Morning.

Any Other Commissioner Items?

Commissioner Judah?

Commissioner Manning?

Commissioner Mann?

I Had One Left Over From Last Week.

It Was Exciting Last Week So I Would Bring It Up Today.

Lee County Is A Blessed Community With Talented People.

This Month I'm Featuring Robert Ford, A Full-Time Resident Of Cape Coral.

He Began Painting After He Retired From Practicing Law.

His Work Will Be Displayed In My Office Until September 10.

I Hope You Come By And Again Recognize The Local Talent We Have Here In Our Extremely Diverse Community.

I Want To Thank Robert For Giving Me The Privilege To Host His Artwork.

With That We'll Move On To Committee Appointments.

?

Commissioner Bigelow?

Commissioner Judah?

Commissioner Judah: A Motion.

Chairman Hall: Further Discussion?

All In Favor?

The Motion Carries Unanimously.

Commissioner Manning: Be

Chairman Hall: A Motion By Commissioner Manning.

Second By Commissioner Mann?

Motion Carries Unanimously.

Reappointment Or Duncan Fields The Construction Board Of Appeals?

Motion By Commissioner Manning.

Second By Commissioner Mann.

All In Favor?

Motion Carries Unanimously.

Good Morning, Commissioners.

One Item.

After A Search For The New Assistant County Manager Public Works Director I'm Pleased To Announce Doug Muir Has Been Selected.

[Applause]

Commissioner Judah: How Soon?

Chairman Hall: Thank You.

County Attorney Items?

Thank You, David.

Madam Chair, Very Short.

I Have To Give You Formal Notice.

This Is To Advise You Pursuant To You Administrative Code And Florida Statutes Request For Relief Under 7051, Florida Land Use Environmental Act You Had -- As A Result Of Boards' Recent Denial To Rezone To Commercial Plan Development, The Parcel On Maria Drive On Pine Island.

I'll Provide A Copy Of The Notice To The Clerk For Incorporation Into The Minutes.

That's It.

Chairman Hall: With That, We Are Adjourned.

I Hope You Have A Great Week.

See You During The Week.