

**February 23, 2010**

All Mighty God, Have You Plans For Us.

Give These Workers A Knowledge Of Your Will For This County.

Let Them Remember That They Serve A Public Trust Beyond Personal Gain Or Glory.

May They Cooperate, Listen, Speak Honestly, And Always Seek To Effectively Deliver Public Services, Justice, And Opportunity To All The People Of Lee County.

Bless Those Men And Women Who Serve Bravely And With Integrity In Public Safety And Emergency Services.

Bless The Clerks, Staffers, Building Maintenance Workers, And All Who Toil Unnoticed To Make This Meeting Possible.

May We All Be United In Our Goal To Provide The Public Services, Civil Justice, And Economic Opportunities To All The People In Lee County.

Lead These Commissioners In Their Deliberate Rags And Decisions This Day.

Give Them The Needed Wisdom, Compassion, And Understanding To Lead This Government In The Name Of Jesus Christ Our Lord, We Pray.

Amen.

Chairwoman 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 And Justice For All.

Thank You.

Please Be Seated.

This Morning We Have Quite A Few Ceremonial Presentations, And We Would Like To Start With Commissioner Judah In A Presentation Promoting The Arts.

Commissioner Judah.

Comm. Judah: A Number Of Representatives For The Cypress Lake Center.

Principal Tracy Perkins.

There She Is.

And Theatre Director Jason Lote, And Casey Fotes Who Is A Student Here, Former Neighbor.

Heleneven Is Here.

I Think She Got Stuck In Traffic On Mcgregor.

Should We Hold Off Or -- Is It Possible? Chairwoman Hall: Sure, We Can Go On To Other Resolutions First.

Comm. Judah: Give Us A Couple More Minutes.

Chairwoman Hall: I Know You Like To Start On Time, So I'm Sorry.

Chairwoman Hall: We Have Some Other.

That Would Be Great.

Comm. Judah: Thank You, Commissioner.

Chairwoman Hall: Not A Problem.

Well, Then Let's Go On To Church Circulation Day.

Commissioner Mann.

Comm. Mann: I'll Read As Slowly As Possible.

Reverend Jim Rosemergi, Would You Bring Your Little Clan With You And While I Read This Resolution For The Great Project Your Church Is Involved In, And Then We'll Take A Little Picture.

We'll Take Our Time About That Too.

Good.

The Resolution Reads As Follows "Whereas Unit Of Fort Meyers Church Will Circulation Day On February 27, 2010, And Whereas Circulation Day Has Served Over 250 Families In Our Community Over The Past Four Years And, Whereas, Circulation Day, Which Established To Serve All Citizens Of Lee County Who Are In Need, And, Whereas, Circulation Day Is Viewed, This The Front Part Of The Giant Yard Sale Where Ale All Household Items That Have Been Taken Out Of Circulation Are Once Again In Circulation And Put To Good Use By Citizens In Need.

Now Resolved By The Board Of County Commissioners Of Lee County, Florida, That We Do Hereby Proclaim February 27th, 2010, As Circulation Day.

In Lee County And Recognize That This Day Is A Day Where Sharing And Giving Are Natural Qualities Of The Human Spirit And Giving And Receiving Is One Of The Great Circles Of Life.

Dually Executed This 23rd Day Of February, 2010.

Chairman Of Lee County Commission, Won't You Come Up And Receive These Resolutions And Have Your Picture Taken With Us? Walk Slowly.

[ Applause ] Go Shake Hands With All These Folks.

It Brings Good Luck.

Thank You.

I Have Listed Today -- Who Is Our Board President And Rose And Carolyn Gilbert Who Are The Event Coordinators, And Circulation Is Like A Giant Yard Sale, Except There's No Money Exchanged.

Everything Is Free.

We Would Like -- I Want To Thank You For This Resolution, And I Would Ask If You Would Hold A Vision With Us That At Some Point In The Future That Many Churches In Our Community And Helping Agencies Would Hold A Circulation Day At That Same Time So We're All In It Together And If We Do That, We Won't Just Assist Hundreds Of People.

We Will Actually Assist Tens Of Thousands Of People, Because The Truth Is That In Our Homes There Are Many Items Usable That Are Out Of Circulation And It's Time To Put Them Back In Circulation.

He Thank You Very Much.

Appreciate It.

Thank You, Sir.

Thank You.

Chairwoman Hall: I Think The Rest Of Your Team Is Back, So We'll Go Back To Our Arts Resolution.

Comm. Judah: Thank You, Madam Chair.

The Resolution -- The Folks At Cypress Lake Could Step Forward.

I See That Casey Has Arrived.

Hi, Casey.

Good Morning.

A Little Bit Of Traffic This Morning.

I Know.

Must Be Jason.

Good To Have You Here This Morning.

Your Mom Was Telling Me She Wouldn't Sing On Your Behalf, Though, Casey.

Oh.

Is Really Say Beautiful Purple Outfit, Though.

You All Have A Wonderful Reputation With The Promoting The Arts In All Various District, And It's A Privilege To Have You Here This Morning.

Whereas The Cypress Lake Center For The Arts Is A Public High School That Offers Its Students Opportunities To Major In Vocal Music, Theatre, Dance, Bapd, Orchestra, Visual Arts, And Media.

Whereas, Over 100 Students At The Center For The Arts And Its Director Jason Laurie Are Currently Involved In The Production Where The Free Charity Production Team Will Be Performing At The Tampa Bay Performing Arts Center Masonic Hall In Tampa April 2010 Before A Sold-Out Crowd, And The Center For The Arts Production Suite Charity Will Be The Only Lee County High School Musical To Be Prepared At The Tampa Bay Performing Arts Center In April.

Whereas To Prepare For The Large Stage Performance In Tampa And At The Main Fundraiser The Students Will Perform "Sweet Charity" At The Barbara B. Mann Performing Arts Hall At 7:30 P.M.

The Board Of County Commissioners Lee County, Florida, We Hereby Proclaim April 25th Through The 9th Free Charity Week.

In Lee County We Urge All Citizens To Recognize And Support The Students For The Barber B. Mann Performing Arts Hall And Tampa Bay Performing Arts Center For The Performances.

Dually Executed On This 23rd Day Of February, 2010, Signed By The County Board Of Lee County.

Like To Present This To You.

On Behalf Of The Other 99 Students Who Make Up The Cast And Orchestra, It Is With My

Great Pleasure That I Thank You For This Honor.

The Arts Have Had A Tremendous Impact On My Life And The Life Of The Students Involved In This Production, And We're Very Grateful For This Opportunity.

To Play.

One But Two Touring Houses Is Something That Even Professionals Just Dream About And We Get To Do It Within 10 Days Of High School, So It's Great.

The Support Of Lee County Community Is Essential To Our Juniors.

Without An Audience, A Performance Would Be Pretty Ridiculous.

Why Would We Perform It If There Was No One There To Enjoy It? We Courage All Our Lee County Community Come To Enjoy The Show.

In The Words Of Probably The Most Famous Thespian, William Shakespeare, I Can No Other Answer Thank But Thanks And Thanks.

I Want To Thank You As A High School Principal.

We Often Hear About The Negative Choices Students Make And Truly, That Is Really Just A Minority Of Students, And So I Thank You For This Recognition, Because You Heard Casey Is One Of The Reasons I Love My Job.

You'll See 100 Reasons Why I Love My Job If You See The Show, And It's An Amazing Performance.

Thank You For That Recognition.

Thank You, All Thank You, Madam Chair.

Comm. Judah: Before The Folks Get Away, Principal Perkins, I Just Want To Thank You For A Couple Of Things.

First Of All, The Last Two Inauguration Ceremonies That I Have Been Blessed To Attend Here Have Been Memorable For Me Because Of The Ak Pella Group, And They Are Fabulous, And I Look Forward To Seeing Them In The Future.

Also, I Like To Thank You For Your Smoke-Free Pollution And For Hosting Their Meetings.

It's Very Important, And I Think Our Seniors Would Know That There Have Been A Lot Of Us And How Important It Is To Try To Abstain From The Use Of Tobacco.

Thank You So Much For What You Are Doing.

Thank You.

Thank You, Madam Chair.

Chairwoman Hall: Thank You, Principal.

You All Have A Great Day Today.

Chairwoman Hall: These Are Some Of The Hardest Working Guys I Know.

I Was Saying To Greg Earlier, It's Hard To Believe That Five And A Half Years Ago When You And Jack Came Into My Office And Said I Think We Need To Get The Civic Learning And Have A Vision For North Fort Myers, And Here We Are Today Working On Our Phase Two Of The Plan Community Center Underway.

A Lot Of Things Going On In Fort Myers, And In Large Part To Your Commitment, Your Volunteerism, And Your Love For Your Community, So It's Really My Honor On Behalf Of My Colleagues To Ride This Resolution To All Of You.

Whereas, North Fort Myers Civic Association Was Formed And Incorporated In 2000 And Is Now Celebrating Their 10th Anniversary, And Whereas, North Fort Myers Civic Association Is A Non-Profit 051 C4 And Is A Non-Political, Nonpartisan Organization Whose Purpose Is To Promote Community Pride And Educate And Inform The Community On Matters Of Importance, And, Whereas, North Fort Myers Civic Association Is Dedicated To The Local And State Election Process And Conducts Candidate Forums To Insure Residents Are Informed Of Candidates And Issues That Impact Their Districts, And Whereas North Fort Myers Civic Supports Smart Growth And The Established Community Planning Efforts Of Bay Shore And North Fort Myers Communities, And Whereas North Fort Myers Continues To Reach Out To All Residents Of North Fort Myers Insuring That They Have A Voice In All Community Issues And Concerns.

Now, Therefore, Be It Resolved That The Board Of County Commissioners Of Lee County, Florida, Do Hereby Proclaim February 23rd, 2010, As North Fort Myers Civic Association Day And Join The County And Congratulate North Fort Myers Association For 10 Years Of Phenomenal Service To Their Community Was Dually Executed This 23 Reasonable Doubt Day Of February.

I Can Present This To You And Say Awe Few Words.

Gentlemen.

Grey, If You Would Say A Few Words For Us.

I'm Usually A Person Of Few Words, And Just To Make Sure I Don't Start Wandering, I Made Myself A Note Here, And There's Another -- Is The Other Group Back Here? The Group That You're Waiting For.

Should I Drag The Words Out.

The Last One.

North Fort Myers Association Thanks To The County Board Of Commissioners For This Recognition Of Our 10th Anniversary, And We Exist Solely For The Betterment Of Our Community, And We Appreciate The County Commissioners' Support In This Endeavour, And Have.

You Have Supported Us, And I Thank You Very Much.

Tonight At The Church, Which You Have All Been To At Various Times, But It's The Community Christ Church, There's Going To Be A Cake Cutting, Et Cetera, And You're All Invited, And Please Come.

7:00.

If You Are Available, You Know The Way.

Thank You Very Much.

I Really Do Appreciate It, And I Do Appreciate Your Support.

Thank You.

Thank You.

[ Applause ] Chairwoman Hall: Commissioner Bigelow, It's -- I'm Sure You're Pleasure Next To Read The Guardian Resolution.

I Know That's Near And Dear To Your Heart.

Comm. Bigelow: It Is.

Thank You, Madam Chair.

Great.

Thank You.

Any Other Gals? That's Not Slang For Women.

Guardian Ad Litem Staff Maybe? Great.

If Somebody Is Being Shy, I'll Call Them Out.

Gale.

Comm. Bigelow: Gale.

Come On, Gale.

We'll Have Somebody Do It For You Maybe.

All Right.

We're The Lee County Guardian Ad Litem Program As Part Of The State Office Add Slow Indicates For The Best Interest Of Abused, Abandoned, And Neglected Children In Court.

The Child Welfare System And The Community.

Whereas, Lee County Guardian Ad Litem Program Has Been Dedicated To Supporting Volunteers Who Represent Child Victims Since 1980 Through A Dedicated Lee County Staff And Partnerships With Lee County Government, The State Of Florida And The Private Sector And Whereas Voices For Kids Of Southwest Florida Non-Profit Organization Operates As One Entity With The Guardian Ad Litem Program To Represent And Support The Best Interests Of Southwest Florida's Most Vulnerable Population, Truly The Most Vulnerable Population.

Abused, Abandoned, And Neglected Children.

Whereas, In The Guardian Ad Litem Program We Work Together For The Goal Of Working Towards The 100% Of Children Who Need A Guardian Ad Litem Volunteer And To Provide Resources To Meet Children's Special Needs Unavailable Through Any Other Source In The Community.

Whereas, 250 Volunteers Contribute Over 2,500 Hours Each Month.

That's 200 Volunteers Contributing Over 2,500 Hours Each Month To Be The Voices In Court And The Advocates Within The Community For About 600 Children In Lee County.

Whereas, There Are 150 Dependent Children In Lee County, Still In Need Of Guardian Ad Litem Volunteer.

I Think I Want To Repeat That.

There's Still 150 Dependent Children In Lee County Still In Need Of A Guardian Ad Litem Volunteer, And, Whereas, Both For Kids And The Guardian Ad Litem Program Participate Locally And State-Wide In Speaking To Legislators And Community Leaders About Abused, Neglected, And Abandoned Children's Needs, Joining Nationally With A Considerate-Appointed Special Advocate Association.

Now, Therefore, Be It Resolved The Board Of Lee County Commissioners -- The County Commissioners Of Lee County Florida Do Hereby Proclaim March 2010 As Guardian Ad Litem Month In Lee County And Urge All Citizens To Recognize And Honor Guardian Ad Litem And Voices For Kids Volunteers Supporting Local Child Victims Of Abuse, Neglect, And Abandonment.

This Has Been Dually Executed This 23rd Day Of February, 2010, Signed By The Honorable Chairwoman Tamarah Hall, Chairman Of The Board Of County Commissioners.

Thank You.

Thank You For Being Here.

Thank You.

Comm. Bigelow: Can We Get Gale In The First Picture? Ready? One, Two, Three.

Stay Right There.

Comm. Bigelow: Please Be Sure To Talk About Your New Dates.

Just A Few Words, Yes.

On Behalf Of The 600 Children In Lee County Who Are Abused, Abandoned, Or Neglected, On Behalf Of Our 250 Volunteers, I Really Want To Thank The County Commissioners And The County Manager And The Heads Of The Various Departments For Their Support For Our Program.

You Guys And Without Your Support Of The Partnership That We Forge Over The Past Few Years There Will Be More And More Children Without A Voice In Our Community.

Thanks To You, Though.

We Are Able To Cover 600 Of Our Abused And Abandoned Or Neglected Children.

That 600 Children That Have Somebody Representing The Best Interests.

One Of The Volunteers In Addition To Our Staff Is That Provide Them With A Presentation Throughout The Court System.

Again, I Want To Thank You On Behalf Of, And Without Your Support, We Wouldn't Be Able To Do The Things That We Do, And, Also, I Would Like To Invite You If You Are Going To Be In Tallahassee On March 23rd To Celebrate Guardian Ad Litem Day Up In Tallahassee.

Thank You For All You Do For Us.

Thank You.

Last But Not Least Is The Red Sox Resolution Celebrating The Start Of Spring Training And If Larry Could Come Up And With Your Team, Obviously, A Great. Every Year It Gets Exciting.

We Start To Get Calls.

People Are Filled With Baseball Fever Coming In With Our Red Sox Stadium, The Downtown Merchants Are Gearing Up For The Activity That Is Are Going To Come And We Welcome You With Open Arms, And Certainly On Behalf Of My Colleagues, With Great Pride And Excitement That I Have The Opportunity To Read This Resolution To All Of You.

Whereas, Lee County Welcomes The Boston Red Sox And Their Fans Back To Their 18th Spring Training At City Of Palms Park In Fort Myers, And Whereas, Lee County Officially Became A Partner With The Boston Red Sox In December Of 2003 When The City Of Fort Myers Transferred Operation Of City Of Palms Park To The County.

Over The Course Of The Last Six Years Improvements Were Made, And The Red Sox Have Won Two World Series Championships.

Whoo-Hoo.

The Continued Operational Success Of The Boston Red Sox In Our Community.

We Are Currently In The Design Phase Of Constructing A New 10,000 Seat Stadium And Practice Complex That Will Stand As One Of The Premier Spring Training Facility In The Country.

In Exchange, The Red Sox Have Signed A 30-Year Lease Agreement That Will Call Lee County The Spring Training Home Through 2042 And Whereas Lee County Is Proud To Be Associated With An Organization Of The Boston Red Sox Calibre.

We Recognize And Place Significant Community Value On The Fact That The Red Sox Have Helped Raise Millions Of Dollars For Lee County Charities Through Their Foundation.

Whereas, Lee County Would Like To Congratulate The Boston Red Sox On Your Continued Success.

Your Ongoing Excellence Has Brought The World's Media Attention And Tens Of Thousands Of Fans To Lee County, Which, In Turn, Generates A Significant Impact On Our Tourism And Economic Industry.

Now, Therefore, Be It Resolved That The Board Of County Commissioners Of Lee County, Florida, Along With Lee County's Park And Recreation Department Visitor And Convention Bureau, Sports Authority, Facilities Management Division, And The City Of Fort Myers, Do Hereby Proclaim Its Full Support For The Boston Red Sox Organization And We Send Our Sincere Best Wishes For Success In The Upcoming 2010 Baseball Season.

Dually Executed This 23rd Day Of February, 2010, And Signed By Myself, Tammy Hall, The Chairwoman.

I Would Like To Present This To You.

Can I Get To You Read That Again? Thank You.

I'm Here Today With Our Senior Vice President For Public Affairs, Susan Goodenow And With Our Director Of Florida Business Operations, Katie Haas.

On Behalf Of Susan And Katie And Our Entire Organization, Including Our Ownership With John Henry And Tom Warner, We Are Very Pleased To Receive This Resolution Because We Understand The Symbolism Of It.

It Represents An Appreciation Of The Red Sox Presence Here And We Are Proud To Be Residents Of Lee County.

Those Things That You Referred To Begin Here, And We Don't Forget That.

That The Successful Training Of This Team And The Foundation Is Laid In Lee County Every Year.

With The Support That We Have Gotten And The Hospitality We Have Received, We Feel Like We're Off To A Great Start And A Competitive Start Against All Those Other Communities And All Those Other Teams Because Of The Strength And The Roots That We Have Here In Lee County, And We Are Very Pleased That This Is Our 18th Year.

I Would Also Like, If I May, To Take A Minute To Go Beyond A Resolution And To Thank You For The Leadership And The Vision That The Elected Officials Of Lee County Have Shown With Respect To Their Long-Term Commitment To The Boston Red Sox.

We Appreciate The Loyalty Have You Shown To Us, And We Hope That We Can Return That Loyalty In Terms Of Being An Active, Contributing, Committed Citizen Of This County For Years To Come.

If I Am Correct, We Have 18 Years.

We Have Next Year.

That's 19.

We Have A 30-Year Commitment Thereafter, So With This Lease Coming Up, We Will Be Nearly 50-Year Residents Of Lee County, And We Are Very Proud Of That.

We Are Hopeful This Will Be A Win-Win Proposition That The Red Sox Presence Will Be Beneficial To This County And To The Residents Of This County As We Know That This County Is Beneficial To The Red Sox And To Our Training And Our -- And The Strength Of Our Franchise.

I Would Also Like To Take An Extra Minute To Thank The County Manager, The Department Heads, The People Who Have Been Working With Us To Bring To Life The Vision That You All As Elected Officials Have Put Into Place.

Especially Like To Take A Minute To Thank The People Who Have Been Most Actively Working On This.

Bob Taylor, Of Course, Jim Lavender, And The County David Owen.

They Have Been True Professionals In Working With Us, And I Know Rome Wasn't Built A Day, And It Will Take Some Time, But The Beginnings Of This Collaboration Have Been Very Positive, Very Professional, Very Fruitful, And I Think In Due Course, That There Is An Opportunity For Lee County To Be The Epicenter Of The Spring Training World With The

Quality Of The Facilities And The Public Support.

A Minute Also To Thank The Citizens Of Lee County Who Have Been Electing And You Support This Project Have Demonstrated The County Commitment Of The Red Sox Look For And Prize And Value And Appreciate Very Sincerely, So Thank You Very Much For What We've Accomplished So Far, And We Look Forward With Great Optimism To The Facilities And The Long-Term Commitment That Underlie That Facility Going Forward.

Again, Thank You For Your Leadership, For Your Vision, And For Your Loyal Support.

Chairwoman Hall: Thank You.

[ Applause ] Chairwoman Hall: We Are Blessed That All Sports Bring To Our Economy.

It's Resonating Right Now As We Continue To Put People Back To Work And Having Spring Training Certainly Gives Us A Boost In That Regard.

Thank You.

Next We'll Move On To The Rest Of Our Agenda.

We Have A Recap Which We're Asking For Consent Item 10a To Be Deferred For One Week, And The Carry-Over Item 1 For This Week To Also Be Carried Over For An Additional Week.

I Have A Motion By Commissioner Judah.

I Have A Second By Commissioner Mann.

Is There Further Discussion? Seeing None, All Those In Favor.

Opposed? Motion Carries Unanimously.

Next We'll Go On To The Public To Be Heard On Items That Are On The Consent Agenda And The Administrative Agenda.

The First One Is Shannon -- Is It Grohn.

Please Come Up.

For Those Not Familiar With Our System, We Allow The Public For Three Minutes To Speak.

There Are Lights On The Podium.

When The Light Goes To Yellow, It Means You Have One Minute Left, And When It's Red, We Can Ask You To Wrap Up.

My Name Is Shannon Grohn, And The Sheriff's Department Has Encouraged Me To Come Here Today.

I Believe The Booting Of Collier County Commissioners -- Chairwoman Hall: I'm Sorry.

Booting Is Instead Of Towing Your Car -- Chairwoman Hall: We Don't Have Any Booting On Our Agenda Today.

Oh.

Ok.

Because Our Evening Public Hearing.

I Apologise.

Chairwoman Hall: Oh, No, That's Ok.

Let Me Take You At The End If You Don't Mind.

I Apologise.

I Live At 1457 Jefferson Avenue, And I'm A Former President Of Friends At Six Mile Cypress Preserve.

Once Again, I Appreciate The Opportunity To Come To You And To Speak To You On Behalf Of Six Mile Slew Preserve.

As You Know, You All Have Had Unfailing Support Of The Mission Of Our Hundreds Of Members And Friends And The Volunteers At The Slew.

All Of These People Have Worked Tireless Hours To -- And Spent Their Time And Energy To Help Promote, Preserve, And Protect Six Mile Cypress Loop Preserve, And I Thank You For Your Past Efforts Because We Are We Found Out When We Organized Almost 10 Years Ago That With The Development Encroaching Around The Slew, There Were A Lot Of Threats To The Slew, And Now We Have The Opportunity To Increase The Slew By The 30% By The Purchase Of These Three Parcels That Have Come Before You Through Conservation2020.

These Lands Are Connected Through Culverts Into The Slew.

There's Lots Of Opportunities To Bring Recreation For The North Part Of The People That Live North Of The Slew And For This Part Of The Slew.

A Peel To You To Consider This Very Seriously And Bring Into Public Lands And Enhance The Slew By The Purchase Of These Three Parcels.

Thank You Very Much.

Thank You Very Much.

Gary, Good Morning.

My Name Is Gary Edson.

I Live In Buckingham And Horse Creek On Pine Level Way.

I Appreciate The Opportunity To Speak On Behalf Of The Purchase Of The Three Lands That Was Just Mentioned.

Conservationists Is A Challenge.

On The Other Hand, If We Don't Have A Reason For Being Here, There's No Purpose In Having The Other Part.

While Expensive In The Long Run, It's Going To Be Inexpensive, And I Hope That We Can Continue To Do This.

At The Same Time I Hope That The County Commissioners Will Keep Looking, As They Have Been, For Businesses Other Than Development That We Can Expand Our Community And That Depends Solely On Development As Our Only Source Of Revenue And Sales Taxes.

We Can Have Other Types Of Businesses, Maybe High-Tech Mall Business That Is Can Prosper.

Small Businesses Under Severe Attack Today.

As We All Know.

This Is An Opportunity Here Where We Can Have A Reason For People To Be Here Beautiful Conservation, And Keep Our Minds To The Other Side.

Thank You For The Opportunity To Speak To You Today.

Thank You For Being Here With Us.

Chairwoman Hall: David Hamill Will Be Followed By Bill Hammond.

David.

Good Morning.

My Name Is David Hamill.

I'm A Local Artist And Sculptor.

I Did The Imaginarium, The Giant Dinosaur.

I Specialize In Recycled Art.

I Would Like To Address The Agenda Of The Oak Tree Out Front.

Chairwoman Hall: I'm Sorry.

We'll Have It At The End Of The Meeting Because The Oak Tree Is Not On Our Agenda Today.

Comm. Bigelow: At The End Of The Meeting Or At The End Of The Commented?

Chairwoman Hall: I'll Get Back To You.

I Apologise.

I'll Be Here.

Chairwoman Hall: Dr. Bill Hammond.

Bill Hammond, The Other Bill Hammond.

Speaks Of Six Mile Cypress Advisory Committee And Conservation 2020 Committee.

As You Know, We Worked With Six Mile For A Long Time, And That Whole Corner Of Lehigh Acres Has Been -- A Vision For The Slew We Had Hopes Someday To Acquire That.

We've Had Some Conservation 2020 Parse Es Come Through In That Area In The Past, And They've Lost Them To Higher Bidders Virtually Every Time.

This Parcel That's -- These Three Parcels That Are Here Today I Think Are Extremely Important Ones For The Reasons That Were Pointed Out.

It's About 1,2 Acres, A Little Over 1,200 Acres That Have Wetland To Uplands And Flat Woods.

An Opportunity For Green Space On Both Sides Of The Road.

Kind Of Like We Did At Daniels Where There's A Break In The Development.

We're 182 In The Process Of Being Four-Lane, The Opportunity To Get This Open Land And I See This As A Real Urban Parcel Will Allow Us To Create Marshes, To Create Water Quality Treatment.

We Just Happened To Be Lucky Enough.

They Lost Almost Half The Parcel That Is Were In The Tea One Or Priority Acquisitions.

Not Everybody Is Looking For -- To Sell At The Bottom Prices Today, And In This Case We Happen To Have Conservation-Minded Willing Sellers Who Are Also Willing To Provide A Four-Labour Overpass On Highway 82 In Its Construction.

That's No Small Item.

We Have Records Of Panthers Using Six Mile Cypress Going Into Lehigh And Going Over To The Buckingham Area, So It's A Secondary Corridor For Wildlife.

And This Parcel Kind Of Becomes That Green Buffer Between The Lehigh Urbanizing Area And The City Of Fort Myers And Our Big Investment In The Corridor Slew.

I Really Urge You To Move This One Forward.

It's A Key Piece.

Chairwoman Hall: Thank You, Dr. Hammond.

I Have No Other Comments.

Is There Anyone Else That Would Like To Speak? Bill, Come On Up.

Is There Anyone After Bill? Ok.

Thank You.

Good To See You.

Good Morning.

I'm Bill Burdette.

I'm Here As A Resident Of Buckingham Today.

Speaking On These 2020 Acquisitions, I Have Been On These Properties, And I Can Testify To The Natural Beauty And The Environmental Value, But There's Much More At Stake Here.

This Is An Opportunity To Protect The Buckingham Rural Community Preserve From Piecemeal Annexations From The City.

It Provides -- Or Will Provide A Buffer For The Incinerator And The High Voltage Transmission Lines That Run Through That Area.

Even In The Best Of Times People Don't Want To Build Houses Next To The Incinerator, Next To The Transmission Lines.

Here We've Got An Opportunity To Enhance The Surrounding Property, And, You Know, Improve Our Tax Base Perhaps Down The Road, With This Acquisition.

This Is A Great Chance To Restore Historic Flow That Is Will Hydrate The Six Mile Slew.

It Will Also Alleviate Some Of The Storm Water That State Road 28 Has Pushed Back More, Which Tends To Aggravate The Flooding On The Orange River, So We've Got A Lot Of Advantages At Stake Here.

I've Heard Members Of This Board Recently Say That 2020 Needs To Get More Bang For Its Buck Out Of Its Purchases.

If You Look At The Whole Picture, All Of The Things That We Can Do With This, This Is A Good Place To Start.

Tau.

Thank You, Bill.

Is There Anyone Else Who Would Like To Speak To The Board On Consent Or Administrative Items? Seeing None, We'll Go To Public Comment And Go Back To The Board.

We'll Start With The Consent Agenda.

Commissioner Mann, Anything? Commissioner Janes? Had Commissioner Judah? Comm. Judah: None, Madam Chair.

Comm. Judah: 12a And 3b? Chairwoman Hall: Yes.

As In Boy? Ok.

And I Have None.

Can I Are A Motion For The Balance? I Have A Motion By Commissioner Judah.

And A Second By Commissioner Mann.

Is There Further Discussion? All Those In Favor Opposed? Motion Carries Unanimously.

Why Don't We Start With 3-B.

Comm. Bigelow: I Have To Abstain, But I Would Like To Put Some Comments --  
Chairwoman Hall: I Have A Motion By Commissioner Judah And A Second By Commissioner Mann? Further Discussion? All -- Go Ahead.

Comm. Bigelow: I Just Wanted To Make Comments.

This Is A -- Apparently According To The County Attorney This Meeting Goes To My Father's Benefit Because Of Some Parcels That Was Negotiated Through Settlement Land Or Lawsuits, Settlement.

I Appreciate This Morning Dearborn's Work And David's Work To Determine That This Is Not Something I Should Be Willing -- Thank You.

Any Further Discussion.

All Those In Favor? Motion Carries 4-1 With Commissioner Bigelow Sustaining.

Next Item 12-A.

I Apologise With One Abstain.

Commissioner Bigelow.

12-A Now.

Comm. Bigelow: Thank You Thanks.

I Have A Couple Of Questions On This.

This Is To Approve A Budget Amendment So That \$1.5 Million Of Road Impact Fee Reserve Dollars Can Be Spent To Acquire A Pond Site, Right, For An Fdrt Project, Which Is The Expansion Of U.S. 41, Business 41 North Of Littleton To -- Right Sf. Scott Gilbertson, That's Correct, Commissioner.

This Is An Ongoing Joint Effort Between Us And Florida D.O.T. For The Ultimate Lighting This Is In Turn Transfer Ownership Of The Site Through D.O.T.

That's The Intent, Yes.

This Has Been A Cooperative Effort.

There's Been State Dollars Involved In This.

The First Phase Of The Widening.

We Did Use County Dollars.

We Also Used A State Grant Dollars.

The State Is Also Participating In It.

We've Used Some Grant Dollars And State Dollars For The Design Work Of The Second Phase Right Now.

This Would Be A Continuing Effort In Completing That Project.

Comm. Bigelow: It's Not Unorthodox.

I Say That Only One Side Is Necessary.

Three Have Been Determined By The Design Plans, Preliminary Design Plans.

Three Sites Are -- Or Three Pond Sites Are Possible.

Right? That's Correct.

In The Preliminary Design Work In The Drainage Study They've Identified Three Appropriate Sites To Pursue For Storm Water Retention.

Comm. Bigelow: And Only One Of Them Is Necessary? That's Correct.

Comm. Bigelow: Ok.

It's Not Clear To Me, Though, Whether Or Not You Want \$1.5 Million To Negotiate The Best Price For The Three Different Landowners Or Just One That You Have Picked.

Could You -- I Think The Intent In County Lands That Are Equipped To Answer This, But They Want The Flexibility To Negotiate With All Three Owners To Get The Best Price.

Comm. Bigelow: Ok.

Karen, Could You Just Confirm That That All Three Of These Potential Sites Will Be Negotiated With.

It's Not Just One Site Which You've -- Chairwoman Hall: A Myself By Commissioner Bigelow And A Second.

All Those In Favor? Opposed? Motion Carries Unanimously.

Next We Move On To The Administrative Item, And We Have 5-A.

I Have A Motion By Commissioner Judah.

I Have A Second By Commissioner Bigelow.

Further Discussion? 5-A.

This Is The 2020 Acquisition.

That's Correct.

Commissioner Bigelow? Comm. Bigelow: I Will Have A Presentation.

Chairwoman Hall: 36, 256.

Yes.

Under Discussion. You Have Done A Phenomenal Job, And You Your Staff.

I Think To Get On The Record With Regards To The Purchase Price And The Amount On Average, Also Comparatively Speaking To Some Of The Other Most Recent Here In The Last Year, Year And A Half Of Conservation 2020 Lands And Surrounding Area To Put Things In Perspective, I Thought Quite Frankly Burdette And Joe Sanders Put On The Record The

Functional Benefits Of Acquiring These Lands That The Head Waters And Six Mile Cypress Slew From A Fiscal Standpoint To Talk About The Process As Best You Can.

For The Record Karen Mcguire, Division Of County Lands.

Commissioners, This Parcel Is One Of The 16 Properties That You Pushed Us -- Or Authorized Us To Go Forward On As We Pushed Forward To Continue With The 2020 Program.

The Overall Per Acre Purchase Price In Each Section Is Valued Slightly Differently Depending On The Type Of Property Because It's A Mixed Use, But Overall, We're Getting - Looking At Just Less Than \$30,000 An Acre.

This Property Has All Its Entitlements.

It Is -- If The Market Was In A Better Situation, I'm Sure That We Would Be Even Being Offered The Opportunity To Pursue This Property.

I Believe The Owners Would Be Very Active In Going Forward With Their Development.

This Is -- This Purchase Would Be Just Over 1,200 Acres.

From An Environmental Standpoint, There Are Significant Wetlands.

There Are Cypress Stones, Oak Hammocks Located On The Site.

It Does Fall Into The Flood Plain Water -- I'm Sorry.

Thank You.

Water Shed.

From The Review That Was Done By Your Committee, This Property Did Rate Very High In The Environmental Aspects, And This Negotiation Has Taken Place Pretty Much Over The Last Six To Eight Months.

The Property Owner Has Gotten An Appraisal Done At The Same Time We Had Gotten Two Appraisals Done.

Their Appraisal Use Over The Same Comparables As Our Appraiser Used, But The Real Difference Was The Time Adjustment.

That's Where There Was A Real Difference In The Reconciliation That Was Done.

Their Appraisal In At -- And We Had Gotten The Two Appraisals.

One Of Our Appraise Ls Came In At \$33,995,000, And The Other Came In At \$39,690,000 And Through Negotiations We Arrived At A Value Of The \$36,256,200, Which Is Less Than The Average Of The Two Appraisals, And We Feel That This Was A Very Well Thought Out

Negotiated Process Between The Seller And The County.

Chairwoman Hall: Questions For Karen? Further Comment? Commissioner Mann? Comm. Mann: Can You Give Us Any Information On Those Comparables And Pick One Of Our Appraisers, Either One.

My Struggle Here This Morning Is That Appraisals In This Crazy Market Or Almost Nonexistent I Want Market Might Be A Better Way To Describe It Must Bare The Ultimate In Detailed Scrutiny Because They Don't Seem To Relate To Any.

We Don't Have The Comparables.

Can You Tell Me -- Well -- Comm. Mann: What Were Used As Comparables? Are They Nearby, Same Size? Each Appraiser Broke Down The Properties Into The Three Separate Parcels, Correct, But Each Appraiser Did Consider Approximately 10 To 14 Comparable Type Of Properties.

Now, Comparable In The Essence Of Location.

The Sizes Really Changed Quite -- There Was Quite A Difference In The Ranging Of The Size.

You Know, When You Are Talking About A 1,200 Acre Site, There's Not A Lot Of 1,200 Acre Sites That Are Out There For Sale, But They All Were In The Vicinity Of The Property And Had The Similar Type Of Potential Use, But Where The Adjustments Are Were Made, Is A Size Adjustment, Time Is A Biggest Adjustment.

Comm. Mann: The Comparables Would Be Of Interest To Me Only.

There Haven't Been Many 1,200 Acre Sales Of Late, Or 500 Or 300.

Been A Lot Of Foreclosures.

Sales Do Range.

For Example, On One Of The Appraisals For Parcel 410, Which Is The Property To The Northeast, There Were Where The Differences Mostly Is Time Adjustments, And Our Appraisers In Some Cases We're Use Ag 50% Time Adjustment, So They Were Taking The Sales And Then Cut Them In Half To Arrive At A Number.

Whereas, The Seller's Appraiser Recognized Time Adjustments Of Less Than 20%, So That's In The Negotiation That's Kind Of Where Our, You Know, The Differences Came And Where We -- Comm. Mann: Do You Recall What We Pay For Argo? Argo Land We Paid Just Under \$14,000 An Acre.

This Property In Its Totality, The 1,200 Acres Represents The Possibility Of About 9,600 Units.

Comm. Mann: You Made Reference To A Flood Plain.

How Does This Property Fit Into The Most Recent Federal Flood Plain Designations? I Don't Know Exactly How It Facilities Into The Recent Flood Plain.

I Know That Through The Criteria Review Of The Advisory Committee, It Is Identified To Be A Water Shed Area That Would Compliment The Issues Of The Flooding Up That Area.

Comm. Mann: What Can We Say About The Portion We're Calling 410 As Far As The Environmental Impact On That? It Would Seem To Be Fairly Significant.

Early On In Our Discussions We Had Brought Our D.O.T. Advisors In To Discuss With The Advisory Committee What The Potential Impact Could Be Of The Extension, And So It Was Identified Early On That Could Be A Necessary Corridor In Time, But D.O.T. Felt Very Strongly That If We Went Forward And Acquired This Property For Conservation Purposes That There Could Be A Realignment Of The Road To The East, And So That We Wouldn'tbe Bisecting That North-Eastern Parcel, But We Could Relocate It More To The Easterly Side Of The Property.

Comm. Mann: Madam Chairman, Is It -- Would It Be Appropriate To -- I Asked Mr. Gilbertson To Give A Follow-Up.

It Is A \$36 Million -- Chairwoman Hall: Absolutely.

He Is Here, So, Scott, Could You Come Forward To Ask A Question For Commissioner?  
Comm. Mann: The Question Is On This Parcel 410, And She Can Show It To You, With All The Hearings We Had And Public Testimony On The Corridor For Lockett Road, Is It Possible, Do You Think, To -- I Know Everything Is Possible In This Deal.

How Much Difference Is It Going To Make In Our Process If We Move That To The Eastern Boundary, For Instance, Of That Parcel 410 So We Didn't Have To Chop The Extensive Piece Of So-Called Environmentally Sensitive Land Right In Two? Is That Considered And Dismissed, Or Do We Have A Real Problem With Doing That Later? Scott Gilbertson, D.O.T., For The Record.

From Purely A Geometric Standpoint And A Feasibility Standpoint, It's No Problem At All.

I Guess The Biggest Impact Would Be The Developed Properties Along The Eastern Boundary And The Additional Possible Impacts To The Properties On That Eastern Boundary, But In Terms Of Road Alignment, It's Not A Problem.

Comm. Mann: What Type Of Impact Are We Talking About? Human Impact? Are There Houses Or People Or Developments Over There That Would Object To Us Putting A Road Closer? Well, That's A Typical Objection Is The Noise And Visual Impacts Of Roads Adjacent To Residential Areas.

Comm. Mann: Is It Existing Residential Where I'm Looking? Maybe Karen Needs To Answer That.

I See It Squared Off, And There's Substantially More Than Just Your Typical Quarter Acre

Residential Site.

You Have Just West Of Buckingham Road There.

Chairwoman Hall: Commissioner Bigelow, You Had A Comment.

Comm. Bigelow: Question.

I'll Finish Up After.

Today We're Really Only Authorizing \$10.8 Million, Right, To Close On Or Before May 1st, 2010.

That's Correct, Commissioner Bigelow, And Then Any Subsequent Exercising Of An Option We Would Come Back Before This Board Authorize Those Numbers We Laid Out In The Contract.

Comm. Bigelow: Your Assistant, Karen, Thank You For The Graphics Here.

Parcels Here, 410, 422 And 390, Is It Possible Our Reference To This Not To Tell Me What We're Buying Today.

It's Best Shown -- It Is In The Country, And I Think You Would Have A Copy Of It.

Let Me Employed And Just -- Comm. Bigelow: I Just Need A General Reference.

The First Purchase Would Be All Of 410, And Then It Would Take In The Eastern Portion.

It Would Be An Eastern Portion Of Parcel Number 390.

410 Would Be The Total Purchase Of 317 Acres, And Then It Would Be Approximately An Additional 200 Acres Off Of Parcel 390, The Eastern Section.

Comm. Bigelow: Ok.

Then When You Come Back To Exercise Which Would Be The First Option It Would Be On Or Before December 1st, 2010, 463 Acres.

Would That Be More Of 390? That Would Be The Rest Of 390, And Then We Would Be Taking In The Northern Portion Of 410 -- I'm Sorry, 422 And The Western Portion Of 422.

We Would Be Leaving Just The Middle Section Of 422 For The Second Option.

Comm. Bigelow: That Planned Development, As Indicated On This Map, Which Is On The Western Portion,, East Of I-75, Is That City Of Fort Myers Annexed? Yes, It Is.

Comm. Bigelow: Will That Be De-Annexed By The Owners Before We Buy That, Or Would We Have To Go Through De-Annexation.

I Don't Know That We Had Pursued That.

Would I Like To Know How That's To Be Handled.

I'm Good.

Thank You.

Chairwoman Hall: Commissioner Judah.

Thank You, Madam Chair.

This Is An Historic Purchase, And I Satisfy Say That.

Karen, You Just Distributed These Maps.

They Ab Opportunity To Look At These Same Maps, And I'm Happy To Make Mine Available.

You See What Has Been Developed On Both Sides Of Cypress Slew And What Is Planned To Be Developed, And You Realize This Is Our Last Opportunity To Really Protect A Significant Water Shed That Has Tremendous Benefits In Terms Of Better Protection Of Water Supplies, Open Space For Recreational Opportunities For People And Also Habitat For Wildlife.

Truly It's Very, Very Stark To See When You Fly Over This Area All That's Developed On Both Sides, And I Just Want To Thank, Because I Know That Conservation 2020 Will Act As Heaters To Connell Their Parcels For Potential Acquisition The Entire Three Tracks Here, And To Their Credit, They're Willing To Do That, But, Karen, Obviously To Your Credit And Staff, They're Able To Get Based On The Appraisals That Were Done, I Believe, One Last Shot At Purchasing These Very Valuable Lands For The Benefit Of The Entire Lee County Community.

There's Just One Issue.

You May Feel More Comfortable As A Board, But It's An Issue That Dr. Hammond Pointed Out.

With The Line Widening Of 82, I Know There Will Be Culverts To Provide For The Connection, And If This Purchase Goes Through, And I Hope It Does, What I Would Like, Madam Chair, If It's Acceptable To You And The Rest Of The Board Is To Ask Our Staff To Coordinate With The Florida Department Of Transportation For Design Modification Because We Were Initially Going To Advise That We Put In Five Million, And The State Then Said We Can Do This With The State Funding, But There's Still That \$5 Million That's Being Reviewed By Our Own County D.O.T. And The City As To Where It Possibly Could Be Spent And What I Would Submit Is Not Owning Any New Money Would Be Appropriate To Consider A Corridor, Because If This Is Going To Go Through, They Need To Affect That And From A Wildlife Corridor Linkage Standpoint.

If It's Done To You, Is It Acceptable To Have Our D.O.T. Staff, County Lands Work With

Florida Public Transportation And We Could Perhaps Design A Culvert Water Crossing Also To Include The Fencing And Guide Township That Crossing So They Don't Try To Cross The Six Lane 82 And Become Road Carnage Leak State Road 29 And Collier County, And If That Could Be Possible -- Chairwoman Hall: Why Don't We Make That Part Of Your Motion To Go Back To The Board With That Commission.

Secunder Agrees? Commissioner Bigelow? Comm. Bigelow: I Guess I Would Just Throw In There The Explanation That The We're Not Buying Any Frontage On 82 With Today's Acquisition, Right? I Think There's A Small Statement -- Yes.

That Does Front Date It Too.

I'm Sorry.

That's Buckingham.

Anyway, I Would Think It's Ok Because It's Actually -- My Understanding It Speaks To The Option Parcels.

Because Of The Sense Of Urgency, We're In The Process -- We'll Get Back To That.

We Can Move Forward Hopefully In Preparation For The Department Of Transportation.

Chairwoman Hall: Know I Think Knows The Importance Of It, So I Would Look To The County Manager To Make Sure We're Timely In Getting It Back.

Is The Board's Direction That We Hold Up Further Due Diligence To And We Go Forward -- Chairwoman Hall: We're Just Adding Into It Directing Staff To Get Back To Us On A Habitat Corridor.

Ok.

Chairwoman Hall: Same Motion.

Yes, Commissioner Mann? Comm. Mann: Other Than The Bob Janes Preserve, Which Was Part Of The Original Babcock Pasture , Would You Say This Is Probably The Most Expensive Purchase That The 2020 Program Has Made? Yes, It Is.

Secondary To That Purchase.

Comm. Mann: Is There Anything You Could Say To Give Me A Little More Comfort About The Fact That We Would Be Using Our Own Previous Purchases Under 2020 As Recent Comparables, Because That Frightens Me Because I Feel Like We're The Biggest Buyer Of Land Right Now During The Recession And That The Prices Otherwise Are Plummeting, And It Troubles Me To Use Government Purchases.

Would I Rather See What The Private Sector Is Doing, And I Suspect, On Balance, It's Probably Substantially Less Than What We've Been Paying.

Can You Help Me There At All? There Were Three Sales That Were Used Out Of 10 On Average 10 Comparables For Appraisals.

There's Only Three, You Know, Out Of The 10.

Considering The Way That We Negotiate, Which Is Arm's Length And True Negotiation When A Willing Seller And Willing Buyer, There's Nothing Inappropriate.

In Fact, It's Most Appropriate To Recognize These Sales If They Had Been Depressed Acquisitions Or If There Had Been True Arm's Lengthenings That Took Place, Then They Could Be Questionable, But We Are Active Out There, But To Disregard Those Purchases And The Dollar Amounts The County Has Paid As Not Being Real Indicative Of What People Should Pay Is Not Correct.

We're Negotiating Like Anybody Else Out There That Would Be Interested In It Type Of Property, So They Weren't The Only Sales That Were Used.

There Were More Sales That Were Used.

When You Look At The Adjustments And Come Up To A Per Unit Value, We're Right In There With These Other Sales.

With The Private Sector.

We're Not Paying More.

Comm. Mann: Thank You.

Chairwoman Hall: Further Discussion? One More Time.

Comm. Judah: Commissioner Mann, I Understand.

I Am Extremely Sensitive To Prices, Costs, And I Understand The Concern Here.

That Does Not -- There's Nothing That I Brush Aside Lightly, Obviously.

I Have Advocated From Nearly Day One Against Urban Sprawl, And This, While It's Expensive, This Is Chump Change.

Really It Is.

And The Fact That We Can Buy Out Development, Which, Of Course, Is Very Expensive To Do, And Help Preserve Our Ecosystems Within Our Purr View To Do It, I Think We Have To Do It, And Hopefully, Cain, You Know, I Have Been Constructively Critical Of The 2020 Program Trying To Help It Offer My Suggestions For Improving.

This Is Right In Line With What I Think The Program Should Be Doing, And That Is Buying The Parcels That Help Us To Put Humpty Dumpty Back Together Again And Help Us Acquire Parcels To Protect Our Ecosystem.

Commissioner Judah Pointed Out, According To Karen's Map, That If You Look At This From A Bird's Eye View, Say Fort Myers And Essex County And Build Up Next To It.

I Was Working As A City Planner At The Time When Overwood Was Taken Through City For Approval, And It Really Broke My Heart To See That The City Was Turning -- Allowing Development Right Up To Its Edge And Not Buffering Appropriately.

That's A Shame, Because What's Happening There Is That We're Turning -- Or We've Been Allowing, All Of Us In Total, The Six Mile Slew To Be Used More Like An Urban River Ditch, If You And I Am So Imposed To The Insensitivity To Our Ecosystems, And So I Think This Is A Vitally Important Parcel To Acquire And Look Forward To The Next While Difficult And Unpalatable To He Follow The Next \$16 Million Price Tag, I Think It, Too, Is Important To Do, Because It's My View Of It One Of The More Important Parcels Of These Three Most Important Aspects.

That's All.

Thank You, Madam Chair.

Chairwoman Hall: Further Discussion? All Those If Favor? Opposed? Ok.

The Motion Carries.

Fourth One With Commissioner Janes In Opposition.

Item 14a.

A Resolution Of Necessity For Condemnation.

Motion Carries Unanimously.

Item 14-B.

I Have A Motion By Commissioner Judah.

I Have A Second By Commissioner Mann.

Is There Further Discussion? All Those In Favor.

Opposed? Motion Carries Unanimously.

Item 14-C.

I Have A Motion By Commissioner Judah.

I Have A Second By Commissioner Mann.

Is There Further Discussion? All Hose In Favor? Opposed? Motion Carries Unanimously.

Commissioner Items.

Commissioner Mann.

Comm. Mann: I Don't Have Any Any.

Chairwoman Hall: Commissioner Janes.

Yes.

Ok.

Commissioner Judah.

Comm. Judah: Thank You.

I Appreciate The Indulgence Of The Board.

I Did Speak In Support Of The Staff Prepared Position Papers To The E.P.A. In West Palm Last Week On The Criteria Ruling That They're Considering Public Input On And Ultimately Make A Final Rule In October Of This Year For Fresh Water, But I Just Wanted To Mention, Madam Chair, And I See This Here, And She'll Understand The Issue.

As We All Know, We've All Strived Try To Impress Upon The E.P.A. That, Yes, To Be Implemented Certainly Over To The Narrative Approach That's Been Taken For Years, And To Try To Have E.P.A. Concentrate On Specific Criteria That Is Dated And Driven Locally And So To That End I Can Tell You That The Southwest Florida Water Management District Provided Funding To The Program To Collect Much Of The Data That Has Been Gathered Over The Years And, Likewise, Medical Record To Help The E.P.A. In Our Assessment, The Charlotte Harbor Area, What I Would Ask Is That We As A Board Because Evidently If Approximate The District Has Not Received A Formal Request From Lee County For -- In Fact, It's \$28,000, Foremaner Water Management.

It's Really A Very Small Amount Of Money That We're Asking.

In Order To Likewise Collect In An Orderly Fashion All The Data That Has Been Accumulated Over The Years To Provide That Mfgs So They Can Make A Better Determination With The -- Better Determination Of The Ultimate That They're Going To Set In This Area.

It's Locally Driven Data That Will Help E.P.A. Many Their Efforts.

To That End, We Really Need Help From The South Florida Management Like Southwest Florida Management To Help North Of Us And Help The Natural Resources And Orderly Collection Of The Data.

Chairwoman Hall: So You're Asking Us To Submit A Grant Request In The Amount Of \$28,000 To Prepare That Data? Comm. Janes: To Help Us Fund That Effort.

Chairwoman Hall: Certainly.

Any Issue From Any Other Staff Member? Any Comments For The Staff? No? Ok.

Then We Have Coming Census To Do So.

Comm. Judah: I Volunteer.

Chairwoman Hall: We're Asking For A Grant For The -- Commissioner Judah Is Asking Is There Consensus For Us To Submit Our Request For A Grant For The South Florida Water Management District In The Amount Of \$8,000.

I'm Asking, Is The Board Ok With That? Ok.

Great.

So Be It.

We'll Ask You If You Would Take Point On That And Work With Environmental Science And Natural Resources.

Comm. Judah: If You Would Be Signing A Letter -- Chairwoman Hall: Yes.

Comm. Judah: Also, There's Evidently A Historic Decision That Needs To Be Made At Their Next Board Meeting On March 11th, And That's To Extend The Contract Deadline To 73,000 Acres For Restoration Purposes.

I Know The Importance Of That For Storage And Filtration Of Runoff Of Lake Okeechobee, But Because Of Litigation, It Has Caused The District To Have To Back Off Before They Actually Finalize The Ak Quiz We Could We Send A Letter And Have Staff Be Present Because Of The Pending Litigation To Ask The District To Extend The Deadline In The Contract.

Absolutely.

I Know Commissioner Mann -- Will You Be There, Or Will Staff Be There To Read The Public Comment? Chairwoman Hall: Staff Is Always At Every Meeting.

I Think Curt Or Roland Attend Every Meeting, But It Might Be Important If Between You And Commissioner Judah, Maybe One Of You Could Coordinate So That A Letter Could Be There To Present It To Significantly Resides The -- Chairwoman Hall: Let Me Employed And Ask To Accept A Letter And We'll Have Repudiation At Water Management To Present That.

I Have A Motion By Commissioner Judah.

A Second By Commissioner Mann.

Further Discussion? All Those In Favor? Opposed? Motion Carries Unanimously.

Comm. Judah: Thank You, Madam Chair.

One Final Item.

Because The District Understandably Needs To Know Where Lee County Is On Trying To Assist In The Effort To Provide An Alternative Site For Vehicle Use And We Had Talked With The Henry County Commission About The Use Of Portions Of The Lee County -- Lee Henry County Landfill In The Interim Before, You Know, It Further Gets Built Out.

We Need To Have Lindsey From Solid Waste And The County Put Together Some Kind Of Formal Paper To The District To Let Them Know That, Yes, The Lee County Landfill Is Available Here.

Chairwoman Hall: To Push It Over To Our Solid Waste Facility In Henry County Isn't Really Temporary Either So, I Would Really Like For Lindsey To Give Us The Board A Bigger Picture.

The District Has That Opportunity To Talk To Their Landowners Pour A Permanent, And They Have To Have A Permanent Facility So They've Got To Go Forward.

We're Not Giving Them Their Final Destination, So I Would Much Rather See And Work With Them To Find A Permanent Home.

Certainly Not An Extremely Valuable Landfill Property That We Need For Our Future And So I Would Really Like To See Maybe Something From Lindsey And Maybe The District So We Can Be All Sort Of Manufactured In A Much Stronger Position.

I Know Wills Some Probably Legal Deadline That Is They're Working On Where Are The Settlement, But I Can't Support It Without Having A Bigger Picture.

Is That Ok, Karen, To Put That -- We Have Agreements -- We Have Landowners.

I Think Those Should Be Reviewed.

Chairwoman Hall: Again, It's Temporary, And Part Of Our Concern Not Only From Environmental From 643 Is That It's Temporary, So We Ask The Administration To Bring That Back To Us At -- And See If We Can't Get Some Consensus On Where We Want To Go, And Then We Can Blue Sheet It The Next Day And Get That Direction.

We Could Ask That They Can Give Us An Update On Where They're At, If That's Ok.

Can With Dough That At April Mmp? Chairwoman Hall: Does That Give You Gee Enough Time? Yes.

Ok.

That's Fine Then.

Chairwoman Hall: Thank You Very Much.

Thank You For The Opportunity.

Chairwoman Hall: We'll Go With April And Coordinate With The Water Management District.  
And Commissioner Bigelow.

Comm. Bigelow: I Just Want To Update, Karen, Or Someone, When Are We Going -- When Is The Board Going To See The First Opportunity To Put The Single Member District Issue On The Ballot And That We Have Three Decisions To Make.

Chairwoman Hall: That's Going To Come From David Owen.

I Think We Have A Date.

We Already Voted On The Date For It To Come Back, Commissioner.

Comm. Bigelow: Do We Have The Date? Chairwoman Hall: Yes.

Comm. Bigelow: It's The 13th? Chairwoman Hall: We Voted On It At The Time.

I'm Sorry.

I Didn't Remember It, But I Appreciate Your Indulging Me In This Discussion.

Is That A Public -- Is That A Regular Board Meeting Or Will It Be In The Evening? Regular Board Meeting.

Comm. Bigelow: It Will Be In The Morning Agenda Then, Not In The Evening.

We Have To First Put It On The Public Agenda To Put It -- Chairwoman Hall: Put It To Hearing.

Comm. Bigelow: So There's Just Two Actions We Have To Take.

Chairwoman Hall: Yeah.

Comm. Bigelow: I'm Sorry.

Comm. Bigelow: And That Would Be An Evening? Chairwoman Hall: 5:00, Public Hearing.

Comm. Bigelow: Thank You So Much.

Chairwoman Hall: Sure.

Comm. Bigelow: Appreciate It.

Chairwoman Hall: Anything Else? Comm. Bigelow: No.

Chairwoman Hall: I Have A Couple Of Things, And It's Going Tie Into Our Public Wants To Talk About.

First, Is We Have Been Asked By Several Citizens To Have A Resolution That Would Be Sent To The Governor To Activate A State Emergency Resource For Benefit Of Homeowners Impacted By Chinese Drywall.

I've Had Several Emails And Requests For This, And I Wanted To See How The Board Felt About That.

A Resolution To Accepted To The Governor's Office To Activate Emergency Resource Benefits To Residents Who Are Impacted By The Chinese Drywall.

I Have A Motion By Commissioner Judah.

Do I Have Ae Second? A Second By Commissioner -- It's A Resolution Asking For Emergency Funds To Help Out Residents In Lee County.

There Are Other Funds That Are Being Used, And We Need To Put The Request Into The Governor's Office, And It Will Either Go Up Or Down.

A Second By Commissioner Janes.

Comm. Janes: Is It Simply To -- Chairwoman Hall: Request That Emergency Funding Be Used For This Purpose.

Comm. Janes: I Guess -- I Have No Idea -- Chairwoman Hall: I'm More Than Happy To Ask Them To Have It Brought Back Next Week On A Blue Sheet.

We Can Do That.

If Are You More Comfortable With That.

I Don't Know How Many Of You Have Been Following This.

There Have Been Several Legislators Down Talking About The Chinese Drywall Issue.

It Is An Emergency Situation And Health Risk.

There Is Emergency Dollars Available, And We Want To Make Sure Lee County Puts In Their Formal Request.

I Can Ask Staff To Probably Have Karen's Department, Human Services Or Emergency Management Come Down And Give Us A Little Presentation Or Blue Sheet On Tuesday, If That's More Comfortable For You, Commissioner? Do We Have Anything Between Now And Then? Chairwoman Hall: On A Blue Sheet I Don't Think It Will Take That Long.

I Can Ask For It To Be A Walk-On, Blue Sheet For Mechanics Tuesday, If You Like.

Do I Have A Second? Great.

I Have A Second By Commissioner Janes.

The Motion Is That We Will Ask For The Resolution To Be Brought On As A Walk-On For Next Tuesday's Agenda And So Staff Can Give You Some Explanation And You Can Vote It Up Or Down At That Time.

Is There A Precedent Against This? Comm. Bigelow: No One Is Against Dealing With The Chinese Drywall Issue.

Chairwoman Hall: That Question Is For Tuesday Then.

Sure.

Comm. Bigelow: I'm Not A Conveyor Of Other Counties That Have -- To Our Citizens.

I'm Not Sure What We're Accomplishing Here.

No One Is Against Doing It.

Since This Hasn't Been Done Here -- Chairwoman Hall: Let's Put It On The Blue Sheet On Tuesday And Get A Full Explanation.

Great.

Any Further Discussion? All Those In Favor? Opposed? Motion Carries Unanimously.

We Have -- I've Had A Request By The County Attorney's Office To Look At Giving Staff Direction To Begin A Member Of The Order Manslaughter To Allow For Booting.

This Is To Give Direction For Them.

We Also Had Some Comments From The Sheriff's Office That Currently Booting Vehicles Is Not Covered In The Towing Ordinance, And With The Towing Situation They Would Like To Be Able To Have Those Options.

I Have A Motion By Commissioner Judah.

Do I Have A Second.

I'll Second It For Discussion.

Further Discussion? To Give Direction.

This Is Not To Ado Not, But To Give Direction To Bring It Back To The Board For Then An Actual Vote On Whether We Support That Or Not.

Further Discussion? All Those Many Fare? The Motion Carries Unanimously.

Thirdly, The Oak Tree Item.

We Have Had Some -- We've Had Some Other Artists Call Interested In Participating In The Oak Tree, And Commissioner Mann's Display And What He Brought Forward And, Again, We've Been Asked That There Have Been Other Ideas About The Limbs And Which Organization And Now That It's Getting More Coverage.

Staff Is Really Asking Do You Want To Go Forward And Put Out A Call To Artists And Then Bring In All Of Those Ideas And Then Award These Artists For Work, Because We're Getting A Little Overwhelmed.

Comm. Mann: I Think That's The Fair Approach To Take.

I Can Appreciate What Commissioner Mann Tried With All Due Attention To Bring The Artist From Naples.

I Feel That's The Equitable.

Call For Artistes.

Chairwoman Hall: Do I Have A Second? Comm. Bigelow: I Think We Have To.

Chairwoman Hall: Second By Commissioner Bigelow.

All Those In Favor.

Comm. Mann: Of Course, More Discussion.

Chairwoman Hall: I Didn't Know You Said Of Course.

Apologize.

Commissioner Mann.

Comm. Mann: This Is Certainly Appropriate To Move Direction, But It Needs To Be Stated That There Are Some Things Where You Can't Do Alternatives.

There's Going To Be An Enormous Amount Of Wood Available For All Types Of Artwork And Sculpture, But You Can't Do The Eagle We Were Describing The Other Day And Also Use That Main Trunk And The Two Main Branches For Something Else.

I Would Hate To Lose That Possibility Of That Magnificent American Symbol There, So As This Comes Forward, I Hope We're Talking About The Option Of Doing The Best Of Both Worlds To -- If People Want To Come In And Participate, Fine.

If Someone Else Wants To Suggest A Better Mousetrap And A Better Eagle, I'm Open To That As Well.

Chairwoman Hall: I Think Your Idea Of Having The Trunk Created Into Eagle Or Something Along Those Lines Is One Call To Action, And The Other With The Limbs And Everything, That Also Is Available.

That Way We're Fair To All Artists.

The Trunk And The Parcels.

Am I Correct In That, Holly? That We're Looking At A Call To Art Is For The Trunk, And Then The Branches Along.

We Would Be Probably Doing Something Similar To An Rsp For The Carving.

That's The Direction -- We Were Just Going To Give Away The Larger Pieces.

Chairwoman Hall: For Artists.

Exactly.

A Call To Artists For That, But An Rp Type Thing For The Carving.

Chairwoman Hall: Is There Any Further Discussion Then? All Those In Favor? Opposed? That Motion Carries Unanimously.

Then, Finally, On A Happy Note And Speaking Of Artists, I Am Really Excited To Have Very Artistic Respects Many My Office This Month.

They'll Ob Display Through April 9th.

I Have Nine Artists, And They're Displaying Acrylics, Oil, Water Colour.

Please Stop By And See The Creativity Of Our Local Residents, And, Again, Very Happy That The Town Of Hairing Square Will Be Able To Be Showcased In My Office Until April The 2nd.

That's All I Have.

Appointments.

Commissioner Mann.

Commissioner Janes.

Comm. Janes: Yes.

I Have A Reappointment.

Chairwoman Hall: I Have A Motion By Commissioner Janes And A Second By Commissioner Mann.

Is There Further Discussion? Second To Your Motion.

Further Discussion? No? Ok.

All Those In Favor.

Opposed? The Motion Carries Unanimously.

Any Others? No.

Commissioner Judah.

Comm. Judah: You Have A Tough Fight.

Chairwoman Hall: Commissioner Bigelow? I Have A New Appointment Of Richard Hudson To Stark Preservation, And That's Matt Laura's Position.

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

Further Discussion.

All Those Many Favor.

Opposed? Motion Carries Unanimously.

County Manager Tupz.

In Respect Of Your Time, We Notified All Of You That The Monday M & P Meeting Will Be Cancelled.

We Had One Item, And That Will Immediately Follow The Board Meeting On The Following Tuesday.

Chairwoman Hall: Ok.

Do You Want To Talk About Maybe Congratulating? I'll Congratulate Her.

Chairs Of The Tourist Development Council, It's With Great Pleasure That I Announce That Out Of The 78 Am Kpts Tamara Piget Has Been Selected To Represent Our Tourism Industry, And Will Be Serving In That Capacity, And We Want To Send Best Wishes To Tamara And We're Very Excited, Again, To See That We Grow Great Leadership, And Giving Her An Opportunity To Take The Helm At The Visitor And Convention Bureau.

Congratulations To Tamara.

County Attorney's Office.

Comm. Mann: When Are We Going To Continue The Last Part Of The Goal Setting Session?

Ok.

Huh.

Chairwoman Hall: Before I Go To County Attorney Commissioner Judah? Comm. Janes:  
Comm. Judah: We Have A Valued Employee.

It Is Now Decided To Leave Lee County Because She Really Had Been Given A Tremendous  
Opportunity To Work Over In Broward County As In The Financial Fiscal Officer For Broward  
County And Donna Lewis, And I See Donna Back There.

I Just Wanted To Thank You On Behalf Of Missouri Office.

You Planned Part Of Hurricane Charlie In 2004, And Not An Easy Time To Come On Board  
Working As A Budget Director And We're Just Thankful For All Your Good Work.

I Wanted To Thank You Personally Because The Reason We're In Such A Stable Financial  
Position Today Is Because In Large Part Due To Your Guidance.

The Reserves, The Departments And I Just Wanted To Wish You Well And Thank You For  
Really Not Only Addressing Specific Concerns From Commissioners Over The Course Of The  
Time That You've Been Here, But Putting Us In Strong Financial Standing As A Community,  
And I Think On Behalf Of The Lee County Committee, Thank You Very Much For Your Work.

Good Luck.

Chairwoman Hall: Thank You.

[ Applause ] Comm. Judah: Thank You, Madam Chair.

Chairwoman Hall: Very Appropriate Comment.

David.

Mow Item From The County Attorney? I Have A Quick Item From The Solid Waste  
Department.

We Need The Board's Approval For The Chair To Sign Fiction Of Financial Policy.

These Are Requested By The D.E.P.

When You Have To Close Something Direct Correctly According To D.E.P. Rules, This Is For  
Injection Well That We're Installing At The Waste -- Or The Landfill In Hen Country County  
To Handle, And If You Could Give Me A Vote On That.

Chairwoman Hall: I Have A Motion By Commissioner Judah.

I Have A Second By Commissioner Janes.

Is There Further Discussion? All Hose In Favor? Opposed? The Motion Carries Unanimously.

Thank You, David.

>Thank You, Madam Chair.

Chairwoman Hall: Ok.

Next We Have The Public Presentation Of Matters Of Concern By Citizens.

This Is The Time We'll Take Your Input, And We'll Start With Sharon And Thank You So Much For Your Patience.

I'm Sorry.

Shannon.

For Your Patience, Shannon.

Again, My Name Is Shannon.

The Sheriff's Department Told Me To Come Here Today.

Because Of The Booting Charges That's Not Regulated By The State So They Can Charge Whatever They Want.

I Know That The Collier County Commissioners Have Changed.

I Got A Boot For \$160 When Think Car Was In My Driveway.

That's Another Story.

I'm Not Here To Fight For My Money Back, But I Know Collier County Changed The Law, And The Most They Can Charge The Company Is \$25.

I Would Hope That Somehow Some Way You Could Regulate It So Nobody Has To Pay \$160 To Have A Boot Removed From Their Car.

Very Unfair, And I Don't Want -- I Don't Really Have Anything Else To Say.

That's Why I Came Together.

Today.

I Was Surprised There Was Not More People Because Everybody I Talked To, Like, Oh, Yeah, That's Crazy.

That's Crazy.

That's Crazy.

I'm Glad That You -- I Came Today And You Took The Time.

I'm Very Proud Of You.

Comm. Bigelow: I Have Never Been Booted For Anything.

What Should I Expect When It Happens To Me? Chairwoman Hall: It's Probably A Question More Appropriate For The County Attorney To Answer Rather Than Our Citizens.

Comm. Bigelow: I Didn't Learn Booting In Law School.

Chairwoman Hall: It Is A Legal Term.

It's A Boot When There's Illegal Action Perceived By An Accident.

Comm. Bigelow: I Would Be Happy To Hear From Any Expert.

Chairwoman Hall: I Would Rather Say To Shannon Since We Really Don't Engage Our Citizens, Your One Voice That's Speaking For Many, Is What You're Saying, And I'm Certainly Sure The County Attorney Will Take Direction, And That's What They'll Bring Forward To Us, And When That Ordinance Comes Forward, It Would Be Publicly Noticed So, You'll Be Able To Come Back Again And Speak To It If There's Anything In There That You're Uncomfortable With.

Booting Is Instead Of Towing Your Car, They Put A Boot On Your Car And You Can't Move It Until You Pay The Money, Which, By The Way, They Don't Take Debit Cards.

They Wanted Cash.

That's It.

Chairwoman Hall: Thank You Very Much, Shannon.

Comm. Bigelow: That's All I Wanted To Know.

Shapon, Can I Just -- Chairwoman Hall: Sure.

I Don't Know If You Live In My District, But If You Would Contact Our Office, We'll Be Sure You Know When This Is Coming Before Us.

I Know That I'm In Lee County, And I'm District 3.

Chairwoman Hall: We'll Make Sure -- I'll Make Sure Ray Has Your Address.

You Can Put Your E-Mail On So We Can E-Mail It To You.

Our Concern That The Local Artists Have Not Been Contacted About The Sculpture Itself,

With The Exception Of Myself.

I Gave An Interview On Wink News About Leaving A Portion Of The Tree And Carve Going Out Of It, And Then I Was Manufactured By Wink News That Y'all Had Decided To Go Ahead With That With Another Artist.

My Personal -- I Feel Slighted Because It Was Kind Of My Idea Not To Carve Trees In General, But This Particular One.

Locally We As Artists, It Is Appropriate To Have A Call For Artists.

None Of The Artists I Have Spoke With, Including The Art Organizations, The Alliance Of The Arts, Any Of The Galleries Here Right On This Street Have Not Been Contacted.

With All Due Respect, The Eagle Is A Fine Image Of Our Society, But This Particular Image That I Have Here Before Me Professionally Speaking, I Hate To Do This, But This Is Yard Art Kind Of Just The Type Of Stuff That You Might Find At A Flee Market Or In Someone's Yard.

You Can Actually See That It Is In Someone's Yard.

What We Were Concerned That We Would Like Something, Something That Reflected Our Citizens, Our Architecture, Our Area.

We Don't Want To Get Involved With Something Like Where The Person's Artist Created The -- It's Not -- Art Is Subjective, And I Have My Opinions, And It's A Tire, And Remember The -- Chairwoman Hall: Ok.

It Sounded Like You Did -- Are Going To Put A Call To Artists, And That's What We Really Want.

We Don't Want To Be Ignored Locally.

As You Know, The Art Walk Is A Huge Thing For Downtown, And It Is The Local Artists That Are Putting This On.

We Would Like To Be, You Know, Made Aware.

We Would Like To Have Our Chance To Have Some -- My Designs For The Sculpture That I Would Like To Submit, And I Understand That Pourings Are Going Out, And We All Lot Of That.

We Thank You For Observing The Artist, But We Don't Want To Be Totally Medical Record For Someone Down In Naples That Is Considered Local As Well, But You're Skipping A Whole Bunch Of People And Kind Of It's Offensive To A Lot Of Us That We Live Here And We're Going To Be Within Walking Distance, And We're Going To Have To Live With The Sculpture, And It's Something We Want To Be Proud Of For Our Community And That We Would Like To Be A Part Of.

I Thank You For Your Time.

Chairwoman Hall: Thank You For Coming And Representing Our Local Artists.

We Appreciate That, And We'll Look Pardon To Seeing Your Submittal.

Thank You.

Chairwoman Hall: Anyone Else From The Public That Would Like To Comment To The Board Of County Commissioners On Anything That Are Matters Of Concern To Them? Seeing None, We'll Close That And With That We Are Adjourned.

I Hope You All Have A Great Day.

May I Remind You That Teacher Diane Curtis From Tyson Elementary Is Here To Do A Very Short Presentation To The Board For Anyone That Can Stay.

She Does Understand That Some Commissioners Need To Catch Flights And -- Chairwoman Hall: Can You Give Us A Time Frame? 15 Minutes Max.

Chairwoman Hall: Let Us Take A Two-Minute Break, And Then We'll Come Back In Two Minutes.

Then We'll Come Right Back.

I Do Need To Adjourn The Board Meeting Of County Commissioners, And We'll Reconvene In A Workshop To See This Presentation.

Thank You.