

**June 22, 2010**

Good Morning.

Good Morning, If Everyone Can Take Their Seats.

I Would Like To Welcome You To The Board Of County Commissioner's Meeting.

Today Is Tuesday, June 22nd And We Would Like To Begin Our Meetings With The Invocation.

Today Is Pastor Joseph Gabriel.

We Know In Your Compassion You Continue To Bless And Take Us Through The Difficult Moment We Are Facing In Our Economy.

Lord, We Ask That You Take Part With Our Leaders, Especially Our Commissioners To Help Them Make Positive Decisions To Bring Us To Success And In Time Of Crisis And Time Of Famine And Time Of Trouble, We Are -- You Are The Only One Always Take Control Of All Circumstances.

When Things Seem To Be Too Dark, You Always Bring Light To Shine.

Lord, Show Us Today The Way That We Have To Go.

To Get Our Victory In The Name Of Jesus' Name.

Amen.

Amen.

[Pledge Of Allegiance] Chairwoman Hall: We Have A Few Ceremonial Presentations And We Would Like To Begin With Myself Reading The National Parks And Recreation Month.

And Barbara, Are You Here? There You Are.

Any Of Your Staff That Would Like To Join Us? We're So Appreciative To Recognize The National Parks And Recreation Board.

[Reading Resolution] [Applause] Commissioners We Want To Thank You For Your Parks.

We Have A Beautiful Park System In Lee County And We Do Invite The People To Use

Them.

With Today's Economy We're Finding The Newly Found Word Staycation Are Here.

It's Thanks To The Commitment To The Board And Administration To The Years Of Building These Beautiful Facilities.

We Say Thank You And Enjoy Everything And Invite The Public To Come Out Again On The 24th And 25th For A Free Weekend And Fun At The Parks.

Thank You Very Much.

[Applause] Madam Chair, If I Could.

Barb, Could I Have A Second.

I May Have Taken This Opportunity.

It Was A Great Function At Bunch Beach.

It's A Well-Hidden Secret, But More And More People Are Finding Out About It For Canoeing, Sun Bathing, Fishing, A Beautiful Area And I Want To Thank You And Staff And All The Contractors Working On That Self-Contained Restroom, Environmentally Day.

Thank You, Commissioner.

Chairwoman Hall: Beautiful.

Great Ceremony.

Tons Of People Out At The Ribbon Cutting.

Next We Have A Ceremony Presentation Recognizing Helen Johnson Hendry Day.

Commissioner Mann, If You Would Do The Honors.

Comm. Mann: Thank You, Madam Chair.

Let Me Say That This Commission Over The Years Has Had Many Happy Opportunities To Recognize Citizens From Lee County Who Have Contributed In Some Ways To The Betterment Of Our Community.

But It's Rare Occasion That We Have An Opportunity To Recognize Someone Who Has Been Doing That Contributing For Over A Half Century.

Her Entire Adult Life And I Won't Be Any More Precise Because Somebody Will Try To Count Up How Old Is This Girl.

She's A Little Older Than I Am And We Will Let It Go At That.

Helen Johnson Hendry, If You Will Come Up And Stand Right There We Are Going To Take A Picture In A Minute.

I Want You To Bring Your Kin Folk And Support Team.

Get Margie Up.

Come Stand Behind Her.

Come On, Kids.

No, You Stay Right There.

It's Your Kin Folk.

Come Get Behind Her.

Jane, Quit Being So Shy.

Jump On Up.

This Is A Family Affair.

These People -- That's Byrne Davis.

She's One Of The Helpers.

Yes.

You All Sort Of Gather Around Ms. Helen There.

These People Collectively Probably Have 800 Years Of Service To Lee County And Fort Myers And We're Glad To Have All Of You Guys Here This Morning.

Ms. Dixie, Come On Up.

Now, Let Me Read This Resolution That Honors Our Friend Ms. Helen.

Whereas, Helen Johnson Hendry Has Been A Pioneer And Enthusiast For The Horticulture Industry For The 1950's And Whereas The Age Of 12 She Worked Pulling Weeds At The Everglades Nursery Where She Later Learned To Love Horticulture And She Managed The Operation At The Nursery, One Of The Largest Nurseries Of Its Days Supplying Theme Parks Such As Cyprus Gardens And Walt Disney World And Consulted With Mina Edison Herself And Chartered Member Of The Mina Society That Provides Scholarships To Edison State College.

And She Discovered A Rare Knowledge Of Designing Landscapes And It Led To Her Strong Lobbying Effort For The Ultimate Passage In The Legislature Requiring Registration And

Examination Of Landscape Architects, And Whereas Following The Passage Of The Bill She Was Appointed By The Governor To Serve On The First Board Of Landscape Architects Where She Served For 14 Years And Was Instrumental Of Crafting, And Whereas Helen Continued To Stay Active As The Member Of Trustees, The City Of Fort Myers Beautification Committee And Active Member Of The Florida Nurserymen And Palm Chapter And June 26, 2010 The Grower's Association Will Induct Helen Hendry Into The Hall Of Fame And Therefore Be It Resolved That The Board Of County Commissioners Lee County Florida Declares This Day As Helen Johnson Hendry Day And Ask All The Citizens To Acknowledge Her Contributions To The Betterment Of Lee County.

Signed This Day By Chair Woman Tammy Hall.

All Of You Guys Come Here And Put Helen In The Middle And Let's Take Your Picture.

She's Got The Original.

We Can Get You A Copy, Too.

I Appreciate The County Commissioners For This Honor Today.

I Appreciate It And I Only Can Say I Am Humbled In Accepting Your -- My Words Don't Come Very Well.

A Lovely County And I've Been Here As You've Heard Most Of My Life And I Have Felt Like It's God's Place.

This Is The Ultimate To Me In Living And I Enjoy Lee County And Fort Myers And Have For Lots Of Years.

And I Don't Have To Tell You How Many I Know And I Just Would -- I Am Still Trying To Do Things To Improve The Area And I Will Continue As Long As I Am Able.

Thank You.

[Applause] Chairwoman Hall: We're So Fortunate To Have Someone Like Helen.

I Know The Pace Recognized Her A Couple Of Months Ago And She Serves On The Edison Board Of Trustees And You're Still Doing Great Work In Lee County.

We Have A Walk-On Resolution That I Would Like To Read.

Barbara, Are You Back? There You Are.

This Is For The Ruby Gill House Restoration And -- What's That? Was It Deferred? Oh, I Haven't Gotten To The Recap.

Never Mind.

Never Mind.

All Right.

Let's Move On To Recap.

The Change Is To Be Referred To A Related Permit And Walk-In Deferred One Week.

I Have A Motion By Commissioner Judah, A Second By Commissioner Mann? All In Favor? Opposed? Motion Carries.

Under Revision And Corrections, A Carry-Over. One, Please Approve The Following Changes In The Back Up Material.

Can I Have A Motion To Approve? I Have A Motion By Commissioner Judah, Second By Commissioner Mann.

Further Discussion As Many All In Favor? Opposed? Motion Carries Unanimously.

And The Items To Be Moved From The Consent Administration.

C 2a.

Do I Have A Motion To Do So? I Have A Motion By Commissioner Judah? Second By Commissioner Mann? Further Discussion? All In Favor Opposed? Motion Carries.

Next We Will Go On Comments By The Public.

If This Is Your First Time Speaking, I Will Call Your Name And If You Will State Your Name For The Record.

On The Podium Are Some Lights.

We Ask That You Keep Your Comments To Three Minutes.

When The Yellow Button Comes On It's One More Minute And When It's Red We Ask That You Wrap Up Your Comments.

This Morning Is Jim Broesh Followed By Christophe Smith? Is Jim Here? You're First, Jim.

Good Morning.

I'd Like To Make One Thing Clear This Morning And That This Vote We're Talking About, The Vote Of The Residents Of Estero To Incorporate Is Not About Whether Estero Should Be Incorporated But Just A Group Of Citizens To Vote On The Issue.

Second, The Boundary Question Which Will Come Up Can Be Settled Very Easily.

If Estero Is Required To Incorporate Within The Fire District Boundaries, Because Of The State Legislative Requirements, Then Because Of The Two-Mile Waiver That Would Exist In

San Carlos.

If Any Of The Residents Living In That Area Want To Become Estero Residents They Have To File A Petition And Vote To Be Annexed As Was The Case In Bonita Springs And Estero.

I Too Am Perplexed On How I Should Vote On An Issue, However, Deep Down When Push Comes To Shove I Try Never To Forget That It's The People I Represent And The People That Really Make The Decisions.

So It Is Very Important For Me To Ask Myself How Would The People Vote On This Issue? During The Years, Two, Seven And Eight I Sat On The Advisory Committee And Was Not Surprised To Find What A Highly-Qualified Group Of People In Its Make-Up.

Each Member Was Asked To Sit On This Committee For An Entire Year And At The End Of The Term There Were Matters That Were Supported By An Overwhelming Majority And The Members, At Least 10 Out Of 15, That This Item Would Not Go To The Voters For A Decision.

The Board Of County Commissioners Agreed With The Recommendations Of The Committee And Changed The Provision That Is Now The Charter Revision Commission.

Good Governance In My Opinion.

They Let The People Decide.

It Would Seem That I Would Ask The People To Vote For Me And Not Let Them Vote On An Issue If They So Desire.

The Right To Vote Is A Sacred Vote.

A God-Given Right.

Men And Women All Over The World Are Fighting To Preserve That Right.

I Ask You This Morning To Approve The Resolution Before You That Will Allow The Village Of Estero To Vote On This Issue.

I Thank You For Your Time.

Chairwoman Hall: Thank You.

Christopher Smith Who Will Be Followed By Ike Eckleburger.

Good Morning, Commissioners.

My Name Is Christopher Smith And I Am A 17-Year Resident Of The Vines Community Which Is Part Of The Estero Planning District.

We At The Vines Have The Position That This Vote On Estero Is Premature And We Are Not

Prepared To Support That Vote.

If And When A Vote Does Come We Feel Very Strongly That It Should Include All Of The People Within The Estero Planning District That Was Established By You, The County Commissioners.

To Be Locked In On Just The Fire District In Estero Seems Grossly Unfair.

We Worked For A Number Of Years Within The Estero Planning District For Control Of Both What's Coming In And What's Going Out.

The Planning Panel, The Design Review Committee Have All Worked Toward The End Of Improving Estero Within The Estero Planning District.

We Would Strongly Recommend To You That We Not Have A Vote At This Time And That When The Vote Does Come, And It Will At Some Point In Time, That There Be Some Method Of Including All Of The Residents And Allow Them To Cast A Vote As To Whether Or Not It's Incorporated.

I Thank You For Your Time And Consideration.

Chairwoman Hall: Thank You.

Ike.

I Am So Sorry, It's Eckleburner.

I Am An Owner And Like Chris Before Me I Am Opposed To The Proposal That You Are Consider Ago As It Is Written Today.

My Wife And I Vacationed Here Several Years Ago And Decided To Buy In March 2006.

I Have Advertising Brochures And The Business Card Of The Sales Associate That Lists Estero, Florida As The Address.

Osprey Grove Is On Estero Parkway Close To Us-41 Next To The Wal-Mart Property.

And One Reason To Buy In Estero As Opposed To Fort Myers, I Am Not Opposed To Fort Myers, But We Did Have The Ability Of The Name Recognition That We Were Comfortable With That Name.

And The Point Is That In March Of 2006 We Were In Estero, We Closed On Our Condo In July 2006 And Our Paperwork Said Fort Myers, Florida.

The Explanation At The Time Was It Was A Temporary Change Because The Post Office Could Not Handle The Increased Volume With All The Additional Residents In The Area.

Again, I Am Here Today To Ask You To Not Proceed Or To Vote Against The Proposal As It Is Written As Chris Mentioned, If You Do Go Ahead We Feel It Should Be Including All Of

The Residents Along Estero Parkway Because We Want To Be In Estero And You Do Have Support If You Would Choose To Change Your Proposal.

Thank You Very Much.

Chairwoman Hall: Thank You.

Jack Howerton Followed By John Gardener.

Good Day Commissioners And Good Day Staff And All Attend Des.

Normally A Guy Much Taller Than Me Would Be Here Today But He Is Out Ill So I Will Do My Best.

Thank You For Your Continued Support Of The North Fort Myers Community Center And Rec Center.

We're Starting The Design Phase And Thank You So Much.

What We Want To Talk About Now Is Enter Into This Is To Remind The County, Remind The Commissioners That We As A Group, A Collective Group Have Supported The Water Way Estates Sewer Plant And Site To Be Removed And Be Replaced With An Acquisition From Fgua In The Future And We Stand Tall In That.

It Looks Like That Will Be Moved Through And Hopefully It Is.

And That We Do Not At Any Point Want Water Or Waste Rerouted To Cape Coral.

And We Will Support You In All Future Efforts Of That.

With That, Thank You Very Much And Thank You For Your Help In This.

Chairwoman Hall: John Gardener Followed By Margaret Banion.

Good Morning Commissioners.

My Name Is John Gardener And I Am Here To Lend Support On The North Fort Myers Community Planning Panel For The Bulk Service Agreement In The Interconnect Between Waterway Estates And North Fort Myers Communities.

The Board Was Active To Come To A Resolution Of This Water Plant, Meaning Waterway Estates And We Encourage You To Approve This Bulk Service Agreement So That The Acquisition By Fgua That You Have Lended Support On Can Go Through.

We Are Not Looking For This Water To Be Placed Elsewhere.

It's A North Fort Myers Issue, We Want It To Stay A North Fort Myers Issue And Appreciate Your Support In That.

Chairwoman Hall: Margaret Followed By Michael Maloney.

Good Morning.

I Am The Co-Chair Of The Smart Growth Committee With Jack Loft.

And We Support The Adoption Of The Code Governing The Community Sustainability Advisory Committee.

The Committee Has Made Significant Strides In The County And In A Positive Way And I Think The Committee Really Is Sincerely Interested In Moving That Forward.

So The Committee As A Whole Voted Unanimously To Support The Adoption Of This Code For Several Reasons.

The First One Was To Keep The Committee Relevant Nationally And Locally.

By Adding The Word Sustainability It Brings The Committee Into The Language That The Nation Is Using For These Kinds Of Efforts.

The Second Reason Was To Provide And To Assist The County In Making This -- Providing For Grant Opportunities And By Using That Terminology It Helps To Support Grant Opportunities That The County May Advance.

And Really To Provide The Opportunity To Broaden And Integrate And Continue To Advance Three Mutually, Supportive Goals.

So Really Want To Thank You For Your Support Of The Committee, Want To Thank You For The Support Of The Concepts In The County.

Chairwoman Hall: Thank You.

Michael Maloney Who Is Followed By Lester Gerden.

Good Morning.

Michael Maloney, I Am An Eight-Year Resident Of Estero And President Of Vote Estero.

In February Of 2008 We Completed And Published Our Feasibility Study And Proposed Municipal Charter.

I Presented The Feasibility Study To The Estero Council Of Community Leaders And Posted It On The Internet.

In The Past Two Years I Would Presume That They Have Had Ample Time To Examine It And Questioned Or Agree With Its Findings.

In The Interim Back In January Of This Year We Had A Forum At The Community Park That Was Attended By 600 Interested Residents Along With Commissioner Judah.

Subsequent To That We Have Presented In Six Different Communities In Estero.

Four Of Them In Conjunction With Don Esslick, The Chairman.

No Time During These Presentations Has Don Or The Eccl Raised Any Objections To The Findings Contained In Our Feasibility Study Or With Our Revenue Projections.

He Did In Fact State At These Presentations That He Is Not Opposed To Incorporation, Just Not Now.

In March The Eccl Passed A Motion At Their Meeting, Not To Support Our Request For Referendum, This Non-Binding Referendum Until We Changed To The Planning District As The Boundaries.

We In Fact Said We Would As Long As The Commissioner -- The Super Visor E-- Supervisor Can Accommodate That.

She Cannot.

The Communities Are In The San Carlos Fire District.

There Is No Way She Can Break Those People Out From The Entire District As They Don't Have The Taxing Or Voting Entity To Which She Could Identify.

We Are Asking That The Honorable Board Pass This Resolution And -- For A Non-Binding Referendum On Election Day, November 2nd Of This Year, In Order To Get The Clear Indication Of The Will Of The People Of Estero On The Issue Of Incorporation.

Be Assured -- Chairwoman Hall: Please Wrap Up.

Be Assured That Should You Vote This Down Today, We Will Continue Our Efforts Until Such Time As The People Have An Opportunity To Voice Their Opinions For The Ballot.

Thank You.

Chairwoman Hall: Thank You.

Lester Gerden Will Be Followed By Jack Meeker.

Good Morning.

My Name Is Lester, I Am On The Board Of Directors On The Vote Of Estero And Has Been Since Its Inception.

Vote Estero Is Only Asking One Thing Of The County Commissioners, That Is The Right Of The Registered Voters Within Estero Boundaries To Have The Right To Vote Yes Or No And Place A Non-Binding Referendum On The Ballot Of November 2nd, 2010.

Vote Estero's Main Purpose Is To Give The Residents Of Estero The Right To Vote.

And That Is The Most Important Right That Any Citizen Of The United States Has.

Vote Estero Is Not Asking The County Commissioners To Decide On The Issue Of Incorporation, But The Right To Vote By The Citizens Of Estero.

I Am Hoping That The Commissioners In Their Deliberation Use Their Most Commonsense Judgment To Reach A Conclusive Decision That Will Afford The Residents Of Estero In The Most Effective And Promising Result, That Is The Right To Vote.

Thank You.

Chairwoman Hall: Jack Meeker.

Followed By Paul Sloan.

Good Morning Commissioners.

Jack Meeker From Estero For The Record.

I Am Opposed To This Measure.

I Think Estero Folks Have Been Well Treated By This Commission And By The County Staff.

They've Listened To Our Concerns And Reacted Positively.

I Don't Want A Divorce.

I Don't.

I Am Happy The Way Things Are Right Now.

We Need To Stick Together In Estero, We Don't Need To Stir The Pot That Doesn't Need To Be Stirred.

We Faced Enough Influences From The Outside World That We Don't Need This.

A Lot Of Comments Have Been Made About We're Going To Save Money, A New Form Of Government Will Save Us Money.

Well, What Are They Going To Do About My Water Bill, What Will They Do About The School Taxes And All The Other Items On This Bill? What About Fire District? The Cost There.

How Are They Going To Affect That Part Of The Tax Bill? They Are Not.

So These Numbers That Come In The Paper About How Much Money Is Going To Be Saved If We Incorporate Are Just In Realistic.

So I Thank You For Your Time.

Chairwoman Hall: Thank You, Jack.

Paul, Will Be Followed By Crista Jewet.

Good Morning Commissioners.

Commissioner Hall.

Board Members.

Thanks For Your Time.

My Name Is Paul Sloan, I Am A Resident Of Waterway Estates, North Fort Myers.

I Live Approximately Two Blocks From The Satellite Water Ways Facility In That Area.

With This I Request That The Commissioners Approve The Inter Connection And Bulk Wastewater Treatment Agreement Between Lee County And The Florida Government Utilities Authority.

On The 14th Of The Month Commissioner Hall Met With Area Residents And Us We Have Reached A Point Of Decision In The Matter Having Two Options.

One To Deal With Cape Coral, Which Is As I See It Would Send Us Back About Six Years.

And On The 18th, The News Press Informed Us That Fgua Will Purchase The North Fort Myers Facility And Thereby Bring A \$20 A Month Rate Increase.

No Small Sum To Many.

With This Option At Least We May Rid This Facility And Free The Island For Better Use By The County And Or Residents, Hopefully Providing Income And Tax Relief To Help Defer A Rate Increase That We Will Most Likely See Any Way.

If The Board Residents Or Anyone In My Particular Area Or County Residents Were To Read Further To Remove The Facility From The Present Riverside Location, The Following Was An Article In Yesterday's News Press.

Quote, Miami, Area Swimmers Are Being Warned To Stay Out Of The Biscayne Bay After An Estimated 20 Million Gallons Of Raw Sewage Was Spilled From The Burst Pipe.

The Miami-Dade Water And Sewage Department Says Water Flowed From The Burst Pipe For 12 Hours.

Unquote.

Are There Any Here To Say We Are Prepared, This Can't Happen To Us.

Please Think Of What Is Happening Now And The Gulf By The Size Of British Petroleum.

Would It Be Appropriate At This Time To Ask For A Show Of Hands For Those Who Might Agree With What I've Said And Perhaps What's Going On With This? Chairwoman Hall: No, We Will Bring It Up As An Agenda Item.

Thank You.

Thank You Very Much.

Chairwoman Hall: Crista Jewet Followed By Nick.

Good Morning.

I Am Here Representing Gasparilla Marina.

They Are Included As Agenda Item 5b And If There Are Any Questions Regarding The Agreement I Am Here To Answer The Questions.

Chairwoman Hall: Thank You.

Nick Betos Followed By Jane Mcnew.

Good Morning Commissioners.

Nick Betos Of Estero.

I Am Here Speaking For Myself And Concerned Citizens.

I Am Here To Request That You Do Not Put The Straw Vote On The Ballot This November As Requested By A Few Individuals From Vote Estero.

I Am In Favor Of Everyone Having The Ability To Vote For Who Should Represent Them, But That Is Precisely Why I Ask That You Do Not Pass This Proposal At This Time.

Number One, A Large Portion Of Estero Does Not Have The Right To Vote For Incorporation.

These Are The People Like Myself Who Live In The Southern Most Area Of Estero That Is Known As The Two-Mile Buffer Zone With Bonita Springs And Until That Issue Is Resolved And These People Have The Right To Vote, I Ask That No Vote For Incorporation Or Sign Of Incorporation Should Be Taken.

Number Two, Another Group Of Residents That Live In The Northern Boundary Of Estero Will Not Be Allowed To Vote In The Straw Ballot Because They Are Not In The Same Fire District.

Three, These Two Blocks Of People Make Up A Large Portion Of Estero And Without Having

The Ability Of These People To Vote For Incorporation Or Possibly Be Involved In A New City, No Straw Vote Should Be Allowed Because No Projections In Any Financial Feasibility Could Be Anywhere Near Being Accurate If They Cannot Be In The New City.

We Are All A Community And To Allow A Vote Without All Of Us Being Able To Vote Should Not Be Allowed.

We Are A Proud Community And We Want To Remain Together.

In General, I Believe There Will Be A Right Time For Us To Consider Incorporation, But This Is Not The Right Time.

When The Time Is Correct For Us To Consider Asking Our Residents If They Want To Be Incorporated, I Would Hope That That Group That Would Be Asking Would Come Before You With Three Things, A Plan That Includes All Of The Residents Of Estero And Which Has Resolved -- Reserved The Right For Their Participation, A Financial Feasibility Plan That Is Professionally Done And Up To Date.

And Most Importantly And Finally, I Would Hope That You Would Expect That Any Group That Comes Before You Would Have A Petition With A Substantial Number Of Residents On That Petition, Not Just A Few People That Want To Have A Separate City.

I Thank You Very Much.

Chairwoman Hall: Thank You, Nick.

Jane Mcnew Followed By Donna.

I Want To Say That What Jack Said I Wholeheartedly Agree With.

Commissioners Have Been Wonderful To Estero.

We Appreciate Everything That Has Been Done To Help Reach Where We Are To Be The Finest Community That We Can Be In Lee County.

I Would Like To Address The Tax District Boundary Issue.

It Seems To Separate Us Northern Communities From Estero, But I Have To Tell You All Of Us Work So Hard To Be Part Of This Community To Support This Community, To Work With You, To Bring Things To Actualize In Our Community And So We Are Strengthened By That And We've Had The Issue Of Our Builders Tell Us We're Part Of Estero Only To Find Out We're In A Community Plan, But We're In South Fort Myers With A Zip Code And Then To Add To That This Comfort And Pain, This Vote Estero Group Shocked Us Terribly By Saying We Were Excluded But We Could Petition After City Hood Is Achieved To Be Joined To The City.

I Have Never Forgotten An Article In The Press And I Wish I Brought It.

And It Said, He Said There Will Be Border Wars On The North.

To This Day I Still Scratch My Head But I Know How Much Work Is Involved To Petition To Come Into A City.

I Look At The South Portion Of Estero And Don't Want Any Part Of That.

I Have A Few Other Remarks I Wish To Make.

We Had A Town Hall And There Were Several Hundred People There And Mr. Maloney And Others Presented Their Position, But The Budget Was Never Made Clear To Us, Never Shown To Us, And I Don't Know Where The Website Is.

But I Don't Feel It's Gained Respect From Anyone That Would Like To See A Strong Budget.

First Of All You Have To Have A Budget That Justifies Moving Forward.

It Is A Big Deal To Incorporate And To Vote For Something.

We Can't Vote For Something We Don't Know Because It Has Terrific Consequences.

We Have Received A Letter From A Gentleman By The Name Of Harry Heist From Fort Myers Beach And He Advised Us Against Incorporation Because It's More Than They Ever Dreamed And It Hasn't Worked Out So Well.

I Would Secondly Speak For Our Communities, We Are 1550 Residents And So Many People And We Speak With One Voice Because I Have Worked With Them For A Long Time On The Zip Code Issue And I Have A Sense Of What They Are Doing.

So In Conclusion, I Would Like To Say That I Feel That Vote Estero Has Not Met Their Burden At This Time And I Would Ask That The Straw Vote Not Be Placed On The November Ballot.

Chairwoman Hall: Thank You, Jane.

Don Followed By Phil Douglas.

Good Morning.

Don From The Eccl.

In March The Eccl Considered This Matter.

We Heard A Lot Of The Same Testimony You Heard This Morning And -- But For Two Member That Is Represent Stone Any Brook Unanimously Rejected The Proposal.

The Problem Is We Don't Have A Credible Feasibility Study.

Nobody Really Knows What It Is That They Would Be Voting On In Terms Of What Incorporation Means.

What Form Of Government Are You Talking About? What Is The Real Fiscal Type Of Thing? Eccl Has Always Supported The Idea That Everybody In Estero Including The People In The Two-Mile Buffer, Including The People In The North End, Should Be Able To Determine How They Are Governed And We Continue To Do That.

If At Some Point In Time The Majority Of The Members Of The Eccl That Represent All Of The Residential Communities In Estero, If They Decide That We Need To Move Forward With Incorporation We Would Develop A Feasibility Study And Go Into Each Community To Discuss It.

And Build Community Support And Come To You And To The Legislative Delegation With Such A Plan.

Where You Would Know You Would Have Widespread Community Support And People Would Know What It Is They Are Buying Into.

That Hasn't Happened.

And Until That Happens I Would Urge You To Reject This Proposal.

As I Say, We Stand Ready At Any Point In Time If The Members Of All Of Our Communities Come To Us And Say We Want To Seriously Consider Incorporation, Then We Will Start The Process The Proper Way.

And Until That Happens I Would Urge You To Reject This Type Of Proposal.

Chairwoman Hall: Thank You.

Phil Douglas Followed By Marilyn Edwards.

Good Morning Commissioners.

For The Record I Am Phil Douglas.

I Am A Resident Of Estero.

I Am A Member Of The Brooks Concerned Citizens And I Live In The Two-Mile Buffer.

I Want To Say That I Am Opposed To Putting This Straw Vote On The Ballot.

It's Easy To Say Let The People Decide.

This Isn't A Broad-Based Effort.

The Three Individuals That Spoke To You Are From A Single Community.

That's A Fact.

They Live In A Single Community In Estero.

That's Not Broad Based.

It Has Nothing To Do With The Sentiment Of The People In This Community.

Let Me Share Some Things With You.

When We Work With The South Water Management District, Where Was Vote Estero? That Was Awol.

Fact.

When Estero Was Finding Requests For New Mining Applications On Corkscrew Road In The Administrative Hearings In The O.C.C. Where Was Vote Estero? They Were Awol.

When Estero I Can't Say Addressing The Interchange At Coconut Road? Where Was Vote Estero? These Are Issue That Is This Commission And The People In Our Community Are Important And These Folks Were Not Here.

They Were Not With Us.

And Yet They Are Telling Us We Need To Incorporate.

I Am Sorry.

They Missed The Boat.

I Would Like To Say A Couple Of Other Things.

To Exclude These Four Large Communities From Voting Is Flat Out Wrong.

It's Unfair And It's Just Wrong.

You Can't Do That.

Secondly, There Are People Living On The East Who Are Rural.

They Don't Want To Be A Part Of Incorporation.

They Would If We Put This Resolution On The Ballot.

They Did A Feasibility Study.

Oh My Heavens.

They Say We're Going To Have A \$13.2 Million Wind Fall.

75%, 75% Plus Of The Revenue Coming From This Feasibility Study, You Know Where It

Comes From? The Two-Mile Buffer.

And We Can't Even Have That Issue Resolved.

This Is Ludicrous To Put This On The Ballot.

I Would Say This, This Issue Is Premature, It's Unnecessary And I Will Tell You Folks, It's A Diversion.

Estero As A Community Of The Day Is Well Represented By The Estero Council Of Community Leaders And The Elected Representatives Right Here In Front Of Me.

We Are Well Represented By You And Have No Need At This Point To Incorporate.

Listen To Those Of Us Who Have Been Involved In This Community On A Day-To-Day Basis.

When We Are Ready To Incorporate, You Will Hear From Us.

It's Not Broke.

Don't Fix It.

Chairwoman Hall: Thank You.

Marilyn Edwards Followed By Abdul.

I Hate To Follow Phil.

Chairwoman Hall: Sorry, Marilyn.

Good Morning Commissioners.

Marilyn Edwards.

I Am A 10-Year Resident Of Estero.

I Am Opposed To Placing This Straw Vote Upon Incorporation Of Estero On The November Ballot.

There Are Too Many Conflicting Issues Which Need To Be Resolved Before This Should Happen.

I Too Live In The Infamous Two-Mile Buffer Zone.

This Area Should Not Be Included In The Projected Tax Revenue In The Vote Estero Feasibility Study.

It Will Include Residents That Do Not Want To Be Part Of The City And Exclude A Number Of Residents That Do Want To Be Part Of The City.

One Of The Communities That Would Be Excluded Named Their Golf Course The Estero Country Club.

They Want To Be A Part Of Future Effort Of Cityhood.

I Think It's Premature To Go Forward With The Straw Vote Until All Of The Conflicting Issues Can Be Resolved And A Consensus Is Reached.

Estero Is A Model Community And Doing Fine Under The Leadership Of The Eccl And This Commission.

Thank You.

Chairwoman Hall: Thank You.

Abdul Amadi, Good Morning.

Good Morning.

I Speak To You As A Public Servant From The Florida Department Of Environmental Protection.

I've Been Working With The County Staff, The Utilities And Public Works Department For A Number Of Years To Address The Issue Of The Water Waste Plant Both Expansion And Disposal Of The Treated.

The Staff Has Done An Excellent Job In Terms Of Looking At All Of The Alternatives In The Previous Several Years.

The Interconnection With The Florida Utility Is The Best Alternative.

We Strongly Recommend That The Commissioners Vote To Approve That.

For The Following Reasons, It Is Consistent With The Southwest Florida Region Resolution That Limits A Minimal Level That Is Hard To Achieve Economically And That Problem Will Be Resolved And The Charge Eliminated.

The Fact That B.P. Is Developing The Daily Load Of Nutrients, In A Nutshell It Determines That Only 10 Pounds Of Nutrients And If It's 12 The Addition Of Two Pounds Needs To Be Removed.

It Will Put A Burden On All The Plants That Are Discharging Currency.

So The Elimination Of This Discharge Will Eliminate That Problem As Well.

And It's Probably In The Long Run The Most Economic Alternative.

Thank You Very Much.

Chairwoman Hall: Thank You.

I Have No Other Cards.

Is There Anyone Else From The Public That Would Like To Speak In -- Yes, Come Forward.

State Your Name.

If There's Anyone Else That Would Like To Speak -- I Just Need A Blue Card.

Thank You.

On The Consent Administrative Or Walk On.

Good Morning.

Good Morning, Thank You Commissioners.

Appreciate The Involvement.

Mike Hansinger For The Record.

24-Year Resident In Cape Coral And 22 In The Same Plant, North Fort Myers Wastewater Treatment.

And The Finest Wastewater Treatment Plant In The World.

Absolutely.

We Have A Good Record There.

I Think The Best Option Is What's Been Stated Already For The Flows To Be Moved To The North Fort Myers Utility.

I Do Think That There's An Option That On The Table, Wouldn't Be Cape Coral, I Believe That The Plant Could Remain With The Options Of The Upgrades That Are Possible.

I Think What Dr. Amadi States Is True, But With The Additional Advances We Have, You Could Accomplish The Nutrient Removals.

But Might Consider This Aspect Of The Plant Remaining With The -- With All The Upgrades And When They Are Necessary.

And As Far As Odors And Complaints, Those Would Be Diminished Over Time As Well.

Thank You.

Chairwoman Hall: Thank You.

Anyone Else? Okay, We Will Get You To Fill Out A Card As Well.

No, She Will Get Him A Card.

Thanks.

Hello.

Marsella With North Fort Myers Water Ways He -- Waterways Estates.

We've Talk Today A Lot Of People Over The Weekend That Strongly Believe This Has To Pass Today.

We Would Like To See Florida Government Utilities Purchase North Fort Myers Utilities And Eliminate The Wastewater Plant From Waterways Estates.

This Goes Back To My Living Room Several Years Ago About 30 People Started To Work On This Project And We've Seen A Lot Of Changes Go On And I Am Glad We've Gotten To The Point Where This Is A Serious Discussion.

This Will Be A Big Decision From Us.

A Lot Of You Remember Me From That.

I Hope Today That You Take Into Consideration.

I Am Begging You To Consider How Important This Is For Us.

It Is For The Concern Of The Environment, For The Use Of The Island, For The Public That It Was Established To Be, We Just Had Our Class Reunion And We Grew Up On The River.

And What Happened To Waterways Estates Where You Could Swim And Use The Facilities And Apparently It's Gone.

It's Very Important That You Think Of Us Today And When You Decide On What You're Going To Do And Vote Yes.

Thank You.

Chairwoman Hall: Thank You.

Yes, Did You Want To Speak As Well? Can You Fill Out A Blue Card? Good Morning.

My Name Is Sarah Catalano, The Man That Said Cape Coral Would Be Okay With Him, I Am Opposed.

I Have Been A Resident Of Waterways For 22 Years And We Liked Waterway Estates.

Our Daughter Just Bought A House In Waterway Estates And The Sewer Plant Is In My Backyard.

Literally.

So The Gentleman That Is Not There When The Big Trucks Come In To Recycle The Waste Before 7:00 A.M. In The Morning.

He Is Not There When They Pull In On Sundays.

It Rattles Like When Someone Is Against You In Your Car And The Radio Is Blaring.

It Rattles The Whole House.

I Am Opposed To Cape Coral Purchasing This Property.

We Need It Out Of There.

It Needs To Be Gone.

We Were There When Hurricane Charley Came Through At 120 Miles Per Hour Winds.

We Are Lucky No Wastewater Went Through At This Time.

Thank You.

Chairwoman Hall: Is There Anyone Else That Would Like To Address The Board On Any Of The Consent, Administrative Or Walk On-Items? Seeing No One.

We Will Go Back To The Board.

It He-- Items To Be Pulled.

Commissioner Mann? Comm. Mann: 6b, 13c.

Chairwoman Hall: Commissioner Bigelow? Comm. Bigelow: I Have Three, 6a, 8a, And 13a.

Chairwoman Hall: And I Have None.

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

All In Favor? Opposed? Commissioner Mann.

6b.

Comm. Mann: I Need Somebody To Give Me An Update On Where This Sad Saga Stands Today.

Who Wants To Try That? This Was A Private Corporation That Tried To Do Something Nice

And Ran Out Of Money And Lost Their Grant.

It Was Two And Three Years Ago Now.

When Will It Go Away? An Arnold Department Of Human Services.

The Foundation Has Been Working To Raise Additional Money.

There Was A Fundraising Report That Was Submitted That They Do Have Private Donations.

They Have Pledges For Matched Funds That Another Donor Will Give Them Additional Money And They Are Working On That And They Are Pursuing Something Called New Market Tax Credit That This Private Money Will Enable Them To Pull Down Additional Funding That They Believe They Can Be Successful In The Next Year To Complete The Project With The Other Sources Of Money.

They Have Our Grant Money.

That Was Not Pulled From Them, But They Have To Compete The Project And Use The Building For That.

They Are Making Progress.

It Is Slower Than Anyone Would Have Liked.

The Contractor Is Working With Them To Move Through This Process.

I Know O.A.K. Would Have Liked The Building To Be Completed, But They Are Working With Them As Well.

It Is Progressing, It Is Just A Lot Slower Than We Would Have Liked.

Comm. Mann: I Know That O.A.K. Is Owed What, \$600,000 Or Some Enormous Figure.

Is That Why We're Kind Of Keeping The Door Open Because They Have Some Chance Of Dealing With That Debt? No -- Comm. Mann: What I Don't See Is A Realistic Hope That This Little Non-Profit Corporation Is Going To Fly Again And I Don't Know -- We're Pushing Two Years On This.

It's Been Longer Than Two Years.

We're Not Keeping The Door Open For O.A.K.'S Sake.

We're Keeping The Door Open Because The Project Needs To Be Completed And Utilized For An Eligible Activity Or The Non-Profit Or Lee County Has To Pay Back -- What Is Our Liability On A Pay Back? \$250,000 That Went Into The Design And Architecture Of The Building With Them Raising The Capital To Build The Building.

Comm. Mann: Could This Just Go On Conceivably Forever? Or Can We Put A Deadline

Somewhere? We Have Put Prior Deadlines.

Federal Deadline Is Pretty Open.

In Having The Building Utilized So You Have The Flexibility To Grant Them The Additional Period If You Think They Have A Viable Plan Of Raising The Money.

If Not, Then We Cut It Off At This Point In Time And We Impose What The Contract Said Which Is If They Cannot Make This Work They Have To Pay Us Back The Money So We Can Pay Back.

Or The Other Option Is Work With The Contractors That Have Liens On The Building And Look For Another Entity Or Group In The Community That Could Complete The Building And Make A Go Of It.

Comm. Mann: A Guy Here's What I Am Hoping That Your Staff Might Review This Thing And Come Up With Some Recommendation, Whether It's Six Months, Maybe A Year.

But At Some Point As I Said Before We Need To Paint Or Get Off The Ladder.

This Just Can't Linger Forever.

And This Request Is A Year Extension Of The Contract.

Comm. Mann: I Pray That Something Happens In That Year.

I Know You Have A Difficult Situation On Your Hand, But It Can't Go On Forever.

I Will Move The Item.

Comm. Judah: Second.

Chairwoman Hall: I Have A Motion By Commissioner Mann, Second By Commissioner Judah, Further Discussion? Commissioner Bigelow? Comm. Bigelow: If They Don't Pay, How Much Do We Have To Pay The Federal Government? The \$250,000.

Comm. Bigelow: But How Much Are They Trying To Raise? They Had To Raise A Total Of \$4 Million To Complete The Project.

Comm. Bigelow: They Are 250 Short Of \$2 Million? No, They Are Closer To The Halfway Mark.

They Paid Some Of The Bills To The Contractor.

They Have A Partial Deficit Of The \$4 Million To Complete The Building.

Comm. Bigelow: Who Makes Up The Difference? The Foundation -- If We Pay The 250 -- The 250 Has Been Paid.

That Is Money Expended For Architectural, All The Predevelopment Costs.

That Was The First Money Into The Project.

Comm. Bigelow: I Am Trying To Figure Out If We Were Not To Pass This Today, What Then Would Happen? We Would -- Their Contract Would End As Of June 30th That Is The Current Contract In Place And They Have To Pay Us The \$250,000 Back And They Would Have To Find A Way To Pay The County Back The \$250,000.

If They Could Not, Then We Would Have To Go To H.U.D. And Say They Could Not Complete The Project.

We Spent This Much Money On It And We Would Have To -- It Passes To Us To Pay Back The Money.

Comm. Bigelow: But O.A.K. Can't Come After Us? No.

They Could Look At Foreclosing On The Building.

Comm. Bigelow: So We Would Have To Come Up With \$250,000 Out Of General Fund.

Okay.

Or We Could Look At Options To Find Somebody Else To Take Over The Building.

O.A.K. Has A Big Say In That Part.

Comm. Bigelow: Okay.

Thank You.

Chairwoman Hall: Any Other Discussion? All Those In Favor? Opposed? The Motion Carries.

Commissioner Mann, 13c.

Comm. Mann: This Has To Do With Motor Repair Contracts With The Utilities Department.

A Couple Of Things I Don't Understand.

What Is A Primary Vendor Versus A Secondary Vendor That Was Apparently The Second Low Quoter And Do They Work Together? And How Is It That They Have The Same Name Rexall Mater, Who Is The Primary Vendor And Mater Electric, The Secondary Vendor.

Good Morning, Lee County Utilities.

I Don't Believe There's Any Relationship Between The Two Companies.

Maybe There Was In The Past And There's Been A Split, But For The Purpose Of This Bid These Are Two Different Suppliers Of The Motors.

The Primary Vendor And Secondary Vendor As I Understand It Were Close In Their Competitive Quotes And It's Not Unusual To Go Ahead And Approve Two Vendors To Give Flexibility In Delivery Quotes.

We Don't Lock Into Each Vendor In Any Guaranteed Minimum Amount In A Given Year.

These Are Qualified Vendors To Provide Us With Motors For Pumps.

Comm. Mann: You Use Both Of Them? We Use Both Of Them.

Comm. Mann: My Other Question Has To Do With This Is For A One-Year Contract With Permission To Extend For Four Additional One-Year Contracts.

And Not Necessary -- Not Required To Go Out On The Street To Look For A New Number.

And As You Probably Heard Me Say On A Number Of Other Occasions In A Time Of Recession When Contractors Are Giving Us Outstanding Bids, I Hate To Tie Up Anything For More Than A Year, Two Years At The Most.

What Happens When You Guys Leave Here And Go Back It Kind Of Gets Locked In, The Paperwork Is Done And We Have Approved A Five-Year Contract.

And I Need Some Assurance That A Year From Now We Will Look At This Again, Particularly When We Have -- Oh, Here Comes The Purchase Lady To Help You Out Here.

Absolutely.

Janet Sheehan For The Record.

What We're Doing Currently With Our Contracts Where They Happen To Be A One-Year With Four-One-Year Renewal Options Is We're Looking Whatever Is In The Best Interest Of The County.

We Contact The Vendor, The Requesting Department.

We Are Negotiating And I Think You Will Be Surprised To See How We Have Negotiated The Prices Down.

Some Of The Vendors Have Been Given Up Their C.P.I.'S To Work With The County.

If We Will Not Be Able To Get The Prices Down, Then We Will Work With The Department To Go Back Out And Bid The Commodity Or Service Again.

So You Do Have Our Guarantee That We Are Looking At Each Year.

Comm. Mann: Thank You.

You're Welcome.

Comm. Mann: Somebody Else Can Move It.

Comm. Judah: I Make The Motion To Move The Item.

Chairwoman Hall: I Have A Motion By Commissioner Judah, I Will Second It For Discussion? All Those In Favor? Opposed? The Motion Carries Unanimously.

Commissioner Bigelow, 6a.

Comm. Bigelow: Thank You.

Let Me Read The Actions Request, It Says To Approve Submission To Grant Application And Substantial Amendments To Existing Funding To Board Recess From July 7 To August 9th As Necessary As Designating The County Manager As The Official Representative Authorized To Take Such Action.

And Because We're Taking This Recess We Have To Pass The Gavel If You Will To The County Manager, Otherwise We Would -- This Is A Question, Otherwise We Would See These On The Agenda For Approval, Right? Okay.

In Light Of The Fact That We Won't See Them, How Will We Know What Is Assigned? We Will Make Sure The Board Is Copied On Anything At That Time.

Comm. Bigelow: I Have Another Question, I Guess.

It Says That We Are On Recess From July 7 To August 9th.

My Calendar Has A Tentative Board Meeting Scheduled On August 3rd As Well As Maybe A Budget Hearing.

Can We Get Some Clarification On That? Commissioners, You Are Setting The Millage For The Term Purpose On July 6th.

August 3rd Was A Place Holder.

It Is The Last Day You Could Do It To Get It To The Property Appraiser, But We Believe We Can Get It Done On July 6th.

Comm. Bigelow: So The Next Time This Board -- The Well, The Board Will Convene August 10th Then, Right? For The First Public Meeting? Okay.

Thank You.

That's All Madam Chair.

I Will Move The Item.

Chairwoman Hall: I Have A Motion By Commissioner Bigelow, A Second By Commissioner

Judah, Any Further Discussion? All In Favor? Opposed? Motion Carries.

Commissioner Bigelow, 8a.

This Is Instructions For The Lee Hendry Landfill Wheel And Chassis Wash With Paving.

Lindsey, Can You Tell Me Landfill Wheel And Chassis Wash With Paving.

I Guess I Am Missing Something.

Good Morning.

Lindsey Sampson For The Record.

This Is A Facility To Wash Our Trucks And Paving Will Be Associated With It.

Basically A Drive-Thru Wash Facility That Is Sues Today Wash The Underbody Components Of A Vehicle.

Comm. Bigelow: Okay.

And If This Doesn't Pass, Is This Something You've Been Doing Without? Yes, We Have.

We Do Hand Washing, But With The Hand Washing It's Difficult To Get The Underbody Parts And We Have Some Significant Maintenance Issues Then With Respect To Not Being Able To Thoroughly Clean The Underbody.

Comm. Bigelow: Okay, It's \$260,000 And We're Kind Of In A Budget Crisis And When I See These Numbers, First Thought -- It Will Improve Our Maintenance Cost Requirements.

Comm. Bigelow: Mr. Lavender, This An 8.8% C.M. Fee? That Seems To Be A Little High.

Higher Than What We've Seen Previously.

It's Primarily On The Value Of The Project.

For A Quarter Of A Million Dollar Range Project The Percentages Are Higher For Lower-Cost Project And Of Course The Percentages Are Generally Lower On A Higher-Cost Project.

The Dollars Still Amount To The 19,000.

Comm. Bigelow: Okay.

I Was Asking The Public Works Director Because He And I Have Talked About The Contracts Often.

Recently We Talked Privately About One That Came Before Us With The New Red Sox Stadium And I Asked The Public Works Director If The C.M.'S Self Perform, Mr. Lavender Said Sometimes They Do.

Will They Be Self Performing Under This Contract? Very Little.

The Largest Portion -- Two Largest Portions Of This Contract Are An Outside Purchase For Equipment For The Washing System Itself.

It's A Recycle Water Capture Water And Reuse Water System.

And Then The Other Portion Is Paving.

Both Of Those Components Will Not Be Performed By The C.M. Comm. Bigelow: But The C.M. You're Saying Will Self Perform? Could Be Small Portions Of The Project, But I Can't Say Anything Specific.

Under This Type There Will Be Virtually All Contract And Subcontracts.

Comm. Bigelow: There's Some Confusion About How Much C.M. Can Self-Perform.

I Am Hoping You Can Maybe Help Me Understand.

Remember You Were With Me When Mr. Lavender Explained In Some Cases They Can Self-Perform? According To Some Policies In The Contract Manual Is In Place, Can You Provide Me With Something Definitive So I Know The Gray Area? Commissioner Bigelow, There's Nothing That Is Set Where It Says They Can't Perform Beyond A Certain Percentage If That's What You're Looking For.

It's A Matter Of Certain Convenience.

If There Is A Function That Is More Ready And Less Expensively Performed By The C.M.Ms. Helen -- C.M. Then They Do That.

Ordinarily They Do Not Perform.

We Ask Them To Perform The Oversight For The Subcontractors But In Those Instances Where An Opportunity Is Presented Where They Might Do A Small Amount Of Work Because It's More Convenient To Do So, It's A May.

They May Perform.

As Mr. Lavender Explained, We Stay Away From That.

If It's To Our Advantage Where The C.M. Does Work, We Allow Them To Do It.

Comm. Bigelow: I Have To Tell You Your Opinion Here Is In Conflict With Another One Of Your Attorneys That Opined C.M.'S Can't Perform.

I Will See That That Is Corrected.

Comm. Bigelow: That's All.

I Will Move The Item.

Comm. Judah: Second.

Chairwoman Hall: I Have A Motion By Commissioner Bigelow, A Second By Commissioner Judah.

All Those In Favor? Opposed? The Motion Carries.

Commissioner Bigelow, 13a.

Comm. Bigelow: This Is To Transfer Funds.

All Things Being Relative For The East Lee County Sewer Management Replacement Project Two.

I Am Pulling This Item -- Doug, I Don't Need You To Address It, But Here's A Question I Have And Something That I Am Trying To Get A Handle On In Light Of Some Discussions We've Had.

The Clerk Looked At Some Contracting Processes Recently.

And I Am Trying To Determine How It Is That Monies Can Get Moved Around Without Board Consent And Be Spent On Something That We Have No Idea This Is Taking Place? So I Would Like To Know If Someone, Either County Attorney Or County Management, Could Share With Me -- Doesn't Necessarily Have To Be Here, But At Some Point, How When We Set A Budget.

When We Establish The County Budget, What Are The Parameters For How That Money Is Being Designated? Because I Am Seeing Some Instances Where Money That I Would Assume Would Be Spent For Transportation -- Obvious Transportation Projects Or Goals Are Being Spent On Washington Lobbyists And I Can't Figure Out How That Is Taking Place When We Are Approving A Budget For Transportation Department.

Chairwoman Hall: Mr. Bigelow, I Would Like You To Stick To The Agenda.

If You Have A Question Specific To This Agenda Item, Let's Get Back To The Table And Under Management And Planning We Can Go Over A Bigger Picture.

What Is The Question On This Particular Agenda Item.

If You Don't Have One, I Will Ask For A Motion For Approval Or Disapproval So We Can Move On To The Agenda.

Specific To This Agenda Item.

What Is Your Question? Comm. Bigelow: I Appreciate Your Suggestion That It May Not Be Relate Today This Item, But We Are Being Asked To Transfer \$54,000.

Yes, What Is Your Question? I Am Asking The County Manager Or County Attorney To Tell Me In What Cases Is The County Management Transferring Money And We're Not Is This Is A Small Sum Of Money, Okay? But Figures Much Larger Than This -- Chairwoman Hall: Commissioner Bigelow Low, That Is Not On Our Agenda Today And I Am Happy To Put It On An Agenda But Is Your Question On This Transfer? I Recognize Your Concern And You Feel You Need To Discuss This In An Open Meeting.

Happy To Do It.

It Will Go On The M & P Meeting.

What Is Your Question Specific To This Item? Bring It Under The Issue Of Transferring Money.

That's What This Action Item Is Requesting.

Transferring Money.

I Am Okay That We Are Transferring Money As Elected Body.

Right In Front Of The Public Advertised To Do So, It's When It's Happening And Not Advertised And The Public Is Not Aware Of It And I Am Not Aware Of It And It's Happening For Dollars Larger Than This For Junk -- Chairwoman Hall: Commissioner Bigelow, I Will Call A Point Of Order Because I Don't Know What You're Speaking Of And I Don't Appreciate The Tone -- It's Not Appropriate And Under Professionalism I Am Asking You If You Want To Have An Issue Specific And Want To Bring It Up I Am Happy To Accommodate A Full Disclosure And Discussion On Whatever It Is You're Talking About.

But To Try To Segue In This Particular Item On The Agenda, It's Inappropriate.

Nobody Here Is Prepared To Answer Your Question And The Insinuation You're Making Is Not Appropriate To The Staff Or The Public.

Under This Issue, What Is Your Question And If You Want A General Question And Want The County Manager Or Attorney To Say When Is It Appropriate For A Transfer To Be Made To The Board And When Are They Done Internally Without Board Approval? That Is A Question.

We Can Answer That Question.

Beyond That Question I Will Not Allow That Conversation To Concur But I Will Offer An Opportunity At M & P To Bring Up What You Are Talking About.

Comm. Bigelow: Right, You Probably Do Know More About It.

Chairwoman Hall: Please, Do Not Put Words In My Mouth Or My Brain.

I Am Asking You A Simple Question.

What Do You Want To Know About Today? Comm. Bigelow: I Have No Problem With That.

Comm. Judah: Second.

Chairwoman Hall: I Have A Motion By Commissioner Bigelow, A Second By Commissioner Judah, Under Discussion? Commissioner Bigelow? Comm. Bigelow: I Want To Know What Is The Policy In Place That Allows The County Management To Transfer Money? We Have To Transfer This Publicly.

The County Management Is Transferring Money Not So Publicly And I Would Like To Know Why Or How It Is That That's Being Allowed To Take Place? Chairwoman Hall: That's Your Question? County Manager, You Would Like To Answer That? Thank You.

What We Can Do Is Sent You The Policy Down.

This Issue Specifically Is For You All To Approve.

That The Issue That We Discuss Previously I Will Get You That Policy.

Chairwoman Hall: And We Will Be Happy To Accommodate You.

Let My Office Know What You Would Like On The M & P.

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

Next We Will Move On To The Administrative Agenda Which Is Say Proved Media Settlement.

Comm. Judah: Move The Item.

Chairwoman Hall: I Have A Motion By Commissioner Mann, Second By Commissioner Judah? Further Discussion? All In Favor? Opposed? The Motion Carries.

Next The Letter Of Understanding Submittal? Good Morning, Commissioners.

I Have A Handout For You.

For The Record.

Paul O'connor.

I Asked This Item To Be Moved From The Consent Agenda.

The Local Planning Agency Met And Reviewed This Item And Proposed Two Changes To The Item And I Tabbed And Highlighted Where The Changes Are.

And I Will Read Them Into The Record Quickly And We Can Move On.

The First Change Is The Addition Of A Bullet Of Page Three Under The Topic Of Live Ability That Talks About Urban, Suburban And Rural Areas.

To Ensure They Support The Design, Development Pattern, Form And Land Use Pattern.

And The Second Is Page 8.

They've Added Specifically Research And Development To The List Of Things To Investigate To Expend The Local Economic Opportunities.

Chairwoman Hall: Great.

Comm. Judah: Move As Amended.

Chairwoman Hall: I Have A Motion By Commissioner Judah.

A Second By Commissioner Mann.

Under Discussion? All In Favor? Opposed? The Motion Carries.

5a.

Comm. Judah: Move The Item.

Chairwoman Hall: I Have A Motion By Commissioner Judah, A Second By Commissioner Mann.

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

The Agreement To Approve The Bulk Agreement.

Comm. Judah: Move The Item.

Chairwoman Hall: I Have A Motion By Commissioner Judah, A Second By Commissioner Bigelow.

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

Next 14a.

[Reading Item] Comm. Judah: Move The Item.

Chairwoman Hall: I Have A Motion By Commissioner Judah, A Second By Commissioner Mann.

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

Next We Will Move On To Public Hearing.

First Public Hearing 9:30.

Do I Have To Have Anything Read Into The Record.

I See Don Leonard Coming Forward.

Thank You.

And Kim, I Haven't Forgot You.

Thank You.

Good Morning.

Dawn Leonard.

I Have An Affidavit Of Publication With Respect To Ordinance Amending The Lee County Land Development Code Pertaining To Unauthorized Communication Provisions.

The Ordinance Before You Is -- Amends The Unauthorized Communication Provision To Make It Clear That Any Action Before The -- That Comes Before The Board Of County Commissioners And A Code Enforcement Case Cannot Be Discussed With Any Commissioner.

If There Is The Fix To The Code Enforcement Case Involves A Rezoning Or A Decision That Would Normally Come Before The Board Of County Commissioners As A Zoning Decision.

That Is The Genesis Of Why This Was Done.

It Cleans Up The Unauthorized Communication Provision And Makes It Clear When People Can Talk To You And What They Can Talk To You And The Hearing Examiner.

Chairwoman Hall: Any Questions? I'm Sorry? Did You Say Yes, Commissioner Bigelow?  
Comm. Bigelow: Yes, I Was Going To Ask.

It's Been My Practice And I Would Like To Get An Opinion From You Before I Start To Talk To Somebody And Find Myself In A Situation.

Is It You Or To Whom To I Address My Questions When I Have To Come Up? You Can Address It To David Owen Or Any Of The Attorneys In The Land Use Section Would Probably The Most Appropriate.

Chairwoman Hall: Is There Anyone From The Public That Wishes To Address The Board On This Item? Seeing No One.

I Will Close Public Xhen And Come Back To The Board.

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

Further Discussion? All In Favor? Opposed? It Carries.

Move The Item Madam Chair.

Chairwoman Hall: I Have A Motion By Commissioner Judah, A Second By Commissioner Mann.

I Need To Enter An Affidavit Into The Record With Respect To The Publication Of This Ordinance.

It Is Legally Sufficient And You May Proceed With The Rest Of The Adoption As It Is A Public Hearing Providing The Affidavit To Your Clerk.

Chairwoman Hall: Is There Anyone From The Public That Wishes To Address The Board On This Item? Seeing No One, I Will Close Public Comment.

I Have A Motion And A Second? Further Discussion? All In Favor? Opposed? The Motion Carries. Next We Go On To Walk-Ones And Carry-Overs.

The First Is To Approve A Transfer Of Tax Reserve I Have A Motion By Commissioner Judah? Second By Commissioner Mann.

Walk On Number Three.

[Reading Item] Madam Chair.

Chairwoman Hall: Commissioner Mann? Comm. Mann: Thank You, Madam Chair And Thank You All Of The Estero Residents That Have Taken The Time To Come Up Here This Morning To Express Themselves On It.

I Think It Needs To Be Said, But I Will Say It Any Way.

For The Record, I Don't Know Of Any Geographic Area In Lee County That Is More Politically Astute And Positively Motivated To Participate In The Local Government Than All Of The Citizens In Estero That I Had The Pleasure Of Working With And Representing Most Of You As Part Of My District Five.

I Thank You For Your Concern About Your Government And How It Works And Your Willing Innocence To-- Willingness To Participate.

About Four Years Ago This Issue Was Going On About The Discussion Of Incorporation Of Estero And Where The Boundary Would Be And The Pros And Cons, Fiscal Scenarios And That Sort Of Thing.

It Has Continued And I Followed It Closely And Frankly Been Kind Of Pleased That It Never Got Here Because It Seemed Like There Was A Lot Of Discussion Going On And There Were Things That Were Not Yet Resolved.

But It Continues On And The Vote Estero Group Has Asked Me On Several Occasions If I

Would Consider Bringing It Forward So We Could Put It To A Vote Here As To Whether Or Not We Wanted To Put It On A Straw Ballot In Estero For The Citizens To Speak To.

And If There's Anybody Watching Via The Television, I Think It's Important To Point Out That When We Talk About A Straw Ballot, It Doesn't -- The Results If It Passed 100% Would Not Make A City In Estero.

It Would Simply Express The Willingness Of The Citizens To Move Forward And The Continued Discussion And Give Them The Credibility To Take Their Issue To The Legislative Delegation That Is The Group That Could Then Put It Officially On A Ballot For An Up Or Down Vote And It Would Accompany A Proposed Charter And The Details Including The Boundary.

I Wish It Were Easier To Deal With The Boundary Issue Here Today.

It's Not The Easiest Way To Address A Straw Ballot.

It Is The Way It Is Proposed To Us And It Works Best For The Election Supervisor Office.

The Result Of Which Would Not Be Perfect But It Would Give A Fairly Clear Direction As They Say In All The Polls Within The Margin Of Error.

It Would Give An Expression Of The Majority Of Citizens Affected.

If They Want To Carve Out Specifically The Boundaries That Would Be A Part Of The City.

So Today Our Purpose Here Is To Try To Put This Issue To Bed.

I Think If The Citizens Vote No, I Doubt We Will See It Again For Four To Maybe Six Years.

Probably At Some Point In The Future A Corporation In Estero Will Be On The Ballot And The People Will Get A Chance To Speak To It, But I Think It Has Enough Discussion Is Far That We Should Give Them An Opportunity To Vote This Up Or Down As To Whether They Want To Pursue It.

That's All This Would Bring About.

This Is Not One Of Those Life Or Death Issues.

The Estero Community Gets Along Very Well.

I Have Attended A Couple Of Meetings As A Guest Of Mr. Bosch And That Group Wanted To Move Forward In Corporation.

So I Know There Is Some Strong Feeling In Direction.

These Are My Comments.

I Might Have A Closing Comment If We Can Get A Motion, But I Appreciate The Opportunity

To Kick It Around Here For A Minute And Hear What My Colleagues Feel About The Issue.

Comm. Judah: Madam Chair? Chairwoman Hall: Yes.

Comm. Judah: I Think We Heard From A Number Of Speakers Today.

Phil Douglas Summed It Up Well When The Estero Community Is Interested In Going Before The Voters To Determine Whether Or Not It Would Be Appropriate For Estero To Incorporate, We Will Hear From The Community.

We Will Hear Loud And Clear From A Cross Section Of The Estero Community.

That's Not Occurring Today.

Madam Chair, What I See Today Is Actually More Of The Divisiveness That Has Been Created By This Group Vote Estero.

We Have Had A Wonderful Partnership, Lee County Government With The Estero Community Largely Because There Are Good Folks With The Estero Community Planning Panel.

The Community Leaders, The Estero Chamber Of Commerce That Has Gotten Directly Involved In Many Of The Issues That Have Been Challenging, But Have Been Appropriately Addressed To The Benefit Of The Estero Community And Whether It Be The Edison Farms Request For Drainage Ditches, Through The South Florida Water Management District That We Prevailed On, Whether It's The Interchange There At Edison Farms And I-75 Which We End Up Prevailing Upon, Whether It's The South Lee County Watershed Management Study That We Recently Prevailed Upon With Regards To The Decision Not To Install The I-75 Culverts.

The List Goes On And On.

The Planning Efforts, The Adherence To The Estero Communities Concerns About Compatibility And Design Features For Upgrade And Provide For Appropriate Planning And Design Efforts In The Estero Community.

The Folks Directly Involved In The Trenches Are Not Requesting At This Time To Consider To Incorporate.

Whether It's A Straw Ballot Or Not.

The Lack Of A Credible Feasibility Study.

The Two-Mile Buffer That Is Still In Question.

The Fact That You Have So Many Communities That Have Been Involved In The Planning Efforts That Are Not Within The Fire District Boundaries.

There's Some Problems And Issues That Have To Be Addressed And I Like The Fact What

Don Had Said Is That There Will Be A Time When Everybody Within The Planning District Will Have Ample Opportunity To Provide A Credible Feasibility Study Where In Which There Will Be Buy In On The Two-Mile Buffer To Make A Formal Presentation To The Delegation.

Without That It's Just Premature And Inappropriate To Move Forward Today.

Chairwoman Hall: Okay.

Any Other Comments Or A Motion? I Guess We Need A Motion.

Eye Will Move It.

Chairwoman Hall: I Have A Motion By Commissioner Mann.

Is There A Second? Do We Have A Second? I Have A Motion On The Floor Is There A Second? So I Can't Have A Second To Talk? Chairwoman Hall: I Have A Motion On The Floor.

If The Motion Maker Wants To Remove The Motion For You To Talk, I Have A Second.

Can I Make A Point Here? Chairwoman Hall: I Do Have A Motion And It Can Fail For Lack Of A Second.

I Will Withdraw The Motion So Commissioner Can Speak.

Chairwoman Hall: Thank You.

Commissioner Bigelow, Point Of Order, You Are Allowed To Have A Comment.

Comm. Bigelow: I Am Allowed.

I Have To Put Something Up On The Record And Make It Publically And Well-Known Because It Seems To Be That Somehow I Have Placed On The Spot To Account For Something That I Said Privately And I Put It In Emails To Try To Get In Front Of It.

In Front Of Maybe A Rumor.

Somehow I Was Trying To Step In Front Of The Two Commissioners That Share Some Of The Area Of The County.

Well Outside Of The District I Represent And That I Somehow Am Trying To Insight Or -- I Commend The Time Shared And Whether Or Not A Straw Vote Was Appropriate And I Said Yes, But -- And Then It's The Stuff That Comes Next That Is Really Important.

Let Me Also Say That I've Met With The C.C.L. And Suggested In The Talk That There Will Come A Time When Estero Will Incorporate And They Are So Much Closer Than Lehigh Is.

The Time Will Come When It Will Be Appropriate And Right, But Given The Boundary Wars That I Think Ms. Mcknew Quoted, Without Having Those Addressed And The San Carlos Fire

Protection Services, The Fire Chief Has Given Us A Letter.

You Might Be Interested In It.

It's Date Stamped Today.

I Know That The Fire District Has Some Concerns.

The Estero Has Some Issues With The Boundaries.

I Think Maybe Rather Than Try To Push This To The Ballot To Force The Vote, And I Do Agree With Commissioner Mann, That This Would Settle It For Some Time.

I Agree With That, So There Is Some Benefit To Having The Vote Because Then It Will Sit On A Shelf For Quite A Long Time, But What I Believe We Could Do To Help This Issue Become Less Divisive Is To Help The Biggest Aspect Be Resolved And As We As A Body Would Take A Position That The Two-Mile Buffer With Thecity Of Bonita Springs Be Resolved With The City Of Bonita Springs And That We Would Take A Position That We Would Support That Waiver.

And Then We Could Sent That To The City Of Bonita Springs And See If They Would Respond And Then Be A Participant In Trying To Help These Boundary Wars Not Be So Volatile.

That Would Be My Compromise To The Issue Before Us Today.

Because I Have To Tell You, This Caught Me Very Much By Surprise This Week And I Am Not Ready To Honestly Hold A Vote.

Madam Chair, If I May.

Chairwoman Hall: Commissioner Mann.

Comm. Mann: This Is One Of Those Issues That Sort Of Basic, Where The People Have Been Discussing An Issue And Since The Government Belonged To The People It's Difficult For Me To Not Give People An Opportunity To Express Themselves From Time To Time On Issues They Can Decide.

That Is My Thinking In Bringing This Forward Today.

I Am -- All Of The Presentations Were Great And Sincere, But I Had To Think In 1776 When King George Heard The Colonies Murmuring For Independence That He Would Probably Said, You Know, This Is Divisive And Premature.

I Am Sorry.

Out Of This Is One Thing That Will Be Good.

And I See Mr. Esseck Here.

I Think This Is One Time You Guys Are In Complete Accord On An Issue And I Think It Needs To Be Noted For The Record.

So I Will Play This Out And Let's See What Happens.

I Will Move The Resolution.

Chairwoman Hall: Okay.

I Have A Motion By Commissioner Mann.

Is There A Second? Comm. Bigelow: Yes.

Chairwoman Hall: A Second By Commissioner Bigelow.

Further Discussion? Comm. Judah: This Has Nothing To Do With King George.

It Has Everything To Do With The People.

Chairwoman Hall: I Hate When These Things Come On As Walk-Ons.

It Bothered Me That This Was A Walk-On Item Number One.

And Because You Have A Great Telephone Network You Guys Knew About It.

It's A Very Serious Issue.

I Believe That Opportunities To Put Things On The Ballot -- There's Clear Direction To Put Things On The Ballot And If This Is Such A Movement That Obviously The Voting District Is Small Enough, Petitions Are Easy.

You Went Out And Meant With Hundreds Of People, There Should Have Been A Petition For Those People To Sign To Put It On The Ballot.

I Don't Understand -- I Am Trying To Gather Looking At The Information That Was Provided, I Wouldn't Even Know What I Was Voting On If I Was A Voter.

I Don't Have Enough Information To Say Do I Want This Or Do I Not Want This.

The Question Is And That's Where I Struggle With This, In The Sense That I Think We Could Use All Kinds Of Words To Make It Right And Make It Wrong This Time.

And Does That Play Out A Lot On This Board With We Favor Sometimes And We Switch Around And Dis Favor Next Time.

It's The Same Thing.

I Am Not Comfortable With This Item.

I Think There's A Serious Issue.

I Do Not Have Any Issue With Incorporation, Any Community Incorporating.

That's Not For Me To Decide, But What It Is For Me To Decide If The Issue Is Coming Forward That It Be Done Well And The Whole Community Be Informed And Acknowledge This Is Something That They Want The County To Do.

I Prefer On These Items There Is A Petition Process Because It's Simple And There's Not That Many Signatures Required.

Then I Do Believe People Do Get To Ask Questions Better Than In This Form.

I Can't Support The Motion, But With That Is There Further Discussion? All Those In Favor? Commissioner Bigelow.

Comm. Bigelow: Thank You.

This Is Going To Be A First.

A First Time I've Seconded A Motion And Voted Against It.

Because I, Like I Said Earlier, Believe We Could Do A Lot More Good For Both Sides Of This Issue If We Would Help The Boundary Issue Be Resolved And I Would Still Like To Make That Pitch That We Do That As A Body That We Ask Bonita Springs To Formally Waive The Boundary.

They Know And It's Quite Clear The Residents Within The Two-Mile Buffer In The Estero Area Are Not Interested In Being Incorporated Into The Bonita Springs Municipality.

Thank You.

Chairwoman Hall: Further Discussion? All Those In Favor? All Those Opposed? The Motion Fails With A 3-1, Commissioner Judah, Hall And Bigelow Dissenting.

Okay.

Then We Will Move On To Carry Over -- Walk-On Item Four.

[Reading Item] .

Can I Have A Motion? I Have A Motion By Commissioner Judah.

A Second By Commissioner Man.

Further Discussion? Anything You Need To Point Out To Us? Thank You.

Steve For The Record.

Just Wanted To Point Out That And I've Got A Copy For You To Update The Town Council Did Approve The Interlocal Is Slightly Different In Two Places From The Version That Was Distributed For Your Consideration.

They Are Related To The Easements Specifically In Sections 2b And 3d.

We've Clarified The Process For Those People That Have Not Requested A Release From Their Easement Will Go Through That.

The Town Will Notify Them, Receive Their Clarification Back And Notify The County And We Will Act Upon That.

It Makes It Clear On How To Proceed And Another Small Change Was A Clarification That The Town Gets To Replenish The Cost Proponent.

They Were Afraid It Might Catch Them In A Bad Place Should A Change Order Come Up So That Was Clarified In Section 2e.

Comm. Judah: Madam Chair? Let Me Thank Steve, Thank You For Working With Staff And Fort Myers Beach For Entering Into This Partnership For Renourishment Project.

I Am Thankful That We Can Go Forward.

I Did Want To Ask You Timing Wise Given The Situations That You Can't Disregard Obviously With The Oil, Even Though We Seem To Be Probably Least Likely To Be Impacted, Will This Situation Have Any Bearing On The Permitting On The State To Move This Project Forward? No, As Far As The Permitting Goes Based On The Conversations We've Had, We Don't Need Any Additional Permitting From The State On This.

And Further There Are Emergency Order Which Are Issued Now Does Provide Us Great Flexibility For All Of Our Beaches Should We Have Any Issues Where Sand Needed To Be Removed For A Cleaning Purpose To Allow Us To Place It Back In An Efficient Manner.

Comm. Judah: When Do You Feel You Will Anticipate Commencement? We Want To Begin Construction Before The End Of The Year.

We Are Ready To Roll Into The Specifications As Quickly As We Can.

Chairwoman Hall: Commissioner Bigelow? Comm. Bigelow: Steve, Where Is This? Can You Show Me In Here The Area? The Document That I Handed Out Is The Latest Version And What It Does Not Have Is The Reference To Exhibit A That The Town's Attorney Did Not Transmit To Me.

That Is Quite Simply A Graphic Description.

It Will Not Be Expanded To Include The Lands That We Are Yet To Close On? The Text Does Allow Us To Expand At The Board's Discretion And Board's Cost.

Chairwoman Hall: We Don't Own That Land Yet.

Comm. Bigelow: I Know, But Isn't It A Foregone Conclusion? Not Just The Land, But -- That We Will Be Buying, Assuming Earth Doesn't End.

And The Fact That The Walk Between The South Of The Pier Is Impeded.

I Mean You're Walking And Sometimes In Knee Deep Or Higher Water To Continue Your Walk Down The Beach.

I Don't Understand Why We're Not Going Ahead -- The Contingency Is There For Us Once We Own The Property.

That's Why Steve Said The Option Is There And Then We Can Bring It Back And Then We Can Put It In There.

Comm. Bigelow: I Am Trying To Push To Do It Today.

Chairwoman Hall: We Don't Own It Yet.

Never Mind.

Comm. Bigelow: Thank You.

When Can We See The Issue Come Back To Us So We Might Be Able To Expand The Renourishment? Our Recommendation Would Be Just To Build That Into Our Construction Bid Schedule When We Get To That Point.

If We Have Closed Or It's Imminent We Can Build And Even If We Don't Have A Specific Location We Can Build In A Quantity That Would Be Additional Fill To Be Placed.

The Pier Does Represent A Physical Barrier For The Contractor That Is A Complication But We've Intentionally Made An Abrupt End To The Fill So Some Will Spread South And Will Help In That Situation, But Our Recommendation Is The Best Way To Handle It Is See Where We Are When It Comes Time To Put The Bid Schedule Together.

Comm. Bigelow: Here's What I Am Trying To Avoid.

We Are Going To Renourish This And If This One Area In Front Of The South Of The Pier There Isn't Renourished, Folks Will Be Calling Us Questioning, You Know, What Were We Thinking? That We Didn't Extend This To Lands That We Had Already Decided We Were Going To Acquire.

It Just -- Kind Of One Of Those Scratch Your Head Commonsense Things That I Would Think We Would Go Ahead And Try To Sooner Than Later Include It.

And I Guess Everybody Seems To Be Saying No, We Will Wait.

And Then We Will Wait For The Phones To Ring.

And Then People Say You Had This New Property And Look How Difficult It Was To Continue Walking Across There.

Commissioner, My Only Other Comment, That Exhibit Is Only For The Purpose Of Our Agreement With The Town And The Town Has Indicated They Don't Want To Participate In A Project That Goes Further South And Don't Want To Impede Us In Any Way.

We Have Discretion To Do Whatever This Board Directs Us To Do South Of The Pier Or Anywhere Else At The Time You Give Us That Direction.

Comm. Bigelow: I Would Like To Give You The Direction Sooner Than Later.

We Might As Well Plan To Go Ahead And Do It.

It Seems To Make All The Sense In The World.

And If It's Not Included Here I Would Like To See It Soon.

Chairwoman Hall: Any Further Discussion? All In Favor? Opposed? The Motion Carries.

Commissioner Bigelow, Would You Like To Make A Motion To Instruct Staff Now That We Are Done With The Agreement On The Renourishment Because It's A Separate Issue.

This Is Just To Approve The Agreement That Is Not Part Of The Agreement.

Or Do You Want Them To Go Forward And Come Back To Us? Comm. Bigelow: I Think It Will Be Like A Lot Of Instances Where I Try To Put It Out There And Don't Take Action And Later Have To Take Action.

And The Fgua Agreement Is Another One.

Chairwoman Hall: It Is One Of Those What? Comm. Bigelow: Another One Of Those.

We Will Get There.

Comm. Judah: I Was Ready To Second The Motion.

Chairwoman Hall: I Am Offering You The Opportunity Because It Wasn't Part Of This Agenda Item.

I Have A Motion By Commissioner Judah To Authorize Staff To Renourish The Property.

I Will Second It -- The Amen Was A Second.

Chairwoman Hall: Usually It's I Second.

Amen, I Will Acknowledge As A Second.

I Have A Second By Commissioner Bigelow.

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

Well, We Got A Carry-Over.

Approve A Change Over General Consultant In Traffic Engineering.

Move The Item.

Chairwoman Hall: I Have A Motion By Commissioner Judah, Do I Have A Second? I Will Second It For A Discussion, Madam Chair? I Was Cautiously Optimistic That When This Issue Came Back To This Board Today That We Would All Be On The Same Page.

The Audit Was Done.

No Wrong Doing Was Determined.

We Recognize The Importance Of The Consultant And What They Recommend To The County In Terms Of Grant Fundings They Have Been Able To Capture.

I Will Let This Board Know That At A Recent Climate Workshop I Just Attended In Fact Shared For The Regional Council There Was Hope With The Help Of This Consultant We Could Facilitate Ways To Incorporate The Pace Legislation, The Property Assist Clean Energy Legislation As An Opportunity For Our Residential Property Owners To Have An Affordable Option To Install Solar Water Heaters Where In Which The Property Owners Would Be Assessed On Their Tax Bill As Opposed To The One Lump Sum Up Front Payment Recognizing That Solar Water Heaters Can Reduce Energy Bills By 30% To 40%.

It Seemed Like A Good Option To Present To The Community.

Another Option That This Consultant Would Be Working On Is Helping The Structure Or Request For Proposal To Go On The Street To Solicit The Solar Energy Vendors That Would Be Able To Actually Structure Where They Would Lease A Solar Heater Somewhere Around \$30 A Month Being Able To Benefit From The Energy Cost And Afford The Opportunity To Go Forward With A Meaningful Effort To Help Reduce Overall Energy Needs And Provide For An Affordable Way In Which The Community Can Get Involved And Install The Solar Water Heaters.

I Remain Hopeful That Unless There's Any Other Outstanding Issues Or Concerns, That We Need To Have A Consulting Firm Of This Stature Working On Our Behalf To Allow Us To Promote And Realize The Options To Reduce Energy Costs.

Because The Consultant Is Not On Board Earlier We Lost Out On A Joint Application Submitted By The State To The Department Of Energy Where We Could Have Tried To Tap Funds For The Innovation Hub And I Think Now It's Clear That We Indeed Do Have A Plan That Involves The University, The Airport, Hopefully The Ihub To Advance Our Efforts In Renewable Energy.

Chairwoman Hall: Further Discussion? Comm. Mann: Yep.

Chairwoman Hall: Commissioner Mann.

Comm. Mann: When This Issue Was First Before Us And Kind Of Stalled, I Think I Recall Some Of My Comments That Were Along The Line Of The First Issue I Brought Up Was That We Were Using A D.O.T. Grant And For The Leftover Money Or Transferring Some From A D.O.T. Grant To Be Used For Economic Development Purposes For The Research Triangle Or Research Diamond And Everybody Has Different Definitions.

That Was My First Concern.

I Don't Think I Ever Said Anything About The Firm We Were Dealing With Or The Personnel Of That Firm.

Both Of Whom Enjoy The Greatest Reputation Around Here And Have Done A Lot Of Work With It.

So I Am Glad The Clerk Did His Thing And Everything Was Confirmed What We All New Any Way.

But Frankly I Thought Maybe The Point Of His Review Would Have Had More To Do With The Appropriateness Of Using The D.O.T. Dollars That I Questioned The First Time For The Expanded Purpose.

That Was My Initial And Remaining Continuing Concern.

And What I Also Think I Made Reference To Was The Fact That There's Not A Clearly And Defined Mission In This Action Other Than Having A Lot Of Meetings.

I See All The People We're Supposed To Go Talk To And Assist With Presentations And Prepare Materials For Local And State Boards Universities, All Of These Folks, But What Is Not Written Down Anywhere Is What Is The Role Of The Private Sector, What Is The Role Of The University, What Is The Role Of The County, What Is The Role Of The Airport And If There Are Benefits Coming Through Grant Applications, If It Endures To The Benefit For The University, Are They Paying For Part Of This? Is The Airport Paying Part Of This And What Part Is The Private Sector Assuming? It's All So Loose, Folks, That's Been My Concern.

It's Not Clearly Defined And The Use Of The Dollars Frankly That Has Never Been Clearly Defined To My Satisfaction.

The Ultimate Goals Perhaps In Each Of Our Mind About Doing Something Fantastic In That So-Called Research Triangle.

It's A Great Goal, But Before We Start Throwing Money Around And Flying To Washington And Having Meetings And Making Grant Applications I Think There Needs To Be A Far More Clearly Defined Mission And Who Is Responsible For What Before We Move Forward.

That Was My Concern And That Remains My Concern.

Thank You.

Well, I Will Share With You That This Started Out Recognizing That Washington Was Going To Do Cap And Trade So I Think It's Appropriate It Is Under Transportation.

It Does Deal With Transportation And Deal With Planning And Deal With Economic Development And It Deals With All Of Those Things.

I Think We Could Pull This Money Out Of Every Pot Because It's Touching Every Single One Of Those.

I Find It So Frustrating That We Are Engaged And When We Go To The Horizon Council Meetings And Sit In The Port Authority Meetings And Attend Luncheons And Get Out In This Community.

It Is Begging For This Commission To Take A Leadership Role In Changing This Economy.

It Is Begging The Commission To Take Advantage Of Every Federal Dollar That Every Other State Is Getting But For Some Reason Florida And Lee County Is Not Getting Their Fair Share.

They Demand We Do Get Our Fair Share.

They Are Asking Us To Look At Renewable Energy And Say Is It Viable? This Commission Made A Commitment To Do Incentives To Change This Economy And We're Doing That.

We Have More Leads Coming In Right Now Because Of The Flag We Put Down And If You Don't Get Out There And Get Engaged And Go To These Meetings And Sit In Different Board Meetings, You Can't Understand The Enthusiasm And I Wish We Had A Full Time Staff Person To Do This Stuff, But We're Down To Bare Bones And Using Consultants To Do The E.R.A. And Do This And That.

We're Looking For Consultants To Help Us Formulate The Grant Opportunities.

These Are Complicated Grants.

They Are Not Easy.

You Have To Bring In Lots Of Partners And It Does Require A Lot Of Meetings.

Its An Amazing How Many Meetings To Get One Grant Application Finished.

From My Schedule.

I've Been Behind -- Up Until Today Almost 500 Emails.

I Have Never Been Behind.

I Do Answer Them Myself And I've Been So Busy Because I Am Committed To Making Sure That We Do What We Say And Not Just Give This Community Lip Service And That Means We Are Seriously Going To Change And We Are Going To Seriously Look Long Term At The Diversification Of This Community And There's No Doubt If There's Question We Need To Take More Time.

It From Us Traits Me When We Come To M & P Meetings, Everybody Is Anxious To Get Out Or You Leave And You Don't Ask The Questions When The People Are Standing In Front Of You, And That's The Time When We Are Supposed To Engage In Questions.

I Have No Problem Deferring This And Bringing It Back Or Whatever So We Can Get A Better Understanding, But I Don't Know When The Right Time Is.

When I Went Back On The Minutes, I Saw The Presentation And Saw There Were No Questions And All Of A Sudden There's A Thousand Questions.

I Don't Know What We Need To Do To Communicate In A More Effective Manner So Every Individual's Questions Can Get Brought Up To Speed And We Can Have A Little More Common Direction.

And If That Means We Need To Be More Articulate, Let's Do That.

Let's Not Get Politically Inept Because It's Campaign Season Or Whatever It Is.

I Hear 5,000 Rumors A Day And It Amazes Me As To What I Do In My Personal Life And My Professional Life And It Gets Translated Into Some Interesting Dialogue.

We Have Been Talking About This For The Last Six Months.

And We Were Very Clear In What We Wanted Done.

I Thought The Blue Sheet Was Clear Enough.

If There's Not Clear Enough Direction Or If There's Some Inappropriate Mechanism We Are Using, I Am Open To Suggestions Or If There's A Desire To Say Let's Put It Off To The Side And You As An Individual Work On It Because There's Never Going To Be Any Support For It, I Would Rather Defer It Than Have It Fail Today So I'm Open To Suggestions Unless There's No Desire To Move Forward On This At All So We Can Try To Clarify It A Little Better And Tighten It Up So Everybody Is Comfortable With It.

I Am Hesitant To Butt In But If It Helps Commissioner Mann At All, Originally Commissioner When We Had Approved The \$200,000 In April Of Last Year For That D.O.E. Grant In Order To Hire Wilbur Smith, That \$200,000 Was General Fund Money That Was Going To Be Reimbursed By The Federal Grant And Has Been Reimbursed.

The Reason We Chose Transportation As The Entity That Helped Move This Forward Was Because Initially In Receiving That D.O.E. Grant, One Of The Largest Components Was To Lower Carbon Emissions And It Had Everything To Do With Transportation And Wilbur Smith And Paul Had The Expertise To Help Us Apply For That Grant.

That's How It Got The Original D.O.T. Focus.

But Now That We've Received The \$200,000 Back We're Broadening The Scope In Terms Of Energy Efficiency And Research.

If That Helps As All Where The Original Focus Was.

We Thought We Explained It, But -- Thank You.

Chairwoman Hall: Commissioner Judah? Comm. Judah: For Me It's Personally Sad.

We Have Probably The Greatest Ecological Crisis In The History Of This Country Upon Us With The Deep Water Horizon Water Spill And If Ever There Was A Dramatic Example Of Why We Need To Not Just Understand Better The Debate Of Whether Or Not To Support Or Oppose Off-Shore Oil Drilling, But The Greater Debate Of Global Climate Change, Carbon Footprint, The Impact To Our Environment Not Just Here But Globally.

We Have Made Extraordinary Steps With The Biofuels, Converting Grease To Biodiesel And All Things Falling Into Place.

They Are Looking To Secure Their State Permits And State Fire Marshal.

But The Monies We Were Able To Get From The Department Of Energy Helped To Place Them In That Position To Provide The Wonderful Option As An Alternative Fuel Source.

It Algenol Is Progressing With The Anticipated October First Grand Opening.

I Would Think This Board Understands Continuing The Momentum.

When You Look At The Potential Grants That This Consultant Company Could Help Bring To Our Community Regarding Solar Energy, Regarding Research, I Mean, It's -- You Would Think With This Board Each One Of Us Having Exposed Our Interest And Concern For The Environment That This Would Be A Natural Step To Take.

We Would Bring This Consultant On Recognizing The Importance That The Firm Has Provided Today And The Fact That We Really Are In A Competitive Market In Trying To Obtain Federal And State Grant Funds So We Can In Fact Help Revitalize The Economy To Provide For The Paradigm Shift That We Are Looking For Bio Chemical, Biotech, Bio Medical Type Of Employment Opportunities And Help To Go Promote And Support And Provide Greater Stewardship For Our Environment.

It -- I Am Sorry, It's Unfortunate That We're Even Having To Delay Potentially This Issue Yet Again Recognizing The Overwhelming Benefits For Lee County As A Community And Being A Leader As We Are Trying To Do In The Area Of Green Technology.

I Think There's A Clear Mission Here.

We're Trying To Be Able To Continue To Build On The Foundation We Have Set In The

Green Technology And This Is The Company That Understands The Hoops And Hurdles That Have To Be Overcome At Both The State And Federal Level And I Just Think Again We're Really Short Sided And Impeding The Progress That We Could Make If We Don't Support This Contract Today.

Chairwoman Hall: Let Me Just Refer Also That The Funding Is Coming From The General Fund.

Not Department Of Transportation.

Further Discussion? Comm. Mann: Yes.

Chairwoman Hall: Commissioner Mann.

Comm. Mann: It Will Be Short.

Commissioner Judah You Referred To Great Ecological Crisis And It Is The -- Worst One We've Ever Seen And We're Also In The Greatest Financial Crisis Of Our Life Time.

This Government And Every Government.

It Is Our Primary Responsibility As Elected Officials To Be Good Stewards Of The Public Funds And Until I Have A Better-Defined Mission For The Use Of Those Public Funds, I Can't Support This.

There Are Hundreds Of Billions Of Dollars Being Thrown Around This Country With A Goal Of Stimulating The Economy.

And A Lot Of That Money Is Going To Be Wasted, Misspent, Overspent, Duplicated And To The Small Extent That I Can, I Will Continue To Watch Each Dollar As Closely As I Can In These Difficult Times.

And I Don't Have To Apologize For That.

You Don't Have To Try To Lay A Guilt Trip On Me About It.

I See This As My Role And Our Collective Role And Until I Have A Better-Defined Mission That I Can Clearly Understand Where The Dollars Go And Where The Role Is Going To Be? This Is My Position.

I Apologize For It And I Am Sorry If Anyone Has Taken Personal For It.

Chairwoman Hall: Further Discussion? You've Had Two Opportunities And It's Commissioner Bigelow's Turn Now.

Comm. Bigelow: I Was Indulgent.

Chairwoman Hall: No, He's Spoken Twice.

I Am Affording You The Opportunity To -- To Speak On This Issue.

Comm. Bigelow: Can You Tell Me, Do You Happen To Recall The Meeting When The Board Was Considering The Renewable Energy And Research Diamond Issue? Yes, Sir.

It Was At A Regular Board Meeting Or Was It -- It Was May 3rd.

Comm. Bigelow: And I Remember That And A Lot Of Talk About Ihub.

Oh, They Were The Same Thing? No, There Was An Ihub Presentation To The Board Of County Commissioners On February 2nd After The Regular Board Meeting.

Comm. Bigelow: And When Was The Renewable Energy Come -- That Was The May 3rd.

Comm. Bigelow: And Was It From The May 3rd Meeting That The County Management Gained Majority Support For Or Renewable Energy And Research Diamond? Is That Your Position? Yes, Sir.

Comm. Bigelow: Okay.

Because We Don't Take Votes There.

Right.

Comm. Bigelow: Can Someone Answer Some Questions About The Summary Of Changes In Compensation An Back Up To This Agenda Item? Yes, Commissioner, There's No Change In Compensation.

Comm. Bigelow: Page B 2.

The Only Changes That Were Made From The Original That Was Submitted Were Changes To The Time, The Date Or The Length Of The Contract And The Addition Of The Pay, So --  
Comm. Bigelow: Did You See Page B 2 Of B 2? In The Back Up? I Can Get It.

Yes, Sir.

That's The Entire Contract.

Comm. Bigelow: Right.

Right.

Comm. Bigelow: And There's A May 24th Memo You've Sent Offer County Manager Sent To Commissioner Mann, Copied The Board.

Are You Familiar With That? I Don't have Dates In Front Of Me.

Are You Familiar With The Memo Sent To Commissioner Mann? Yes.

That Claimed That This First Was Billed To \$460,000 And This Back Up Doesn't Include Something Because It Only Has \$287,455 And So -- I Mean, This Is The Beginning Of Where It Takes Off For Me.

All Sorts Of Questions About These Dollars.

There's -- In Other Words, The Memo That The County Manager Gave Commissioner Mann And The Back Up To Today's Action Is Inconsistent So One Of The Two Is Wrong.

And I've Pointed Out In Emails, I Think Twice.

I Think From The Very Beginning, It Were Initiated Prior To My Being County Manager.

And The Clerk Of Court Went Through All Of That In Great Detail.

As A Matter Of Fact The Audit Cost \$4,752.88.

If I May Offer Another Option, We Are Missing Out On Federal Money.

The Grant Is Out There And We Need To Have A Plan To Go Out There.

It's Not Just Residential.

The Pace Is Commercial And Residential And It's Not Only For Water Heaters, It Is For Any Solar, Any Type Of Energy-Efficiency That A Homeowner Or A Commercial Business Would Apply To Their Home.

We Have Missed Out In Getting Federal Dollars To Implement The Program By Not Backing On To Other Countries.

Can We Just Defer This? Just Put It Aside And We Will Do An R.S.P. To Get Someone On Board To Do These Grants So That We Can Secure Additional Federal Dollars.

I Will Have The Clerk Of Courts Sit In On The Audit, An Auditor Sit In On The Team That Reviews The Request For Proposals.

But Absolutely Right.

We Are In The Worst Financial Crisis That We Need To Diversify Our Economy.

This Is One Of The Ways That We Can Do It.

The Dollars That We Originally Spent For The Grant In Going After This Grant, The \$200,000 Actually I Believe It Was \$250,000 That Was Reimbursed At The County.

And That Was A Part Of The Grant That We Could Secure The Dollars From The Federal And Reimburse Ourselves.

We Were Net Affect On That.

The Original Blue Sheet And Request Was For Toll And Revenue Report.

Let's Just Put This Aside And Move On So We Can -- And We Will Do A Request For Proposal.

It Doesn't Matter -- As Long As We Get The Dollars To Our Community.

I Appreciate That.

Let Me -- I Want To Finish And Then Make Clear A Couple Of Points.

That Is The February 2nd Informational Item That I Have Was Not A Request By The County Management For The Board To Adopt.

It Is A County Initiated Project.

It Was Simply An F.Y.I. May 3rd, There Was No Formal Vote Taken Of This Board To Adopt That As A County Initiated Effort.

And Yet, A Lot Of Money Was Spent On The Ihub, A Lot Of County Tax Payer Dollars And -- Comm. Judah: Let's Get A Clarification.

Chairwoman Hall: I Will Tell You What, Let's -- Change Order Number Six.

The Point Being, The Board Of County Commissioners Elected Body Of This Government, Did Not Formally Adopt Or Embrace These Initiatives And Yet A Lot Of Tax Money Was Spent On Ihub And This Was A Change Order To Advance The Research Diamond.

Unless We As A Body Of Government Initiate These That We Should Be Spending Money On Them.

I Think We Have The Cart Before The Horse.

Now, My Reason For Pointing Out The Discrepancies Between The County Manager's May 24th Memo And Change Order Back Up Is That -- I've Asked A Lot Of Questions, Tried To Get Information To Be Sure I'm Making Informed Decisions, Someone Is Not Watching The Dollars.

That's My Conclusion Here.

If We Can't Get This Back Up Material To Be Consistent With Another County Manager Memo, It Tells Me We Are Not Watching The DI Lars Carefully And -- Dollars Carefully And We Have To Be Evermore Mindful Than We Have Been Before.

Chairwoman Hall: I Am Rescinding My Second On This Motion.

Commissioner Judah Has A Motion On The Floor To Approve This Change Order.

Is There A Second? Is There A Second? The Motion Fails Then For Lack Of A Second.

I Will Go Back To The Board.

Comm. Judah: Madam Chair.

Chairwoman Hall: Yes.

Yes, I Seconded The Motion Originally And I Rescinded My Second And Therefore I Took Commissioner's Judah's Motion And Asked For Another Second.

That Motion Fails Due To Lack Of A Second.

And Now I Am Coming Back To The Board.

Comm. Judah: How Much Money Was Squandered On This Audit Done With Wilbur Smith And Associates? Chairwoman Hall: I Am -- Comm. Judah: We're Talking About Tax Payer Dollars.

Chairwoman Hall: I Will Say That We Have An Item Before Us And I Can Appreciate Commissioner Where You're Going With That.

We Have An Item Before Us.

I Am Asking The Board.

Is There A Motion On This Item? Does Anybody Want To Make A Motion On This Item? So Then Therefore, Since I Have No Motions This Lays In Abeyance.

No Action Taken.

Great.

So There Is No Action On This Item.

So Therefore We Will Move On To Commissioner Items Since That Was The Last Item On Carry-Overs.

Commissioner Mann? Comm. Mann: None.

Chairwoman Hall: Commissioner Judah? Comm. Judah: With The Request Of The American Business Alliance There Was A Letter That He Asked That I Sign But Since He Have Been' Been Involve D In A Number Of Liaison Committees, I Think It Would Be Best If You Would Sign It.

It's Basically To Sent Out A Letter That Would Provide For The Collaborative Effort Between The Dominican Republican Through Councilman Martinez, Mayor Henderson, No Commitment Other Than To Collaborate And Coordinate Our Efforts To Help Promote Business Activity.

Chairwoman Hall: I Have A Motion By Commissioner Judah.

I Will Second By Discussion.

Discussion? All In Favor? The Motion Carries.

Commissioner Bigelow.

Comm. Bigelow: Madam Chair, I Am Kind Of Concerned About Contracting And Have Been I Think From Day One.

The County Seems To -- It's My Opinion Here.

Have A System In Place That Causes I Believe A Lot Of Folks In This Community To Think That Maybe We Have A Favoritism Approach To How We Pick Contractors.

I Have To Look At These Complaint And Try To Weigh Them Myself And I Think I'm Starting To Agree With A Lot Of The Complaints Is That Favoritism Seems To Be Ruling The Day Here In County Government.

I Would Like To Suggest That Perhaps We've Tried To Convene A Blue Ribbon Committee To Study Contracting And Then We Can Know And We Would All Be Of Course Appoint Our Own Preferences To This Body And Then We Could Have This Objectively Reviewed.

And I Think Then We Could Put To Rest Some Of The Complaints About The Favoritism.

And It Used To Be Said That Lee County Government Was An Old Boys Club.

And I Don't Know.

Maybe It's An All-Girls Club, I Don't Know.

Chairwoman Hall: Mr. Bigelow, It's Disturbing Old Boys, Old Girls, I Understand.

It's A Little Disturbing.

I Appreciate Where You're Going.

If You're Asking This Board To Approve A Blue Ribbon Committee I Will Ask This Board If There Is An Interest.

Comm. Bigelow: I Am Putting It Out There As An Attempt To Compromise So That We Take It Off And Put It In The Hands Of Objective Body That Could Review It.

Of Course It Could Be -- I Would Suggest That We Would Each Appoint Three Members And Try To Pick Contractor, An Architect And Engineer.

Chairwoman Hall: Okay.

Well, Let Me See If There's Any Consensus To Have A Desire To Do That.

Actually There Already Is, Commissioner.

The Sub Committee On The Horizon Council Has Selected Some Business People.

In Fact When We Brought -- And I Am Glad You Brought It Up.

In March When We Presented Our Goals And Objectives, One Of Our Goals Was To Revamp, Relook At All Of Our Contracting, Purchasing, How We Are Doing That Business And Revise It.

Additionally, Commissioner Mann On Several Occasions, Said You Need To Go Back And Look At The Contracts And Make Sure You Are Reducing Some Of The Contracts And I Think Janet Made Mention Of That Today And I Am Sure You Can Get A Report Of That Because She's Keeping Track Of How We Are Renegotiating The Contracts.

But As A Result Of The Goals That We Presented It Was Kind Of Short And We Asked That -  
- And All Of This Came Up About Favoritism And All.

What We Need To Do Is Dig In And Take A Good Look At Where And Who Has The Contracts And Take A Look At That So That's What We Will Be Doing.

The R.F.P. And R.F.Q. Proposals, What We Would Like To Do Streamline It.

We Had The Conversation Last Week.

We Need Plain Language In Our Contracts So That People Understand What They Are Bidding On.

We Need To Make Sure They Are Clear.

We Need To Summarize It.

There's Too Many Pages There.

It's Very Confusing.

It Contradicts In Some Areas.

What We're Doing Is Throwing The Baby Out With The Bath Water And Revamping All Of It.

So Really Glad You Brought It Up Because Ron I Think Is The Chair Of The Sub Committee And He Along With Other Business People On The Horizon Counsel Will Look In Assisting Us With That Process.

So We Will Have That.

Because One Of Our Goals, One Of Staff's Goals In County Manager Goal Is To Have More Transparency In Our Local Government So That's Where We Are Going With This.

You Know, You Bring Up A Good Point Because I've Heard These Rumors Too, And It Was After We Announced We Were Going To -- Our Goals And Objectives And Go Through And Revamp All Of That And All Of This Other Stuff Came Up About Favoritism.

So We're Going To Go Back And Take A Look At That.

I Appreciate That.

I Am Suggesting We Need To Rise It To A Higher Level.

The Problem, Karen, Folks Are Looking At This Wilbur Smith And Going How And Why Is It Wilbur Smith Gets To Pick.

They Are The Only Ones Brought To Us To Off The \$200,000.

Chairwoman Hall: I Am Going To Ask You, Not To Use People's Names Because It's A Rumor And This Is A Public -- You're Inferring On A Company And It's Inappropriate To Use Them As An Example When I Have No Fact.

I Have Not Seen Anything.

I Would Appreciate Complaints Being Shared With All Of The Commissioners, But Having Said That Please Finish Your Comment And I Would Ask You Not To Use An Example Of A Company Unless You Have Facts To Prove That Company Did Receive Favoritism.

Thank You.

Well, The Question Is Why Is It That Wilbur Smith Got Picked To Be Presented To The Board To Be Authorized To Spend \$200 Thousand Of County Tax Dollars.

Chairwoman Hall: I Will Go Back To A Point Of Order.

We Are No Longer On Commissioner Items.

If Your Commissioner Item Is You Want The Consensus To Pick A Committee Of Three Commissioners Each To Overview Contracts, I Will Ask The Commissioners.

You've Heard What Is Going On Currently Is There Any Desire To Do Beyond That Request? That Is Not My Request.

What Is Your Request? Eye Many Putting It -- I Am Putting It Out There As A Suggestion.

Chairwoman Hall: I Am Asking If There's Interest In Your Suggestion.

I Am Asking -- Chairwoman Hall: We Will Move On.

Anything Else? I Am Trying To Back It Up With Current Events.

Chairwoman Hall: I Understand.

Is There Anything Else You Would Like To Share On The Board? It Sounds Like You Don't Have A Tolerance Of Anything Else.

I Am Happy To Have Another Item Under Commissioner Items.

Is There Some Other Issue Would You Like To Share With Us? No, Madam Chair.

Comm. Judah: Point Of Order? Chairwoman Hall: Yes.

I Think It's Appropriate To Have The County Manager Respond To Another Allegation By Commissioner Bigelow Low.

How We Got Involved With Wilbur Smith.

Chairwoman Hall: I Will Leave That Because Our Back Up Is Very Explicit -- It's Not Worth Going Into.

We Have Written Documentation Of How We Got Involved And I Think The Record Is Clear.

And We Had An Audit.

I Want To Thank The Port Authority.

We Had A Wonderful Dinner Sunday Evening.

As You Know We Had The Powder Puff Derby, The All-Woman Pilot Is Kicking Off This Week.

And I Was Proud To Represent This Board To Be Able To Attend Their Dinner.

There Was Over 130 Female Pilots That Were Excited, 58 Teams That Have Taken Off From Page Field And Fort Myers And Begun Their Journey And It Was My Pleasure To Read The Resolution And Bid Them Safe Travels And Best Of Luck And It Was Very Exciting To See The Age Difference With All Of These Female Pilots And Again, I Was Very Honored To Have The Opportunity To Represent The Board.

And Before I Go On To Committee Appointments, Kim, I Meant To Put You On Before Commissioner Items.

I Looked Up And Saw You There.

If You Could Give Us The Update On The Oil Situation.

Thank You.

Good Afternoon.

Kim Dickerson, Deputy Director Of Public Safety.

John Wilson, Our Director Has Been Deployed Up To Tallahassee To The State Emergency Operation Center.

He Is Participating In An Overhead Incident Management Team That Will Work This Week In Tallahassee And Next Week Move To Mobile, Alabama As Parts Of The Unified Command.

We Are Fortunate To Have Him As Part Of The Team Because He Will Be Able To Bring Back First-Hand Information On The Operations That We Can Truly Benefit From.

I Want To Take A Few Minutes To Give You The Latest Updates That Is Going On With The Deep Water Horizon Response.

There Is A General East To Southeast Wind Flow That Is Forecast To Continue Across The North Central Gulf Operations Area Through Much Of This Week.

A Portion Of The Loop Current Ring Has Reattached To The Loop Current Channel And No Amount Of Oil Well Away From The Well Site.

A Large Area Of Storm Activity But A Low, Roughly 20% Chance Of This Become A Tropical Cyclone In The Next 48 Hours.

Our Current Situation, Our Florida Beaches Are Open.

That Message Continues To Be Gotten Out Loud And Clear.

Area Unified Command Estimates The Release Rate Of Oil From The Deep Water Horizon From 35,000 And 60,000 Barrels Per Day.

The Dual Recovery System, The Cap And Q 4,000 Continues.

Total Oil Recovered Is 23,923 Barrels From This Operation.

This Event Is A Spill Of National Significance.

It Continues With The All Well Prevention.

130 Miles Southeast Of New Orleans.

There's More Than 33,000 Personnel To Address This Response.

The Oil Water Mix Recovered Is 23.9 Million Gallons Thus Far.

There's More Than 5,900 Response Vessels And 106 Response Aircraft Available.

There's Dispersant To Handle The Spill.

Boom Will Be Deployed At The Incoming Tide Or Outgoing Tide.

There Is Oil Containment Boom In Florida And In Accordance With The Established Plans, Protective Boom Staging Is Conducted Along The Coast To Franklin County.

There Are 381 Vessels Deployed In Florida For The Vessels Of Opportunity Program.

There's 712 Community Responders Working With The Clean-Up Efforts In The Florida Panhandle.

222 Miles From St. Petersburg.

It Indicates A Stationary Movement Of The Oil Slick Through Tuesday Before Slow Retreat To The Northwest By Wednesday.

It Will Continue To Be Threatened Through Wednesday As The Tidal Influences And Southeast Winds Could Continue To Push The Sections Of Oil Towards The Coast.

In Addition To The \$100,000 For Volunteer Florida To Maintain A Data Base For The Registration Of Volunteers, B.P. Issued Over \$75 Million In Grants For Booming National Tourism, Advertising Campaign And States Preparedness In Response Issues.

17,083 With \$15.2 Billion Paid.

The Fishery Failure Declaration Includes Florida -- Chairwoman Hall: Do You Want Me To Do Your Appointments? Thank You.

Go Ahead.

Sorry.

Providing Impacting And Fisheries The Opportunity For Federal Support.

It Does Not Close The Fisheries.

With Respect For Time We Will Provide You With Further Details.

There's A Couple Of Things I Do Want To Mention To You.

Crowder Gulf In Order To Follow Up With Commissioner Bigelow's Concern About A Plan Of Attack, We Have A Report That Is Prepared And Is Under Review With County Management.

We Will Sent It To You Later This Afternoon.

To Detail With The County's Response Plan Intends To Be.

Crowder Gulf Is Assisting Alabama In The Gulf Shores, Orange Beach Areas In The Efforts To Combat Oil Impacting The Beaches And Wet Lands.

They Are Involved In Skimming Operations And The Beach Clean Up Opportunities And Our Office Maintains Contract With Mr. Campbell And The Company's President John Ramsey To Find Out What Is Working And What Is Not.

If We Have To Invite Them To Assist Us, Be Assured They Will Be Able To Bring The Latest Knowledge, Skills And Abilities To Address Our Threat.

The County's Response Plan Relies On Federal And State Plans To Be Activated And Carried Out.

When Will This Actually Take Place? When The Oil -- When There's Enough To Pose A Threat And Crosses A Line 94 Miles West Of Us We Will Engage.

We Have One Area Of Concern The Current Strategies To Remove The Oil Once The Tar Balls Reach The Areas.

Most Of The Skimming Operations Are Done Near Shore Area Off Of The Beaches And Not In The Back Bays.

In Speaking With Crowder Gulf, Shallow Water Skimmers Are Available That Can Be Attached To Small Boats And Used To Scoop Up The Water.

This Along With Air Curtains To Help Bubble Up The Weathered Oil May Prove To Be An Inexpensive Way To Address The Problem.

We Plan To Have Them On Hand In Case They Are Needed.

This Equipment Cost Between \$10,000 And \$12,000 A Unit And Can Be Obtained By Using Funds In Public Safety Budget.

There's Also Been Recent Changes In The Command Structure That Have Taken Place With B.P. And Unified Command And We're Hopeful That Mr. Wilson Will Have The Opportunity To Observe These Changes First Hand And Bring Back The Pros Of The Benefits Of That And Help Us In Our Recovery Efforts Or Planning Efforts At This Point In Time.

Chairwoman Hall: Thank You, Kim.

Any Questions For Kim? I Would Like To Go On To Committee Appointments, Commissioner Bigelow? Comm. Bigelow: I Have A New Appointment.

Gerald Murphy.

Chairwoman Hall: I Have A Motion By Commissioner Bigelow, I Will Second.

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

Commissioner Judah? Comm. Judah: No.

Chairwoman Hall: I Have Two Reappointments For Commissioner Mann, Audrey Stone Rock And Michael Stonerock To The San Carlos Improvement District And Armando George.

I Have A Motion By Commissioner Bigelow, A Second By Commissioner Judah.

I'll Second It For Discussion.

All In Favor? Opposed? Motion Carries.

County Manager? I Would Like To Put Forward To Move Forward With An R.S.P. Process To Monitor Grant Opportunities Apply For And Coordinate Regional Entities And Have An Auditor Sit In On The Selection Process.

Chairwoman Hall: I Have A Motion By Commissioner Judah.

I Will Second For Discussion.

Further Discussion? Why Don't We Put This On Our Regular Board Meeting Agenda?

Chairwoman Hall: It's A Walk-On Commissioner.

Well, It's Being Walked On Right Now By The County Manager And Will Come Back To The Board To Be Looked At.

She's Asking To Move Forward With It.

You Can Vote Your Conscience.

Well, What's That Going To Cost? That's Why I Am Doing A Request For Proposal Process And I Would Bring Back To The Board The Ranking In The Selection.

Chairwoman Hall: And The Cost.

I Am Suggesting You Put This Proposal That You Are Announcing For Us On To An Agenda And We Will Consider It.

Okay.

Chairwoman Hall: We Have A Motion And We Have A Second.

So Under Discussion? The Motion Maker Can Rescind His Motion If He Chooses To.

We Need To Move Forward.

State It Again, She Wants To -- She's Got Some Process -- County Manager Would Like To Move Forward With A Request For Proposal Process To Monitor Grant Opportunities That Are Out There Both At The State And Federal Level, Apply For And Coordinate With The Appropriate Regional And Local Entities To Meet The Compliance For Submission And Request The Clerk Of Courts To Have An Auditor In The Selection Process.

And The Reason Commissioner That I Am Bringing It Forward As A County Manager Item Is Because Daily I Am Receiving Notices And They Are Detailed.

And You Also Have To Collaborate With Multiple Regional Planning Council.

There Are Multiple Organizations Out There That You Have To Demonstrate In Your Application For The Grant Funds That You Had That Collaboration At A Local Level.

Is It Safe To Assume The County Managers Tell Us We Can't Do It In House? That's Correct.

Well, I'd Like To Know What This Could Cost Us Potentially.

Chairwoman Hall: They Will Come Back With A Cost And You Don't Have To Vote With It If You Don't Want To.

It Is A Request For Proposal.

Request For Qualifications Is Qualifying The Applicant So We Will Know What The Cost Is.

We're Not Voting On Any Cost Today.

Okay.

I Wouldn't Move Forward Without Your Approval.

Chairwoman Hall: All Those In Favor? Opposed? The Motion Carries.

County Attorney Items? Okay.

And So Therefore We Are Recessed Until 5:00, Public Hearings.

Thank You.

### **5:00 Public Hearing**

Chairwoman Hall: We Will Reconvene The Public Hearing For Lee County.

We Have One Item?  
One Item For Each Of The Items.

Good Afternoon, We Will Assess 11 Units.

They Are As Follows.

Anchorage Intracoastal Canal Dredging.

Cherry Blueberry Improvement.

Country Estates.  
Country Lakes Streetlighting. Dewberry Lane Special Improvement.  
Gasparilla Island Special Improvement.  
Golden Lake Heights  
Streetlighting Unit.  
Pine Lake Streetlighting Unit.

River Forest Streetlighting Unit.

Sheltering Pine Mobile Home Village Special Improvement.

University Overlay Landscaping O & M For Assessment.

At This Time I Will Be Followed By Staff.

Chairwoman Hall: Great.

Good Evening.

Commissioners, Luby With Public Resources.

These Are 11 Special Improvement Operation And Maintenance Units.

Of The 11, Seven Of Them Have Advisory Committees.

We Have Met With All Of The Seven Committees.

All Of The Committees Have Supported The Budget And Assessments That You're Looking At This Evening.

The Other Four Units, They Are Streetlighting Units.

There Are No Committees With Them.

We Develop Budgets And The Assessments Based On A Bare Bones Budget.

Strictly For Streetlights.

I Am Available For Any Questions.

Chairwoman Hall: Since We Have To Go Through Each Individually, Why Don't We Go Through Them.

Let Me Ask You Something.

Chairwoman Hall: Sure, Commissioner Mann?

Comm. Mann: How Is This Different From The Gruesome Process We Go Through During The Budget?

These Are Assessments.

It Is Not Based On The Ad Valorem Value.

We Assess These Properties Based On Something Other Than Ad Valorem.

Comm. Mann: Is It Always The Case That We Call It A Benefit Unit?  
Typically.

Comm. Mann: As Opposed To A Tax Unit?  
That's Correct.

And That Is Why We Will Not See These During The Budget Process?  
No, The Budgets Will Be In The Final Package And They Will Be Approved Tonight And In August We Will Certify Them A Tax Roll At A Public Hearing.

Comm. Mann: Okay.

Chairwoman Hall: Any Other Questions Before She Gets Started?  
Okay.

Go Ahead.

Anchorage Intracoastal Canal Dredging For An Assessment Of \$500.21 Per Lot.

Chairwoman Hall: This Is A Public Hearing.

Is There Anyone That Wishes To Address The Board On This Item?  
Seeing No One.

I Will Close Public Comment And Go Back To The Board.

Questions Or Motion?

I Have A Motion By Commissioner Mann, I Will Second It For Discussion.

Further Discussion?

All Those In Favor Signify By Saying Aye.?

Opposed?

Motion Carries.

Gentlemen, It's Going To Be A Long Evening.

Cherry Blueberry Improvement Unit Of \$140 Per Lot.

Chairwoman Hall: This Is A Public Hearing.

Is There Anyone That Wishes To Address The Board On This Item? Seeing No One.

I Will Close Public Comment And Go Back To The Board. I Have A Motion By Bigelow.

I Have A Second.

All Those In Favor?  
Motion Carries.

Country Estates, Unit 3, Streetlighting Unit For An Assessment Of \$47.71 Per Lot.

Chairwoman Hall: This Is A Public Hearing.

Is There Anyone That Wishes To Address The Board On This Item?  
Seeing No One.

I Will Close Public Comment And Go Back To The Board. Move It.

Chairwoman Hall: I Have A Motion And A Second. Is There Further Discussion?  
All Those In Favor?  
Opposed?  
The Motion Carries.

Country Lakes Streetlighting For An Assessment Of \$41.96 Per Lot.

Chairwoman Hall: This Is A Public Hearing.

Anyone Want To Is Speak To Us About This One?  
I Will Close Public Comment.

Come Back To The Board.

I Have A Motion By Commissioner Mann.

A Second By Commissioner Bigelow.

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

Dewberry Lane Special Improvement Unit For An Assessment Of \$202.49 Per Lot.

Chairwoman Hall: This Is A Public Hearing.

Is There Anyone From The Public That Wishes To Address The Board?  
Seeing No One, I Will Come Back To The Board.

I Have A Motion By Commissioner Mann, Second By Commissioner Bigelow.

Any Further Discussion?  
All Those In Favor?

Opposed?  
Motion Carries.

Gasparilla Island Special Improvement For An Assessment Of Millage Rate Of 0.554  
Chairwoman Hall: This Is A Public Hearing.

Is There Anyone That Wishes To Speak To This Item?  
This Is A Millage Rate?

When We Initiated This Millage It Was A Taxing Unit At The Point At Which The State Came In And Froze The Ability To Collect Monies, The Unit Decided To Transition Into A Benefit Unit So They Could Assess Themselves To Take Care Of The Issues.

It's Assessed On A Millage Rate?  
Move It.

Chairwoman Hall: I Have A Motion By Commissioner Mann, A Second By Commission Judah.

All Those In Favor?  
Opposed?  
Motion Carries.

Golden Lake Heights Streetlighting Unit For An Assessment Of \$33.75 Per Lot.

Chairwoman Hall: This Is A Public Hearing.

Is There Anyone From The Public That Wishes To Address The Item?  
Seeing No One I Will Come Back To The Board.

I Have A Motion By Commissioner Bigelow, I Have A Second By Commissioner Mann.

All Those In Favor?  
Opposed?  
Motion Carries.

Pine Lake Streetlighting Unit For An Assessment Of 85.51 Per Lot.

Chairwoman Hall: This Is A Public Hearing.

Is There Anyone From The Public That Wishes To Address The Item?  
Seeing No One I Will Come Back To The Board. I Have A Motion By Commissioner Mann.

I Have A Second By Commissioner Bigelow.

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

River Forest Streetlighting Msbu For An Assessment Of \$52.01 Per Parcel.

Chairwoman Hall: This Is A Public Hearing.

Is There Anyone That Wishes To Address The Board For This Item?  
Seeing No One.

I Will Come Back To The Board.

I Have A Motion By Commissioner Mann.

I Have A Second By Commissioner Big.

All Those In Favor?  
Opposed?  
Motion Carries.

Sheltering Pine Mobile Home Village Special Improvement Unit For An Assessment Of \$79.75 Per Lot.

Chairwoman Hall: This Is A Public Hearing.

Is There Anyone From The Public That Wishes To Address The Item?  
Seeing No One I Will Come Back To The Board.

I Have A Motion By Commissioner Mann.

I Have A Second By Commissioner Bigelow.

Further Discussion?  
All Those In Favor?  
Oppose?  
Motion Carries.

University Of Overlay Landscaping O & M For An Assessment Of \$3.50 Per Front Foot.

Chairwoman Hall: This Is A Public Hearing.

Is There Anyone From The Public That Wishes To Address The Item?  
Seeing No One I Will Close Public Comment, Come Back To The Board.

I Have A Question About This.

Chairwoman Hall: I Have A Motion By Commissioner Mann.

I Have A Second By Commissioner Bigelow.

Under Discussion.

Commissioner Bigelow?

Comm. Bigelow: Jerry With Miramar Lakes Told Me Miramar Is Now Maintaining The Meeting Landscaping, Is That Right?

About A Year And-A-Half We Went Into An Agreement With The Miramar To Handle A Section Of That --

Okay.

Is This --

This -- Their Section Is Not Included In This, However They Are A Participant For The Whole Roadway.

But The Section They Are Handling Is Not In The Expenses.

Thank You.

Chairwoman Hall: Further Discussion?

All Those In Favor?

Opposed?

Motion Carries.

Thank You, Luby.

Next We Will Go On To Public Presentation And Matters Of Concern By Citizens.

Mr. Dean.

Good Evening.

Thank You For Being Here.

Madam Chair Person, Distinguished Board.

Don't Be Alarmed Because I Have A Folder.

Chairwoman Hall: You Have Timers.

That's Okay.

There Is Some Confusion Of The Naming Metro Parkway To The Metro Extension To Michael G.

Rippey Parkway.

If You Would, My Basic Question Is, Did The Board In Fact Change The Name Of South Metro Parkway To The Michael G. Rippey Parkway?

Chairwoman Hall: I'm Not Sure.

I Think We Did Name Metro Extension.

Is There Any Other Questions You Have?

We Don't Usual Discuss Them But Bus-- Because Sit Is A Simple Question, We Will Address It.

I Can't Remember.

No.

Chairwoman Hall: Okay.

We Will Ask Scott.

School Gilbertson, D.O.T., For The Record.

This Was A Joint Effort Between The State And The County.

The Legislative Not District, But Our Congressional Delegation Asked For A Resolution Of Support From The Board For Their Action Along With The Resolution We Had Language To Name The Board The State's Designation, But A County Naming Of The Road.

It Was My Oversight That That Resolution Did Not Go Through The Normal Emergency 911 Addressing Protocol On That.

And That Was My Oversight And I Guess That's Part Of The Reason For The Confusion On This Matter.

That Resolution Did Include In The Provision And Name It As Michael G. Rippey Parkway.

Chairwoman Hall: Is That The Entire Road?  
It's Six Mile Down To Us-41.

Chairwoman Hall: Just The Extension That We Are Renaming?  
That's Correct.

Chairwoman Hall: Is There Any Other Matters Of Concern Of Citizens To Come Before The Board?

We Can Put You With Scott, So Just The Extension Is Being Requested To Be Renamed.

If You Have A Difference Of Opinion You, You Share That With Us.

Chairwoman Hall: Please Come Back.

That's Why I Asked You If You Had Any Other Questions.

Go Ahead.

We Will Indulge You.

My Apologies, But He Said And That The -- Only The Extension Will Be Named, But You Expanded The Geographic Dynamics Of The Metro Extension By Having It Start At Six Mile Cypress And End At Alico 41.

There's A Section Where Businesses, Quite Frankly, Cypress Has Been Over Cypress Has Been Over 40 Years That You Changed The Name Of The Road Because You Changed The Dynamics Of The Extension.

Chairwoman Hall: It Starts At Six Mile Cypress And Goes On.

It Starts At Six Mile Cypress And Goes Forward.

You May Be Impacted Because You Sit On The Southside Of Six Mile Cypress.

Correct.

Thank You.

Chairwoman Hall: Are There Any Other Concerns Of Citizens To Come Before The Board? Seeing None.

We Are Adjourned.

I Hope You Have A Great Week And We Will See You Next Week.