

May 11, 2010

Chairwoman Hall: I'm Sorry.

It's Tuesday, May 11th.

See How Time Flies.

And As Always, We Like To Start Our Meetings With An Invocation By Pastor Walter Stiltz.

Pastor, Welcome, Followed By The Pledge Of Allegiance.

Please Rise.

All Mighty God, We Are Thankful For This New Day.

We Ask You To Guide Us In This Work And Those That Struggle With Their Life.

We Ask You To Stay To Bless All Those With AIs And All Those That Care For Them, That They Would Especially Be Blessed This Day.

Guide The Leaders Of This County With Thoughts And Hearts To Make Decisions For The Greatest Good And All Who Live, Work, And Vacation In This County.

Especially Bless Those Who Are Working To Stop The Flow Of Oil In The Gulf And Everyone Involved In The Clean-Up.

Help Us To Be Wise Stewards Of Your Creation.

Be With Us, All Mighty God, As We Pray.

Amen.

Chairwoman Hall: Amen.

I Pledge Allegiance To The Flag Of The United States Of America And To The Republic For Which It Stands, One Nation Under God, Indivisible With Liberty, Justice For All.

We Have Quite A Few Ceremonial Presentations, And I'm Going To Start With Those, And The First Will Be -- I'll Let Commissioner Bigelow Get Organized.

I'll Start With Commissioner Mann And AIs Week.

Comm. Mann: It Is My Honor To Read This Resolution On Behalf Of All The People That Are Struggling With The Unique And Terrible Challenges Of Als.

We Have Representatives Here Today.

Is It Christine Blythe.

You Bring Your Little Team Forward To The Mike Up Here.

Robert Longfellow.

He Isn't With Us.

Ok.

Read This Important Proclamation For You Guys.

A.L.S., Better Known As Lou Gehrig's Disease, Is A Progressive Neuro Degenerative Disease That Affects Nerve Cells Of The Brain And Spinal Cord And Whereas, The Early Symptoms Of Als Include Weakness Of The Skeletal Muscles, Especially In The Arms And Legs And Difficulty In Swallowing, Talking, And Breathing, And Whereas, Als Eventually Causes Muscles To Atrophy And The Patient Become A Quadriplegic, And, Whereas, Als Does Not Affect A Patient's Mental Capacity.

Therefore, The Patient Remains Alert And Aware Of His Or Her Loss Of Motor Functions And The Inevitability Of Continued Deterioration And Death, And Whereas, On Average, Patients Diagnosed With Als Survive Only Three To Five Years After The Diagnosis And Whereas, Research Indicates That Military Veterans Are At Least 50% More Likely To Develop Als Than Those That Have Not Served In The Military, And, Whereas, Als Has No Known Cause, Means Of Prevention, Or Cure, And Whereas, The Designation Of And The Als Awareness Month Will Include Awareness Regarding The Circumstances Of Als Patients And The Terrible Impact This Disease Has Not Only On The Patient, But On The Patient's Family And The Larger Community And Will Support The Goals Of Research On Als Which Are To Find The Causes Of Als, Nabbed The Mechanisms Involved And The Progress Session Of This Disease And Develop Effective Treatment.

Therefore, Let It Be Resolved That The Commissioners Of Lee County Florida Declares May 11, 2010 As Als Awareness Month.

In Lee County And Be It Further Resolved That The Board Of County Commissioners Of Lee County, Florida, Memorializes The President And Congress Of The United States To Enact Legislation To Provide Additional Funding For Research In Order To Find Treatment And Eventually A Cure For Als.

Dually Executed This 11th Day Of May, 2010, Signed By Board Of County Commissioner Chairman Tammy Hall We Are Pleased To Have You With Us.

We Wish You All The Very Best.

[Applause] Get Your Pretty Face In The Camera Here.

I'm Christine Bride.

I'm A Care Coordinator With Als Florida Chapter, And I Want To Thank You Today On Behalf Of The Over 40 Persons Living Here Today With Als In Lee County And The Thousands Of Families Who Have Lost A Family Member To Als Here In Lee County.

I Also Want To Thank On Behalf Of The Als Association Chapter.

Awareness Does Make A Difference.

It Has Made A Difference Here In Lee County.

More Money Has Been Raised To Fund Research For The Cure.

It Has Led To The Opening Of An Als Specialty Clinic Here In Lee County From Persons With Als That Made A Big Difference In Their Lives.

I Get Emotional.

Every Good Intention And Every Person Who Has Heard The Message Makes A Difference.

All Of You Do, And We Thank You For The Proclamation Today.

Chairwoman Hall: You're Welcome.

[Applause] I Just Want To Say That Christine Has Said Everything.

It's A Beautiful Document That Says Everything.

I Just Want To Say That I'm Here Because I Can -- I'm Here Because I Can, And I Speak Because I Can.

I Know Of At Least 10 People Here In Lee County In My Support Group That Can't Speak, Can't Eat, Can't Breathe, And I Just Feel Like I Immediate To Speak Up For Them.

That's It For Today.

[Applause] Chairwoman Hall: We Are Reminded Of The Quality Of Residents We Have In Lee County.

As We Go To Our Next Ceremonial Presentation, This Is An Organization That Just Does Phenomenal Work In Our Community, And Commissioner Bigelow, If You Would Do The Honor Of Recognizing The Salvation Army Week, Please.

Comm. Bigelow: Thank You, Madam Chair.

Is Meg Geltnor Here.

You Don't Look Like Meg, But You're Welcome To Come Occupy.

I'm Dennis Pearlman.

I'm The Chairman On The Board.

I'm Here Along With Stephanie Web And Laura, Who Are Past Chairmans, And We're Representing The Army Today.

Comm. Bigelow: Great.

Great.

I'll Tell You, I'm A Little Shook Up.

Whereas, A Love For God And Desire To Help Others Is The Motivation Behind The Men And Women Of The Salvation Army, And Whereas, The Salvation Army In Lee County, Florida, Provides Much More Than Spiritual Counselling And Basic Human Necessities To The Needy And The Hurting On A Daily Basis, And, Whereas, The Salvation Army Serves As A Symbol Of Compassion, But More So, An Active Participant In The Participation Of Services Of Lee County Men, Women, And Children, And, Whereas, The Salvation Army Has Been Providing These Programs To Residents For 59 Years, And, Whereas, The Salvation Army Provides Its Services To People In Need Without Regard To Race, Colour, Creed, Sex, Or Age.

Therefore, Be It Resolved That The Board Of Lee County Commissioners Does Hereby Proclaim May 9th To The 15th Of 2010 As Salvation Army Week In Lee County, And We Urge All Citizens To Join Us In Honoring The Dedicated Men And Women Who Work For Volunteer For This Fine Organization And Touch The Lives Of So Many.

That's An Understatement.

Touch The Lives Of So, So Many.

This Is Dually Executed This 11th Day Of May, 2010, Signed By Chairman Of The Board Of County Commissioners, Tammy Hall.

[Applause] Chairwoman Hall: Take A Photograph.

Chairwoman Hall: If We Could Hear From You, Please.

Never Miss An Opportunity To Talk About The Salvation Army Here In Lee County.

Our Local Vision Statement Is We Are Making A Difference One Life At A Time, And In The Past Year We Touched 30,000 Different Lives, Men, Women, And Children In Our Community.

When You Think About The 170 Staff Members And The Hundreds And Hundreds Of

Volunteers And Then The Thousands Of People Who Have Either Range A Bell Or Contributed Dollars Or Just Talked About The Army, Our Community Is Extremely Blessed With The Partnership That Is We Have Amongst The People Here And, Of Course, With The Board.

It's Significant To Know That In These Difficult Times, Our Salvation Army Right Here In Southwest Florida Raised The Most Dollars Out Of Any Red Kettle Campaign In The State.

I Talked About -- [Applause] It Really Goes To The Heart Of What A Blessed Community We Are.

Now, What's Happening In The Worldwide Venture Is That The Salvation Army Is Still Participating In The Haiti Relief Effort.

14 Million Meals Have Been Served With The Help Of The Salvation Army, And Over 40,000 People Have Been Assisted As Part Of Their Medical Outreach Program.

Now, In Our Own Little Southwest Florida We're About To Enter Hurricane Season, And As Part Of Our Disaster Relief Effort, On Tomorrow -- Is That Tomorrow? Tomorrow Between 11:00 And 1:00 A.M. -- 1:00 P.M. -- 11:00 And 1:00 P.M. We Are Going To Have Our Disaster Relief Campaign Outside, And We Are Going To Be Serving County Administration Lunch.

It Is Something That We As A Group Need To Prep.

We Need To Be Ready.

We Need To Get Our Emergency Services In Action, So I Invite All Of You Outside And It's Going To Be Between Broadway And Second Street.

It's About Awareness.

It's About Preparation.

It's About All Of Us Coming Together As A Salvation Army And As A Volunteer Community To Absolutely Make A Difference.

Again, On Behalf Of Our Past Chairwomen Of The Salvation Army, Meg Gelnor, The Majors That Are Part Of This Community Well, Thank You From Our Heart, And We Hope That You Will Continue To Be Volunteers, Contributors, And Servants To The Salvation Army.

Thank You.

Meg Gelnor Wanted Me To Give You Her Best.

She Is Out Partner And Trying To Figure Out How To Do More For More People With Less.

She's Doing What We Need Her To Do Right Now.

Comm. Bigelow: We Salute Her.

Thank You.

Chairwoman Hall: Thank You Very Much.

Next We Have A Ceremonial Presentation Recognizing Bishop Early High School Boys Soccer Team.

Commissioner Judah.

Comm. Judah: Before The High School Team Comes Forward, We're Going To Want Every One Of Them To Step Forward With Their Coaches And Principal And Athletic Director.

Let Me Just Say To Thank The Salvation Army, I Would Say A Wonderful Safety Net For The Entire Community And For The Nation.

With The Als Network, Obviously, We're All Deeply Touched With What We Heard Today And Who We See Representing The Community.

Debbie Rowe Is A Very Dear Friend, And Those Of You In The Als Community You Know Of Her.

She Was A Wonderful Gymnastic Coach For Many Years.

To See The Debilitating Way In Which She Struggled Is No Small Testament To Her He Strength And The Als Community.

I'm Just Amazed At The Community Support That Is Constantly Trying To Help Raise Money For Medical Research And For Caring For Those In The Als Community.

I Think We're All Deeply Touched, And We Appreciate Your Presence Here Today.

As We Look Forward To Recognizing Two Exceptional Schools And The Young Men Representing These Schools, Premier Schools Not Only In Southwest Florida, Not Even The State Of Florida, But The Nation.

Bishop Rowe High School With The 3-A State Championship Soccer Team, Fort Myers High School With Their 4-A Basketball State Championship Team, And If We Thought It Was Difficult To Line Up Here For A Photo Op With Dennis Pearlman, Wait Until The Basketball Team Gets Up Here And We Get Behind Them.

I Tell You, The Stature Of This Bishop Rowe Soccer Team Is Just A -- They Really Went To The Next Level.

Unlike Any Other.

There's Been Some Really Good Bishop Rowe Soccer Teams In Past Years, But At This Point In Time If The Father Is Here, The Superintendent, The Athletic Director.

They Gave You Permission To Be Here Today, And So I Appreciate That, So At This Point In Time Let Me Ask The Manager Hans, Assistant Coach, Michael Laird, And Forgive Me On The Pronunciation, Head Coach Tom Mcglen And The Entire Roster Of Players.

If They Would Please Step Forward And Please Gather Around This Podium, And I'm Going To Ask Karen, If You Don't Mind Grabbing The Mike, I'm Going To Do Something Here Unprecedented.

I'm Going To Give Each One Of These Young Men An Opportunity To Introduce Themselves, Their Grade Level At The School, And Then Also Their Position On The Soccer Team.

Just Each Take Turns, And Then Just Come On Up Forward In Front Of The Podium Here.

I'm Chris.

I'm A Junior, And I Play Forward.

I'm Jose, Senior, And I'm Starting Mid.

Freshman, And Outside Mid.

Nick Owens, Sophomore, Goalkeeper.

Steve Reynolds, Junior, Defence.

Chris Singleton, Senior, Defence.

Michael, Midfield, And I'm A Junior.

Jorge Julius, Forward.

Sophomore, And I'm A Forward.

James Gibson, Midfield, Junior.

Andrew, Forward, And A Junior.

Matt Math Es, Midfielder, Senior.

Max Moore, Junior, Forward.

Brendan Abernathy, Midfield, And Senior.

Austin Doyle, Forward, Senior.

Senior, Defender.

Bryant Whitaker, Senior, Outside Mid.

Michael Waldren, Senior.

Lucas, Senior, Defender.

Lucas Polk, Senior, Keeper.

Hans, Junior, Didn't Play.

Michael, Assistant Coach.

Tom Mcglen, Coach.

Comm. Judah: It Is A Treat To Have You Gentlemen Here.

Coaches.

I Got To Tell You It Looks Like The Soccer Team Is About As Tall As Any Basketball Team I Have Ever Experienced, But Let Me Read The Following Resolution.

If You Gentlemen Would Turn Around Because I Want To Make Sure The Cameras Are On Your Faces.

Again, It's Just A Wonderful Opportunity For Us To Recognize Your Accomplishments.

Obviously, Your Tremendous Athleticism And Also The Fact That You Have Exhibited Tremendous Mental Discipline As Well As The Understanding Of Team Play To Get To The Goal You Accomplished.

Comm. Judah: Whereas, The Entire Student Body Encouraged The Team And Its Coaches To Push On To Compile A Win-Loss Record Of 26-1-2 To Be Ranked Sixth In The Country By The National Soccer Coaches Association And Outscored Their Opponents 134 Goals To 16 During The Season Which The Vikings Compiled 19 Shut-Out Games.

Whereas, The Parents Of The Players Should Be Recognized For The Time And Commitment To Excellence That Allowed These Young Men And Coaches To Perform Like Champions.

Whereas, This Championship Season Will Be A Part Of Lee County Sports History Forever.

Therefore, Be It Resolved The Board Of County Commissioners Of Lee County, Florida, Wishes To Recognize The Bishop Rowe High School Soccer Team For Their Commitment To The Sport Of Soccer And Their Pride In Their School.

The Commission Would Also Like To Thank The Entire Student Body, Parents, Team, And Faculty Of Bishop Rowe High School To Bring In The Florida High School Athletic Association Championship To Lee County.

Dually Executed This 11th Day Of May, 2010, Signed By The Chairwoman Of The Board Of County Commissioners, Tammy Hall.

Congratulations To All Of You.

[Applause] I Know That We Would Like To Shake The Hand Of Each And Every One Of You.

If You Could Gather Around By The Podium For A Few Words.

Come On Through Here, Gentlemen.

Don't Miss This Opportunity.

Congratulations.

Chairwoman Hall: Please Gather Around The Podium.

That Would Be Great.

Hope -- Chairwoman Hall: Are You Ready? Thank You Very Much For Having Us Today.

I Want To Thank The Guys.

They Did A Fantastic Job All Season.

It's Not Just A Couple Of Months Effort.

It's Been Going On Since They Were 4, 5 Years Old.

We've Been Working At This Since August Of Last Year.

We've Already Started Preparing For Next Year.

One Of Our Biggest Accomplishments That's Not On There Is We Tied A Two-Time Defending National Champion This Year.

They Haven't Lost In 65 Games.

We're The Only Team -- There's One Other Team That Tied Them In Two Years.

We Played A Difficult Schedule, And Very Proud Of These Guys, And Represent Our School Very Well, And Thank You Very Much.

Comm. Judah: Thank You.

[Applause] Comm. Judah: Madam Chair, If I May.

Chairwoman Hall: You May.

Let's Go On To The Fort Myers Boys Basketball Team.

Comm. Judah: This Is An Unparalleled Feat To Think That After 89 Years In The History Of Florida High School Athletic Association This Team Of Young Men Actually Brought Home The 4-A State Championship.

Obviously, This Is A Very, Very Elite Group Of Young Men, And At This Point In Time I Would Like To Ask Scott, Their Head Coach, His Assistant Staff And Also All The Players To Step Forward, And I'm Going To Do The Same Procedure Here.

We Would Like To Have You Introduce Yourself, Your Grade Level, Your School, And Then Also The Position That You Played.

Garrison Free, Sophomore, Guard.

Steven Muller, Junior, Defence.

Lucas Garon, Sophomore, Guard.

James Witfield, Junior, Guard.

Robbie Dixon, Sophomore, Guard.

Matt Yantz, Junior, Guard.

Keith Junior Guard.

Senior, Center.

Junior, Guard.

Jeff, Senior, Guard.

Evan Graham, Junior, Point Guard.

Buddy McClendon, Junior Guard -- Senior, Guard.

Senior, Forward.

James Joseph, Senior, Guard.

Assistant Coach Jim Moyer.

Assistant Coach Kevin Hawk.

Athletic Director Craig Waggle.

Head Coach Scott Guttery.

Comm. Judah: If I May, I, First Of All, On Behalf Of The Board Want To Congratulate You

Young Men.

You Have An Exceptional School, A Tremendous Legacy, A Lot Of Phenomenal Teams Throughout The Years In Baseball And Football, Soccer, Basketball, But Not Like This Particular Team That We Have Before Us This Morning.

Scott Guttery, I Got To Tell You A Little Something, Guys.

If You're Not Aware Of, But I Coached That Young Man When He Was A Little Leaguer When He Was 8, 9 Years Old, And I Got To Tell You, He Had The Sweetest Left-Handed Swing.

He Could Have Been A Professional Baseball Player.

He Picked Basketball, But It Was A Calling, And I Think It's Pretty Clear He Is Exceptional In Terms Of His Ability To Be Able To Communicate To Young Men Like Yourself And For Scott To Come Forward With His Assistant Coaches And A Fine Talented Young Men Like Yourself To Be Able To Pull Off A State Championship Is Just A Phenomenal Accomplishment.

It's My Pleasure To Read The Resolution.

Whereas, The Fort Myers Boys Basketball High School Team Captured The High School State Athletic Association 4-A State Championship Bringing This Prestigious Title To The Lee County Community.

Scott Guttery Was Named Class 4-A Coach Of The Year.

The Entire Student Body Encouraged The Team And Its Coaches To Push On.

They Captured The Only Basketball Championship For Southwest Florida Until 89-Year History Of The Florida High School Athletic Association.

Whereas, The Patients-- Parents Of The Players Should Be Recognized For The Time Of Dedication.

Whereas, The Championship Season Will Be Part Of Lee County Sports History Forever.

Now, Therefore, Be It Resolved The Board Of County Commissioners Of Lee County, Florida, Wishes To Recognize The Fort Myers High School Boys Basketball Team For Their Commitment To The Sport In Basketball And The Pride In Their School.

The Commission Would Like To Thank The Entire Student Body, Parents, Team, And Faculty Of Fort Myers High School For Bringing This Florida High School Athletic Association Championship To Lee County.

Dually Executed This 11th Day Of May, 2010, Signed By The Chairwoman Of The Board Of County Commissioners, Tammy Hall.

Congratulations.

[Applause] Comm. Judah: Go Right On Around.

I Want To Thank You Guys For Having Us Out Today.

Commissioner Judah, You're Still Coach Judah To Me, On So Thanks For Teaching Me Like You Did When I Was A Little Leaguer Back In The Day.

These Guys, Obviously, Just Like This Boys Team Worked Very Hard To Get Where They Are Today, And The Thing I'm Most Proud About Is The Way They Played This Year And The Way They Did It.

They Were Very Unselfish Group Of Guys.

There Was No -- There Was No Individual Pride.

It Was All About The Team, And I Think That That Speaks Volumes.

Each Of These Kids Character, And It Really Just Makes Me Proud Of The Way They Conducted Themselves Throughout The Season And The Way They Played The B Team That Were Maybe More Individually Talented Than Them, But They Came Together As A Group, And They Were A True Team In Every Sense Of The Word, And I Think It Speaks Volumes Of What You Can Do As A Team.

Everyone Sacrifices Individual's Glory For The Good Of Each Other And The Good Of The Program.

I'm Proud Of These Young Men, And I'm Very -- We Feel Very Blessed To Be The First Basketball Team To Bring That State Championship Home For Lee County.

Thank You Very Much For Having Us Today.

Chairwoman Hall: We're Very Proud Of You All.

Chairwoman Hall: We One More Ceremonial Presentations Before We Go On To Other Presentations, And That Is The Presentation Recognizing John O'donnell.

Commissioner Bigelow.

Comm. Bigelow: Thank You, Madam Chair.

Before I Get There, Could I Just Take A Moment Here And Address The Players Here From Fort Myers High School.

Commissioner Mann And Myself -- I Think Mary Lee, Mrs. Mann, And My Mother Who Is 97 Is A Greeny, Yes.

Omg! Comm. Bigelow: Frank's Two Sons.

Y'all Have Made Me Extremely Proud.

I Mean, I Saw Them, And, I Was, Like, Way To Go, Guys.

Let Me Just Caution You.

As Good As You Are, Please Pursue A Higher Education, If You Can.

Find A Way To Do It.

Commissioner Mann And I Did, And Look Where We Ended Up, Right? I'm Giving You Double Messages.

Way To Go, Seriously, And I Appreciate Everything You've Done, And You Made Us Look Really Good Throughout This Country.

Thanks A Lot.

Ok.

Is John Here? Good.

All Right.

John.

Oh, John, Come Forward.

These Guys Are Moving.

That Doesn't Look Like John O'donnell.

I Know This Guy.

It's My Distinct Honor As Board Liaison To Veteran Services To Present This This Morning, And, I Tell You, This Is A Big Ata Boy, And Really Something Else, And I Appreciate Your Volunteerism, John, And This Will Explain To Everyone What That Is, And Then Hopefully We'll Hear From You.

Whereas, The Lee County Courthouse Veterans Memorial Plaque Was Dedicated On Veterans Day 1967 To Honor All Lee Countians Who Died While Serving In The United States Military During A Time Of War.

Currently, There Are 166 Names Listed On The Plaque From World War I Through The Iraq Conflicts And, Whereas, John O'donnell, Who The Spirit Of A Citizen Volunteer Donated His Efforts To Assist County Facilities Maintenance Staff In The Restoration Of The Veterans Memorial Plaque That Had Become Discoloured And Oxidized Over The Years.

Whereas, John O'donnell Educated, Tutored, And Tutored The County Staff In The Art Of Restoring Bronze Plaques.

County Staff Has Already Used This Newly Learned Maintenance Technique On Other Lee County Government Bronze Plaques.

Whereas, John O'donnell's Citizen Volunteer Efforts With The Veterans Memorial Plaque Restoration Project Sets An Example For All Lee County Citizens To Constantly And Continually Remember The Military Personnel Who Have Made The Ultimate Sacrifice While Fighting To Maintain The Freedom And Liberty In The United States.

The Greatest Country In The World.

Amen.

Now, Therefore, Be It Resolved That The Board Of County Commissioners Of Lee County, Florida, Does Hereby Proclaim Tuesday, May 11th, 2010, As John O'donnell Day Here In Lee County, And We Urge All Individuals To Recognize The Importance Of Citizen Volunteerism And Honoring And Saluting Our Country's Military Personnel, Past And Present.

This Is Dually Executed This 11th Day Of May, 2010, And Signed By The Honorable Chairwoman Of The Board Of County Commissioners, Tamara Hall.

Thank You.

Thank You So Much.

[Applause] Come On, Guys.

Thanks.

Great Job.

Chairwoman Hall: Thank You For Being Here.

One, Two, Three.

Chairwoman Hall: John, We Would Like To Hear From You If You Have A Few Minutes, Or Rich, Or Whom Ever.

I Would Just Like To Thank You For This.

It Was An Interesting Project.

I Was Hesitant At First Letting A Citizen Work On A Monument That's So Important To All Of Us, And I Remember After He Had Presented His Proposal I Was Talking To The Carpentry Shop Who Does All Of It, And I Said, You Know, What Happens If We Let This Guy Tackle This, And It Doesn't Work? One Of The Painters Said, Well, It Can't Look Any

Worse.

There Was An Old Faded National Historic Registry Plaque, And We Restored That Too, And It Looks Great.

Chairwoman Hall: Looks Fantastic.

Thank You.

I Would Like To Thank You For The Opportunity, And I Would Like To Tell Everybody In This Room That This Plaque Is Mounted On A Big Piece Of Flag Stone In The Northwest Corner.

It Just -- We Have Four Medal Of Honor Winners.

It Makes You Proud To Be There From Lee County.

Thank You So Much.

Chairwoman Hall: Thank You.

One Is By The Core And One Is By Our Contractor.

I Would Like To Take Five Minutes To Clear Chambers.

I'm Sure The Students Would Like To Rush Back To School.

We're Going To Take A Five-Minute Break, And We'll Come Back And Convene.

Five Minutes, Everyone.

Thank You.

Chairwoman Hall: Thank You For Letting Us Let The Students Exit.

We Have Two Presentations That Are Going To Be Made, And I Would Like To Ask That Carter Gulf Disaster Do Their Presentation First, And Then We'll Take The Army Corps Which Will Be Followed By A Brief Staff Follow-Up For The Corps.

Are The Representatives From Carter Gulf -- There You Are.

Good Morning.

How Are You? Good Morning.

Chairwoman Hall: Thank You For Being Here With Us This Morning And Sharing Our Plan With Us.

We Appreciate It.

I'm John Campbell, Project Manager, Formerly Of Lee County.

It's Good To Come Home And See Some Folks That I Worked With.

We Were Asked To Come Down, If I Can Find My Little Tool.

We Were Asked To Come Down This Morning And Speak To You Concerning Our Capabilities To Assist You In Case You Are Impacted By The Oil Release Deep Horizons.

We Certainly Hope, Like Any Hurricane That We Worked, That It Does Not Happen, But There Is Potential For It, And To Give You A Little Background In Just What Happened, And I Would Like To Preface That By Saying That Lee County In True Style Is Really Leaning Forward, And That's Good.

I've Worked With Jay Stackenberg, John Lewiston, And Jdc From Sanibel, And By Her Request, I Met With Her Yesterday To Go Over The Contingency Plan For Sanibel, Or At Least Our Plan For Sanibel And How That Relates To The Acp, The Area Plan.

Mostly You Folks Are Really Leaning Forward.

It's Good.

We Have Four Of The Five Municipalities.

We're Very Interested In Lee County And Making Sure You're Taken Care Of.

As I Mentioned, We Were Contacted Initially On April The 29th By Emergency Management And Asked What Our Capabilities Are For Assisting You, And Then On The 30th We Provided Them With A List Of Our Capabilities That We Can Respond To This Particular Disaster.

Now, Our Primary Role Day To Day Is Disaster Debris Management, And That's What We Are Contracted To Do For The County Routinely.

However, We Feel That We Have A Very Robust Marine Recovery Division, And We Have Done A Lot Of This Work In The Past.

I'll Get Into Some Of That In A Minute.

Then, Of Course, I Was Asked To Come Down Today And Speak To You And Go Over Some Of Our Capabilities With You.

To Mention What We Do -- As I Mentioned, We Have Done Tremendous Amount Of Marine Recovery Work.

That Includes Boats.

That Includes Radar, Sonar Operations, And It Also Includes Booming, Which We Do Quite A Bit With Recovery Vehicles, To We're Familiar With All The Procedures Used For All Recovery From The Water And The Shoreline.

The State Of Texas, After Hurricane Ike, We Cleaned 72 Miles Of Beach, For Example.

We Screened All That Sand So We're Familiar With That Process As Well.

What Can We Do For Lee County And We're Prepared To Do Within Three Days -- And I'll Put That Right Up Front.

In Three Days We Can Be Here And Be Operational.

Transport The Oil Recovery -- Oil Boom That Is Necessary.

Now, Where Are We Going To Get The Boom? Booms Are A Scarce Commodity Right Now, And It's Being Pretty Much Controlled By The Bp As To Where The Inventory Is Going.

However, We Do Have Some Commitments For A Large Amount Of Boom If We Are Called To Lee County, So I Just Will Tell You That We Have That Commitment.

Boats, Hoppers, Barges, Tugs, We Have All This Equipment Ready To Go.

It's Immediately Available.

Like I Said, We Need At Least 24 Hours, Maybe Three Days As A Cushion To Be Here And Be Operational In The County.

Now, You Say, Well, Why Can't You Be Here Right Now? Well, It's Very Expensive To Have This Equipment On Stand-By, So You Really Have No Physical Threat Now On Your Shoreline, So We Are Going To Wait Until We Have That Alert From You.

Skimmers, Decanters, All This Equipment That's Being Used Currently In The Gulf, The Process, As You Well Know, Is Skimming, Burning, Using Disbursements, All The Standard Procedures For -- For An Oil Release, Such That We Have Now.

Of Course, It's Probably The Most Catastrophic Event Oil Release We've Ever Had In The Nation.

There's Still A Lot Of Learning Curve Involved With Everybody, And We Are In That Same Process, Because -- A Large Debris Hauling Capability.

What Happens After We Take The Boom Out Of The Water? Either The Oil Soaking Boom Or The Other Type Boom To The Disposal Site.

We Need Trucks.

We Have No Shortage Of Trucks In Our Business.

Feel Comfortable With That.

We Have A Limited Supply Of The Wire Baskets You Fill With Sand And Chemicals, And

They Can Be Placed On The Shoreline To Block The Slicks, The Oil Slicks, What Have You, From Coming Ashore.

We're Using Some Of Those Right Now, As A Matter Of Fact, On Dauphin Island, And They're Probably Being Used On The Bay Side Of That.

Not On The Surf Side.

Approximately 300 Qualified Personnel -- When I Say Qualified, These Are 40 Qualified People That Have Been Through The Training, And They Are, Matter Of Fact, Employees Of Our Subcontractor, So These Are Highly Qualified Labourers That Would Be Doing The Primary Work, And Then, Of Course, We Have The Capability Of Training Up Local Folks And Volunteers If Called To Do So To Reinforce That Group Of Workers.

We Have No Limit To The Amount Of Personnel.

It's Just A Matter Of Getting The Additional People Trained Up And On The Job.

We Can Assist -- We Have Done This Before -- Assist With Wildlife Recovery.

Set Up Claiming Stations And Assist The Wildlife Folks In Doing That.

I Say Assist Because They Would Be The Primary Driving Force In That Process.

That's A Mess Thing When You Have A Big Spill Like This, You Have To Pay Attention To The Wildlife And Taking Care Of That, But Some Of Them Are Not Going To Survive, And We Have The Capability Of Recovering Those Carcasses And Either Burying Them Or Incinerating Them.

That's Just A Fact Of Life, And We Do That And Have Done It In The Past With Anything From Cattle Down To Smaller Animals And Birds.

We Can Establish A Beach Sand Cleaning Operation Which We've Done Before With Sprayers.

You May Have Seen That Done Up In Alaska With The Valdez Situation Where They Sprayed It With Hot Water.

That's Want Easy To Do On Sand, But It Works, And We Can Certainly Set Up Those Operations.

Is That The Best Way To Do It? Possibly Not.

I'll Show You Some Other Ways.

We Use An Anaerobic Bacteria Chemical -- I'll Back Up Just A Minute.

We Do Some Work With The Chevron Terminal Refinery In Mississippi.

We Manage A Terminal There For Them.

We've Used This Product Up There For About 20 Years For Minor Spills.

It Works Very Well.

Basically, It's -- It Works With The Hydrocarbons And Reduces The Oil Down To Just A Solid Hydrocarbon.

It's Harmless.

This Is A Nontoxic, Non-Flammable Product, And We Are -- I Talked To Judy About This Yesterday, The Possibility Of Getting Her The Epa Specs On It Now To Make Sure We Don't Have Some Lasting Impact Affect On Human Beings From This.

There Are Other Chemicals Being Tested By Bp And Some Of Their Contractors Up In The Gulf That Seem To Be Working Very Well, And When You Combine That With A Disbursement When You Break The Oil Down To Smaller Molecules, It Really Works Effectively Because There's Less Mass There To -- For Bacteria To Eat Up.

And I Can Go Into More Detail With That, But I Want To Just Hand Clean The Tar Balls From The Beach.

Sometimes That's What It Comes Down To.

Just Crews Going Along The Beach Picking Up Tar Balls With Hand Tools, Putting Them Into A Container And Trucking Them Off.

Now, I Would Think That Even Though You Have No Immediate Threat From This Spill, Immediate, I Say, There Will Be Years Months Later Tar Balls Washing Up On Your Beaches, So You Are Going To Have That Problem Occasionally, Just Like When There's A Spill From A Tanker Out In The Gulf.

You Will Occasionally Months, Weeks Later Get Some Residue From That Spill, So That's Something We Can Look At Down The Road As Well.

Establish Sand Screening Operations That I Mentioned To You Before.

We're Adept At Doing That.

Let's Bring In Heavy Equipment.

Now, Is That Good For Turtle Season? No, Because We Have To Displace The Sand, Screen It, Put It Back On The Beach.

Judy Was Very Concerned Yesterday With The Small Animals That Live In The Sand.

The Microorganisms And Not Damaging That.

Those Are Vital To The Beach Nourishment.

We Would Say That Sand Screening Does Not Impact On That.

It's A Good Method.

In Summary -- I Guess I Should Say In Closing, These -- I Want To Make These Remarks.

We Are Fully Prepared And Ready To Come To Lee County's Assistance And Being A Former Lee County Guy, We'll Give You Precedence, There's No Doubt About That, But We Are Told That The Government Is Following The Area Contingency Plan, The Acp.

In This Case The St. Pete Area Contingency Plan For This Area.

Therefore, Thethat Associated With That Has To Be In Conjunction With The Jurisdictions Following That Plan.

The Local Government Either Execute The Existing Plan Or They Can Request Changes To It, And I'm Probably Preaching To The Choir.

You Already Know This, But, In Essence, If The City Manager Of Sanibel Is Not Happy With The Plan In Existence, You Can Request Modifications To That Plan And Go Forward.

If They're Approved By This Area Council, Then They Will Be Funded.

That Wasn't Always The Case.

Initially They Would Normally Let You Select Your Own Contractor, But Now Because Some Circumstances They Are Dictating That Bp Will Use Their Contractor Who Happens To Be In This Case Is With Some Various Subcontractors Under Them.

So A Pool Of Changes By That Council Will Be Funded By Bp And Executed By Bp.

That's The Way I Understand The Process To Work Now, As, Again, We're Just Worker Bees.

We Want To Do The Work, But We Have To Go Through The Proper Procedure.

Primarily, As Indicated In The Last, We're Prepared To Fuel That Vacuum.

If There's A Situation Where Either The Bp Subcontractors Cannot Become Over Load And You Can't Do The Work, Which Has Happened Already, We Are Doing Some Of That Work Up In The Central Gulf Today.

We're Ready To Do That.

We're Ready To Move In And Do It.

Or If There's Something That You Want Done That's Want Going To Be Funded And You

Want To Fund It On Your Own, We're Ready To Do That As Well.

That's Where We Stand Today, And I'm Ready To Answer Your Questions If You Have Any.

Chairwoman Hall: Thank You Very Much.

Questions From The Board? Commissioner Bigelow.

Comm. Bigelow: None.

Chairwoman Hall: Is That A Question? Comm. Bigelow: Actually, Dow.

Thank You.

Chairwoman Hall: You're Welcome.

Comm. Bigelow: It's John? Tim? John.

Comm. Bigelow: John.

I'm Sorry.

Thanks For Being Here.

Sure.

Comm. Bigelow: If I Understand Correctly, Three Days After We Ring The Bell And Tell You We Need You Down Here, That's When You Show Up And Start Developing Staging Plans And You've Listed A Lot Of Methods Dealing With Whatever It Is That Is Landing On Our Shores, And The Consequences Of It, Wildlife, But I Guess I'm Curious If We Ring The Bell Three Days Later You're Just Planning And That's Another Delay.

No, Sir.

Chairwoman Hall: That's Not What He Said.

The Planning Is Already Being Done Now.

The Staging Areas Are Already Identified.

Comm. Bigelow: I'm Sorry That I Missed That, But You Have Already Reviewed The Shoreline.

I'm Sorry.

I Probably Didn't Cover That Properly, But The Three Days That I Mentioned Will Be When We're Operational.

We Can -- The Minute You Drop The Hammer, I Will Be Here, For Example, To Start

Coordinating All Of That Pre-Event -- Those Pre-Event Matters That Have To Be Taken Care Of.

During That Period Of Time, Our Equipment Is Moving Forward, So That's The Way We Do It For A Hurricane Or Whatever, And That's The Way We'll Do It For The Oil Spill.

Comm. Bigelow: It's My Understanding, Since We're Not In The Governor's Declared State Of Emergency -- Right.

Just Comes Down To Sarasota.

Comm. Bigelow: Sarasota County.

There Are Two Counties.

That We Couldn't Execute Smp Preplanning And Then Expect To Be Reimbursed For That, Am I Correct In That? As I Mentioned, I'm Not As Well Versed On The Funding Side Of This As Some Of You Possibly, But As I Understand It, Today There's A Question As To Whether You Would Be Reimbursed For Preplanning.

Comm. Bigelow: Right.

So If We Were, Though, In The Area Of Influence, If You Will, Then We Could Do Replanning And Expect Reimbursement Likely -- Chairwoman Hall: I Think That's A Question For John, John Wilson.

You Could Ask The Contractor Questions, Because Those Triggers Are About To Be Pulled By Us, Not By Him, So We Have John Wilson Come Up And Answer Those For You, Commissioner Bigelow, Rather Than Asking A Contractor To Think For Lee County's Decisions.

Comm. Bigelow: Good Thinking.

The Rules Have Somewhat Shifted From Side To Side, And That's The Reason I Haven't Hesitated To Tell You Yes Or No.

Maybe John Can -- Chairwoman Hall: Is He Right Behind You.

Sorry.

For The Record John Wilson, Public Safety.

Comm. Bigelow: Good Morning, John.

Commission, We Are Not, As You Correctly Stated, We're Not Currently In The Governor's State Of Emergency.

Anything That We Do At This Point Is On Our Dime.

However, With This Decision, It's A Little Different Than Our Typical Response Efforts In Which It Comes Under The Auspice Of The National Contingency Plan Which Says The Responsible Parties Are Responsible-- Responsible For The Costs And Not The Central Government, Like In A Hurricane Or A Situation Like That.

We Are Already Gearing Up As We Speak.

We're Already In Preparedness Stage Right Now.

One Of The Reasons We Have John Here Is Part Of That Effort To Give You An Idea Of What Those Resources Are Available To Us Should We Need Them In The Event That We're In The Same Situation As Our Six Companion Counties Up In The Pan Hand Of Florida.

Those Costs Are Being Picked Up By Staff As Part Of Their Normal Everyday Duties.

When We Start Gearing Up To Potential Depending On Whatsoever Impact The Oil Spill May Have On Us, That's When We'll Come Back To You And Say We'll Need You To Declare A State Of Local Emergency As We Set Up The Framework At The Last Board Meeting To Do So On A Notice Where It's Appropriate.

At That Point In Time Then We Will Be On The Dime.

Whether Or Not That Will Be Picked Up Is A Matter That's Going To Have To Be Addressed At A Later Time.

Ok.

He Is Telling Us, Though, We Should Expect Tar Balls At Some Point? Yes.

They're Saying That Given The Extensive Area That This Covers Now That There's No Way That All -- Everything Isgoing To Be Recovered At Sea, So Maybe Weeks, Months From Now You May See Some Tar Balls Coming Up On Your Shoreline.

It's Just From My Experience That Could Happen.

Comm. Bigelow: No Idea What Kind Of Quantity, Because -- No.

Right Now I Would Say In The Near Future We Don't Anticipate Anything For Your Coastline.

Comm. Bigelow: Near Future.

Of Any Significance.

Comm. Bigelow: I Thought You Said That We Will Experience Some Onshore --
Chairwoman Hall: Possibly We Will Experience Some Off Shore Tar Balls At Some Undetermined Period Of Time Which Would Be Months From Now, Could Be A Year From Now.

You Just Never Know.

Comm. Bigelow: So We Are Expending Staff Resources On A Planning Initiative Here.

I Appreciate That.

And Are We Accounting For That Staff Time So That We Can Hold Those Accountable? Again, Commissioner, At This Time Since We're Not At A State Of Emergency, These Costs Are Not -- Comm. Bigelow: Not Now.

No, Sir.

Comm. Bigelow: Not Now, But Potentially.

Once We Come Under A State Of Emergency With The Governor And Depending On The Type Of Work That's Eligible For Bp, Then That Cost May Be Reimbursed.

Comm. Bigelow: Right.

We're Not Waiting Until That Time, Commissioner, To Gear Up, Get Ready To Go, Go Into Preparedness Stage So That We're Ready To Go Should We Be Impacted By This Oil Spill.

Comm. Bigelow: What I'm Hearing, John, Is That John Is Telling Us That We Can Likely Expect Some On Shore Consequences Of This Catastrophic Event, And In Light Of That, I Think Maybe We Ought To Be Accounting For -- Chairwoman Hall: You Can't Go Retro.

We Go From The Day They Give Us The State Of Emergency.

We Can Be Reimbursed.

You Can't Go Back.

Comm. Bigelow: I Would Send Our Lawyers Arguing Just The Opposite.

Chairwoman Hall: Can We Stay Focus Odd What We're Doing Here, Because We Haven't Even Gotten To Our Agenda Here Today, And I Realize That's Going To Be A Challenge For Us, But I Think What We're Hearing Is That Right Now At This Point We're Geared Up, We're Ready To Go, We're Covering That Under Our Normal Operation.

If A State Of Emergency Comes, We Will Be Then Determining What Is Eligible For Reimbursement.

Meantime, Lee County Is Prepared To Write The Check For Whatever We Need, And We'll Deal With The Reimbursements Later.

If We Need To Engage An Attorney To Do That, We'll Do That.

Comm. Bigelow: Chairman, You May Not Appreciate Where My Line Of Questioning Is Going Or The Position I'm Taking Upon This, But I Would Appreciate If You Would At Least

Indulge Me And Allow Me -- Chairwoman Hall: I Would Like To Be Able To Allow The Other Commissioners To Comment And Get To Where We're Going Today For The Public Assurance That We're Ready And Prepared For This Disaster In A Appropriate Manner.

Comm. Bigelow: I Believe There's Some Kind Of Time Limit On My Ability To Ask Questions, And If You Could Please Share That Time Limit With Me, I Would Appreciate It.

Chairwoman Hall: I Just Would Like The Questions To Be Relevant To What We're Trying To Accomplish Today, And I Realize That Reimbursement Of Disaster Is An Important Component, But -- Comm. Bigelow: I'll Be Done.

Chairwoman Hall: Today We Want To Make Sure That If The Disaster Comes Here, We Have A Contractor That Can Accommodate Us.

The Reimbursement Is Going To Be An Important Issue For Us, Commissioner Bigelow.

No Disrespect.

We -- There's No Sense In Continuing To Say The What If When We Don't Know.

Comm. Bigelow: Appreciate The Little Indulgence You Have Given Me.

Chairwoman Hall: Yes, Commissioner Judah.

Comm. Judah: You Have Demonstrated Over And Over Again They Have The Expertise And Resources And Are Well Versed In Dealing With Emergency Response.

We Appreciate The Partnership.

What I Did Want To Ask Real Quickly, On The Stabling Area, You Will Be Resolved With Local, State, Private Entities That Allow You To Provide Staging Areas From Bonita Beach All The Way Up To Boca Grande? A Lot Of Those Staging Areas Are Currently In The Acp Plan Identified In There, But We Do Not -- We Have Not At This Point Verified Those Staging Plans.

We'll Need To Do That In The Next Few Weeks.

Comm. Judah: Ok.

Very Good.

I Agree With Her With Regards To The Filtering And Cleaning Of The Sand.

You Want To Go With A Biological Process, Microbes Versus Chemical.

Do You Have The Ability To Do That? We Have The Capability To Do It.

We Have Done It.

For The Most Part That's An Agent That's Sprayed On The Water Or The Sand, And Our Technique Would Be Very Quickly.

I Won't Go Into A Lot Of Detail, But It Would Be To Once You Get The Boom Along The Shoreline, Is To Spray That Anaerobic Bacteria On The Sea Side Of That Boom To Kill It Before It Ever Comes On The Shoreline.

Anything That Happens To Wash On The Shoreline, We Can Also Spray The Beach And Kill It Right There.

We Would Hope To Get That Slick, If You Will -- Comm. Judah: That's Not Chemical.

That's Biological? That's Biological.

Comm. Judah: One Last Question.

Was There An Opportunity To Bring In About 200 Miles Off Shore An Opportunity To Bring In Barges To Collect The Oil And Provide Oil And Water Separation Before It Gets In Close To Shore.

Though Process Will Be Going On, I Can Assure You.

Comm. Judah: Thank You, Sir.

Chairwoman Hall: Commissioner Mann.

Comm. Mann: This May Be Something Where Commissioner Bigelow Was Heading On Some Issues That You Can't Answer, But I Need To Ask You Or Put It On The Table.

We're All Getting To Be Experts On This Loop Current From Reading The Paper And Watching The 6:00 News.

Maybe We Need An Oceanographer To Answer This.

As We're Looking At The What Ifs Here Is Just A Week Ago We Hoped To Be Here, And I'm Pleased With Your Presentation And What You Are Talking About, But As I Look At This Loop Current For Trade On All The Evening Television Shows, It Seems To Give Me Some Comfort That It Extends 50, Maybe 100 Miles Off Our Lee County Shore, And It Then Cuts Right Through The Keys.

Honest Row County, Obviously, Got -- Will Have A Whole Lot To Worry About.

Can We Draw Some Comfort In The Fact That Unless We Have A Sustained Of West Wind For Four Months That If That Oil Continues Around The Coast, It Might Skip Us Altogether.

Are You The One To Answer That Question, Or Is That Just Really Should Be Given To An Oceanographer? I Started A Loop Current Because Of The Concern That We Have About It As Well.

The Loop Current, If You -- I've Looked At It Historically.

It Has Gone As Far North As The Mississippi -- Mouth Of The Mississippi River, But Generally It Does Not Even Extend Up To Where The Oil Spill Is Or The Oel At Least Was At This Time.

It Varies Throughout The Year.

It Is Well Off Your Coastline.

When I Mentioned Tar Balls And Wish I Hadn't Even Brought It Up.

When I Mentioned Tar Balls, Maybe Weeks, Months From Now, It Would Be Something That Would Kind Of Come Out Of That Current, If You Will, As A Result Of The Slicks.

They're Not Picked Up By The Skimmers And What Not Out There.

There's A Distinct Possibility, Though, That Some Of This Could Get Caught Up In The Loop Current Come Through The Florida Straits And Get Into The Currents Going Up The East Coast, And Right Now Our Clients From The East Coast Have Been Led To Believe This Is A Potential, And They Are Asking For Our Advice.

We're Not Only Looking At The Gulf Coast.

We're Looking At The East Coast As It Gets Into The Currents Going Up The East Coast.

All Of The Trails That I've Seem To Indicate That Both Monroe County And Those You're Saying Some Of The Eastern Coast Counties Are Many More Than Lee County Would Be Here.

Right.

Comm. Mann: I Don't Want Us To Go On About This, But Maybe It Would Give Us Some Comfort If We Could Explore That Question Too.

This Current -- One Thing -- And John, Make Like He Used To, Beat Me Over The Head, But It's Not A Very Fast Current.

It's Flowing Less Than A Mile Per Hour, This Loop Current.

It's Very Slow.

If You Look At His Map Where You Have It Speeded Up Yesterday, It Was Going About 24 Miles An Hour, But That's Not The Case.

It's A Very Slow Current, Very Slow-Moving Current.

It's Not Something That I Would Be Really Concerned About As It Would Impact Lee County.

Comm. Mann: Can We Conclude From The Slowness Of It, As You're Pointing Out, And I'm Accepting The Word That You Know What You're Talking About On That, That It Really Gives Us A Whole Lot Of Time? This Is Not Going To Be A 24-Hour Panic Thing? We're Going To Know This Well In Advance.

Chairwoman Hall: John Wilson, Do You Want To Answer That? Yeah.

My Knowledge Of That Is Increasing Daily, Commissioner, But If My Understanding Is We've Got Two Issues We Have To Look At.

What Is The Oil Still Being Affected By The Winds, And What Is It Being Affected By The Currents.

The Loop Current Is One.

The Winds Are The Other.

Both Are Being Modelled By Noaa And By University Outlets, By A Number Of Folks, And They Will Help Us In Our Decision Making As Determined Whether We're Going To Get Impact From The Loop Current And As Far As How This Oil Spill Will Affect Lee County Or If It Will Come From The Winds.

Right Now The Winds Are Ones That Are Impacting The North-Central Gulf Coast More Than Anything Else, And Pretty Much Right Now In Order For Oil To Transport Itself From The Wind's Perspective Would Require A Major Front Coming Through With Winds 15, 25 Knots Coming Out Of The North And The Northwest For Sustained Two, Three Days For That Oil On The Surface Could Start Transporting Itself Close To The Loop Current, Assuming It Does Take More Of A Northerly Direction.

Don't See That Happening In April And May.

We Don't See A Lot Of Fronts Coming Through Here.

They Usually, You Know, The Front We're Talking About Is One We Saw In January And February Of This Year Where It Got Very Cold, Very Strong Cold Front System Came In, You Know, Heavy Winds Coming Out Of The North And The Northwest.

That Might Hurt More Fall, Or When We Say This, Like The Front Has Come Back To Lee County Again.

That's The One Side Of It.

The Current Side Of It, Again, Is Going To Be Affected By The Loop Current, And There Are A Number Of, Again, Model That Is Can Determine Whether Or Not Oil Will Start Requesting Into That, So Those Are The Signal That Is We'll Be Watching, And Using As A Means To Determine Whether Or Not We Need To Gear Up From The Preparatory Phase To The Response Phase Which Will Be An Integral Part Of That Should You All Choose To Do So.

Comm. Mann: Thank You, Madam Chair.

Chairwoman Hall: John And John, I Just Want To Thank You.

I Think, You Know, All Of Our Citizens Are Very Concerned.

Our Tourism Is A Multibillion Dollar Industry Here.

A Lot Of People With Unemployment The Way It Is Are Very Concerned.

I Want To Thank The Coordinating Of The Chambers And The Property Owners And Letting Our Visitors Know That Our Beaches Are Clean And They're Ready To Visit Tore He A Wonderful Vacation And Holiday Here In Lee County.

We Certainly Appreciate Our Staff And John Wilson, We Can't Thank You Enough.

We Know That Our Emergency Management Is Recognized Throughout The State, And We Will Be Prepared For This.

Commissioner Bigelow, I Assure You That David And Karen And Peter Are All Looking At Costs And What Happens And To Be Prepared So That We Are In The Best Position To Be Reimbursed For Any Of Those Costs That We Will Have, And I Know That They'll Be Bringing That Forward, And They're Working Very Closely With John.

With That, We Want To Thank You, Again, For Taking Time To Be Here With Us.

We Know Our Neighbors In The Panhandle Are Dealing With Quite A Catastrophe, And Our Expertise And Assistance Is There For Them In Any Way We Can Help Them.

Thank You Very Much.

Thank You.

Comm. Judah: Thank You For Being Here.

Chairwoman Hall: We Have Mayor Henderson As Well.

The Mayor Of Fort Myers Is Here.

Chairwoman Hall: Yes, He Is Here As Well.

Also, David Terri Is In Our Audience As Well.

I Want To Thank The Army Corps For Their Patience This Morning.

We Saved You For Last Because We Knew There Would Be Lots Of Questions, And If You Could Come Forward And We Certainly Appreciate Your Presence Here This Morning.

It's An Honor To Have Any Our Chambers And To Share With Us What's Happening At The

Hoover Dike.

Good Morning, Everyone.

I'm A Little Taken By This Setup, So I'm Going To Try To Face Both Audiences.

I'll Get Started And Take You Off Agenda Just For A Second Because I Walked In This Room This Morning, And, Of Course, I Was Confronted With That Picture Behind That Screen.

I Was Struck By That Picture That Was Behind That Screen.

I Came Up, Looked At It Very Closely, And It Reinitiated A Tension That's Inside Me.

I'm A Yankee.

I Was Born In Boston.

I Was Raised In Boston.

But -- But -- I Graduated From The Virginia Military Institute, And When I See That Picture, It Means Something To Me Because It Represents One Of The Two Greatest Generals That The Confederacy Had, William Jackson.

That's Pretty Impressive, And It's Very Appropriate, Obviously, For Our Setting Here.

The Other Thing I Was Struck With When I Came In Here Today Is -- And I Would Ask These Gentlemen To Please Stand -- Is This Room Is Packed With Veterans, So If You All Would Please Stand Up So We Can Give You A Round Of Applause.

[Applause] That's Pretty Impressive.

I Would Like To Thank The Commission And The County Commissioners And All The Public And Leaders That Are Here Today For Affording Us This Opportunity.

We Sought This Opportunity, And I'm Here To Do One Thing Today, And That's Confront The Brutal Facts.

We're In Some Pretty Challenging Times Right Now, As I Think Everybody Is Still Aware, And It's Important For Us To Get Out There And Conduct This Outreach To The Elected Leaders And To The Communities.

We're Going To Do That Over The Next Three Weeks Starting With Today In Lee County.

I Think There's Not A Day That Goes By That I Don't Get Traffic Related To This Silent Giant That I Like To Call It.

Lake Okeechobee, And I'll Tell You One Thing I Read All The Stuff That Comes In.

I Reach Out To The People That I Think Are Out There That Are Monitoring The System And

Know What's Going On, Many Of Which Who Don't Work For Me, To Try To Make Sure I'm Getting All The Perspectives And A Sense For What's Going On.

What I Would Encourage You To Do Is Keep Doing It.

That's What You're Expected To Do.

Keep Doing It.

You Immediate To Be Out There.

You Need To Be The Voice.

You Need To Continue To Advocate For The Things That Are Important To You, And You Got To Continue To Send The Message As Clearly As You Can Send It.

That's Great.

It's Wanted.

Now, With That What Really Helps Us A Lot Is Not Just The Criticism, But What's As Equally And More Important To Me Are Recommendations Of What We Can Do Better Or Do Different To Try To Deal With The Reality Of What We're Facing Right Now.

At The End Of The Day There Is No Easy Solution.

If This Was Simple, If This Was Easy, None Of Us Would Be Here Talking About It And, Quite Frankly, It Would Already Be Done.

It's Not Easy.

It's Difficult.

There Is No Precise Circle Solution, So This Is Tough Stuff, And That's Why We're Here.

I Would Like To Start By Introducing Some Of Our Key Team Leaders That Are Here With Us Today.

Mr. Steve, Who Is Our Chief Of Engineering.

Mr. Mike, Who Is Our Program Manufacturer For Hoover Dike Rehab.

We Refer To Him Affectionately As Mr. Herbert Hoover.

Mr. Louise Alejandro, Who Is Our Manager For The Kissimmee And Lake O.

Ms. Nancy, Who Is Our Corporate Communications Outreach Person, And Ted Roberts, Who Is Also In Our Outreach Out There In The City.

I Think I Got All The Core Team.

I'm Not Going To Talk Very Long, Because I Really Need To Get The Two Experts Up Here, Mike And Louise, To Get Into The Details And Have Discussions About Things That Are Important To You All.

I Do Want To Set The Tone And Set The Stage About What's Going On Here.

I'm Going To Be Very Clear, And Some Of These Messages, I'm Going To Say That Again And Again, So There's Nothing When I Walk Out Of Here Today.

I Care About The Ecosystem.

The Jacksonville District Corps Of Engineers Cares About The Ecosystem.

If You Look At How We Spend Our Time, I Think That's Pretty Evident That A Lot Of What We Do Involves The Ecosystem.

We Put Countless Hours And Efforts In To Try To Restore This Ecosystem.

Trust Me.

The Last Thing I Ever Want To Do Is Harm It.

That's A Fact.

Now, That Doesn't Necessarily Introduce The Reality Part Of It Yet, But That's A Fact.

We Got People In This District That Have Committed Their Professional Lifetimes To The Ecosystem.

Absolutely Have.

I Just Want To Set That Record Straight Right Up Front.

I Think It's An Obvious Thing, But A Lot Of Times As You Look At Some Of The Traffic That Comes In, You Would Think We Don't Care A Darn About The Ecosystem And Nothing Could Be Further From The Truth.

We Care.

Now, Our Actions As Of Late, Especially In The Last Month Or So, Would Suggest We Don't.

We're Letting Water Out Of That Lake At A Rate That Nobody Is Happy About, To Include Me.

I Have Put Tremendous Pressure And Stress On Our Chief Of Engineering And His Team.

I Have Told Them I Want You To Feel Very Uncomfortable.

I Want You To Squirm In Your Seats, And I Want You To Lose Sleep.

What's That Mean? I Want You To Keep As Much Water In That Lake As You Can To Reach The Maximum Acceptable Risk That We Can Take So We Can Minimize The Discharges.

Now, What's Not Being Reported A Lot Is We've Only Released About 25% Of What The Lake Okeechobee Regulation Schedule Suggests We Could Be.

Or Should Be.

So The Fact Is That 25% Is Way Too Much.

Back Again To Reality.

These Decisions Are Tough.

They're Not Done In Isolation.

They're Not Done Perfectly.

There's A Process That We Go Through With All Interested Parties, South Florida Water Management District, All The Scientists And Experts, And I Can Assure You That The Highest Levels Of My Organization Are Involved With That.

I've Designated Michael Cardinaler, Who Many Of You All Know, Who Is Someone That I Trust Explicitly To Have His Head In That Game All The Time And Make Sure That We're Doing The Right Things And We're Having The Right Dialogue, Again, Dialogue, About What's Going On With The System.

This Isn't A One-Sided Conversation.

This Is Not The Corps Telling Everybody This Is The Way It's Going To Be.

This Is About Having A Dialogue With All The Parties And Then At The End Of The Day A Decision Has To Be Made And The Decision Rests With The Corps.

That's Just The Brutal Fact Of Where We're At.

I Want To Take A Second And Just Talk About Where We're At.

Right Now Lake Okeechobee Is 2.8 Feet Higher Than Where The Lake Okeechobee Regulation Schedule Suggests We Should Be.

2.8 Feet Higher Than Where The Regulation Schedule Says We're Supposed To Be.

History Has Proven Through A Significant Storm Event On Top Of That Lake, And You Could Put Another Four Feet On Top Of That Like That.

We'll Do The Math, And, You Know, Right Now We're Just Under 15 Feet Today.

14.98.

Trust Me, I See That Every Morning The First Thing I Get Up.

I Don't Even Say Good Morning To My Children.

I Look To See What The Lake Level Is.

Then I Say Good Morning To My Children.

It's -- You Know, Add The Four Feet And We're Quickly Up To 19 Feet In Elevation.

That Could Happen That Quickly.

That's Why I Call Lake Okeechobee The Silent Giant.

The People That Live Around It, They See It Every Day.

The Rest Of Us Don't.

I Would -- I Want To Take You To A Spot For A Second.

I Have Stood Up On Top Of That Dike, As Massive As It Is, Closed My Eyes And Looked Out To The Lake And Then Opened This Them And Thought To Myself I Think I'm Looking At The Atlantic Ocean.

As The Rain Is Coming Horizontal In My Face And You See Those Waves Crest Up With The White Caps, Could You Very Quickly Find Yourself Thinking, Boy, I Am In The Atlantic Ocean.

That's How Rough It Gets Out There.

That Reminds Me, As We Try To Make These Decisions, What A Serious Environment That Is, Because On Other Days It Doesn't Look Like That.

Another Key Point.

Lake Okeechobee, The Herbert Hoover Dike, Is An Active Failure.

That Is A Fact.

The Dike Is An Active Failure.

Doesn't Mean We Need To Panic, But It Does Mean The Dike Is An Active Failure.

The Dike, As My Chief Of Engineering Reminded Me This Morning, Is Approaching 80 Years Old.

It Was Built With The Best Technology And Abilities Of The Time, But It's Got Issues, Big Issues.

We've Been Working Steadily To Affect Those At Great Cost, Requiring Great Innovation In Terms Of The Approach And Technology And, Oh, By The Way, It's Going To Take A Significant Amount Of Time To Get To Where We Got To Go, Because It's Not Going To Happen Overnight.

Nobody Is Happy About That Either.

A Fact That I Think Everybody Is Aware Of Is Water Enters That Lake At A Rate Six Times Faster Than We Can Put It Out.

Open The Pickets Wide Open.

That Water Comes In There Six Times Faster Than I Can Put It Out.

The Volume That Is We're Putting Out Right Now, 4,000 To The West, 1,600 To The East, Could Be Significantly Higher.

Our Capacities Go Up To, You Know, Between 7,000 And 9,000 Cfs, Which Is Something We Don't Ever Want To Get To.

We Can Lower That Lake, Frankly, Quicker Through Evaporation And Transformation, And We're In The Peak Month, As Louise Reminded Me This Morning For Effect T., So Hopefully We See A Lot Of E.T.

The Damage Rate The Dam Safety Action Classification One On A Scale Of Five, Lowest Is Worst.

This Is One In The Country That's At The Worst Rating That We Have.

We Started This Journey To Rehab That Dike, And There Were Sick Of Them Out There In The Nation, And The Pot Of Money Was About \$500 Million.

This Dike In This State Was Falling Down About 20% Of That Budget When We He Got Started.

About \$100 Million A Year, Which Is Pretty Impressive.

Why? Because The Team Had Their Act Together, And They've Done The Analysis And The Studies, And They Were Ready To Receive The Money.

Others Had Not.

Since Then, The Environment Is Changing.

We've Now Got 16 Out There Across The Nation, And The Pot Of Money Is Somewhere

Around \$1.1 Billion.

If You Are Looking At What We're Getting Right Now, We're Down To About 20% Of That Money As Opposed -- I Mean, 10%, As Opposed To 20%.

There's Competition Out There, And That's Something We Face And Deal With Every Day, Because, Obviously, As You've All Heard Me Say Publicly, I Am Parochial For Florida.

I Don't Worry About The Dam In Tennessee.

That's Not My Job.

At The End Of The Day I Got To Compete Against That Dam In Tennessee To Bring The Money In For That State To Keep The Rehabilitation Going On That Dike, And It Not Cheap.

We've Got To Keep The Heat On In Order To Get Those Resources.

The Congressional Delegation For This State Has Done A Phenomenal Job To That End, But The Journey Is Long.

I'm Talking About What Mike Is Going To Address Here In A Minute.

We Can't Properly And Deliberately Rehab The Dike As Quickly As We Would Like To.

Why Don't We Have More Contractors Up There Doing More Work? Can We Get You More Money From The Congress To Help You Do That? Well, The Answer Is We Reached A Capacity Issue At Some Point Because There's Only A Handful Of Companies In This Country And Around The World That Could Do This Kind Of Work.

Building Cut-Off Laws To Depths Of 70 Feet To The Dike Is Tough Engineering.

It's Tough Construction.

We've Got Three Great Contractors Out There Doing It Right Now, And There's Not A Whole Lot More Out There That Can Do That Kind Of Work.

That's A Challenge We Face.

The Other Piece That's Important To Note Here Is Putting That Cut-Off Law Down The Center Line Of The Dike, Which Mike Is Going To Talk About In More Detail Does Not Solve The Problem By Itself.

It Addresses Symptoms Of The Problem, But What's Still Required Is A Land Side Rehabilitation Of The Dike, And That's Where We Get Into Some Real Prickly Discussions Because Now You Start Talking About Real Estate.

Yes, To Rehabilitate That Dike, We Need Real Estate On That Land Side Of The Dike.

That's A Fact.

There's A Lot Of People Waiting For The Corps To Come Public To Say What Is That Specifically Property By Property? We're Not Ready To Do That Here Today.

Just Sufficed To Say That They Have Done Some Intensive Analysis And Looked At Every Technological Engineering Approach We Can To Minimize Those Impacts Through The Maximum Extent Possible.

We Have To Do What We Need To Do To Protect The People And The Property.

Today The Water Management District And The Team Down There Has Been Very Supportive Of Helping Us With That.

The Construction On The Rehab Is 100% Federal.

The Lands, Easements, And The Real Estate Are Supported By The State.

I Want To Make This Point Again.

At The End Of The Day When These Tough Decisions Come Down And, Again, I Started By Saying We Care About The Ecosystem, But My Priority Is To Protect People And Property First.

I Would Never -- I Never Want To Walk Into This Room Where I Have To Look You All In The Eye And Try To Explain Why The Dike Was Breached And People Were Injured Or Killed And Properties Were Destroyed Because We Failed To Do Our Job.

That's A Much Worse Situation.

This One Is Ugly Enough As It Is.

That Was Much, Much Worse.

That Lake Is A Silent Giant.

You've Seen Its History.

You Know What It's Capable Of.

I Think At This Point I Would Like To Give The Team A Chance To Address Some Of The Details.

I Want This To Be A Dialogue.

I've Mention Thad Word Several Times.

I Know There's A Lot Of People In This Room Today That Have A Different Opinion Or Perspective On This.

I Realize There's A Lot Of People In This Room Today That Are Victims Of What The Corps Is Doing.

Your Estuaries, Your Shell Fish, Your Oysters, Your Homes, The Clarity Of Your Water.

All Those Things Are Being Attributed To This.

I Understand That.

What We Need To Hear From You Is Your Perspectives, Your Feed Bags, And Your Suggestions On How We Can Better Do This.

Right Now The Fact Of The Matter Is The Water Has Got To Come Out Of The Lake.

It's Going To Continue To Come Out Of The Lake, And It's Going East And West.

I Don't Have Another Alternative Right Now.

I'm Hoping And Praying Some Things Like Mother Nature Help Me Out A Little Bit Here In The Sense That We Get Reduced Rain Flow -- Rainfall In The Next Few Weeks, And I'm Hoping The E.T., Evaporation Transformation Goes Up, But The Fact Of The Matter Is We Are In The Position -- If This Were September Right Now, I Wouldn't Be Too Uneasy, Because We Would Be Coming Towards, You Know, The Peak Period In The Wet Season, But The Fact Of The Matter Is, Ladies And Gentlemen, We Have Not Even Come Out Of The Dry Season Yet, And We're At Place We Don't Want To Be, And, By The Way, We're Coming Off An El Nino Type Dry Season.

Everybody Knows The Details Of That, And We're Expecting To See Significant Rainfall Consistent With That On The Wet Season.

This Is A Difficult Situation.

This Is Going To Get Tougher.

This Is Going To Get Harder.

I Welcome Your Comment And Feedback.

Mike.

Thank You, Colonel.

Thank You, County Commissioners, For Allowing Me To Speak Today.

This Is Going To Run Through A Presentation Outline.

I'm Going To Give You An Outline.

I'm Going To Turn It Over To Louis.

He Is Going To Talk About Some Of The Lake Releases, The Schedules, And Things Like That.

We'll Open It Up To Comments And Questions, But If You Have Any Questions, We Go Long, Please Feel Free To Ask.

What I'm Going To Cover Today Is A Little Bit Of History.

I Won't Get Into That In Too Much Detail.

The Development Of Our Rehabilitation Approach And Talk About Our Current Activity That Is Are Concentrated In The Area, And I'll Get Into That In A Little Bit, And Then Also Our Rehabilitation Schedule.

For Everybody In Lake Okeechobee System, That The Colonel Has Mentioned, Dike Is 143 Miles And What Makes It Even More Complicated Is There's A Number Of Outlets, Inlets, Culverts, Pump Station That Is Also Contribute To The System That We Have To Study And As We've Gone Along And Done A Lot More Research Into Herbert Hoover Dike, These Have Been Identified As Weak Points.

We Have To Figure Out The Rehabilitation Of The Dike Itself, But All These Penetration That Is Go Through The System That Have Its Own Importance.

Herbert Hoover Dike Was Developed In The 1960s, And It Was Developed In The 1930s.

Looking At Older Pictures, It Was Built By Fill Methods.

Most Likely Not The Standards That We Would Be Using Today's.

There Isn't Any Overflow Capability Or Capacity At Herber Hoover Dike At This Point.

Going Back From The Start Of 1962, This Was The Best Engineering That We Had At That Time.

As We Move Into The History And To The 1970s, 1980s, And 1990s, We Started To See The Problem That Developed With This Massive System, These Penetrations, As Needs Increased And As Population Grew In South Florida.

We Had A Lot Higher Water Levels In The Late 1970s.

Up Until The 1990s We Started Seeing Some Near Failures Due To High Water Events And We Consider That In About 18.5 Elevation.

In 2005 As We Got Into More Detailed Inspections, Various Erosion, And Due To The High Lake Levels, It Accelerates Some Of The Things You See On The Right Side Of That Screen That Are Some Of The Symptoms Of The Failure That Don't See Going Inside That Herbert Hoover Dike.

It's Aging.

It's Over 80 Years Old, And Various Levels Of Completion.

As Structures Age, There's A Certain Period Of Life For Them.

They Either Will Be Rehabilitated Or Reconstructed.

What The Corps Of Engineers Was Commissioned To Do Is Back In 2000 We Did A Major Rehabilitation Report.

What That Is Basically Looking At The Solutions To Herbert Hoover Dike.

We Have A Certain Dam Safety Standard Throughout The Core Of Engineers That Require The Corps -- The Corps Is Required To Look At Herbert Hoover Dike, Look At The Whole System Of The 143 Miles.

Not Just One Segment Area And Look At Possible Engineering Solutions.

Back In 2000 We Completed This Report For All Herbert Hoover Dike, But What It Did Do Is Prioritize One Of The Weakest Areas, Which Is The Southeast Sections Of Herbert Hoover Dike.

That's The Area We're Currently Doing A Lot Of Our Active Construction.

The Report Was Incurred About The Corps Headquarters Level.

The Reason I Go Back To 2000, Is Since The Last 10 Years We Didn't Offer Further Design.

As We Mentioned, Lake Okeechobee, Public Safety, This Graph Just Shows Potential Probability Based On Our Stage Levels And Chances Of Failure.

As You See As The Lake Levels Increase, That Probability Does Go Up, So As The Colonel Mentioned, At This Time And Still Going Out Of The Dry Season, We Have These Concerns Of Heightened Mpgss That Get Our South Florida Operations Office In Clewiston At High Levels Of Alert.

This Is Very Serious Situations By All -- Not Only Through The Jackson District, Through The Corps, And All Of Our Agencies That We're Working With.

Based On The Major Rehabilitation Report From 2000, We Basically Divide It Up.

Herbert Hoover Dike Into What We Call Reaches.

Reaches One Through Eight.

Of All Those Reaches, As The Colonel Mentioned, All The Reaches Are Safety Advisory Level One, With The Exceptions Of Reaches Five -- Reaches Five And Six, Sorry.

Five And Eight.

I'm Sorry.

That Means In The Corps Of Engineers And Our Portfolio Of Dams, These Are The Highest Risks Of Failure We Have, And There's A Great Competing For Funds For This.

Right Now We're Focused On The Area Shaded In The South-Eastern Section Of Lake Okeechobee, Southern Part Of Martin County, Into Palm Beach County.

We've Had That Further Divided Into Four Sub Reaches.

This Allows Us To Go Through The Design And Construction To Hone In On The Areas.

Also Allows Us For Help With The Briefings.

We Also Are Focused On The Reach Two And Reach Three Areas.

That Takes You About 59 Miles Of The 143 That Were Most Focused On, But We Still Have To Keep In Mind That Whole System Of 143 Miles Of Herbert Hoover Dike.

As The Design Evolved, Moving Into 2002, Water Management District South Florida Water Management District We Worked Very Closely With This.

They Expressed A Desire That We Bring In This Cut-Off Law That The Colonel Had Mentioned And Avoid Real Estate Takings.

We Thought We Commissioned The Value Of Engineering Study With The Two Agencies, And That Design Should Change To A Cut-Off Law And A Trench Within The Federal Right-Of-Way.

This Is The Approach That We Took, But In 2005 When Hurricane Katrina Struck New Orleans And The Gulf Coast, It Changed A Lot Of How The Corps Of Engineers Works With Dam Safety.

What We Did Was We Took A Worldwide -- We Took A Worldwide Re-Evaluation Of Products, Not Only In The United States, The Netherlands, Europe, Countries That Heighten Their Interest.

We Got A Lot Of People Together, And The Corps Changed Its Procedures From Managing Dams And Levees.

Herbert Hoover Dike Was Grouped In With That.

We Started Bringing In Terms Of Robust Resiliency And Redid You Understandably For All Dams.

This Is The Same Standard Used Across The Corps.

Now We're Speaking Basically With One Language Across The Corps.

What That Did With Herbert Hoover Dike And In The State Of Florida Was Really Bring Out The Urgency For Rehabilitation.

Back In 2006 Governor Bush Sent A Letter To Assistant Secretary Of The Army Basically Highlighting Those Items Out Requesting A Lake Okeechobee Regulation Schedule, Daily Inspections, Accelerate Repairs, Re-Evaluate The Design And Strengthen The Dikes.

We Had To Work All These Things In As Well, Even Though Our Dam Safety Program Was Requiring A Bunch Of These Things.

We Also Commissioned External Parodies.

We Wanted To Get Academia And Other Core Districts And People Around The World Involved In This.

The Solution Needs To Be Robust, Resilient, Redundant, And These Terms -- There Are Multiple Fixes To Herbert Hoover Dike That There's Not The One Simple Solution.

What This Also Did Was Require That Herbert Hoover Dike Not Be Too Strained By Just The Federal Right-Of-Way Or The Current Footprint Without Any Means Possible To Rehabilitation Herbert Hoover Dike Was Recommended.

We Also Looked At Other Rehabilitation Approaches.

The Team Looked At Lakeside Rehab, Rebuilding Herbert Hoover Dike, Different Type Of Barriers.

Just A Seepage Berm With A Partial Cut-Off Wall, And There's A Lot Of Pros And Cons When Looking At The Different Solutions.

After Going Through A Lot Of This, Doing Cost, Looking At The Best Solution That Meets Most All Those Three Rs That We Call It, This Is Our Selected Rehab Approach.

It's Very Simplistic In Nature, But When You Extrapolate That Over A 59 Or 143 Miles, It Gets Very Complicated.

We Have The Cut-Off Law That Cuts Off Your Active Piping Pads That Go Land Ward To Lake Ward.

We're Out There Constructing That.

There's About 11 Miles Going Under Construction Before The End Of September.

A Seepage Berm And Then A Drainage Swell.

This Is Going To -- You're Going To See This In The First 22 Miles With Maybe Possible Alterations Of It As You Go Around Some Of The Other Reaches Of Herbert Hoover Dike.

Basically, The Message On This Is It's A System Of Solutions.

Want Only The Cut-Off Wall, But You Need That Landslide Solution To Help Alleviate The Issues That Are On Herbert Hoover Dike.

Also, Because The Herbert Hoover Dike Rehab Is Over A Number Of Years, We Also Mention Instituted Structural And Non-Structural.

The Lake Okeechobee Regulation Schedule Is One Of Those Items.

We Went On In Development And Structure Frequency Based On Lake Level That Is Are Reached.

Based On The Lake Levels At Lake Okeechobee Today, We're Doing Monthly Inspections.

That Lake Level Goes Over 15.5 Feet, And We Go To Weekly Inspections.

We Take This Very Seriously.

We Hone In On The Areas Where There's -- Where We've Seen The Symptoms Of Failure Go Out There.

We've Also Instituted Emergency Action Plan With Some Of The Local Counties On The East Coast, And We Invite All The Counties Out To This.

It's Developed Over The Years For Emergency Management Plans And Evacuation Procedures.

This Is All Called Table Top Exercise That Goes On Every Year.

We Also Implemented Some Structural Features -- Measures, Such As Filling That Was Built With The Original Herbert Hoover Dike, Filling That In Areas And Almost Near All Of That Has Been Completed.

There's Different Qualities In Other Areas Dug Out Along Side Herbert Hoover Dike.

We're Filling Those Areas In, Removing Some Of The Areas Of Herbert Hoover Dike, And Then We Have Strategic Placement Of Rock Stockpiles Around Herbert Hoover Dike For Potential Areas Where There's The High Risk Areas That Our South Florida Operations Office Can Get Out There And Work Andfix Those Areas If There's A Major Event.

Getting A Little Into Rehabilitation Status.

I Call Herbert Hoover Dike, We Have Four Items Going On At The Same Time.

You Have Construction.

We Have Design.

We Have Some Planning Design, And We Have The Environmental Requirements That We Meet.

In Reach One We Have Cut-Off Law In And Quarry Fill Under Construction.

A Big Part Of Our 2010 Budget Will Be Part Of The Ward-Off Wall Construction.

\$100 Million Worth Of Work Between Now And The He Wanted Of September.

We're Also Doing Sod Rehabilitation.

As We Mentioned In The Earlier Slide, We're Going To Go Out In That First Reach 1-A With The Supplemental Environmental Impact Statement In The June Time Frame Followed By Reach 1-B, C, And D Which Will Get Us That First 22 Miles Of Landside Rehabilitation Work Ready For Construction.

We're Also Working The Reach Two And Three.

As Mentioned, That Major Rehabilitation Report.

Either Hoover Dike Is Looked At As A System, But Since We're Going Against All The Other Dams In The Country, Have You To Look At The Studies And Look At How The Risks Of Herbert Hoover Dike Are Alleviated As The Project Moves Along.

As The Colonel Mentioned Earlier, Fiscal Year 2010 Was The Huge Year For Herbert Hoover Dike.

We Have \$120 -- Over \$120 Million Which Is 30 35% Of The Budget.

Just A Little Into Cut-Off Wall.

It's An Interesting Procedure.

Although Most Of The Work Is Under Ground.

We've Got Some Of The Best Contractors In The World.

It's Not A Very Wide Wall.

There's No Reinforcement Inside It.

Basically What That Is Doing Is Taking Out Wall Down.

About 65, 80 Feet Below The Crest, And We Actually Set Forth A Certain Justification For The Wall, And We Allow Our Contractors To Go Out And Do It.

There's Currently Three Out There.

I Have Some Of The Best In The World Doing This Work, And They're All In Different Phases.

We've Got About 11 Miles Of Wall Nearing Completion With Another 11 Miles Going Out.

This Is -- We Develop These Land Side Design Alternatives.

The Bottom Is Basically What You're Going To Be Seeing As Far As Our Land Side Solution.

You See The Cut-Off Wall, Berm Built Out Across Away From The Existing Herbert Hoover Dike, And What We Call Relief Walls, Which Is Going To Pull Pressure And Water From That Coming Below Herbert Hoover Dike, Bringing It Up Through The Relief Wall, And Into The Drainage Swell.

As Mentioned, It's A Simple Concept, But When You Extrapolate That Over Many Miles, It Is -- It's Quite An Endeavour.

Your Next Steps, As Far As Reach One Goes, As I Mentioned That, Environmental Impact Statement Is Going To Go Out For Agency In June 2010.

We're Now At A Public Meeting.

We're Going To Talk About The Solutions And Allow For Comments.

We're Also Going To Move Out With That Reach 1-B, C, And D.

This Is On The East Side Of Herbert Hoover Dike.

We're Looking At Sending Out That Supplement With Eis.

We're Looking At Construction Using Our Fy 2011 Funds.

We're Moving Forward With The Major Rehabilitation Report.

Major Thing Herbert Hoover Dike, Everything Is Risk-Dependent.

We're Looking At Lowering Risks We Looked At In This Report At Other Alternatives To Potentially From Rehab Such As -- There's A Various Number Of Alternatives That We Look At, But We Still Keep Coming Back To Rehabilitation As The Answer Because Of The Level Of Water That Needs To Be Held In Herbert Hoover Dike.

Mentioned Emergency Or Environmental Spillway.

We Still Have To Do Rehabilitation If There Is An Emergency Spillway, But That Environmental Spillway Would Require A Separate Authorization.

We're Looking At Releasing This Draft, Which Will Also Be A Supplemental Environmental Impact Statement In The Fall 2010.

Getting Into Funding, As You Can See, It's Been -- Our Funding Has Increased Significantly Since 2007 To 2008.

By The End Of This Year We'll Have Over \$320 Million Worth Of Construction Contracts Awarded, And We'll Continue As We Execute This Project And Show That We Can Continue Building And Doing Rehabilitation, More Funding Will Come.

The Construction Timeline Shows This Out To 2022 And Possibly A Little Bit Beyond.

The One Message You Want To Take Away From This Is Herbert Hoover Dike Is Risk-Dependent.

Potentially As More Of The Rehab Features Come On-Line, Our Risk Of Failure Decreases, And Those Other 15, 16 Dams In That Program May Come Up On A Priority.

We're Assessing That Risk Overall The System.

It's Very Complex.

We've Got A Lot Of Experts In Risk Assessment And I Won't Get Into Too Much Of Technical On That Across The Country And The World Involved In This.

We Just Have To Think It Out.

143 Miles We Have To Think Out The Whole System As We Go Through This Rehab.

That Concludes My Part Of The Presentation.

I'm Going To Turn It Over To Louis Alejandro To Get Into The Lake Okeechobee Releases.

You Can Ask Questions Or We Can Go After Louis.

Chairwoman Hall: Does Anybody Have Questions Of Mike Before Louis.

Comm. Bigelow: I Was Really Pleased To See And Hear That You Touched On It In Reach Three.

Providing For A Spillway.

If You Are Going To End Up As Governor Bush, Former Governor Bush, Had Requested That You Bring The Dike To Dam Standards, You Are Going To Need A Spillway, And Rather Than Obviously Continuing To Use The Caloosahatchee River And The St. Lucie As The Reliever Valves, The Spillway Is So Essential.

You Indicated That We're Going To Need To Get Authorization From Congress? Correct.

Right Now Herbert Hoover Dike Is Authorized For The Rehabilitation Purposes Only Within The Dike Itself.

Any Type Of An Environmental Or Any Type Of Feature Above That Would Require A Different Authorization From What We -- Comm. Bigelow: Are There Any Steps Being Taken By The Corps At This Time Requesting Authorization From Congress To Move Forward With Spillway? Right Now We're Just Focused On The Rehabilitation Of The Dike Itself.

Chairwoman Hall: There Is A Spillway As An Emergency Component There That Are You Doing Now.

That's Being Addressed In The Major Rehab Report For Reaches Two And Three And That Will Be Discussed And Put On The Table.

Chairwoman Hall: I Just Want People To Know That There Is A Spillway Emergency.

N. [Inaudible] Is There A Spillway For Emergency Use? In The Major Rehab For Reaches Two And Three It Will Be First Addressed.

It's Currently Not Addressed Right Now In The Design.

Chairwoman Hall: Thank You.

Yes.

Let Me Get A Clarification, If Approximate I May.

Comm. Bigelow: How Are You Addressing A Spillway For Emergency Relief In Reaches Two And Three? Where Is That Water Going? Chairwoman Hall: I Don't Think -- Well, I Don't Know.

Go Ahead.

Go Ahead.

To Me Current Safety Requirements The Dam Requires An Overflow Of Emergency Spillway, And We Capital Role The Lake Level In Lake Okeechobee.

When It Goes Up Well, Can't Release It Fast Enough To Arrest The Rise, So To Me Current Dam Safety Standards And Emergency Spillways Are Required.

Emergency Spillway Could Be Perhaps Co-Located With The Spillway That You're Addressing.

The Ecological Spillway, The Spillway To The South.

There May Be A Combination Of Factors To Work Together.

Our Objective Is To Relieve The Pressure On The Dike When The Lake Levels Are So High That They Threaten The Safety Of The Instruct.

Chairwoman Hall: I Look At That As An Opportunity As We Look For Authorization That

Since There's Already A Spillway That Would Be Considered In That Featured Report That It Would Be A Reach To Make That A Flow Way As Well As A Spillway.

They're Moving Forward, But As Advocates We Can Try To Look At That Opportunity And Not Look At That As A Negative But As An Opportunity To Combine If It's Possible To Get Authorizing To Do That.

Comm. Bigelow: Commissioner Judah, I Think A Spillway Is Unfeasible Unless There's A Component To Flow And Store And Clean.

All That's Got To Come Out.

There's A Big Piece There That The State Is Wrestling With Right Now, As You Know.

That's All Part Of It.

Just To Be Able To Spill That Water On And Put It Nowhere.

That's Obviously Not An Option.

We Got To Have Some Place To Put It.

Chairwoman Hall: There's An Opportunity To Work With You All On That Issue.

Right.

We're Watching To See How That Progresses.

As Mike Gets These Upcoming Mrs, Master Rehab Reports, Then We Have To Have Some Pretty Hardy Discussions To Decide, Ok, If We Were To Do This, What Do You Want To Do With This Water? Where Is It Going To Go? How Are We Going To Move It And Clean It And Send It South? You Definitely Are On Top Of It.

Thank You, Colonel.

Chairwoman Hall: You're Ready.

You're Up.

Thank You.

Thank You, Mike.

Thank You, Colonel.

I'm The Basing Manager For Lake Okeechobee And River Basin.

I Want To Talk About What We Have On The Ground.

Water Management Of Lake Okeechobee.

It's Coming Along.

What Do We Do With Water That We Have Right Now? On The Ground With The Plumbing That We Have Right Now.

I'm Going To Move Through Fundamentals Of The New Regulation Schedule.

All The Everglades, Water Supply, And Then Tax Considerations On This Issue Making The Process To Release, No Release And To What Degree.

I Just Want To Put This Slide In Here To Give You A Perspective.

One Foot Of Rainfall Over An Already Full Kissimmee River Basin Is About A Foot Raised On The Lake Level.

That Tells A Lot.

That Means If The Kissimmee Is Already Wet, That Water Is Eventually Going To Lake.

It Trickles Down To The South And The East And West.

As The Colonel Mentioned Before, About The Transformation Is The Big Help During This Dry Season Which We Have Not Seen Yet.

Chairwoman Hall: Commissioner Bigelow.

Comm. Bigelow: You Seem To Indicate That Water Trickles Out Of The Lake.

I Think That's What You Are Saying.

What I Meant Is That Can You Put The Water -- You Can Release The Water A Lot Slower Than When It Comes In.

It Comes In Six Times Faster At Some Point Than You Can Release It.

It's Like Having A Big Tank And Small Outlet.

You Can -- It Takes A Long Time To Lower That Tank.

Comm. Bigelow: And Can You Tell Me What Percentage? I'm Employing To Go Into A Slide That I Have Later On That Will Tell You The Percentages.

Comm. Bigelow: Thank You.

Here It's More Detailed In Terms Of Components.

The St. Lucie Canal And To The West, I'm Sorry, Caloosahatchee And To The East St. Lucie

Canal.

To The South The Main Conservation Areas.

Here Is Where We Are Today.

If You Look At Maximum Potential Flow That We Could Have Done, We Are About Right Now We're Less Than Half Of What We Could Have Done.

Right Now That's To The West Coast.

We Have Held Back All Along Since The Beginning Of The Year Trying To Give The Estuaries A Break, But The System Has Been Receiving A Lot More Rainfall Than Expected.

Now, Looking At The Capacity And The Conservation Areas, We're About 100%.

That Means All Of The Conservation Areas Are Above Schedule As Of Today, And Basically Trying To Get Rid Of That Water Eventually South And To The East Coast.

Go Ahead.

Comm. Bigelow: Ce Equals 10,000.

That's Acre Feet Per Day.

If You Want To Go To 23% And Divide That By Two Roughly.

Comm. Bigelow: Just Looking At That.

Right.

The System -- The Main Outlets Of The Lake Are In This Order.

West, East, And South.

Comm. Bigelow: Right.

That's How It Was Designed.

The Capacity Of The Caloosahatchee Is More Than The St. Lucie Canal.

Comm. Bigelow: When Are You Discharging South, Ok, Towards Miami, I Guess, Is That Water Not Qualifying As Flowing To Any Estuaries? Right Now We're Sending South Very Limited Because The Conservation Areas Are Above Schedule, Which Means They Are Above What We Want To See.

They're Very Full.

Comm. Bigelow: I'm Sear If You Didn't Understand -- Sorry If You Didn't Understand My

Question.

Your Former Slide Was Showing That There's Three Discharge From This Point, And The One Going South, The Water Is Flowing South.

Correct.

This Slide Shows That Miami Canal North River, Hillsborough, And There's Another One, West Palm Beach Canal.

Comm. Bigelow: Right.

That's The Plumbing.

Comm. Bigelow: Is Any Of That Water Impacting Estuaries? Is There Any Estuaries South That Are Impacted? On The Very South National Park And Biscayne Bay North To Wetlands, But All Of That Goes To The Conservation Areas And The Everglades National Park.

No Direct Impact From The Lake Okeechobee South.

Comm. Bigelow: There Is No Direct Impact? No, Because It Goes Through All The System Of The Everglades.

That's -- Comm. Bigelow: That E Would Be Zero.

That E Will Be Zero Down There, But, Remember, You're Sending Water From The Conservation 3-A South Which Is A Result, In Part, From The Influx That We Are Receiving.

I Mean, You Are Leaving Water South From The Conservation Areas.

If I Understand, The Numbers There, The Water Is Flowing South And They Aren't Impacting Estuaries.

Directly Or Indirectly, They're Not.

Your Point Is The Water Coming Out Of The Lake To The South Is Not Having Direct And Immediate Impact On Estuaries.

That's Correct.

The White Elephant In The Room That's Not Being Discussed Is Those Conservation Areas Which Are Controlled By The 12 Structures, Alpha, Bravo, Charlie, And Delta That Fall Into The Restoration Everglades Transition Plan, That Is A Whole Other Prickly Subject.

The Water Levels In Those Conservation Levels Are Very, Very High Right Now, To The Point That There Are Some Other Parties That Are Extremely Upset About That In Terms Of What It's Doing To That Area.

We Have The Other White Elephant About Water Quality, And If I Were Sitting East And

West, I Understand Your Perspectives, Because Your Point Would Be To Me, There's A Watered Quality Issue When It Goes South, But, Yet, You Send This Water East And West.

I Got It.

Now, That's Not A Fight That I Sit In The Center Of All The Time, But I Clearly Understand That Point.

The Challenge Is You Got A Consent Decree And Litigation Going On There That Relates To Pushing That Water To The South, But, Yet, We're In A Different Situation Going East And West.

I Acknowledge That.

I Understand What's Going On, There, But, Again, That's A Big White Elephant Of Which There Are A Lot Of Parties At Play There.

I Don't Know If That Helped Get -- Chairwoman Hall: To Your Point, That We're Getting A Lot More Water Coming West Than Anyone Else Is Getting.

Was That The Point You Were Making To Louis? Yes, The Inflow Were Designed West, East, And Then South.

Most Is Going To The West, Correct.

Comm. Bigelow: I'm Glad You Acknowledge.

Understood.

Appreciate It.

Any Time.

The Schedule Is A Tool That We Use To Release Or Not Release Water.

The New Schedule Unlike The Previous One Provides Low Level Releases Over A Long Period Of Time, Which Was Not Including The Previous Revelation Schedule.

What Does That Mean? It Means We Can Release At A Lower Stage For A Longer Period Of Time To Reduce The Potential -- Again, Reduce The Potential, Of Larger Releases In The Future.

I Just Want To Point This Out.

I Mean, The Operational Band Is Where We Expect To Be Most Of The Time.

The Elevation Of The Lake Right Now, And I'll Show You The Next Slide, And That's 1498 At About 1500.

It's About The Higher End Of Where We Like To See It This Time Of Year.

We Would Expect This Elevation More Likely At The End Of The Wet Season.

I'm Going To Go Through This Real Quick.

These -- We Go Through Part B, Part C, And What Are Releases.

Basically This Is Complicated And Coordinating All These Type Of Releases And With Other Agencies As Well.

These Kind Of Guidelines We Use On A Day By Day Basis.

Bottom Line Is The It Has Been A Lot Wetter.

As This Slide Shows, We Have Received Over 150% Of The Rainfall That We Want To Receive During The Dry Season, And That's Overall In South Florida.

The Question That We Ask Is What Do We Do With That Water? I Mean, That's A Challenge That We Have As A Water Manager.

Where We Are Right Now, I Put This Slide Up Last Week.

1498.

It's Very Close To 1500.

I Can Mention This Elevation Is Too High For This Time Of The Year.

We Haven't Seen A Downward Trend On The Lake, Which Normally Happens During The Dry Season.

What We Have Done Since And Basically We Reduce The Releases To The Estuary From January To Mid-March.

As You All Know, Mid-March, Approximately, We Had A Big Rainfall Event Across Florida.

We Got Jumped In The Lake Elevation A Lot Higher, And What That Did Was Basically Increase Slightly Release This Wall Trying To Come To Take Into Consideration The Estuaries As We Always Do.

However, Late April, We Had Another Big Landfall Event That Caused Us To Bump The Lake Higher And Caused The Lake To Go Higher And In Addition To That, We Were Forced To Make Larger Releases To Try To Compensate Somewhat That Rate Of Rise.

This Is Where We Were The 6th Of May.

We Are 1498 Today.

Normally You See Those Kind Of Stair Steps.

Those Were Rainfall Event That Is We Experienced Since Mid-March, Roughly.

Those Stair Steps Should Have Been Inverted Meaning That Should Come On The Downward Trend.

We Have Not Seen That This Year, And It's Late In The Year To See That Trend Continue.

One Thing That I Want To Show Also Is How We Got To This Point.

Lake Levels Are Flat.

No Recession Rate.

Then After Those Rainfall Eths, We Saw The Lake Rise.

The Key Point, Also, Is That There's Been A Lot Wetter Than Normal.

175% In The Kissimmee Only.

As I Mentioned, If You Would Employ To The Previous Slide, Would I Show One Foot Over The Kissimmee Basin Equates To Four Feet On The Lake.

That's Very Significant.

175% In Terms Of The Lake Eventually.

What We Have Done Since January, We Have The Factors We Have Released.

70% Less Than Allowed You Should The Lowers.

We Have To Take Into Consideration The Product Purposes To Include The Estuaries.

However, We're Trying -- Running Out Of Time In Terms Of Dry Season To Kick In And Really Help Us With The Level Of Transgression.

That's Where We Are Right Now.

One, Lake Okeechobee, Has Not Seen A Recession.

That May Impact The Quality Of The Lake, And As A Result, Eventually May Cause Those Releases, Larger Releases, And With Perhaps Ecology Which Will Be Maybe More Ecological Damage To The Estuaries.

We Expect More In The Wet Season.

An Above Average -- It Only Takes One Storm.

If You Put A Half On Top Of Where We Are, That's 17 Feet, And That's From The Public Safety Unacceptable.

Down Stream Concerns.

We Have Litigation On The South And In Terms Of The Water Conservation Areas, There's No Capacity.

There's Very Little That We Can Send South.

That Touches On That Downstream Constraint.

The Other Thing I Want To Mention Is Every Time It Rains Around The Lake And You Are Making Releases -- Up To The Lake, And The Coast On Both Ends, And That Takes Approximately A Week To Handle.

What Have You Seen Is The Lake Is Storing That Water Within That Week.

That Delays Your Projection In Terms Of Getting The Lake Down.

That Is Very Important.

It's Not Constant Release All The Time.

The Downstream Conditions That Really Hinder Us In Making Releases And Continuous Releases.

As The Colonel Mentioned, The Number One Priority And We Will Try To Balance All The Product Purposes To Include The Estuaries And Include The Lake Ecology.

Thank You Very Much.

I Know We Have Other People That Want To Speak On Some Other Issues Here, But, First Of All, Let Me Just Thank Colonel And His Team.

If Not For Them -- And He Really Meant What He Said When He Said That The Corps Cares About The Ecosystem.

You Probably Will Remember Back In Spring Of 2009 When The South Florida Water Management District Under Pressure From The Sugar Industry Did Not Want To Release Any Waters During A Drought Where Estuaries Desperately Needed Minimum Flow.

It's The Corps Of Engineers That Made Sure That Our Estuaries Received The Adequate Minimum Flow To Be Able To Protect Our Estuaries.

As It Turned Out, The Post Monitoring That Was Done On The Release Allowed The Effect Wears To Sustain Drought Conditions.

It Amounted To 1.02 Inches Off The Lake.

Really The Criticism From The Agricultural And Sugar Industry Did Not Have Merit, And What I Wanted To Now Point Out Is That Here We Have Too Much Water At Times We Don't Have Enough Water, And This Is A Scenario That Plays Out All The Time.

Quite Frankly, If Not For The Corps Of Engineers, We Wouldn't Receive The Decision Making That Does Take Into Account The Estuaries.

The South Florida Water Management District, Particularly Certain Staff That Have Been Working On Adopted Protocols Have Been Resisting The Efforts To Make Sure That The Net Policy Decision Making Process Just At The Corps Of Engineers Include Agriculture, Water Supply, And Estuary Conditions.

At Least The Corps Does That, And What I Wanted To Ask The Colonel Is I Don't Know How Much Progress You've Been Able To Make.

If You Don't Mind, I Wanted To Point The Question At The Colonel.

You All Have Provided Some Great Semblance Of What You Are Doing And The Current Condition.

I Just Want To Ask You, What Progress Have You Been Able To Make In Trying To Talk To The South Florida Water Management District To Take Into Account Estuary Conditions When They're Looking At Lake Level Management, And, Also, With The Conditions That We're Experiencing Today With The Water Release From Lake Okeechobee.

Have You No Choice.

You Have To Protect The Integrity Of The Dike, And People And Safety Are First And Foremost, But We Know The Impact Downstream.

We Know The Impact To The Estuaries.

As A District We're Going To Have To Try On Set Aside Land, Whether It's Collaborating With Private Property Owners For Water Storage Or Raising The Water Levels In The Canals And Eaa Or Ground Water Levels.

To Take Some Measure Of Responsibility So That All The Low Is Not Dumped To The Eastern West Coast Affecting Our Estuaries.

Commissioner Judah, That's A Really Good Question.

Let Me Put It In Context First.

When I Came Into This Job, I Heard Lots Of Stories About This Between The Corps And The Water Management District As Related To Water Control.

I Sat Down With Kyle And Some Others And Said, All Right, Whatever Is Going On Here, We Need To Confront It.

We've Done Some Things.

I Sent Our Entire Water Control Team Down With Their -- Most Of Their Water Control Team And Had A Mediation And The Come To Jesus Meeting About What's Going Here.

Are There Personalities At Play? What Are The Dynamics Here? Put It On The Table.

Put The Issues On The Table Today, And Let's Sort That Out.

There Is Some Of That.

Quite Frankly, There Are Personalities At Play That Work Through That.

We've Done That, And I Think The First Session, Louis Can Attest Better Than I Can, But They Thought That Was A Very Useful Event, And It Didn't Solve Problems, But It Certainly Helped Identify And Resolve Some Of Them.

That's Been Part Of It.

We've Had A Key Position That's Been Great, And As It Relates To Water Control, And So We Pushed To Hire That Person.

We Did That The Water Management District.

They Had Some Say In The Processes We Want Through It.

We Selected Someone With A Ph.D. And The Right Background To Be Able To Do This Kind Of Stuff, And That Person Is Just Coming On Board.

What I Talked To Carla About, And She's Been Welcoming To This Regard Is I Said His First Place Of Duty Is With You.

Put Him Down On Your End Of The System.

Let Him See And Experience This Water Control Thing From Your Perspective, Paint Him Your Way, If You Will, First, And Then Send Him To Jacksonville And Let Steve And His Crew Do What They Got To Do With Him.

My Thought Is Let Them Understand Their Pictures And Hear Them Out And Not Have Any Predetermined Opinions About This Because There Is Some Substance To Some Of The Things They Say.

Not Everything, Because We Clearly Don't Agree On All Things.

Then Bring It Back To Jacksonville And Sort Through It.

There's A Decision That's Been Pending On The Table, And Anybody That's On The Receiving End Of This Knows It.

Does The Core Continue To Put This Water Out At The Rate We Have At A Steady Rate, Or Do We Go Back To Pulsing? People Will Say Pulsing Is Maybe Not A Good Thing.

It May Actually Be Worse Than Bad, But That's Not Necessarily What We're Hearing.

What We're Hearing From The Water Management District Is Their Recommendation Is To Pulse Right Now, And The Attitude Was, You Know, You've Had All These Scientists Calls And All These Things That Go On.

It's Obvious, Colonel, Just Pulse, But, Yet, I Walked In It Is Room Today, And I'm Hearing From Some People Saying, Look, That's Not Necessarily Our Opinion.

That's Not Exactly How We Want It.

Really, Ladies And Gentlemen, What We've Come Down To Now Is It's Not If You Want It, It's A Question Of How You Want It.

At The End Of The Day Some Volume Of Water Has To Come Down The Pike, And It's Pretty Clear What That Volume Is.

We've Got To Do It.

Now, To Get Back To The Real Key Point, Commissioner Judah, I Guess That The Plumbing Of The Lake -- This Is Probably Where We Need Some Help, A Lot Of Help, Is The Plumbing Of The Lake Has To Be Addressed.

The Point Is The Water Has To Be Able To Go South.

In Order To Do That We're Talking About Massive Project That Is Have Been To Be Built In My Personal Opinion, Deep Reservoir, Capability And The Plumbing That Goes With It, And Equally Importantly, The Sga, Storm Treatment Areas To Treat This Water And To Cleanse It So You Can Put It South Water Conservation Areas And So On Into The -- That's Important Because If We Don't Fix That Part Of The System All This Design On Tam Yam Where I Trail, That Can't Get This Water Cleaned Up, Then I Can't Get It There.

The State Has That Piece, And They're Working Through That, But You're Talking Massive Amounts Of Land, Which Is Tied To Obviously Some Of The Things You're Doing.

We're Talking About Significant Massive Amounts Of Construction Dollars, And Then To Your Final Point, What's The Ability To Put Some Of This Water Somewhere Now, Whether It Be Private Or Public Lands? I Am Totally Open To Doing That.

It's Not A Decision I Get To Make.

As Partners In The System, If There's A Way To Put This Water Somewhere Else South And They're Able To Do That, Then Whether It Be The Canals Or Whatever Type Lands, Then I'm All For Doing It.

I Guess The One Caution Would Be, Colonel, Either We Could Do That Right Now, But The Capacity Support Real Great Because Those Lands -- The Water Table Is Saturated.

You Heard What I Said About The Conservation Areas.

Ask The Tribes What They Think About The Water Levels, And I Think You'll Hear A Answer About That.

There's Challenges There Too, Because It's Want Like It's This Big Huge Oasis Waiting To Absorb, You Know, Millions And Millions Of Gallons Of Water.

We Have Similar Challenges There As Well.

Certainly Being Able To Balance Out The Flows And, I Guess, The Point Would Be Coming From The East And West Is Let The South Take Its Fair Share Of This.

I Guess That's The Attitude I'm Hearing.

I Am All For That, And I Guess I Really Need The Help To Help Us Get To Letting The South Get Its Fair Share Of This, But There Is Massive Work That Has To Be Done To Make That Happen.

It Cannot Happen Overnight.

Keep In Mind You Got Significant Litigation Involved Here.

In My Personal Opinion, Litigation Just Bogs Us Down, Good Or Bad.

It Bogs Us Down.

We Had This Discussion Last Night.

It Is What It Is, And I Understand Why The Parties Litigate.

I Got It.

We Need The Capability To Get This Work Done To Be Able To Move That Water To The South So We Can Take Some Significant Burdens Off The East And West.

That's My Point.

Thank You, Colonel.

Chairwoman Hall: I Want To Thank You, As Well, And We Appreciate Your Presentation.

I Want To Apologise For Those Who Are Here For The Agenda.

I Didn't Realize We Were Going To Be This Long To Get To The Agenda, So Thank You For Your Patience As Well.

When We Went Through The Protocol, We Went Through The Regulation Schedule And The New Regulation Schedule.

We Recognized Very Clearly At Some Point In Time We Would Have To Take Some Of The Water, And That Was A Big Discussion In This Chamber On How We Would Take It.

Should We Take It Slowly Or Quickly? I Appreciate You Recognizing That There's A Difference Of Opinion And Now Is The Time For Us To Make That Decision And Make Our Recommendation To You And Do What We Feel Is The Best Interest Of Our Estuary On This Coast As To How We Want That, Whether We Want That In Pulses, Streams, And What Volumes We Want It.

We Recognize.

We Love The Dry Season When We Don't Have To Make These Decisions.

We Knew At Some Point Many Time In This Process That Was Going To Happen A Decision We Have To Make, And I Want To Thank My Partners From Sanibel And I Want To Thank Our Partners With The Conservancies And All The Other Environmental Groups That Work With Curt And John And Roland On Helping Us Formulate Our Recommendation To You.

They're Part Of My Team, And My Colleagues Here, Commissioner Judah, Commissioner Bigelow, And Commissioner Mann.

We Recognize That Those Are Some Things That We're Going To Have To Talk About And Get Back To You Very Quickly.

Do You Have A Comment? I Just Wanted To Confirm.

I Really Do Appreciate The Conference Calls That We, The Corps, Host, And Then We Appreciate Staff's Ability To Participate And Provide Input.

That's Close Are Roland, Keith, And Also From The City Of Sanibel And James Evans.

We Do Appreciate That, Because That Is -- You Are The Eyes On The Ground Here, And You Can Tell Us -- I Mean, Your Input From Your Perspective.

Thank You Very Much.

Chairwoman Hall: The Staff Wants To Follow-Up With Some Comments To The Corps's Penning Presentation, And So I Wanted To Afford. Comm. Bigelow: I Need My Shot At The Colonel Before He Gets Out Of Here.

Chairwoman Hall: I Wasn't Going Disconnect You.

I Was Going To Let Staff Know That They Were Going To -- They Were Going To -- -- They Were Going To Get A Chance To Speak Also, But, Yes, Please.

Comm. Bigelow: You're Not Packing A Gun, Are You? Colonel, We Don't Get You Very Often Or Your Predecessor, So That's Why I Wanted To Make Certain I Shared Some Comments With You, And There Are No Good Answers.

I Have Been Reading Your Managing Water Levels From Lake Okeechobee.

It Looks Like One Of The Best Summaries I Have Seen On How This System Works.

Nearly 20 Years Ago I Served The Worst Two Years Of My Political Career Over That, Because I Learned Quickly What This Articulates The Well.

I Want To Read It.

It Is Designed To Balance The Regulation Schedule Of The Design To Balance Multiple And Often Competing Project Purposes And Objectives.

Managing For Those Performance Of One Objective Often Worsens Performance Of Competing Objectives.

That's Where My Two Years Were So Miserable, And I Think A Lot Of Yours Is So Miserable Because It's -- You Cannot Do One Thing.

I The Law Of Physics.

This Action Is Going To Have A Reaction, And It Almost Always Is A Negative Action For One Of The Affected Parties There.

You Guys Have The Ultimate Say.

You're The United States Army Corps Of Engineers.

On When That Water Flows, Right? What I'm Waiting For You To Answer, Because You're The New Boy On The Block.

I Don't Mean That In Any Disrespect, But We Pass From Colonel To Colonel.

We've Had Some Good Ones.

The Most Recent Ones Have Been Very Sensitive To The Southwest Florida Issues, And That Was Want -- Not The Case In Recent Years.

I Want To Thank Them For That And Thank You For Being Here Today.

It Says A Whole Lot.

I Want For You, So I Understand It Better -- For You To Give Me Your Description Of The Partnership Between Your Shop And The South Florida Water Management District Shop In Making These Release Decisions Because There Is Now Flexibility Attached To This.

It's Not A Weekly Or Monthly Thing.

It's -- The Water Gets Exactly This And Then Something Happens.

What Is Your Partnership? What Say Does The Water District Have With Your Office In Making Those Ultimate Release Decisions? Well, Let Me Be Clear Up Front.

At The End Of The Day A Decision Has To Be Made, And The Authority To Make That Decision And The Accountability That Comes With It Rests With The Corps.

Comm. Bigelow: That's -- I Understand That.

Yeah.

Comm. Bigelow: There's Significant Input.

Yes.

Let Me Go On To Say.

That's The Bottom Line.

Now, What Happens -- What I Think Has Happened Over Time Is There's A Lot Of Recommendations That Are Made As We Go Through This Process That We Have To Make Decisions About The Lake Levels.

There Are All These Calls, And We've Looked Closely, And We're Not Convinced We Got It Just Right In Terms Of The Sequencing, The Process Of Who Is Attending What Calls, Because There's Been Some Issues Recently About Who Is At What Calls.

We Got The Right Representation From All The Parties On These Calls.

You Know, Are We Being Inclusive Or Exclusive? Sufficed To Say, There Is Work To Be Done There To Work Through That Process To Make Sure We Do That.

There Is Also A Perception And There's A Frustration, I Guess, Because An Indication Of Water Management District.

I Guess When They Make A Recommendation To Us, Which They Can Make Very Clearly Sometimes, Then We Don't Immediately Act On It.

That Gets Interpreted As The Corps Is Being Autonomous And Making Decisions, And That Is Not The Case, In My Opinion.

This Pulse Release Discussion We're Having Right Now Is A Good Example.

Clearly, The Water Management District Has Communicated Me, Colonel, Pulse The Water.

That's Our Position.

That Was Made Just A Few Days Ago As We've Worked Through This, And We're Going To Have A Hardy Discussion About This On The Governing Board On Thursday.

That Said, And In The Comments Was In All The Other Parties And All The Other Interested Groups Are Going To Tell You It's Obvious.

It's Pulse The Water.

You Got People In This Room Today Telling Me, Colonel, That's Not The Way We Want It.

My Concern Is That We're Getting The Input From All The Other Parties As Well That Their Voices Are Being Heard, They're Being Represented And Then The Powers To Be In The District Have Got To Take This All And Look At It And Say, Ok, Clearly, I Got The Water Management District's Approach.

Don't Oppose That.

We Have Our Own Opinion Based On Our Own Analysis On How We Got To Hand This And Then We Got All These Other Affected Parties All Throughout The System That Got An Opinion About How They Want It.

We Got To Look -- Comm. Bigelow: Let Me Interrupt You, Colonel.

Comm. Bigelow: That's What Makes Your Job So Tough.

Let Me Just Conclude With This Calibre Restatement Of What I Said Earlier.

We Have Felt Over Here Like A Step Child For A Long Time Because You In Jacksonville, The District Was In Palm Beach, The Debate Over There Went On And On.

The Audubon Society Would Get Up And Speak Its Mind, And Then The Agriculture People Would Get Up And Speak Their Peace, And They Were Never On The Same Page, And Then Somehow You Would Rye To Make A Decision, But In All That Decision Making Process, What Happened To The Estuaries In Lee County Was The Last Thing Anybody Talked About.

We Finally Got Like The Old Network Movie.

They Have Been Showing Recent Years, And I'm Talking The Last Two Or Three.

I Appreciate Your Being Here Today As I Think -- I Take That As Your Personal Statement That Southwest Florida In Lee County And Our Estuaries Are Not About To Be Ignored.

Thank You, Commissioner.

I Would Like To Respond.

One Of The First Things I Did When I Came In This Job Is Run The Caloosahatchee.

One Of My Best Friends Since I Came To This Job Is Ray Ann, And As This Has Been Going Down And, Of Course, I Have A Lot Of Other Competing Priorities Right Now, As You Can Imagine.

There's A Couple Of Mines Out There And Some Other Things We're Worried About These Days.

I Have Reached Out To People Like Ray Ann Because I Need To Get A Firsthand Perspective Of What Is Going On That End Of The System.

I Don't Get That Through Our Guys.

I Don't Get That Through The Water Management District.

I Immediate To Be Able To Hear From The Other Parties To Say People Got Credibility With Me, By The Way, No Kidding, Carl, It's Really Bad Right Now.

It's Really Bad.

It's Bad.

About As Bad As We've Seen It.

Then I Need Them To Say This Is What We Think You Can Do About It.

Then Within The Abilities And The Authorities We Have, And Certainly, I'm Open To Doing That.

It Gets To A Concluding Point.

I Need You All.

We're Doing This For The Next Three Weeks.

We Have All These Public Hearings, County Hearings.

Come Out.

Speak Your Peace.

Put Them On The Table.

Put Up Or Shut Up.

Give Us This Information So We Can Have The Dialogue, And If You Ever Reach A Situation, Especially The Leaders Of The Various Counties And Communities, If You Ever Reach A Situation Where You Think Jacksonville District Army Corps Of Engineers Is Having A One-Sided Conversation And It's Want A Dialogue And They're Not Being Empathetic To The Situation And You Don't Get A Sense That They Heard You And They Were Compassionate

About What You Have To Say, It Doesn't Mean You'll Necessarily Get What You Want, But If You Don't Ever Get This Occurring, Then Call Me.

Get Word To Me, And I'll Call You.

Comm. Bigelow: I'll Send Ray Ann.

I Mean, I Am Not -- Anybody -- I'll Speak To Whom Ever.

Call Me And Tell Me And Get My Attention To Say, Hey, Colonel, We're Not Getting A Good Feeling About How You're Doing This, And I'll Be Glad To -- I Got Lots Of People That I Can Reach Out In My Spider Web To Help Try To Make Sure That We Have Done Our Part.

Comm. Bigelow: Thank You, Colonel.

Chairwoman Hall: Thank You Very Much, Colonel.

I Would Like To Forward Our Staff -- John.

Thank You.

Just Follow-Up And Then We Can Go Back To Our Regular Agenda.

Thank You, Madam Chairman.

John.

I Will Be Very, Very Brief.

You've Heard This Morning About Dealing With The Lake When The Levels Are Very High.

Away We're Dealing With Here Is A Federal Congressionally Authorized Flood Control Project.

When The Lake Hits Certain Levels, The Corps Has To Release The Water.

There Are Solutions, But The Solutions Are Mostly Long-Term.

We Have To Look At A Southern Outlet.

That's Been Pointed Out.

Just Physically The Caloosahatchee Is The Easiest And Relatively Largest Outlet When Water Levels Are Too High, And That's Why We Get It Right In The Teeth.

That's Why The Estuary Gets It In The Teeth.

We Have To On A Long-Term Track Look At Additional Storage And Look At A Southern Outlet.

Unfortunately, All Of Those Are Much Longer-Term Issues That Have Been To Deal With.

What I'm Going To Talk To You About In Less Than Five Minutes Is What We Do At The Other End Of The Scale, Because You Might Remember A Year Ago We Were On Our Knees Begging For Releases Of Water To Benefit The Estuary.

Is A The Salinity Was Skyrocket And Impacting Habitat, Sea Grass Beds.

You Name It.

To Be Quite Honest, If It Wasn't For The Colonel's Intervention And The Corps, We Would Not Have Gotten What We Asked For Or What We Needed In Terms Of Releases From The Lake, And I Can Tell On Behalf Of The Staff, The County Staff, Those Of Us Who Deal With The Colonel And His Staff On A Weekly Basis, We Are Very Much Appreciative Of The Transparency And The Openness That We See Now With The Decision Making.

Roland, Curt, We Are Just Very, Very Thankful That We Have The Colonel And His Staff In Place And We're Looking Forward To Working With Them During That Remaining Part Of His Tenure.

Now, What We Have Before Us Now Is Something That The South Florida Water Management District Calls Adaptive Protocols For Lake Okeechobee Operations, And In 2005 The Corps Initiated An Effort To Develop And Adopt A New Lake Okeechobee Regulation Schedule, And After Over Two Years Of Back And Forth And Efforts And Going Through The Federal Rule Making Process, We Came Up With The Lake Okeechobee Regulation Schedule Of 2008.

It's Called Lores 2008.

It Was Adopted In April Of 2008.

Now, I Will Tell You, It Is In The History Of Federal Lake Regulation Schedules The Most Favorable Lake Regulation Schedule We Have Had From The Standpoint Of Potential Benefits To The Estuary.

Now, What This Lake Schedule Does, It's Essentially A Graphic, And It Shows At Different Points Of The Year Where The Lake Is At Different Elevations Or They Have Bands, There Is Certain Discretion That Can Be Exercised, And What This Document Is Really Dealing With Is During Dry Times When The Lake Levels Are Relatively Lower, Certainly Lower Than They Are Today, The Water Management District As A Local Sponsor Of This Federal Flood Control Project, Has A Great Deal Of Discretion And Under This New Lores 2008 Regulation Schedule Have A Lot Of Flexibility.

That Operational Flexibility Isn't Self-Executing.

Somebody Actually Has To Make An Affirmative Decision.

Yes, The Estuary Needs Water To Maintain The Salinity Envelope, And The Water

Management District, Based Upon Consideration Of Some Criteria, Are Going To Recommend To The Corps To Make Releases.

Time For Policy To Be Made.

Hopefully The Staff Provided You With A Brief Two-Page Update On Adaptive Protocols That Should Be In Your Backup Notebooks.

If Not, We Can Provide You A Separate Copy.

Here's The Bottom Line.

And Again, I Apologize For Moving Quick But You Have A Busy Agenda.

The Colonel Said, A Lot Of White Elephants In The Room, More Than Ringling Brothers.

We Have A Lot Of Complexities From A Federal Consent Decree To Water Use Rights.

You Name It.

What We've Come Down To In The Adaptive Protocol Document.

This Is A Document That Is To Provide Some Guidance To The Water Management District When The Lake Is At The Lower Bands And Whether To Make Releases To The Estuary.

And The Issues That Have Come Up Relate To What Legal Obligations As A Water Management District Have To Permitted Users Around The Lake Okeechobee Area.

What Flexibility Do They Have Given The Permitted Users.

We Are Working This Year, One Of Our Priorities Will Be To Establish A Water Reservation For The Caloosahatchee Which Is In Essence A Permit For The Environment.

And That's An Effort We Are Working On With District This Year.

Some Of The Other Issues That Have Come Up Is Whether Certain Run, Modeling Runs Not Contemplated We Are Proposing Included In The Adaptive Protocol Document Whether They Can Be Addressed In The Adaptive Protocol Document Or Whether The Water Shortage Plan Of The District Needs To Be Changed.

Fundamentally We Have A Situation Today Where During Dry Times, During Those Times When The Lake Is At A Relatively Low Elevation, The Caloosahatchee Can Be And Has Been Cut Back 100% Before There Are Any Sort Of Water Restrictions Imposed On Permitted Users South Of The Lake.

I Don't Mean To Interrupt You But Are You Looking For Thursday's Board Meeting? No, Ma'am.

We Will Be Coming Back To You.

Not To Cut You Off, What The Board Would Like To Hear From You Now And Bring You Guys Back To Go Over That So We Can Give You Direction Because We Are Going So Late.

What The Colonel Commented On, The Biggest Issue We Have Now Is How We Want To Take This Water And I'd Like To Have You Guys Respond To That.

We Have People Here, Public Comment Who Are Going To Comment On The Colonel's Presentation And Like To Hear Where You Are At How You Feel This Water Should Be Coming Down The Caloosahatchee.

I Know The Adaptive Protocol Issue Is A Big One But I Need To Bring You In Under That Issue Separately And Follow Up Behind What The Colonel Is Talking About Because We Are Way Behind Our Schedule Today.

That's What's Burning Us Right Now.

If You Could Maybe Have Yourself Give Us In A Few -- A Quick Synopsis What You Are Recommending With The District And Bring You Back Under Adaptive Protocols.

For The Record, Typically At This Kind Of A Regime, We Normally Look For A Pulse Release Because That Mimics Response To A Natural Storm Event.

You're Getting A Release Basically In The Shape Of A Hydrograph.

I Heard That City Of Sanibel Was More Interested And Interested In Hearing The Reasoning.

I'll Go To Peter With The Water Management District Who Has A Good Idea How The Water Management Responds And I Put Faith In That.

I'd Be Anxious To Hear Sanibel.

I Haven't Heard The Reasoning.

Comm. Hall: You Have Not Come To A Conclusion Yet On The Water.

We Haven't Gotten To That Point.

The Volume Range Is The Same As The Colonel Mentioned.

They'll Release The Poll.

I Support The Normal Response To A Storm.

Comm. Hall: Let Me Go Back To Regular Agenda Unless The Board Has Any Issues With That.

We Have To Spend Time On Adaptive Protocols.

What I'd Like To Do, John, How Much More Did You Have On Adaptive Protocols To Give Us A Brief? Quickly Wrap Up If You Wouldn't Mind.

I'll Wrap Up.

We Have A Water Management Governing Board Meeting Later This Week Where Some Of The Issues Will Be Discussed.

The Staff Will Bring Back To You In The Next Weeks A More Detailed Briefing On This And Ask For Your Support And Recommendations On Where We Go With Some Of The Policy Issues That Are Involved With Making These Releases.

Again, We Thought It Was An Opportunity To Let You Know There Are A Number Of Issues Out There In Addition To The High Volume Situation We Are Dealing With Now.

Comm. Hall: We Appreciate That, John, Thank You Very Much.

We'll Go Back To The Regular Agenda Which Is Recap.

On The Recap Consent Agenda 6-B For Further Review.

The Staff Will Bring It Back May 25.

Can I Have A Motion To That Effect? A Motion By Commissioner Judah.

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

Colonel, You And Your Staff, We Want To Thank You.

Very Much Appreciate You Being Here With Us This Morning And I Want To Thank You For Your Candid Conversation With Us And The Openness You Provide For All Citizens In South Florida To Have Access To You And Your Staff.

We Are So Appreciative And We Want To Thank The Presenters This Morning For Giving Us A Very Easy Way To Understand What's Going On.

I Hope We Can Understand What Are The Challenges Not Only As Policy Makers But You Are Dealing With As Well.

We Will Now Be Ascended If You Have To Leave.

Thank You For All Your Team.

Thank You.

Next We Have A Walk-In Four And Five Which I'll Take Care Of At The End Of The Agenda.

Next Public Comment On Any Items Consent, Agenda Or Walk-On.

I Did Have A Request Here Who In The Sake Of Time They Are Withdrawing Their Blue Cards.

They Can Just Say No When I Call Their Names Because I Have A Whole Stack Here.

If You Don't Want To Speak Say No.

First Speaker.

Good Morning, Madam Commissioner, Commissioners.

Thank You For This Opportunity To Comment.

I'd Like To Take My Turn At Thanking The Core Corps, A Quick Steady, One Of The Quickest To Come Into This Complex System And Understand What Is Really Involved.

They Have Initiated Something Called The Periodic Scientist Phone Call.

We Like To Think We Are Constant Scientists But We'll Take Periodic Scientists, Too.

A Weekly Opportunity To Make Comments And Have A Dialogue About The Conditions We See In Our Backyard.

While They May Be In Jacksonville, The District In West Palm Beach, When We're Here On The Ground And The Folks In St. Lucie And All The Folks In The Region Of The Lake We Can Report On Our Conditions And Give Our Scientific Opinions On How Those Impacts Are Affecting Our Systems.

In Addition To That We've Been Able To Give Recommendations Or Make Requests And I Have To Say The Corps Has Gone Out There And To Your Point, Commissioner Mann, When We Were Begging The District For Water, The Corps Took The Science, Understood That We Weren't Just Crying Wolf, We Were Basing This On Science And Gave Us The Flies Which Got Up To The Point Where We Got Less Water In The Lake Than We Would Have Had The District Had Their Way.

It Helped Us Beginning In October To Keep A Flow Of Water Coming Through The Caloosahatchee Which Is What's Needed.

Right Now We're Getting Current Flows Nine To 10 Times Over The Healthy Condition For The Lake.

45,000-Gallons Per Second.

That's Enough To Fill In An Olympic Swimming Pool In 13.3 Seconds.

Had To Use That Analogy.

Had To Use It.

Had To Use A Visual Image.

3.2 Billion Gallons A Day.

60 Day Water Supply For The Residents Of Lee County It's Coming At The Worst Time As Well.

The Spring Spawning Period.

A Little Bit Like Deja Vu.

In Spring 2000 We Had High Releases In March And April At That Time Which, Of Course Was Followed By A Drought.

But What It Did Was It Decimated The Fresh Water Grass Through Hundreds Of Acres Of The Caloosahatchee That's Never Been Recovered.

10 Years Later We Still Have No Tape Grass.

The Fresh Water Is Right Now Extending All The Way Down To The Mouth Of The River.

A Yo-Yo Affect That Everything Is Exposed To Because Of The Releases.

We Have The Small Tooth Saw Fish Which Is An Endangered Species.

The Habitat Is Endangered.

It's Been Crunched Down From A Range That Went From Texas To Virginia Down To The Caloosahatchee And Charlotte Harbor.

They Can't Tolerate Fresh Water All The Way Out Of The River To The River's Mouth.

We Have Our Nets Coming Up With Full Of Red And Brown Algae Off The Course.

Shortly Before We Have Some Experiences That We Remember Not Too Long Ago.

There Are A Couple Of Things I Would Like To Ask -- The Colonel Had -- Is Not Responsible, The Corps Is Not Responsible For Finding Alternatives For Storage But There Are Alternatives.

As The Mayor Of Sanibel Asked In 2005, The District Has Come Up With Some 366,000-Acre Feet Of Storage.

We Are Looking At Alternatives.

Babcock Ranch In Our Own Backyard.

There's The 11,000-Acre C-43 Site That Could Be Saturated.

We Don't Need New Earth Works But Need To Do What We Can Throughout The System And That Includes South Of The Lake.

Building Into The Canals That Are Serving The Fields Right Now That Sugar Is Harvested And, The Best I Can Say Is Visualize E.T.

Ron Carpenter? Ron? Delores Who Will Be Followed By Wayne Daltry.

Good Morning.

Nice To See You On This Side Of The River.

Welcome.

I Come Over A Lot.

Thank You Very Much For The Opportunity To Address You This Morning.

I Believe Almost Everybody In The City And The State Must Know At This Point I Do Support The Project And Your Letter.

However More Importantly I'm Here To Ensure We As Lee County Never Lose Sight Of The Vision Set Forth For Us Many Years Ago.

Here Approximately 25 Years So I May Be Considered A Newbie But Witnessed Scenarios That May Have Been Presented That Appeared On The Surface To Be Pipe Dreams Never To Be Realized.

One Put Together Concerning The V.A. Clinic And Why Should We Be Brought Here To Fort Myers? Mr. And Mrs. Ed Convinced My Husband And I To Join The Group.

I Wondered What The Benefits Would Be For Us.

The Benefits Far Outweigh The Crossing Of A Bridge To A City Close By.

Some Day Maybe We Have Fight To Have A V.A. Clinic In Cape Coral So We Worked For Over 10 Years And Today Work Is Progressing For A New V.A. Clinic.

A Vision And A Dream And Reaching Fruition.

It Did Not Happen Overnight.

We Are All Aware The Drop In Revenues, Drop Losses Trying To Make Ends Meet.

This Is World Wide We Here In Florida Have Been Through This Several Times.

Tourist Destination Trying To Entice Everyone To Come On Down And Enjoy Our Sunshine And Amenities.

We Continued Over The Years To Send That Message By Forward Vision Always Adding Venues, Attempting To Change Direction.

Tourists Come For Many Reasons, Our Beaches, Accommodations And Venues Under The Tourist Development Hat.

It Has Not Always Been An Easy Task But Sit Back And See What We Have To Offer Everyone.

The Swim Center Has Potential But As Commissioners Your Task Is To Take It Step By Step Starting With Today's Decisions.

If You Stop Forward Motion Today You May Never Know What Could Have Been.

If You Make The Decision To Take The Next Step, You Are Investing Your Time And Staff Without Committing Moneys.

Contrary To What Some Have Said, Sports Plays A Very Important Part In This Particular Part Of The Country.

Sports Contributes To Our Accommodations, Our Restaurants, Our Retail Stores, Bed And Breakfast And Opens The Door For Everyone To See How We Live.

We Invite Those Who Visit Us To Explore Each Of Our Cities.

There Is Something For Everyone Here Wrapped In Great Weather Most Of The Year.

I Did Say This With Experience Since I've Been A Sport Mom With Our Son And Daughter With Track And Basketball And My Three Grand Children With Soccer And Swimming.

A Grandson Who Is All American In High School In Pennsylvania And Current Attending Penn State.

Our Third Grandson Chose To Serve In The Air Force And Granddaughter Is A Senior In High School.

We Understand What We Have Contributed No Matter Where We Went.

We Represented What Americans Do The Best, We See The Forward Motion.

I Have Copies Of The More Than 3900 Sins Of Lee County Who Mostly Lived In Cape Coral, North Fort Myers.

Move Forward Vetting The Project Properly.

I'd Like To Submit Them To Your Commission.

We Know You Have Many Problems You Are Attempting To Solve And How Difficult It.

If The Process Ends Without Being Able To Accomplish The Task, We Will Know We Tried.

We From Cape Coral Have Suffered Recently From A Great Deal Of Miserable Information That Was Given To Us.

And Side Steps The Real Issue Whether We Want Economic Development In Our Areas Whether We Really Are Open, Whether We Are Ready Because Today We May Be Suffering But In Three Years We'll Wonder How We Missed Certain Aspects Because We Were So Worried About Our Finances And Should Be Worried About Our Finances.

I Ask You To Please Support This.

Thank You.

Comm. Hall: Leave Your Signatures With The Clerk, That Would Be Wonderful.

Thank You Very Much.

Wayne Daltry Followed By Greg Wall.

Good Afternoon, Madam Chairman.

This Addresses The Colonel's Presentation And Adaptive Protocols.

First A Drop Back In History 10 Years Ago And A Month, Three People Hopped In The Car To Address The Water District Please Don't Do The Massive Releases You're Talking About.

This Is The Period Of Time We Had Two Months Of No Discharges Whatsoever And No Fresh Water.

Now We're Getting It All At Once.

We Said This Was Bill And John And I, You Should Not Do This And All The Other Speakers Agreed With Us.

The Board Adjourned For Five Minutes, Came Back And Voted To Release All The Water.

So Much For Our Persuasive Ways That Kicked Off The Great Doubt Of 2000 And 2001 And It Didn't Rain And We Went Into The Biggest Drought In Our History.

Responded To That Release By Litigation.

And Discovered The Law Was Stacked.

Starting 2002 You Started A Series Of Smart Steps.

Began To Realize Since The Law Stacked Against Us, We Needed To Change The Laws.

We Had To Go To Each And Every One Of Those Parties And Have Them Understand The Position.

You Dealt With Special Interest.

Tag-Teamed.

Politicians When You Need To Get Down To It.

You Did Not Always Say Litigations Our First Response But Everybody Know There Was A Bag And A Boot And Prepared To Use Them Both.

You Went Out There With Your Hand And Listened, Revised The Laws, Went To The Corn, They Understood, Revised The Protocols And Though It Felt You Were Trying To Change The Direction Of The Battleship But Scooping Out The Water With Your Hands, You Made Progress And Then The Weather Didn't Cooperate And Where We Are Today.

This Would Dishearten Other People But You Are Not Other People.

You Recognized That Your Woe Is Not Going Away And Here To Say Stay The Course.

You Stand Out Because Of Your Actions This Last Decade.

The Word Reservation Was Used Today.

Something You Spoke Of 2002 And Continue To Pursue.

Just One Of Many Tools.

I Would Conclude By Saying Well The Colonel Gave Us An Answer.

We Just Didn't Realize Before.

All We Have To Do Is Have The Caloosahatchee River Declared An Emergency Spillway And They Have To Clean The Water And Have A Place To Store It Before They Release It.

Thank You Very Much.

Comm. Hall: If You Don't Mind, Out Of Courtesy I'd Like To Take The Mayor Before You If You Don't Mind.

Mayor Henderson.

I Appreciate Your Patience, Mayor Henderson And Getting To This Issue This Morning And I Apologize But Thank You, Greg.

Thank You.

Thank You, Madam Chairwoman And Commissioners.

I Want To Speak On Behalf Of The Examination Of The Potential For The Red Sox Stadium Considered As An Olympic Swim Facility And I Will Be Brief.

I Want To Offer A Brief History And Coming To You On Behalf Of The City Of Fort Myers.

I Remember When Chairwoman Hall And I Were Together In 2000, Examined The Need After A Supreme Court Hearing, An Operating Entity Subject Toad-Valorem Tax And Want To Give Everyone History On How The County Ended Up Owning The Red Sox Stadium And We Are Grateful To That Partnership.

How We Managed That, Sports Authority For A Lot Of Reasons Appropriate And From Our City To Your Body We Thank You For That Leadership For That Office.

Commend You For Looking Into The Possibility Of Examining The Opportunity For The Swim Center.

We Have Not Met The Sponsors Per Say.

We Met Casually.

We Don't Have A Lot Of Background On It But We Think The Ideas Or At Least Examining To See If It's Feasible.

In Short, I Support The Concept And Consider It To Be Synergistic And Thank You For Your Staunch Support Of The Olympians As Well.

I Support A Rigorous Due Diligence Process In Regard To Investigating The Sponsors.

Obviously The Sponsors Of The Project Need To Be Thoroughly Checked Out.

Their Backgrounds To Include Credit Ratings, Financial Wherewithal And The Like And Do Our Best Making Sure The Sponsors Can Perform.

I Commend You For Looking Into This From Our City To You, We Think It's Worthy Of Examination And We Wish You Good Luck With It And Also Offer Any Support That We Might Be Able To Lend To You In This Process.

Once We Get Enough Information We Want You And The City To Give Enough Information To Render An Appropriate Decision.

We Think That Is In The Best Interest Of The Stiffens And The City And Beyond And Appreciate What Delores Had To Say.

We Were Hopeful For Them In That Endeavour So Thank You For This Opportunity To Come Before You And Best Of Luck With It.

Comm. Hall: Thank You.

Greg Wall Followed By Charlie Green If He's Still Here.

Thank You, Madam Chair.

I'm Vice Chair Of The Southwest Watershed Council Here Speaking On My Own, Though.

Address Operation Maintenance Flood Control Project.

Right Now Based On The Conditions With Which We Are Going Into The Wet Season, We're Going To Take It In The Teeth Unless We Have A Really Dry Wet Season Which Is Highly Unlikely Based On The Forecasts I've Seen.

Not Much We Can Do About It.

The Water Is Coming Our Way.

Really The Only Thing We Can Do Is Come To An Understanding With What Shared Diversity Is.

As It Pertains To Moving Forward Down The Wall With Adaptive Protocol.

Long-Term We Need To Work With The Corps District, The D.E.P., Local Government Agencies On Regional Storage And Treatment.

Storage And Treatment Goes Hand In Hand.

Lake Okeechobee, S.G.A., C-44 Reservoir, Just An Island Potentially.

We Need To Look At Distributed Storage And Treatment.

In Our Own Basin, The Biggest Opportunity That We Currently Have Is Four Corners.

That Would Provide Potential For Storage As Well As Treatment Of Water.

Ultimately Get C-43.

We Need To Look At Implementation Of B.M.P.S Within The District That Ultimately Drains Down Into Lake Okeechobee And Out Caloosahatchee And St. Lucie.

Millions Of Acres With No B.M.P.S Whatsoever.

B.M.P.S Improve Water Quality And Hold Water Back Which Helps Reduce What Ultimately Gets Discharged And The Fourth Item Is Conveyance.

And I Don't Mean Just A Spillway, An Emergency Spillway, We Need A Meaningful Path To Get Water South To The Catch Areas.

And Under U.S. 41 And Out Everybody's Park In The Florida Bay.

Right Now Work Conservation Area One -- I'm Sorry, Three Is Basically Drowning And Everglades National Park Could Use The Water As Well As Florida Bay.

Comm. Hall: Thank You, Linda Prince? Followed By Marty Mclean.

Good Morning, Madam Chairman And Commissioners.

First Time Speaking In Front Of You Guys.

Okay.

Take A Breath.

I Come To You This Morning As A Resident Of Cape Coral But As A Citizen Of Lake County And Program 151.

Very Educational For Me.

I Come To Ask You To Please Support The Intent To The Swim Center.

It's Your Opportunity To Make A Difference And To Be The Leaders That We Citizens Need In Lake County.

Smart Growth Is A Positive Thing To Bring To Our County.

The Economic Growth Is Really Needed.

The Swim Center Can Be A Branding Mechanism For Fort Myers.

Jobs, The Revenue It Will Create, It's A Good Thing, Correct? Taking Risk, Chances, Keeps Expectations Going.

Where Would We Be Today If We Didn't Push For The Midpoint Bridge? The Negativity From This Is Overwhelming I Remember 21 Years.

But As City And County Leaders, They Saw The Positives And The Negatives And Turned Out To Be A Win/Win For Everyone.

This Is Why I'm Here Today.

I Want You To Please Look For The Positive In The Aquatic Center.

Let Fort Myers Become The Destination That We Could Have Been.

Thank You.

Comm. Hall: Thank You.

Marty Mclean? Good Morning.

How Are You? Commissioner Hall, Judah, Commissioner Bigelow, Commissioner Mann.

It's Interesting I'm Not Taking A Beating.

I'm Here Briefly Just To Go Terry.

I Don't Want To Repeat.

A Lot Of People Try To Step Side.

I'm Speaking Here As An Individual Or A Citizen.

No, I'm Not.

I'm An Elected Official And Proud Of It But Not Here To Represent Cape Coral But Myself And The Thousands Who Notified Me And Asked Me To Come And Speak On Behalf Of The Swim Center.

I Have A Relatively Long History With That Meaning The Last Eight Months With The Swim Center.

I'm Very Proud To Be Associated With Those Individuals.

I Know There Was Negativity Come Out.

Unfortunately I Don't Get Involved In Google Government And Google Gospel Because A Lot Of Things Come Out We Were Able To Dispel.

I Have To Thank Your Staff, County Manager, Kevin Hoss And Jeff Because Collectively In Two Months We Put Together A Well Vetted Project.

Still Some Loose Ends, We Came Down To An M.O.U.

It's That Simple.

As An Elected Official, I Feel We Let Our City Down.

It's That Simple.

We Could Have Taken This To The Next Step.

The M.O.U. Was A Harmless Document That Could Have Kept It Going On.

I Ask You To Give The Opportunity To See And Let The Project Run On Its Own Merit.

I Received Phone Calls From All Over The Country In Regard To This Project.

I Did Not Know That Synchronized Swimming Was Such A Big Event Nor Did I Know Water

Polo Was A Large Event.

I Received Phone Calls From Organizations That Build These Facilities, The Pool Components.

Real Well Known Among The Groups.

We've Done Our Background.

Individuals Have Done A Background On John And He Is Well Known Internationally And Nationally.

For Every Negative I Started Digging Up A Lot More Positive.

I Called Around Asking For Help.

Of Course, I Asked For Money And That Didn't Go Well.

We Had A Bill Prepared, Just A Matter Of Getting It Pushed.

We Knew It Was Going To Get Approved On The Sales Tax Revenue.

But It Was Immediately Withdrawn When We Withdrew The Opportunity.

People Were Very Excited About This.

An Entire City, The Community, All Of The Citizens Business Community, I've Never Seen A Thing Generate The Excitement That This Project Did.

Out Of 70%, They Did A Poll, 70% Were Supporting It.

80% Plus Of The People In Attendance That Night Supported This.

The Phone Calls In The Thousands And As They Were E-Mails.

I Think The Opportunity If Nothing Else To Let The Project Move Forward On Its Own Merit And Again With The Help And Your Expert Staff, You Could Have A Very Viable Project.

Made Mention To You Before Your Downtown Is Salivating Already Because Of The Revitalization Possibilities.

It's Been Refinished.

Towers Sitting Here That May Be Rethought.

The Possibilities Are Endless On This And All That We're Asking You To Do.

Myself And Those I'm Representing, The Citizens Of Cape Coral And Wish You The Best.

Thank You.

Comm. Hall: Thank You For Being With Us, Your Patience.

I Appreciate It.

Colleen Followed By Jack Meeker.

Good Afternoon.

I Would Say Good Morning But We're Beyond That.

Thank You For Your Time.

Difficult To Follow Three Public Speakers Who Do That Professionally And Appreciate Your Patience With Me.

This Morning Commissioner Hall, You Talked About Tourism And How Important That Is For Lee County And Commissioner Mann This Morning You Were Quoted In The Newspaper When They Talked About The Fact We Haven't Had Commissioner Janes Spot Filled But Haven't Been Any 2-2 Votes.

Hasn't Been An Issue To Halt.

Maybe I Don't Need To Be Here And Don't Need To Speak To You How Important I Think The Swim Center Project Is But Wanted To Take A Minute Of Your Time And Say I'm Asking You To Consider The Next Step.

I Wear Two Hats, First Is The Leader Of The Tourist Development Council.

Lee County With That Hat On If It Happened In Cape Coral I Would Have Been Happy.

As Long As We Kept It Here, That Income, That Potential 30, 60,000 Nights, We Can't Do That With Any Other Project.

And I Wear My Hat On The G.M.

Here In Fort Myers On The Corner Of College And Summerland.

I Rely On 100,000 Room Nights Here In Lee County Annually.

We'll Lose Some Of Those Nights Because Other Places, Other Districts In Florida Have Stepped Up.

Pope County Built A Huge Facility For Soccer.

We'll Lose The Tournaments Because It's All There.

Perfect Games, We Know The Impact.

We Could Use Those Room Nights Because They're Going To Go Somewhere.

They Could Hold Some Tournaments, One Of The Two Offices They Hold Tournaments Here Somebody Will Build Them The Place Of Their Dreams.

For Us The Opportunity Is To Build The Place Of Crimes For The Swimmers.

Can We Be That Place? This Is The Time, The First Step And Let Lee County Do Their Work And Come Back And Tell Us If This Is The Right Fit, The Right People.

I've Been Talking To These Guys For Several Years.

I've Known Some Of Them For Some Time And Hope It Is The Project.

I Can Offer A Group Of Diverse Hoteliers From Different Brands, Different Owners And Companies And Happy To Answer Questions If You'd Like Pick Our Brains Why This Is Important For Us And We'll Come Back When The Time Is Right.

I'm Sure We Can Fill This Room With Support For The Swim Center Because We Know How Important It Is.

I Can Tell You That The Hotels All The Way Up Or Down To Downtown, We Need This.

If The City Goes Dark, It's Going To Be A Serious Issue For A Lot Of These Hotels And Particularly On 41 And For Those Who Enjoy All Of The Amenities And Coastal Properties Might Have, The Innovation And Where The New Red Sox Stadium Is Going.

I Appreciate Your Time And If You Have Questions, I'll Be Happy To Speak To You And Arrange For Hoteliers To Do So.

Comm. Hall: Colleen Serves On Our Advisory Board And Thank You For Your Volunteerism.

Is Jack Meeker Still Here? No? This Is In The Stack Of Cards John Had Given Me.

John, Are You Going To Speak? No? Brandon, Are You Going To Speak? Yes? Good Afternoon.

Brandon Draws, National Swim Center Association.

Thank You For Your Time This Morning.

We've Run A Long Time Over And I Will Keep This Brief But I Wanted To Make A Couple Of Points Here.

If The Colonel Was Here We Would Be Glad To Take Up That Water If We Can Figure Out How To Fill Up The Pool In 13.2 Seconds.

We'd Like To Thank The Staff For Working With Us And Your Direction On That.

Also As A Board Member Of The Swim Center Corporation I'm Happy To Support John's Vision And I Know He's Been Working On This For A Long Time, Something Like Six Years And Happy To Be A Part Of That.

Quickly My Background, I Got Involved With The National Swimming Center Corporation Because I'm The Director Of Aquatics And Athletic Director Of A Major Facility On The West Coast.

Also I Am A Board Member Of United States Swimming, U.S.A.

Swimming, I Should Say.

I Represent National Swimming Center Here Today, Though, So You Know My Background On That.

My Function On The Board And We Have A Very Unique Board Which Is Everybody Has Their Expertise.

And My Primary Function On The Board Is Operations And Events.

Programming, What Not.

We Have Our Specific Piece.

I Want To Make Four Points Here That Stresses Our Plan And How It Was Put Together.

One Is I Wouldn't Be Involved In This If I Didn't Feel This Was A Solid Business Plan, Very Sustainable And Based On Real Numbers And Very Conservative Numbers.

Two, Our Plan Is Community Centered.

Goes From Swimming Lessons To Water Aerobics, Water Therapy All The Way Through Recreation, That's A Huge Component Not Just A Competitive Venue That Will Shut The Doors On The Community.

That's Important To Stress Here.

There Is Another Side Which Is We Are A Large Event Center.

It Will Bring A Huge Impact And As A Person Out There Talking With The Other National Governing Bodies And The Folks That Run The Events There, A Great Deal Of Interest In The Facility And I Cannot Wait To Get Out There And Bring Events Here For You.

That's It And Say Thank You For Your Time And Hope We Get To Bring This Flagship Facility Here.

Comm. Hall: Sal, You Going To Speak? No? Lori? No? John? Thank You, Madam Chair.

I Ask If I Can Actually Make An Announcement Before We Start This Time Because We Just Got Word An Hour Ago I Thought Was Cool Since We Are Parents Of Swimmers If That's Okay.

Gulf Coast Swim Team Our Home Swim Team, One Of The Two Major Ones In Lee County, Just Got Texted An Hour Ago Just Got Awarded The 2011 Trials Masters Nationals And World Trials Which Everyone Can Participate In For Distances Of 5-K And 10-K And Will Occur June 10 Through 12 On Fort Myers Beach.

Not The First Time We've Had This Event But Certainly Significant As It's Been Growing.

Colleen, We Have A Lot Of Swimmers Coming June 2011.

I Am Here As Part Of Consulting, A Consulting Firm With Swim Corps.

I Think It's Important That Everybody Understand What's Asked For Today.

There Are No Commitments.

What's Asked For Is A Letter Of Interest That Says The Staff Of Lee County Government Will Work With The Swim Center Corporation Having This Flagship Facility Come To Lee County.

The Money Spent Will Be Spent By The Swim Center Corporation With No Reimbursement By Lee County Or Any Of The Municipalities Because They Are Going To Have To Continue To Work On The Engineering And Design Of This Facility To Meet The Required December 2012 Opening.

The Only Way They Can Do That Because Of The Time Spent And To This Point The Only Way Is To Keep Spending Money And Doing That On Their Nickel.

The Only Other Requirement Asked I Think Is Very Fair Is That You're Not Going To Go Out And Negotiate With Anybody Else While They Are Spending The Thousands Of Dollars To See If This Can Work.

You Won't Negotiate With Them.

It's The Same Request That Cape Coral Made To Them When They Put Forward \$50,000 For Economic Impact Study Which Put Everybody Else On Hold For A While.

Justifiable In The Case They Were Spending Public Money.

This Facility Will Be As Said Flagship Facility For The Country.

It Will Have The Ability To Hold U.S. Olympic Trials, The Real U.S. Olympic Trials For Olympic Games.

However, It's Going To Be A Multipurpose Facility.

It Will Have The Ability Where Concerts Can Take Place There Because A Floor That Can Go Over The Pool Complex.

The Ability To Have Ping-Pong Championships And Such In There.

No, It Can't Have More Intense Sports Because There Is A Pool Underneath But A Real Opportunity Not Just For The Competitive Part But The Economic Part.

One Of The Goals Of U.S.A.

Swimming Is Make Sure Children Who Cannot Access Ability For Swim Lessons And Participation, A Goal That These Facilities Meet That Need And I Will Tell You With 100% Positive That This Facility Will Absolutely Meet The Needs To Help The Children In Dunbar And East Lee County To Have An Opportunity That I May Not Have.

I Know The Budget Concerns.

The Ability To Have A Facility Set Up By Contract To Be Operated, Maintained And Repaired At The Expense Of National Swim Center Corporation By Their Plan And Not By The Taxpayers Of Lee County Versus An Empty Facility Or One You Will Have To Continue To Fund Speaks Volumes.

I Think It's Important, Very Important That You Simply Be Deliberate, Not Hasty.

Let's Take 120 Days.

If They Can't Meet The Mark About The Funding Or About The Business Plan Or Concerns You May Have, Certainly You Would Be Expected To Vote Your Conscience And Vote Against The Project.

If You Don't Take The 120 Days With The Interest Of Thousands Who Have Stepped Up Already, That Would Be Personally A Sad Day For Lee County Because I Know Each Of You Individually And You Want To Do The Right Thing.

This Is A Great Opportunity And You Heard The Mayor Of Fort Myers Behind It And Great For Our Area.

Please Vote For The 120 Days, The Letter Of Interest.

One Last Thing Is We Are Requesting Instead Of A Memory Dumb Of Understanding, That Whole Other Phase Of Legalese We Are Interested In Seeing It Go From A Letter Of Interest, Make Them Prove What Needs To Get Done And Go Right To Contract.

If They Meet The Market And You Are Satisfied, Let's Get On With It.

December 2012.

Thank You For Your Patience.

Good Afternoon, Madam Chair.

I'm Beverly Grady A Resident Of Lee County And Fort Myers, A Member Of The Water Resource Commission And Speaking Solely For Myself And Wanted To Send Publicly A Thanks To The Corps And The Colonel For The Public Meeting This Morning And This Afternoon Which They Have Initiated And Personal Calls By The Colonel To Try To Be On Top Of What Is Happening And The Parts Of The State Both In East And West Coast And Finding Out What Is Happening To The Estuaries.

I Remember Being Here In '04 And '05 With The High Releases And At A Point Where The Grasses Come Back And Now They're Gone.

The Long-Term Storage Projects In The Pipeline And Due To The Actions Taken By The Board As Well As The Citizens Of The West Coast.

So What Do We Need To Do Now? We Need A Process That Permits A Lake Operations Where There's More Water Releases In The Dry Season When We Need It And Also Need Temporary Storage.

Tomorrow And Thursday The Water Management District Will Be Taking Up These Current Releases And The Intending Releases And Taking Up The Process On Lake Operations.

Probably With The Final Decision In June.

Last Thursday The Water Resource Advisory Commission Discussed This Process And A Lot Of I Knows And Still A Lot Of Concerns Remaining Because Right Now The Current Draft Of This Process Stops The Flow's To The Estuaries When The Estuaries Are Dying For Water.

And Yet No Water Storage Restrictions For The Holders.

The Current Draft Process Resolved Into Damage When There May Be No Risk Of A Real Potential Or The Risk Is Down The Road, Maybe It Will Happen To The Permit Holders.

The Problem Is The Process Starts At Two Different Starting Points.

The Estuaries Received The Brunt Of No Water Releases In The Dry Season And Estuaries Received The Brunt Of The Water Dumping That Takes Place In The Spring And Summer.

A Lot Of Discussion Of Whether There Should Be Balancing, Shared Diversity And Whether It Had To Be A Win Neutral Meaning That No One Would Have Any Further Reduction From Where They Are Today.

What I Would Say Is With This Process Being Considered And Directly Impacts The Releases That We Will All See, Now Is The Time For All Of Us And Lee County Has Been Part Of This Process But All Of The Citizens To Become Involved To Demand Answers Given And Issues In That We Understand Whether All The Restraints Listed What Is Their Source Of Legally Required Process That Operates With The Lake Releases Being Shared So That We Do Have Shared Diversity Or Otherwise Just Be Here Again Next Year With Dentalia Vu All Over Again.

Thank You, Beverly.

Pete, Good Afternoon.

Thank You For Your Patience.

Good Afternoon.

Like To Add My Voice To The Corps For Showing Up Today.

It's An Important Thing.

I'm A Resident Involuntarily Retired Fishing Guide.

A Member Of The Board Of The 250,000 Member Snook Foundation Concerned About Our Estuarian Habitat, Our Well Being And Quality Of Water And Quality Of Life And All Seriously Damaged By Water Management Decisions.

Basic Policy Issues That Need To Be Resolved By The Management District That Allow The Corps To Help Us With Low Flows And The Corps Could Do Better With High Flows.

Make No Mistake, This Does Not Solve Our Problems.

Massive Volumes Of Water Have To Go South Or Down.

The Basic Issues Discussed On The West Coast This Week, Should The Fresh Water Flow To The Caloosahatchee Get Correctly Cut Off Thus Killing The Grass Because Of A Risk That Egg Will Have Rationing The Following Spring.

That's What's Happening Now.

If There Is Water Rationing, Should The Caloosahatchee Flow Be Cut To Zero While Ag Gets Its Needs And Folks Are Watering The Lawns.

Should High Volume Releases Be Made.

Oysters Can Hold Their Breath For Two Weeks And That's All.

All Need The Constant Flow 60 Cubic Feet Per Second Of Fresh Water To Keep The Salinity Balance Correct And Keep Everything Alive And Healthy From S-79 To Fort Myers.

That Is About 1 Inch Of Water Per Month.

To Keep The Grass Alive Only From The Caloosahatchee National Refuge, That's Only About Half An Inch Per Month.

These Volumes Are Small Yet The Caloosahatchee System Has Repeatedly Been Cut Off In Past Years.

These Are Policy Decisions Which The Board And The Water Management Board Can Seek To Change.

The Corps Has To Work With What They Have.

They Didn't Make It Rain.

We Have No Solution To The High Flows But We Can Keep Our Grass Alive And Keep Our Estuary Healthier Than It Is Now With Good Management.

I'd Like To Submit The Rest Of My Remarks To The Record.

Comm. Hall: Wonderful, Pete.

Thank You For Your Patience.

I Have No Other Blue Card.

Anyone Else Wish To Be Heard? Seeing No One I'll Close Public Comment And Go Back To The Board.

Commissioner Mann? Comm. Mann: None.

Comm. Hall: Commissioner Judah? Chairman Judah: 6-B Was Deferred.

Comm. Hall: Yes, Deferred To May 25.

Chairman Judah: 9-A And 5-B.

Go Back To 5-B And 9-A.

Comm. Hall: Commissioner Bigelow? Chairman Judah: Just 9-5.

Comm. Hall: Commissioner Bigelow? Comm. Bigelow: I Was Going To Pull 9-A But 7-A For Quick Note Of Recommendation.

Comm. Hall: A Motion For The Balance.

I Have None.

Motion For The Balance For The Consent Agenda? Further Discussion? All Those In Favor? Opposed? The Motion Carries Unanimously And Item 9-5.

Chairman Judah: I Want To Move This Item But Also Just For Brief Discussion.

Comm. Hall: Okay.

A Commissioner By Commissioner Judah To Move The Item For Discussion Purposes.

Chairman Judah: We All Feel Honored To Have The Opportunity To Name The Lion's Club Building In Honor Of Suarez.

Has He Been Notified? Is This A Surprise.

I Want To Recognize The Good Work And The Safety Net He Provided.

Comm. Hall: Staff Will Be Preparing A Presentation For Him.

Any Other Comments? Comm. Bigelow: Well Deserved And Appreciate Dave Being Here And Talked To Bob About This.

This Solidifies The Name As Suarez Hall And Like Us To Perhaps Tweak It A Little Bit.

He's Going To Find Out, We've Been In Conversation With Him, How About We Let Him Decide If It's Israel Suarez Hall, Bob Janes Preserve.

Sometimes It's Better To Use The Whole Time In.

Comm. Hall: That's Fine.

You Agree To That? Great.

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

Commissioner Bigelow 7-A.

Comm. Bigelow: I Was Going To Refer This Back To Commissioner Judah.

Comm. Hall: We Are Doing It Right Now.

Chairman Judah: Ray Is A Member Of Theclub And Donating \$500 To The South County Regional Library For Goods As Well As Daniel And Dorothy Kendrick In Memory Of Sedwick Quinn.

Comm. Hall: A Motion By Commissioner Bigelow, A Second By Commissioner Judah.

All In Favor? Opposed? The Motion Passes Unanimously.

The Consent Agenda.

Is That Right? 5-B.

Good Morning.

For The Record Karen Mcgwire, County Land.

I Wanted To Point Out A Couple Of Things In The Report And Give Special Recognition To

Some Of The Staff That Worked Hard On It.

But If You Had A Question.

Chairman Judah: That's What I Hoped You Would Do.

And Moved It From Consent To Administrative Agenda.

Commissioners, This Report Very Well Details What Has Occurred Or What Had Occurred With Conservation 2020 Program And Calendar Year 2009.

I Hope You Have The Chance And I Know You Have So Much Reading Material But I Hope You Have The Opportunity To Look Through This At Some Point Because It's Quite Impressive.

We've Had Criticism This Past Year With Some Things And That's Fine.

I Think We're All Tough-Skinned Enough To Deal With Those Things.

Again The Facts Speak For It Is.

In 2009 We Added On To Conservation 2020 Inventory 2093-Acres.

And Each Of Those Accusations Are Described In Great Detail Through The Report So I Won't Spend Any More Time This Morning Going Through Those With You.

Linda Thompson The Conservation 2020 Coordinator Who Has Been The Coordinator Of This Program Since The Inception In 1997 Put This Report Together And Outstanding Work She Has Done.

Well Written, Easy To Read And When You Look At All The Things That Have Occurred, It's Something For All Of Us, Commissioners And Your Staff And Your Advisory Committee That Worked Hard With Your Staff Can Be Proud Of.

Of Course, There Are Others In The Land Management Section That Contributed To Information That Went In The Report But Linda Was The Author Of This Report.

Comm. Hall: Want To Thank You And Your Staff And Thank Our Team Of Volunteers Who Worked With You And Our Communities And Do Appreciate Everybody's Input, But This Has Been A Stellar Program.

And Something For Lee County To Be Very Proud Of.

When With Hear, Often Talks About Our Grandchildren's Children, This Is Something That's In Perpetuity Forever And Can't Thank Your Staff Enough And The High Work They've Done And Know How Much We Appreciate What They Do Every Day.

With That I'll Take A Motion To Adopt, Accept The Plan, Accept The Update.

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

All Those In Favor? Motion Carries.

Thank You Very Much, Karen.

On To 14-A Approve A Mediated Settlement.

I Have A Motion By Commissioner Judah.

A Second By Commissioner Mann.

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

Public Hearings, One 9:30 Public Hearing.

Michael Jacob, Your One Item, A Petition To Evacuate At 1212 Eighth Avenue.

Legally Sufficient.

Comm. Hall: This Is A Public Hearing.

Anyone From The Public Who Wishes To Address This Matter? I'll Come Back To The Board.

I Have A Motion By Commissioner Judah.

A Second By Commissioner Mann.

Further Discussion? All Though In Favor? Motion Carries Unanimously.

Next To Walk-On Item Four, Letter Of Interest For Due Diligence Period Up To 120 Days.

I Have A Motion By Commissioner Judah.

Second It For Discussion.

Further Discussion? Commissioner Mann.

Comm. Mann: Madam Chairman, I Am Prepared To Support This Motion, But There Are Some Comments I Need To Put On The Record So That My Support Of This Motion Is Not Misinterpreted.

The Reason I Feel That I Need To Support It, The Fundamental Reason Is That In Two Years, The City Of Palms Park For All Practical Purposes For The Major Purpose Goes Vacant.

And We Don't Have Any Prospects At This Time To Do Anything Else With It Significant.

We'll Fill It With Various Little Activities And Our Sports People Will Do Their Best To Make

It As Active As Possible.

But Practically Speaking, The Main Purpose Being Spring Training Baseball Field Will Be Lost And We'll Be Moving On With The Sox To Their New Facility.

There Is No Reason For Us Not To Entertain Some Other Use Of The Facility Or Some Partnership With The Private Sector.

Now Having Said That, I Need To Express My Caution, My Skepticism And Want My Words On The Record So That Representatives Of The Swim Corporation Will Know What I'm Thinking About And What My Need Is In Terms Of Satisfaction To Go Beyond The Next Step.

I Really Don't Know Much About Your Corporation.

I Haven't Seen Any Financial Statements.

I'm Sure All That Will Be Forth Coming.

I Don't Know What Other Projects You've Done In The Past Or Operating Now.

I Need To Know More About That.

Because You've Been Negotiating In The Cape For Some Time Doesn't Mean I -- I Don't Know About The Others, Maybe They've Looked In Minute Detail But A Lot More I Need To Know About It.

I Also Know Just Having Been Around For A While That Swimming Pools Particularly Olympic Pools Are Terribly Expensive To Operate.

Where The Operation Is Today Is On The Site Of The Old Ymca From Here.

Underneath That Site Is An Olympic Swimming Pool That Has Been Filled In With Dirt And Paved Over And Now The Building Sits There.

Because With All The Public Support The Y Was Able To Generate, They Built The Thing And Couldn't Afford To Operate It.

The Little Winkler Road That Goes Between The Old Kmart And Mcgregor, If You Go Down There A Couple Of Blocks And Turn Left, You'll Find What Was A Restaurant.

Prior To That Was A Private Club And They Had A Swimming Pool.

That Swimming Pool, Olympic Size, Is Also Buried And Paved Over Or Sodded Over Because They Found Out How Expensive These Facilities Were To Operate.

I Look At What The -- Hoped I Could Skip This.

The Opponents Of The Draft Proposal For Drafts And Proposals, Those Components Are

Going To Be Alive.

We'll Have To Talk About It At Some Point And Contained Within Those Are, Is Language I Presume Came From The Proposers, The Applicants, Lee County Will Provide All Infrastructure Including Sewer, Gas, Electricity, Road Work, Lighting, Et Cetera To Meet The Needs Of The Development Program.

Lee County Expected To Throw In 4.5 Million.

I've Been Kind Of Supportive -- Keep Talking About That 4.5 Million And Asked, It's 4.5 Million The University Says They Are Willing To Pay Out, Buy Out Our Half Interest.

I Was Prepared To Support That And Send That 4.5 Million To The Cape Coral Proposal If That's What It Took To Make The Thing Go.

Apparently It Took More Than That.

My Main Concern Here Is That Lee County Agrees To Provide A 99-Year Lease To The City Of Palms Facility.

A 99-Year Lease Is The Same Thing As Giving It Away.

If You Give It Away For 99 Years, You Have Given It Away.

So That Facility Was Built For \$30 Million Give Or Take The City Still Holds A Mortgage On It.

We The County Own It.

If I'm Going To Be Asked To Give A \$30 Million Asset Away, I Really Want To Know What's Going On.

I Must Know What's Going On Because That In Essence Is A \$30 Million Commitment From The Citizens Of Lee County.

And Further Comments I Made Reference To In Previous Meetings Are That We With Made The Final Commitment And Glad We Did That With Tax Dollars To The Boston Red Sox With Tourist Tax Dollars And Extensive Discussion Up Here, We For All Practical Purposes Committed All The Money We Have Available Under Our Tourist Tax Revenues Without Reconfiguring The Whole Formula And Stealing Some From Other Well Deserved And Needed Projects.

So We Don't Have The Fallback Available To Us.

If Something Goes Wrong Here, We Have To Go To Our Own General Revenue Coffers Which This Year We Are Spending \$50 Million Just To Meet Pay Roll Every Other Friday.

And Next Year Expected We'll Have To Go In The Hole To The Tune Of 60 Million And The Third Year, I'm Told, We Are Essentially Out Of Money.

We Are This Tight Financially Speaking At The Height Of A Recession That Shows No Strong Signs Of Ameliorating Soon.

A Lot Of Work Needs To Be Done Here To Convince Me Of The Financial Feasibility Of The Steps We Are Taking Here.

No One Could Object To Having This Swim Operation And Thousands, Tens Of Thousands Of Kids And Adults For That Matter Participating Staying In Motels.

It Sounds Good And Looks Good And Who Could Be Against It But It Has To Be Financially Feasible.

Is It Missouri? Is That The Show Me State? Which One Is That.

I Need To Be Shown.

And So There It Is On The Record.

Madam Chairman, I Don't Know Why We Need That Clause In There I've Been Referred To Of No Negotiation With Somebody Else.

Somebody Else Comes Down The Pike, Frankly We're Not Expecting Anybody.

There's No Conversations Going On Anywhere, But I Don't Know Why We Would Tie Our Hands From Having Discussions With Other Folks.

I'd Welcome Your Comments On That.

Those Are My Concerns On This And I Will Support It With Those Various Caveats.

Comm. Hall: Any Other Discussions? Comm. Bigelow: I'd Like Caveats As Well.

I Would Have Rewritten It A Little Bit.

Clearly, However, When We're Engaged In This 120 Days Of Dancing With U.S. Swim, I'd Like To Know And I'd Like To Speak To Each Of The Board Members.

I Have To Know Who They Are And How To Contact Them.

Like To Find Out How Warren Buffett's Daughter Got Associated With Them.

I've Been Told That She Knew Nothing Of It.

I'd Like To Know How The Founder Of Gap Got Associated With Them.

He Apparently Has Passed Away.

Like To Also Know How James Baker, Former Secretary Of State Of This Country Got

Associated With Him Because Apparently He Knows Nothing Of Them.

Like To Know Who The Investors Are That Says Are In Place If Not For This Letter Of Agreement Or Letter Of Interest Will Not Stay In Place.

I Think If I'm Going To Be Working In Partnership And Concert With Them On This Effort, I Should At Least Know Who I'm Considering Partnering With.

I Also Have Some Grave Concerns About This As A County Facility.

I Recognize This And Appreciate Commissioner Mann's Concerns, Skepticism, He Said.

Pools Are Really Expensive.

And I Don't Want To Pursue This As A County Facility.

However, During This 120 Days Of Dancing, I Would Prefer That We Work With The City And If There's A Need That This Land Change Hands With Over The 99-Year Lease Or 50-Year Lease That The City Handle All That.

Reason Being Is We Acquired It As A Baseball Facility In Order To Arraign The Red Sox.

They Kept All The Debt.

And As Mayor Henderson Explained, They Were Largely Motivated By A Recent Court Ruling That Meant That That Facility Could Not Be -- Was Not Exempt From County Property Taxes.

I Think It's More Appropriate That We, In Other Words, Provide The Same Opportunity To Provide To The City Of Cape Coral To Fort Myers.

\$4.5 Million If We Guilty It.

Not A Thin Dime More.

And If Is To Become A Swim Facility, It Be Done On City-Owned And Held Property Not County-Owned And Held.

I Don't Want To Put The Taxpayers Potentially On The Hook For This Kind Of Obligation.

So I'm Looking At This With Very, Very Skeptical Eyes.

And I Would Also Appreciate It If We Could Have Like A 60-Day Briefing, Engaged In 120 Days Of Dancing, See What We Know After 60.

Comm. Hall: If We Don't Need 120 Days, Staff Will Come Back Sooner Than That.

Rather Than Say At 60 Tell Us Where You Are At.

Comm. Bigelow: Let Me Tell You Why I Want 60 Days.

I Think That's Adequate Time To Do All Of The Vetting The City Of Cape Coral City Council Has Done On Public Record.

And Let's Know Who They Are.

If They Are Who They Say They Are Be The Financial Wherewithal, The Experience.

Got To Put Them Through The Test, The Litmus Test, If You Will, And See If They In Fact Do Hold Water.

Comm. Hall: Commissioner Judah? Chairman Judah: I'm Good.

Comm. Hall: Just A Couple Comments.

We Did Meet With The City Of Fort Myers County Manager And Myself Met With The Mayor And The City Mayor And The Two Attorneys And I Did Have That Conversation With The City Of Fort Myers.

Our Lease Agreement, Our Contract, Our Ownership Agreement If We Do Not Do Baseball And Had That Conversation With The City And The City Does Not Want To Do That.

They Want To Work With Us Shoulder-To-Shoulder.

That's Out There, It's Discussed With Them Discussed With The City, The City Manager As A Potential As You Go Further Down The Road If That Would Happen.

That Has Been Put Out There To The City And Discussed With The City Manager And The Mayor And Grant Has Been Part Of That Dialogue.

Comm. Bigelow: But The Council Has Not.

Comm. Hall: No, Have Not Had A Chance To Go To The Council.

We Wanted To Put That Out There To Them Recognizing What The Terms Are With The City And Recognizing We Are More Than Happy To Take Whatever Position.

Just As Commissioner Mann And You Both Noted, This Was A Fort Myers Facility And Designed For Baseball And Sensitive To That And Make Sure The City Of Fort Myers Is A Partner Because We Do Not Want The City Engaged In The Process With Us.

The City Manager And The Mayor Will Go To City Council Members.

I've Talked To Two City Council Members Myself.

I've Not Gotten To All Of Them Just As A Courtesy Elected Official.

I Agree With What You're Saying.

That Has Been Put Out There And We Had That Discussion To Some Degree To Let Them Know We Are Thinking Along The Lines And The Thoughts In The Back Of Our Minds.

Comm. Bigelow: So You Agree To 60 Days.

Comm. Hall: No, I'm Not Saying Anything.

When We Talked About The Stadium And Ownership And That Process, We Put That Out There.

I'll Let The Motion Maker Decide.

This Is For 120 Days, Not 60 Days.

The Motion Maker Did Not Want To Change That.

At This Point I Have A Motion And A Second For 120 Days.

Chairman Judah: But Not To Say That Commissioner Bigelow's Request Would Not Be Fulfilled If We Had Nothing Of Note Worthy Interest.

30 Days.

Comm. Hall: Asking For 60 Days.

Chairman Judah: I'm Good With 120 Days.

Get Briefed Should Anything Materialize That Would Allow Us To Make A Decision.

Comm. Hall: The Motion Maker Wants To Leave It 120 Days, If We Can Get It Faster, But No Benchmark To Come Back For A Decision.

You're Letting It Go For A Full 120 Days.

Chairman Judah: Yes.

Comm. Bigelow: That's Fine.

I Was Just Requesting We Be Apprised Of The Progress After 60 Days.

I'm Telling You The City Of Cape Coral Will Provide City Records Just A Review Process.

What They'll Give You But A Lot Of This Work Has Been Done.

If We Are Interested In Knowing Who They Are And What They Claim To Be.

I'm Thinking We Don't Need The 120 Days To Figure That Out So Let's Move Forward.

Comm. Hall: The Motion Includes The Letter Of Interest As It Reads As Written With No Caveats.

If We Don't Hear From You Within 60 We'd Like An Update From Staff In 60 Days.

Further Discussion? Comm. Bigelow: Just To Repeat, The Board Of Directors Had A Contract -- Comm. Hall: You Can Put That In Writing.

Comm. Bigelow: Do We Have To Do That? You Sent It, We'll Get The Questions Down.

Comm. Bigelow: Board Of Directors, Investors And The Three Folks, The Notables That Claim To Be Associated.

Thanks.

Comm. Hall: Any Further Discussion? All Those In Favor? Opposed? The Motion Passes Unanimously.

Chairman Judah: The Board Allowed Me To Do Some Fact Finding.

We Found At That Point In Time To Defer It This One Week To Give All The Parties Interested In The Matter To Get Back Together For Ultimate Recommendation To The Board Next Tuesday.

Comm. Hall: Okay.

Chairman Judah: The Motion Is To Defer One Week.

Comm. Hall: A Motion By Commissioner Judah To Defer One Week.

A Second By Commissioner Mann.

Further Discussion.

Next We'll Go On To Commissioner Mann? Commissioner Judah? And Has To Do With Commissioner In The Ever Glade Trust Consistent With What We Made A Decision On To Encourage Water Management District's Plan To Buy The U.S. Sugar 73,000-Acres Considered.

And Now More Than Ever With The Presentation Today We Need Storage And I Hope This Board Can Maintain Its Consistent Position And Send Another Letter Out Which Is A Crucial Timing To Again Let The Water Management District Know And We Need The District To Follow Through On The Plan To Acquire The Acres Of U.S. Sugar.

Comm. Hall: We'll Get That Letter Out.

All In Favor Should? Commissioner Bigelow? Comm. Bigelow: I Do But I Won't.

My Bladder Has Had It.

Comm. Hall: Great.

I'll Move On.

Community Appointments.

Commissioner Mann? Commissioner Bigelow? A Reappointment To The Adjustment Board And Council Member Mandel From Fort Myers Beach.

A New Appointment Of Babcock, And A Reappointment To Parks And Rec Services.

A Motion By Commissioner Judah.

Further Discussion? All Though In Favor? Carries Unanimously.

County Manager Items.

And County Attorney Items.

We Are Adjourned Until 5:00 For Public Hearings.

Thank You Very Much.

5:00 PM Public Hearing

Chairman Hall: Good Evening.

Welcome.

Scott, We'll Start With Item One, A Doctor Resolution Of A Final Assessment For Mcgregor Village Sewer Msbu.

Good Evening.

Scott Cooper, Assistant County Attorney.

Agenda Item Number One Is To Consider A Notice Of Intent To Adopt A Resolution Of Final Assessment For The Mcgregor Village Sewer.

I Have Examined The Notice Of Intent Published In The Fort Myers News Press On April 20, 2009, And Find It Sufficient To Conduct A Public Hearing.

We Are Available To Entertain Any Questions You May Have.

Chairman Hall: Any Questions For Staff? This Is A Public Hearing.

I Don't Have Any Cards On This Item, But I Will Ask, Is There Anyone From The Public Who Wishes To Address The Board Of County Commissioners On This Item? Seeing No One, I Will Close The Public Comments Portion And Go Back To The Board.

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

The Motion Carries Unanimously.

Next Is Item Two, Conduct A Special Hearing To Consider Adoption Of A County Resolution Directing The Board's Proposed Amendments Of The Supervisor Election For Placement On The November 2 Ballot.

Good Afternoon, Members Of The Board.

For The County Attorney's Office, My Name Is Andrea Fraser.

I Have Your Notice Of Intent To Enact A County Ordinance, Which Was Published In The April 27, 2010, Fort Myers "News-Press," As Well As The Notice Of Intent To Enact The County Resolution, Which Was Published Also April 27, 2010, Providing Both Originals To The Clerk For Incorporation Into The Minutes.

If There Are Any Questions, David Owen And I Are Here To Answer Them.

Chairman Hall: Ok.

Questions For Staff? All Right.

Seeing None, Since There Are No Questions Now, I Will Go To The Public.

And We Have Two Items On This Issue.

Two And Three.

Do You Want Me To Do Public Comment Right Up Front On Two? And That Will Be Also As Per Three As Well.

Yes, Yes.

Ok.

So That's The Appropriate Process For Me To Follow? Yes, Ma'am.

You're Going To Take The Public Input For Both Items Two And Three.

Great.

When We Get To The Point That The Board Is Desirous Of Adopting Anything, You Would Adopt The Ordinance First.

It's Not Sequentially Listed That Way In The Agenda, But Then The Resolution.

The Resolution Is Just A Transmittal Instrument To Get The Ordinance That You Adopt To The Supervisor Of Elections If That's Your Desire.

Chairman Hall: Let Me Just Say That Item Number Three Is To Consider The Adoption Of The County Ordinance Number 08-15 By Incorporating The Board's Proposed Amendment Relating To Single Member Districts.

This Would Be Public Comment For Items Two And Three.

We Have Quite A Few Cards.

For Those Of You Who Have Not Attended Previously, When You Come To The Podium, State Your Name.

And If You Look, There Are Three Buttons In Front Of You.

We Allow Three Minutes For Public Comment.

When The Button Goes To Yellow, Have You One Minute Left.

When It's Red, We'd Like You To Wrap Up Your Comments.

And I Will Give The First Person To Come Up Followed By The Next Person.

So Adjust Yourself To Have A Nice Flow And We Can Get Everyone's Comments In This Evening.

We'll Start Off With Mr. Tom Clark, Who Will Be Followed By Carl Bow.

And Let Me Apologize For My Voice.

Because I'm Losing My Voice.

Good Afternoon, Commissioners.

Chairman Hall: Good Morning.

Or Good Afternoon.

Afternoon, Yeah.

What Day Is It? Chairman Hall: It's Been A Long Day For Us.

I'm Tom Clark, And I'm The Acting President Of The Lee County American Civil Liberties Union.

The Reason I'm A Member Of The Aclu Is Because It Its Mission Is To Protect Civil Liberties

Of All Americans.

We Vote For Our Representatives On The National And State Level By District.

It Seems To Be Working.

There's No Reason Why It Wouldn't Work On The County Level Also.

There Is A -- I Really Don't Want People From Estero Or From Lehigh Acres Telling Me Who Is Going To Represent My District.

I Would Rather Do That, You Know, Ourselves.

I Would Rather Have More Accountability.

We Know About The Jim Crow Laws That Were Passed To Keep Blacks From Being Elected.

This Is The 21st Century.

It's Time To Make It Right.

This Single District Voting Issue Needs To Be On The Ballot.

The Voters Should Have A Right To Determine This Matter.

I Cannot Understand Why You Would Not Put This On The Ballot.

If You Were Only Elected By Your District, Would You Do What Was Just Good For Your District Or Would You Do What Was Good For The County? The People That Were Intelligent Enough To Vote For You, Do You Now Think They Don't Have The Intelligence To Decide Who Should Or How They Should Be Governed? Thank You For Your Time.

Thank You, Tom.

Chairman Hall: Thank You, Tom.

Carl Bow, To Be Followed By Dr. Steve Maxwell.

Hey, Carl.

For The Record, My Name Is Carl Bow.

I Was On The Charter Review Committee, Which Is Now A Commission, And I'm Still On It.

They Asked If I Wanted To Be On It, So I'm Still There.

I Am A Veteran Of 27 Years.

I Served My Country During Khrushchev's Time When We Were Sequestered In Barracks

And Were Ready To Go.

I Worked With The Reserves In Iraq On The Iraq War The First One, And It's Been Overseas Everything From Eggs To Coffins.

I Have Fought Forest Fires, Hurricanes, And Floods.

And I Even Had The Honor Of Guarding The Pope.

When He Was In Miami.

And Why Am I Telling You All This? Because I Think Veterans Fought And Died For The Honor To Vote.

And If You Take Away A Large District, You're Taking Away Four Of My Votes.

And I Worked Hard.

I Almost Died Once In The War.

And I Feel That The Veterans Should Be Honored To Have More Votes Than Just One.

And It Was An Honor To Work On That Commission.

We Worked Hard.

I Know I -- Bob Janes Appointed Me And Asked Me To Keep At Large Districts.

And I Think Towards The End, He Was Swayed Because He Was -- He Didn't Have The Ability To Keep His Philosophy.

And This Was Told To Me By Others That Somebody Was Doing The Thinking For Me.

I Don't Support Him, And I'm Not Sure Of That, But This Is What I've Heard.

I Believe That Mr. Rodriguez Is A Sore Loser.

He Was On The Committee Too.

And He Had To Go And Circumvent The Committee And Try To Put This On The Ballot.

And He Didn't Contact All Of Us.

I Wasn't Contacted.

And The Editor Of The Brief Stated That They Should Have Had A Petition.

Why Didn't The Democrats Get A Petition To Put This On The Ballot? Were They Lazy? The Responsible Growth Management Corporation, The Sierra Club, And Many People Who

Wrote To "The News Press" Are For At Large Districts.

I Think We Have A Good Representation, And We Should Go For Single Member Districts.

I See My Time Is Up.

I'd Just Like To Say That What Did One Guy Say, That In Single-Member Districts The Best Routes Lead To The Commissioners' Houses.

Thank You, Carl, Very Much.

Next We'll Have Steve Maxwell Followed By Judy O'donnell.

And Just One More Thing.

Chairman Hall: Ok.

Real Quick.

The Money -- I Am An Avid Environmentalist.

The Money Is Takes W.C.I. To Sponsor The Commissioners When They Are Running Will Be Cut In Half, And This Doesn't Give The Average Joe A Chance.

Chairman Hall: Ok.

Thank You.

Steve Maxwell To Be Followed By Judy O'donnell.

Good Afternoon, Steve.

Yes, Good Afternoon, Commissioners.

Thank You For Giving Us The Opportunity To Speak Before You Today So That You're Able To, One, Decide Whether You Wanted To Put This Issue Up For A Referendum In November.

And For The Record, My Name Is Steve Maxwell.

I'm Here Representing Myself As A Taxpayer, And Registered Voter.

I Think You Need To Put It On The Ballot.

I Think We Need To Rest It Through Education.

And I Don't Want Any Misinformation During The Campaign.

And I Think Based On The Information, The Public Will Make The Most Reasoned Choice In

Terms Of Representation.

The Bottom Line I Want To Make Clear, Since I Know The Media Is Here, And I Have Already Kind Of Given Them A Heads Up, I Don't Want Characterizations Of The Fact That One, We're Putting The Single-Member District Issue On A Referendum To Mean That The Whole County Embraces That Concept.

And I Don't Appreciate The Characterization That Is In Fact What The Feelings Are In This Community, Because No One Has Conducted A Poll.

A Reliable Or Valid Poll.

So, One, That's The First Reality Reading, Is The Fact It Goes To A Referendum In November.

I Think It Will Be The County's Responsibility To Hold Nonbiased Educational Forums, To Bring In Individuals From Both Sides Of The Issue.

Look At This State Of The Law Right Now, Which Is Blurred.

It Is Not Overwhelmingly On One Side Of At Large Or Single Member.

I Just Researched It This Morning.

It's In A State Of Flux.

So It's Not A Foregone Conclusion.

You Know, The Florida Constitution Gives Us The Opportunity To Vote On This Issue.

Therefore, You Can't Characterize The Current Status As Being Something Subject Of A Jim Crow Law.

I Find That Offensive.

And I Think It's Being Used As A Trigger To Well Up Issues That In My View Are Not Germane.

You Need To Look At Representation.

The Two Major Points Of Light In This Whole Argument, If You Argue At All Of The Best Law Schools Throughout The Country, Ok, Or Even Before The Supreme Court, There's That Three-Prong Test That Has To Be Met.

And The Three-Prong Test Has Never Really Been Looked At In This County.

It Was Massaged In Glades County.

It Was Looked At In Escambia County, And Now There Are Some Counties That Are

Thinking They Want To Revert Back.

So It's The Power Of The People.

Not Fractionalized, Particular Groups Pushing Their Agenda.

So I Leave You With That.

I Support The Issue Going For A Referendum.

And Then I Want An Unbiased, Objective Campaign That The County Commission Has The Authority -- Excuse Me -- Has The Authority In Context To Sponsorship, Because We Are Already Talking To The University, And We're Also Talking To Edison State College About Having Forums, And Having Times That People Can Attend.

Not At 9:00 Teas Or 12:00 Luncheons.

So That's The Bottom Line.

Thank You For Your Attention.

I Know The County Commission Will Make A Wise Decision Today.

I Have A Feeling It Could Be 4-0.

So I'll Leave You With That.

Chairman Hall: Thank You, Steve.

Next We Have -- I'm Going To Ask That Again, We Have A The Lot Of Of People That Want To Speak.

We Want To Give Everybody To Talk, Without Emotion From The Audience Whether You're For Against.

And I Ask You That You Respect The People That Are Speaking.

So I Love The Humor, But Let's Be Respectful Of Each Of The Speakers So They Have The Opportunity To Share Their Thoughts.

Welcome, Judy.

My Name Is Judy O'donnell.

I Am Here To Speak Against Single Member Districts.

Why Would I Want To Give Up My Ability To Vote For All County Commissioners, When They Are Lee County Commissioners? Why Would I Only Want To Vote For One Of The County Commissioners? I Think That We Have To Respect What The Charter Review

Committee Did, And They Did Not Approve That This Go On The Ballot This Year.

Perhaps We Do Need Forums Years Out, But Not On The Ballot This Year.

My Reasons For Being Against Single Member Districts Are When We Have The Ability To Vote For All Commissioners, All Commissioners Need To Listen To Us.

And I Know Each And Every One Of You.

So That Means That It's A Two-Way Street.

When The Commissioner Only Has To Report To Their District, I Fear That.

I Fear That They Are Going To Lose The Overall Edge That We Work Together For The Good Of The County.

They'll Only Have To Focus On Their Own District.

Those Of Us Who Say, Well, We Vote For United States Congress By Districts, I Say, Yes, And That's Given Us Ear Marks.

Now Would The County Commissioners Get Into Ear Marks? Maybe.

Right Now In This Political Climate In All Of Florida And In The Country, I Don't Know What's Going On.

So Maybe You Would Get Into Ear Marks.

I Don't Think That The Residents Of Lee County Want That At All.

Furthermore, Single Member Districts Have To Be Realigned Every So Often, And That Means They Have To Redistrict.

You Want To Make Sure That There's Enough Republicans, Democrats, Blacks, Hispanics, In Each District.

District Two Is Little.

District Five Is Big.

Let's Move Them Around And Change The Districts.

I Don't Think That's What The People Want Either.

When You Redo Districts, Well, Look At District 27 In The State Senate.

Goes From West Palm, Meanders Through The Middle Of The State, And Ends In Lee County.

The Constituents Of The Gulf Coast Have Nothing To Do With The People In The Middle, The Rural People.

It's A Nightmare.

We Could Find That Here In Lee County.

If You Show People That You're Going To Do Your Maps Before They Vote On Single Member Districts, I Bet They Wouldn't Vote For Single Member Districts.

For Those Who Say That Minorities Can't Afford Or Get Into A Race That Is Five County-Wide Race, I Say Go To Your Republican Executive Committee.

Go To The Democratic Executive Committee.

Go To The Clubs.

We're Very Happy To Help Candidates Meet People, Get Funding.

I Don't See That That's Why We Should Change To Single-Member Districts.

In Summary, I Do Not Want To Be Limited To Only Voting For One.

I Think Our At Large Is Working Just Fine.

Thank You For Your Time.

Chairman Hall: Thank You, Judy.

Madame Chair, County Commissioners, Thank You For Having Me Here Today.

My Name Is Tony Allen.

I Have Listened To Both Sides Of The Debate Over Single-Member Stricts.

However, I Think The Real Debate Here Today Is Are The Commissioners Going To Allow The Voters Of Lee County To Decide On How They Are To Elect Their Commissioners.

I Think This Is Really A Defining Moment, And I Urge The County Commissioners To Give The Voters Of Lee County The Opportunity To Decide For Themselves How They Want To Vote For Their County Commissioners.

Thank You Very Much.

Chairman Hall: Thank You.

Jack Tanner, Who Will Be Followed By Raymond Rodriguez.

Good Afternoon.

I'm Jack Tanner.

I Live In Fort Myers Currently.

It's Election Time, And I Have Been Talking To Voters Face-To-Face To Sign Petitions To Get Candidates On The Ballot.

Voters Tell Me They Want Single-Member Districts.

On The Ballot.

They Do Not Want Other Districts To Elect Their Commissioner.

Voters Say They Want Their Commissioner To Spend More Time In Their District.

I Think It's Time To Put The Issue On The Ballot.

Thank You.

Chairman Hall: Thank You, Jack.

Raymond Rodriguez, To Be Followed By Melvin Morgan.

Good Afternoon, Commissioners.

Raymond Rodriguez.

I'm The Vice President Of The Lee County Republican Committee.

And I'd Like To Bring To Your Attention That The Candidate Issues And Endorsement Committee And The Strategic Planning Committee Of The Lee County Republican Executive Committee Support Putting This Issue On The Ballot.

In Addition, Other Republican Clubs Have Stepped Up And Support This As Well, Which Include The Ftcu College Republicans, The Southwest Florida Young Republicans, And The Republican Liberty Caucus.

Beyond That, There Is Support Broad-Based Community Support For Putting This On The Ballot.

I'm Going To Change Hats Now And Speak Of The Chair As The Coalition For Common Sense Government.

Other Organizations Who Support This Are The Lee County Democratic Party, The Lee County Libertarian Party, The Lee County Ncaap, The League Of Women Voters, We'll Stop There.

There Are Others As Well.

In Addition To That, The Two Largest Papers In The County, "The Bonita Daily News" And "The News Press" Have Both Urged To Place This Issue On The Ballot For The People To Decide.

I'm Not Going To Spend The Time Here Tonight Making The Case For Single-Member Districts.

Should It Go To The Ballot, That Would Be The Time To Have That Campaign.

The Question Tonight Is, Does The Government Belong To The People, And Do We Have The Right To Have This Vote? Our Charter Provides Three Methods To Send Something To The Ballot.

The Petition Method, The Committee/Petition Method, And Finally The Board Of County Commissioners.

This Charter Was Designed To Put This Power In Your Hands.

That's Why We Had A Charter Review Committee.

Anything Out Of That Committee Had To Come To This Board Before It Would Go To The Ballot.

If You Look At Other Charter Counties Such As Pa Nell As Or Polk County, They Created A Charter Review Commission That Could Send Something Directly To The Ballot With A Simple Majority.

And Then For The Board Of County Commission To Place A Charter Amendment To The Ballot Would Require A Super Majority.

Our County Is Not Like That.

You Guys Have The Simple Majority.

The Charter Review Committee Had The Super Majority.

That Means You Have The Authority And You Are The Method To Send These Amendments To The Ballot, And That's What We Ask You To Do Tonight.

Thank You.

Chairman Hall: Melvin Morgan.

Commissioner Morgan, Nice To Have You With Us This Evening.

You Will Be Followed By -- I Think It's Joan Patterson.

Good Afternoon.

Chairman And The Board Of County Commissioners, I Am Melvin Morgan, A Former Lee County Commissioner, And A Retired Social Worker.

I'm Here To Speak For Single-In Member Districts.

And I'm Here To Speak For It Because A Lot Of People Talk And They Tell What You Can Do And What Has Happened And Sometimes I Feel That They Should Have Served With The Board I Served With.

I Was Privileged To Serve With Roland Eastwood As A Chairperson.

Roland Roberts.

And The One That You Know More Than The Others, And He Ended Up Going To Washington And Being A Real Asset To Our Community.

I Was Really Hurt To See Some Of The Reasons And The Ugly Comments That You Have Shared When I Say You, Some People -- Some Of You Have Shared In The Newspaper About Single-Member Districts, Because You've Made Statements -- Well, I'll Just Quote One.

Single-Member Districts Are Divisive.

Porter Goss, Whose Name I Did Not Call, Is The Last Member With Whom I Served, And The Other Four Persons, We Were Not Divisive.

I Served On That Board.

We Were Concerned About The Citizens Of Lee County.

We Worked Together.

We Didn't Look At Special Turfs In Which This Is Mine And That's Yours.

That's Not What We Did.

And If You Have Come To Be Elected Like Many Of You Have With The Concern Of The People, Not Some People, But The People Of Lee County, Disregarding Race, You Would Have Be Been The Same Type Of Board We Were.

And These Ugly Things That Was In The Paper Would Not Be True, Because It Didn't Fit My Board.

I Have A Record That I Can Stand On.

I Went To Captiva.

I Rented Planes And Went To Upper Captiva Because I Wanted To See Erosion For Myself.

I Went To Our East Because It Was Flooding.

Wherever The Problems Were, That's Where I Was.

Wherever The Need Was.

That's Where I Was.

And I Can Speak For The Other Four.

That's Where They Were.

That's What Kind -- What County Commissioners Are Supposed To Do, Look Out For The People.

And For You To Feel That This Issue Should Not Be On The Ballot, I Think It's A Disgrace.

You Pledged Homage To Bob Janes' District Not Long Ago And Spoke Of The Many Good Things He Did.

I Served With Him From Cita All The Way Up.

And You Know Why He Changed His Mind? It Was A Number Of Reasons, And I'm Hoping You're Going To Change Yours And Put It On The Ballot Where It Should Be.

Joan Patterson Of Lehigh Acres.

I Have One Meant To Make That Hasn't Been Made Up To Now.

I Have Always Been Very Sad That You Or Not All Of You But Some Of You Feel That If Someone Came From One Area, They Wouldn't Love Lee County As Well As You Do Because You Run At Large.

I Think That's A Fallacy.

Right Now In The Current Election, There's Two Candidates Here That Have Already Served Their Community With 29 1/2 Years Of Service And 25 1/2 Years Of Service.

And I Cannot Believe Of Those People That Whether They Were Elected At Large Or Whether They Were Elected At Single Member District They Would Do Other Than Serve As You Have Served.

Thank You For Your Time, And Thank You For All The Effort That's Gone Into These Hearings.

Chairman Hall: Alice Robinson Followed By Will Prather.

Good Evening, And Thank You For Holding This Hearing.

I'm Alice Robinson From Sanibel.

I Am Speaking On Behalf Of Myself.

And I Think That The Issue That You Are Confronting Today Obviously Is Whether Or Not To Put This Issue On The Ballot.

When We Look Historically At Lee County, The Size Of The Districts When We Have Foul County Districts, When We Are Elected At Large, Is The Size Of Those Districts, And The Number Of People Voting, When We First Started Out, Are Now Smaller Than What We Have In A Single District Itself.

At The Same Time, The Complexity Of The Issues That We Have To Attend To Here In Lee County, Plus The Just Vastness Of The County Itself, Make It Very Difficult For Any Commissioner To Be An Expert On The Whole County.

Absolutely Of Any -- Of Interest To The County, But To Make It Of Personal Issues To This County Are Taken Care Of, Single Member Districts Does A Better Job Of Making Sure That Happens.

When We Look At The Size Of The Population That We Now Have In This County.

We Also See Greater Accessibility And Accountability, And I Would Also Offer That If For No Other Reason To Put This On The Ballot, The Fact That There Is Such Unity Behind It.

There Is Very Few Things That We Actually Get Republicans, Democrats, Independents, Libertarians, All To Agree On At The Same Time, And So I Encourage You To Please Put This Issue On The Ballot.

Thank You.

Chairman Hall: Thank You.

Will Prather Followed By Ken Taylor.

We Are Getting Hit By All The Democrats At Once Here It Seems Like.

Will Prather, Chairman Of The Lee County Democratic Party, And I'm Here To Voice My Unanimous Support Of My Party For This Ballot Initiative And To Move It To The Ballot.

Have I Had The Distinct Pleasure Over The Past Three Or Four Months Working With A Great Coalition Of Republicans, Libertarians, Community Leaders, Civic Minded People, And We Really Came Together And Got Behind This Issue, And We Believed We Had The Political Will To At Least Get This Onto The Ballot.

And Unfortunately, We Lost That Political Will, And We Lost A Good Friend In Robert Janes.

But I Do Ask You To Please Continue Through With His Political Will.

Allowed By Not One Or Two Votes Here Today To Take Away 10 Was Thousands Of Individuals -- Tens Of Thousands Of Individuals Away.

Chairman Hall: Ken Taylor To Be Followed By Rick Diamond.

Good Evening.

I'm Ken Taylor, Vice President Of The Greater Fort Myers Democratic Club, And Of Course I Second What Our Chairman Said.

I Believe It's Unanimity Throughout The Democratic Party And Lee County That We Support Single Member Districts.

And I'd Like To Speak To One Basic Issue That's Been Mentioned, And That's Accountability.

I Believe That In A Democracy, The Elected Representatives In A District Ought To Be Directly Accountable To The Citizens Of That District.

That's The Way Our Democracy Has Worked For 230 Years.

That's The Way Our Local Congressional And National Elections Are Run.

I Believe When You Divide Accountability, You Divide Responsibility.

I Cannot For The Life Of Me Understand Why You Wouldn't Be In Favor Of This Way Of Governing The Citizens Of This County.

One Man, One Vote, One Person, One Vote.

And Democratic Process Demands Accountability, And It Demands That Our Elected Representatives Listen To Us, The Members That They Represent, Not People In Other Areas Of The County.

If We Had Accountability, You Would Be Meeting The Demands Of The Great Majority Of The Voters Of This County, And I Urge You To Put This On The Ballot.

Thank You.

Chairman Hall: Rick Diamond To Be Followed By Matt Caldwell.

Good Evening, Commissioners.

For The Record, I'm Rick Diamond.

At My Age, I Have To Write Things Down Or I Will Not Remember Everything.

As You Know, The County Charter Was Passed By Members In 1996.

I Served On Committee That Drew Up The Charter.

They Did Not Have To Go To The State Legislature To Change Local Government Structure.

15 Of The 16 Counties Provided For Three Methods Of Amending Their Charters.

The County Commissioners By A Majority Vote Could Always Place The Amendment On The Ballot, Which They Have Never Done On This Date.

Voters Could Place An Amendment On The Ballot By The Petition Method, A Difficult Process That Has Been Seldom Used.

And Lastly, By A Charter Review Commission, Whose Recommendations Usually By A 2/3 Vote Went Directly On A Ballot.

Only One County Had A Charter Review Advisory Board.

Our Committee Had Three Previous Attempts To Get A Charter Commission Recommendation Had Failed.

An Amendment To Create A Commission Would Be On The Ballot In Year 2000.

I Chaired The Commission Appointed 15-Member Lee County Charter Review Advisory Committee In 2000.

And Our Committee By A 12-3 Vote Recommended That Amendment Changing That Advisory Committee To A Commission Be Placed On The Ballot.

County Commissioners By A 4-1 Vote Rejected Our Recommendation.

Since That Time, County Commissioners Have Placed Some Minor Recommended Changes On The Ballot.

In 2008, However, One Recommendation They Did Place On The Ballot That Was Passed By The Voters Was To Change The Review Committee To A Commission.

Not Really, Though.

It Will Take An 80% Vote Of The Entire 15-Member Commission To Place A Recommendation Directly On The Ballot.

If Just One Member Is Absent, Which Happens Often, It Will Take 13 Affirmative Votes.

Therefore, I Do Not Foresee This Current Issue Ending Up On The Ballot In 2016 When The Commission Meets Next If This Measure Does Not Pass Tonight.

As The Record Over The 25 Years Will Show, It Is A Rarity For An Incumbent Commissioner To Lose.

And Too Many Potential Candidates Who Would Make Excellent Commissioners Understand The Unfavorable Odds In At Large Elections And Will Not Expend The Energy Nor Try To Raise The Money To Run A Campaign In A County That Is 80% The Size Of Rhode Island And Whose Population May Reach 1 Million By 2010.

Many Commissioners Were Elected When Their Districts Opened Up As Predecessors Ran For Higher Office, Were Kicked Out, Or Chose Not To Run.

Commissioner Ray Judah, First Elected In 1988, And Who Has Had Only One Serious Challenger Since Then, Is Completing His Sixth Term In Office.

The Point I'm Trying To Make Is That You Don't Have To Be A Rocket Scientist To Know That The Chances Of Being Re-Elected In A Commission Seat Are Much Better In At Large Elections Than Single Member Districts Where You Are Bound To Face More Challengers.

Therefore, My Personal Opinion Is That It Would Be A Definite Conflict Of Interest For Any Commissioner Who May Wish To Run Again For Another Term If That Commissioner Does Not Let The Voters Decide The Issue.

My Good Friend The Late Bob Janes Saw The Fairness In Letting The Voters Decide As He Joined Commissioners -- Chairman Hall: You Need To Wrap It Up.

In Agreeing To Place The Measure On The Ballot.

As Things Now Stand With Bob's Pat Passing, The Matter Is Now Locked 2-2.

It Would Be A Fitting Tribute To Bob's Memory To Let The Voters Make The Final Decision.

Thank You For Giving Me The Extra Time.

Chairman Hall: Mr. Caldwell To Be Followed By Kim Hawk.

Thank You, Commissioners.

For The Record, Matt Caldwell.

I'll Be Brief.

First Let Me Reiterate The Fact That This Body Is The Legislature Of This County, Much Like Tallahassee Or D.C. Is For Their Respective Organizations.

My Point Is That This Is The Most Appropriate Forum In Which To Have This Debate.

This Body Is Tasked With Representing The People.

And Few Issues Could Be As Pivotal To Our Basic Form Of Government As This.

The Charter Review Committee And Petition Method Exists Solely As A Check On This Body,

As A Way To Address Issues On Which This Body Fails To Address.

Second, You Are Here Tonight Not To Make A Final Decision On The Form Of Our Government.

Your Task Is Simply To Send This Issue To The Voters.

The Voters Of This County Will Decide What They Want As Their Structure.

Obstructing This Vote By The People Is Simply Standing In The Way Of The People, In The Exercising Of Their Rights.

Let Me Be Clear.

I'm Not Here To Support A System Which Will Work For Or Against Any Party, Race, Or Person.

I Truly Believe That Adding Single Member District Components To Our Form Of Government Will Result In Better Government, And I Encourage You To Send This Decision To The People.

Chairman Hall: Kim Hall Followed By Ed Kimble.

Hello.

I'm Here To Acknowledge Brian Bigelow For Supporting Single Member Districts, And To Acknowledge Frank Mann For Deciding To Send This To The Voters, Even Though He Doesn't Really Support Single Member Districts.

And I'm Here To Beg Tammy Hall And Ray Judah To Honor A Dying Man's Last Wish.

And If Both Of You Vote For This Today, One Of You Won't Have To Embarrass The Other One.

Thank You.

Ed Kimble.

Followed By John -- Well, I'll Get To That Name In A Minute.

I Can't Read It.

Good Evening.

My Name Is Ed Kimble.

And I Support Putting This Proposal To The Voters.

I Believe It's The Voters' Right To Make The Decision.

And That's The Opportunity To Find What The County Really Feels.

This Doesn't Represent A Lot Of People In The County.

They Didn't Fit In This Room Tonight.

But They Are Going To Fit Into The Voting Booths.

And I Can't Emphasize Strong Enough The Right Of The People To Do It.

And Absent That Thing On The Ballot, I Have A Right To Vote Against Those Commissioners Who Voted No Here.

Thank You.

Chairman Hall: I Think It's John Track From Cape Coral.

Is That Correct? Thank You.

Followed By Meg Judd.

Good Afternoon, Ladies And Gentlemen.

The Name Is John Traub.

I Usually Do This At The School District.

I Think You Have A Dispute.

And The Dispute You Have Is Not Whether You're For Or Against Single Member Districts.

That's Not The Issue That You Have To Face Today.

The Issue You Have To Face Today Is Who's Going To Make That Decision.

Are The Four Of You Going To Make That Decision? Or Are You Going To Allow The Voters To Make That Decision? That's The Issue That You're Facing Here Today.

And It Seems To Be A Big Issue.

And A Lot Of Questions On Both Sides.

And I Certainly Would Feel That Certainly Missing One Commissioner Would Be Incumbent Upon All Of You, Let The Voters Make This Decision.

Let Them Take The Direction This County Is Going To Go.

I Think They Should.

As One Speaker Said, A Good Number Of Forums Where People Can Discuss It Back And Forth.

I Think You'll Set A Precedent.

Precedent Probably Will Affect The School District As Well.

Whether They Stay At Large Or They Go To A Single Member District.

But It's Something That Needs Discussion In This District.

Obviously, There's Different Strong Views On Both Sides.

But People Have A Right To Get Involved, And I Think You Have An Obligation Not Simply To Take Your Own Personal Considerations.

But Let The Voters Make That Decision.

I Think That's What Democracy Is All About.

And That's What People Have Called On You To Do Tonight.

I Heard One Lady Said Who Was For Single Member Districts -- Or At Large Districts.

She Said, Oh, The People Want This.

Well, How Do We Know What The People Want Until They Express Themselves At The Voting Booth? Allow Democracy To Work.

Thank You.

Chairman Hall: Meg Judd, Who Will Be Followed By John Larson Dublyk.

Good Evening.

I'm Meg Judge, Representing The Estero Chamber Of Commerce Board Of Directors, And We Strongly Support At The Large Voting Of Our Commissioners As We Have For The Last 12 Years That I Have Been Chairman Of The Board Of The Estero Chamber And Six Years Prior To That As Chairman Of The Board Of The Estero Civic Association.

I Don't Understand What People Are Saying About Accountability.

When All Of You Were Running For Office, You Told Us That You Would Be Supporting Us.

Two Commissioners Are Doing That.

They Want To Support The Entire County.

Two Other Commissioners Do Not, Even Though You Don't Support Single-Member Districts, Commissioner Mann.

That's Really Sad Because When, You Know, You Were Elected, People Listened To What You Were Saying.

So Now You're Changing Your Mind.

Estero Is A Regional Community.

We Need Commissioners That Understand Lee County From A Regional Point.

We Have Two Malls, A Design Center That Have Visitors From International, All Over The World.

We Have A Germain Arena.

And When People Talk About Accountability, If Your Commissioner In Your District Who We All Vote For, We All Vote For Our District Commissioners, Cannot Also Have The Ability To Support The Entire County, Vote Them Out.

They Are Not Doing The Job That They Said They Would Be Doing.

And That Was The Promise That We Had For All Commissioners.

Commissioner Janes Never Had A Bad Word With The Man.

Class Act, Lovely Gentleman.

I Sent Him An Email When He Changed His Mind, Even Though He Purposely Stated At The Last Hearing When This Was Discussed He Did Not Support Single Member Districts.

Maybe All The Democrats That Are Saying He Did Could Get To The Polls And Maybe We Could Have More Democrats Elected.

But Right Now, You've Got To Get To The Polls, Folks.

We Come All The Way From Estero To Make Our Position Heard.

I Sent Him An Email Saying That, You Know, People Will Be Using His -- His Detractors Will Be Using His Illness.

Because Let's Face It, It Will Cut Down 4/5 Of Your Workload.

He Did Call Me, And He Said, You Know, I Was Right.

He Was Not Well Enough To Represent The Entire County.

This Beloved Man.

So Please Do Not Misrepresent His Position On It.

He Was Pressured.

And He Could Not Go To The Entire County.

I'm Sorry You Feel You Don't Want To Represent The Entire County, Commissioner Bigelow, And You Did -- There Was An Incumbent In Your Seat.

So I Guess It's Not As Hard As These People Would Make Us Believe.

You Won.

I Don't Know Whether You'll Win Again Because The People In Our Area Want To Vote For All Five Commissioners.

Thank You Very Much For Your Time.

Continue Your Good Work.

And Thank Your, Commissioner Judah, And Commissioner Hall, For Representing The Entire County.

Chairman Hall: John Larson Dublyk Followed By Michelle Geurin.

My Name Is John Larson Dublyk, From Cape Coral, Florida.

4403 County Club Boulevard.

I'm A Five-Time Mayor Of Ocean Ridge, Florida.

I've Been Elected Nine Times In My Hometown, And The Only Thing I Ever Asked, And The Only Thing I Ever Looked At Before I Ever Made A Vote, Was This Constitution Of The United States.

To Me, It Is Absolutely Sacred, And My Vote Is Sacred To Me And It Should Be To You.

All Four Of You Right Now I Can Vote For.

Or Not Vote For.

That's Part Of This Constitution.

The Whole Intent Of Self Government Is To Be Able To Vote For People.

If You Destroy That Right To Vote -- And Remember, When They Want To Put On The Ballot Is Not Just Their Right To Vote, Their Right To Take Away My Vote For Really Any Of You.

And Secondly, They Make That Argument, And They Say, Well, 40% Of The People That Are Elected In Their Area, They Don't Become Elected At Large.

Oh? Well, That Means That 60% Do.

I Mean, My Goodness.

This -- This Is Clever.

This Is It.

These Jacksons.

There Are Five Of Them.

And What You Have Is Only One Left.

This Is 100%.

But If I Took Four Of Those Jacksons, Which Was The First Governor Of The State Of Florida, And I Cut That In Half, That's What You Left Me If You Put This On The Ballot And It Wins.

I Am Beholding To No One, Except One Person, My District.

I Ask You, Just Remember The Constitution And Self Government.

Self Government Is The Most Viable Asset We Have.

You Cannot Have It When You Can Only Vote For 1/5 Of Those People That Can Tax You.

Thank You.

Chairman Hall: Michelle Geurin Followed By Janet Tripp.

For The Record, My Name Is Michelle Geurin.

And Before I Start, I Just Want To Say The Last Few Months, I Have Had The Opportunity To Sit Here And Watch You At Work.

And Whether We Agree Or Disagree, I Want To Thank You Each And Every One Of You For The Service You Provide To The Community.

You Deserve Our Appreciation For A Job Well Done.

Many Folks Here Today Will Give Their Passionate Opinion Either For Or Against Single Member Districts.

All Of Our Voices, Some Elegant, Some Stumbling, Some Shy, Some Angry, Are

Highlighting The Desire Of The Citizens To Be Listened To.

This Conversation With The Voter Should Not Stop With This Public Hearing.

It Needs To Be Taken To The Ballot Box To Allow The True Democracy To Reign.

We Are Guaranteed Our Ability By The Constitution In One Form, Our Vote, To Be Able To Speak.

I Remember When I Was Very Young, And I Was Finally Old Enough To Vote.

Outwardly, I Couldn't Show Excitement Because It Was Very Uncool.

But I Was Excited.

My Voice Would Finally Be Heard, And It Would Matter.

I Remember Entering The Voting Booth For The First Time, Drawing The Curtain, Making My Choices, And Pulling That Lever Become.

-- Lever Back.

To Use A Term From The 1960's And 1970's, I Was No Longer Part Of The Problem.

I Was Part Of The Solution.

Voting Is One Of Our Most Cherished Rights.

It's Also One Of Our Greatest Responsibilities.

You As Commissioners Have The Ability To Vote Either For Or Against Allowing The Single Member District On The Ballot.

The Citizens Of Lee County Have Never Been Given An Opportunity To Vote During A General Election As To How Our County Commissioners Should Be Elected.

We Have Never Been Heard.

Now Is Your Chance To Right This Wrong.

Bring The Issue Of Single Member Districts To The People On The November Ballot.

Let Us Decide.

Let Us Vote.

Thank You.

Chairman Hall: Thank You.

Janet Tripp, Who Will Be Followed By Mike Sis Row.

-- Cicero.

Good Afternoon.

Thank You, Commissioners, For Listening To Us.

I Live At 2190 Santiago Avenue In Fort Myers Shores.

I Am The Secretary And Treasurer Of The Fort Myers Shores Civic Association, And I Am The Newly Elected President Of Easterly County Council.

It Doesn't Matter If We Are An Independent, A Democrat, A Republican, It Doesn't Matter.

The Thing That Matters Is That We Have The Right To Choose.

That We Have The Right To Vote.

And The Only Thing I Ask You Is, Please, Give Us That Right To Vote.

Thank You For Your Time.

Chairman Hall: Thank You.

Mike Cicerone, To Be Followed By Mike Dip.

Madame Chairman, Commissioners, I Bring You Greetings From Don Azlick, Who Couldn't Be Here Tonight, And Who Called Me To Asked Me To Talk To You About Some Ideas That He Had As The Last Sitting Chairman Of The Charter Review Committee.

So What I'm About To Say Are Not Necessarily My Views.

They Are Don's, And I Told Him I Would Do This As A Personal Favor.

And I Believe That What Don Would Say If He Were Here Is That A Thoughtful, Well Informed, Reasonable People Can Differ On This Issue.

And Have For Years.

And Consequently, Don Is Not Here Through Me To Lobby You For Any Particular Position On The Issue Before You.

If You Decide To Put This On The Ballot, Then So Be It.

The People Will React To That.

If You Find You Are Not Able To Agree, Then Don Would Respectfully Suggest You Consider

The Third Alternative That Had Been Floated Before The Charter Review Committee, Of Which I Was A Member, And That Was For What We Called A Hybrid Approach.

Which Again Is No Magic Solution.

But It Did Have Some Attractiveness To I Think A Majority Of The People On The Committee.

The Problem -- The Reason It Never Came Before You Is It Was Presented In A Procedural Context That Essentially Didn't Make It Possible To Have A Vote Strictly On That In A Way That Would Get To You.

It's Almost Impossible To Explain.

But Essentially The Concept Was An Attempt To Reach A Compromise That Would Keep Most Folks Happy, And That Is That You Would Elect A Certain Number Of Commissioners.

Let's Say Four At Large.

Thereby Achieving That Local Representation That The Single Member District Advocates Believe It Is Important, And Then You Would Elect A Certain Number And That Could Be Two, It Could Be Three, To Represent The Community At Large With Those At Large Commissioners Rotating The Duties Of Chairman And Vice Chairman.

I Know That Don Talked With The County Attorney About Whether You Could Do This Tonight.

And He's Told That You Can't.

You Would Have To Re-Advertise.

And So He's Not Here Through Me To Ask You To Vote For This Tonight.

But To Consider Whether You Might Not Find That To Be An Attractive Alternative To An Up Or Down Vote Either Way On The Issue That's Before You.

Having Said What I Just Said, I Have To Tell You That I've Got To Leave At 6:00.

So If You Have Any Questions Of Don, That I Can Answer, Let Me Suggest You Do That Before 6:00.

Thank You.

Chairman Hall: Thank You.

Dick Rip To Be Followed By Ron Pure.

Good Evening.

My Name Is Dick Rip.

Distinguished Members Of The Lee County Commission, The Issue Whether You're For Or Against Single Member Districts Can Be Complex, Divisive, And Politically Polarizing.

There Is No Way We Can Or Should Attempt To Debate And Decide That Issue In Just One Public Hearing.

However, That's Not The Issue.

The Issue Before You Is Much Simpler And Much Less Controversial.

I'm Not Here To Argue For Or Against The Merits Of Single Member Districts, For That Only Serves To Put The Cart Before The Horse And Distracts Us From The Real Issue, Should Single Member Districts Be Put On The Ballot? It Is Premature To Spend A Lot Of Time And Energy Discussing That Until We Know It's On The Ballot Or It Isn't.

Should You, However, Decide To Place The Issue In The Hands Of The Voters, You Can Then Allow Our Democracy To Work And Campaign If You Will For Your Personal Positions On The Issue Side-By-Side With Fellow Lee Countians.

John Maxwell Said It's Lonely At The Top, So You'd Better Know Why You're There.

In Our Representative Form Of Government, You Are Charged With Carrying Out The Will Of The People.

Well, The Will Of The People Is Not Yet Known With Respect To Whether Or Not A Majority Of The People Want To See Single Member Districts.

I Believe That A Majority Of The People At This Time Would Like To See It Go On The Ballot And Get The Opportunity To Discuss And Decide The Issue For Themselves.

Vol Tear Said, Think For Yourself And Let The Others Enjoy The Privilege Of Doing So Too.

The Issue Of Single Member Districts Is Too Important To Not Let The Voters Decide It.

I'm For Letting The Public Decide.

Aren't You? Chairman Hall: Ron Pure, Who Will Be Followed By Sandy Lacrimlon, I Believe.

Howdy.

Ron Pure, Bonita Springs.

I Think You Have Heard My Mantra In The Past.

Taxpayer Action Group Over The Years Impressed Many Times That We Are In Favor Of A Goodly Part Of What You Folks Decide Go To The Voting Machine.

And In The Near Future, We're Not Going To Be -- Have To Do That.

In The Near Future, We Will Be Voting By Computer.

And Right Now, Of Course, We Have An Option To Vote At The Voting Booth Or By Mail.

And On An Issue You Have The Right I Believe By Your Charter, We Do In Bonita Springs, To Have The Folks Vote By Mail.

But With The November Election Coming Up, I Hope You'll Pursue It On The Level Of Putting The Issue That So Many Activists, Watch Dogs, Party People, Administrators Too, I Guess, Would Be In Favor Of Having The People Vote Upon It.

And That Is Whether Or Not You Folks Go To A Single Member District.

I Would Also Like To Give You An Alternative As The Gentleman -- One Or Two Gentleman Or Folks Ago Did.

There's Another Thing Out There That You Might Want To Consider, And That Is Going For A Three-Member Commission, A Tribunal, If You Will, And Put A New Overlay In The County, Going To Three Districts Instead Of Five, The Current Five.

I Believe It Would -- Another Thing Tag Is Interested In, And Many Taxpayers Today Are Interested In, Is Saving Money.

And Lessening The Size Of Government.

I Think Three Folks Sitting In Your Position Would Be Able To Evaluate The Things Coming Before You On A Weekly Or Monthly Level And Do The Right Thing In Most Cases.

I Would Also Like To Leave On This Note.

Clearly, This Is An Important Issue To A Lot Of People.

There Was Something Else That Was Important To You, As Well As Those Folks That You Represent, And That Is The Baseball Stadium.

The New One.

Very Costly In These Times.

And That's Something That Should Have Gone To A Vote As Well.

And If A Contract Would Allow It, Or Enable You To Do So At The November Election, I Would Suggest You Do That As Well.

I Thank You For Your Time.

Chairman Hall: Thank You, Ron.

Sandy, Is It -- McClinton? Ok.

Come Forward.

To Be Followed By Kalitha Griffith.

Good Evening.

I'm Sandy McClinton, The Vice Chair Of The Lee County Democratic Party.

And I Was On The Coalition And That Was Great To Be Working On A Committee That Went Across Party Lines.

And One Reason I Believe That This Should Go On The Ballot Is I Have Always Believed In Fairness.

And As A Mother, I Always Treated My Children The Same So They Had Equal Treatment And Fair Treatment.

It Isn't Fair To The Candidates, Commissioners Are Elected Under At The Large System.

The Campaigns Aren't Affordable For Many Candidates.

There Are Exceptions, Of Course, But It Sure Helps To Be Well Off, Well Connected, Or Use Special Interest Money.

It Is Less Costly To Print Signs Or Do District Mailings With A District System As Opposed To Across The County.

It Isn't Fair To Expect Our Candidates To Have To Go Into Debt To Support Their Campaigns.

It Isn't Fair That They Don't Have Their Own -- It Isn't Fair To The Communities That They Don't Have Their Elected Representatives On The Board Of Commissioners.

And This Happens Quite A Bit.

As A Matter Of Fact, There Is A 40% Failure Rate.

And If You're In Industry And You Had A 40% Failure Rate, You'd Do Something Distract.

And Now I'd Like To Use My Toy Story To Counteract The \$20 Story.

I Have A Pile Of Toys, And I Would Ask Each Child To Pick Out Their Toys.

All Five Children Will Be Happy Because They Got Their Own Toy, They Got Their Own Selection.

But Suppose I Asked All Of The Children To Vote On All Of These Toys For Everybody.

Well, Very Likely One Or Two Children, Or Maybe All The Children, Didn't Get The Toy That They Wanted, Their Favorite Toy, And Maybe They Didn't Like The Toy They Got.

So They Did Not Have Free Choice.

I Would Like To Ask The Commissioners To Do The Fair Thing And Put This Ballot Referendum On The Ballot.

Thank You.

Chairman Hall: Kalitha Griffith Followed By Sunny Hosz.

Good Afternoon.

I Come Before You Today Seeking Your Support For Single Member.

Single Member District As You Know Will Really Benefit Our Lee County Board Of County Commissioners.

I Came From A Single Member District From Jacksonville, Florida, 16 Years Ago.

We Got What We Wanted As Voters And Our Representatives Made Sure They Gave Us What We Wanted To Make Us Happy.

I Am Deeply Committed To The Democratic Idea Of Human Equality And Fairness That Inspired Our Nation.

Being A Part Of The Continuous Struggle To Inscribe The Pins Pell Of Equality Into The Laws Of Our Land, The People Of Lee County Have Accomplished Many Objectives By A Series Of Court Rulings And Civil Rights Legislation That Were Undertaken During The 1950's And 1960's.

The Court Rulings, Legislation Pertaining To Segregation And Discrimination Across The Land, Were An Important Part Of The Effort To Rectify Inequities.

As A Civil Rights Advocate And Political Organizer, I Strongly Believe In Seeking To Increase Registration In Voting, To Act For The Enactment Of State And Federal Legislation Designed To Improvement Educational, Political, And Economic Status Of All People, Regardless Of Race, Color, Creed Or Religion.

To Seek The Repeal Of The Discriminatory Legislation, To Work To Improve The Administration Of Justice, And To Work To Secure Equal Enforcement Of The Law.

Please Do Not Forget That Lee County Has A History Of Segregation And Discrimination.

During My Extensive Research, I Found That Single Member Districts Were Utilized In Lee County Until 1956.

When The Electoral Methods Were Implemented, It Changed The State Legislature To At Large Voting Which Was Discriminatory Because It Was Designed And Succeeded In Discriminating Against Blacks.

Moreover, Single Member Districts Worked Just Fine In Lee County Until Federal Courts Ordered Mandatory Integration.

Once This Was Done, Those Who Were Against Integrating The Voting Methods Adopted At The Large Electoral Method To Continue To Dilute The African-American Voting Strand.

Please Be Reminded That During The 1980's There Was Only One African-American Appointed By The Governor.

Miss Melvin Morgan.

She Served A Six-Month Term, Won The District, But Unfortunately Lost Countywide.

Is There A Level Playing Field In Lee County? No.

Does Anybody Care About The Unrepresented Voters Who Do Not Have A Voice In Our County? Yes.

We Do.

We Are All Intelligent Citizens Of Lee County And Have No Doubt That Those Who Are Opposing Single Member Districts For Fairness Is All About Money And Power.

Lee County Has Over 500,000 Citizens According To The Census Report, But Has A Much Smaller Count Of Less Than 300,000 Voters, Which Would Give Us About 60,000 In Each District.

I Know My Time Is Up.

But I Want To Say That I Thank You For This Opportunity To Express My Views In Support Of Single Member Districts, Which Is What Our Commissioner Bob Janes Wanted.

As Mr. Rodriguez Has So Eloquenty Have, You Have The Opportunity To Honor Commissioner Bob Janes With Your Actions And Send This Item To The Ballot.

Thank You, And We Look Forward To Overcoming The Differences That Have Divided Our Communities For Many Years.

Chairman Hall: Sunny Hoss Followed By Ray Troy.

Good Evening, Commissioners.

For The Record, Sunny Hoss, Lehigh Acres, Florida.

Commissioner Judah, You Bravely Entered The Lions' Den A Couple Of Weeks Ago And Spoke At The Lee County Republican Executive Committee Meeting And You Talked About The Process That Was Followed For The Charter Review Committee.

You Were Right, But Respectfully, You Were A Little Wrong.

And The First Speaker Tonight Proved My Point.

He Said, Verbatim, At The Couple Meetings He Attended, I Don't Understand This Really, But I Just Don't Like It.

Just Like He Did Tonight.

He Said, I Was Placed Here By Commissioner Janes To Vote No On This Item.

At The Ceremony To Celebrate Commissioner Janes' Life, All Of You Spoke Very Highly, Used Words Like "Veteran, Honor, Dignity, And Service." In My Opinion, Commissioner Janes Didn't Start To Waiver On His Decision.

He Wanted To Make A Wrong Act A Right Decision.

And I Believe As A Citizen, As A Voter Of Lee County, It's Going To Be One Heck Of A Decision Before Me.

And Only The Man Upstairs Will Know How I Vote On This.

But I Believe The People Have The Right To Vote On This Very, Very Important Issue.

Please Honor Bob Janes' Memory And His Dedicated Service To This County And Let This Rest On The Voters.

Thank You.

Chairman Hall: Ray Troy, Followed By Robert Sebastian.

My Name Is Ray Troy.

I Live In North Fort Myers.

I Think We're Talking To An Issue Here Not Only Single Member Districts But What Involves Around It.

Most Of Your Government Is Based Upon What Comes Out Of The County Courthouses.

That Is The Structure Of Our Government.

The Strength Is In The People.

And Right Now, The People In Lee County And Almost All Over The Country Feel As Though

They Have No Voice.

If You Decide Tonight That They Can't Vote, That Just Reinforces On How They Feel.

We Need To Get The People Involved.

We Have Had An Offseason In Elections.

In Precincts Where We Have Three Or Four People Voting When There's 300 To 400 People In That Precinct Because They Are Not Involved.

This Is A Local Issue.

It's An Off Year Election.

We Need To Get The People Involved.

Let Them Make The Decision.

Because They Are Pretty Well Fed Up With The Government System We Have.

They Need To Get Involved, And It Can Start On A County Level.

Thank You.

Chairman Hall: Thank You.

Robert Sebastian Followed By Mike Welsh.

Good Evening, Commissioners.

This Is The First Time I Have Done This.

I'm A New Resident In Lee County.

One Of The First Things I Did Before I Got A Driver's License In Florida Was I Got A Voter Registration Card.

I Come From The State Of Ohio.

And I Was Taught That Voting Was A Very Important Part Of My Life.

There's A Document Laying Somewhere In Washington, D.C., And Part Of What It Says Is That Of The People, By The People, And For The People.

I Don't Have A Staunch Opinion One Way Or Another On The Single District.

However, It Being Put On The Ballot, I Have A Very Strong Opinion On.

It's The Voters' Right To Have The Opportunity To Vote On It.

From What I Read In The Newspaper, I Haven't Been Here Long Enough To Have Any Axes To Grind With Anybody.

What I See Is That -- And Read Is That We're Split.

The Only Option As Far As I Can See Is That Without A -- I Was At A Loss For Words There For A Second.

That Without The Ability To Have A Positive 3-2 Or 4-2 Or 4-4, 4-0, Or Whatever, That This Needs -- If You Guys Are Split And Stay That Way, It Needs To Go To The Voters, Period.

The Voters Have That Right.

They Have That Legal Right To Make That Decision Rather Than Just The Four Of You.

And Everything Else That I Wanted To Say Has Already Been Said More Than One Time Here Tonight.

I Thank You For Your Service.

I Understand The Thickness Of Skin And All Of That.

I Have Been In Several Situations Like This.

But This One Is Important.

Thank You.

Chairman Hall: Thank You.

Michael Welsh Followed By Noel Anders.

Good Evening, Commissioners.

I Want To Preface, By The Way, Frank Mann Is My County Commissioner At Lehigh Acres, And We Haven't Had A Better County Commissioner Since He Has Come Out There.

Frank, You Have Done A Great Job Out There.

Comm. Mann: What Are You Up To There? Chairman Hall: Can We Let Each Of Our Speakers Speak? We Have A Lot Of Speakers To Get Through Today.

I Live In Lehigh Acres.

Presently, All Of You Represent Me And My Community On This Board.

All Of You In One Way Or Another Have Demonstrated An Interest In My Community As

You Do With All Of Lee County.

All Of You Raise My Taxes.

Sometimes You Lower Them.

Decide What Services I'll Have.

When Our Roads Will Be Resurfaced And When New Roads Will Be Built.

You Represent All Of Us.

Each And Every One Of You Make Decisions For All Of Us.

Right Now I Have The Right To Vote For Five County Commissioners, So You're My Commissioners.

Now Some Are Trying To Take Away My Right Of The Vote Away From Me.

They Are Trying In The End To Diminish The Power Of My Vote By 80%, While Five Commissioners Will Continue To Decide The Services And Fate Of My Community, Four Will No Longer Be Accountable To Me.

They Will Be Accountable To The Voters Of Their Own Districts.

As I Said, They Will Continue To Make Judgments On My Communicate, And I Want To Continue To Be Able To Vote For Them Or Not.

Because Lee County Is A Diverse Community, The Balance Of What Is Good For A Particular Area Within The County And The County As A Whole Might Be Destroyed.

On A Partisan Note, It Took Republicans Decades To Form A Majority In Lee County, Finally Overcoming The Democratic Establishment Back In 1983.

I'm A Little Surprised That There Are Some Republicans Who Would Want To Enable Some Democrats On The Board Most Likely Through A Process Of Gerrymandering.

I Thought The Idea Was To Gain Seats For Our Own Party's Cause.

And I Can Sympathize With The Minority Party And Other Groups Who Don't Have Their Commissioner.

But This Is Still The Best System We Can Have.

One Person Equals One Vote.

I Can Also Understand The Feelings Of Some Former Candidates And Future Ones Who Feel That They Can't Win Countywide Elections And Who Feel It Easier To Gain Office If They Just Campaign In One Part Of The County.

However, This Is Not A Reason Or Excuse To Diminish My Voting Rights Over Five County Commissioners Who Make Decisions For My Community.

We Now In Lee County Have Almost 600,000 Souls.

The Board Of County Commissioners Can't Afford To Be Divided Into Self Interest -- To Become Self-Interested Leaders Whose Primary Concern Are Their Own Districts.

It May Have Many Unintended Consequences.

I Want To Thank You For Your Time And Your Consideration Of This.

And Also Thank You For Listening Respectfully And Clearly To The People Who Have Come Before You Tonight.

Thank You For Your Time.

Chairman Hall: Thank You, Michael.

Noel Anders, Will Be Followed By George Houseman.

Madame Commissioner, Board Of County Commissioners, Thank You For This Opportunity To Address You Today.

My Name Is Noel Anders.

I Live In Pineland, Florida.

And I Have Served Lee County For The Past 10 Years On The Local Planning Agency.

For The Past Three Years, I've Served Lee County On The Affordable Housing Commission.

I Was Appointed To Both Of Thee Positions By Commissioner Janes.

And I Have Spoken To Commissioner Janes About His Position On Single Member Districts, And His Feeling Was That It Should Be On The Ballot.

That The People Should Have A Say About It.

But That He Could Not Support That.

I Have Seen Over The Last 10 Years Many Major Issues Come Before The County.

And Those Issues Are Not Issues To Be Dealt With At A District Level.

Those Issues Are Countywide.

They Are Region Wide.

I Am A Fifth Generation Florida Native.

My Great, Great Grandfather Came Here In 1811.

So I Have Seen A Lot Of Changes Myself.

I'm 66 Years Old.

I Have Been Here All That Time.

I Have Seen So Many Changes.

And I Remember What It Was Like With Single Member Districts.

Like You Had To Go To Your Commissioner To Get Anything Done In Your Area.

I Know From My Planning Commission Experience That We Have 22 Planning Communities In Lee County.

Each Community Has The Right To Its Own Determination.

The County Commission Has Been Wonderful In Supporting With Grants Each Community That's Come Forward To Determine The Destiny Of Their Area.

And I Think That That Has Been Very Sufficient.

I Have Not Seen On Any Of The Commissions That I Have Served On Any Disrespect For Any Minority Group.

We Don't See That In Florida Politics.

We Have Seen Minorities Elected To U.S. Senate.

We Have Seen Minorities Appointed To The U.S. Supreme Court.

We Have A President Of The United States Who Is A Minority.

So There Were Times Here In Lee County Where That Was An Issue.

It Is Not An Issue Today.

And We Have To Deal With Transportation.

We Have To Deal With All Of These Regional Issues, Which We Can't Do.

I Am Looking At Several County Commissioners That Are Serving Here Today, That Are Sitting Right In Front Of Me, That Would Not Be There If It Were Single Member Districts.

Just The Opposite Would Happen As To What Everybody Is Advocating Here Today.

The Big Money Interest, If All He Had To Do Was Focus On One District, Then The Way They Poured Money Into Oppositions To Two Of The Candidates That Are Here Today -- Two Of The Commissioners That Are Here Today, You Wouldn't Be There.

But When They Can't Get Everybody's Vote, Everybody In The County Has A Right To Say We Want The Drgr Area.

We Want A Mining Ordinance.

We Want Clean Water.

We Want These Things.

We Want To Keep Our Environment The Way It Is.

The Only Way We're Going To Get That Is With At Large Voting Like We Have Today.

And It's Been Very Successful, And We Have A Great Board Of County Commissioners, And Thank You For The Time.

Chairman Hall: George Houseman, To Be Followed By James Johnson.

Good Evening.

My Name Is George Houseman.

I'm A Member Of The Brooks Concerned Citizen.

I'm Convinced That The Current System That We Use For Electing County Commissioners Is Working Well.

And I Would Not Want It To Be Changed, And That's The Reason I Am Speaking.

Having All Voters Vote For All Commissioners Allows Each Citizen To -- Chairman Hall: Can You Bring Your Microphone Down? People Are Having A Hard Time Hearing You.

I Apologize.

All Voters Voting For All Commissioners Gives Me The Right To Send A Message To All Of Them That Through My Vote, I Am Supporting All Of You, And For This Reason, I Would Like You To Continue With The System That Works Well.

Thank You.

Chairman Hall: Thank You.

James Johnson, Who Is Followed By Nick Batos.

Good Evening, Madame Chairman, Commissioners.

I Better Back Off A Little.

The Reason We're Here Tonight Is As I Understand It Is Not To Debate Single Member Districts Or -- We're Here To Debate Whether Or Not This Should Be Put On The Ballot.

I Happen To Be A Proponent Of Single Member Districts.

And Others Have Expressed Their Reasons For It, And Perhaps I May Get Into It Given The Time.

But My Question To The Board Is Why Not? That's It.

The Proposal, If You Put It On The Ballot, Why Not? Does It Cost Any More Money? I Don't Think So.

You're Going To Have A Ballot Anyway.

Let The People Decide.

Now Because Others Have Taken Advantage Of Their Time To Say Why They Are In Favor Of The Single Member District, I Have Been A Resident Of Lee County For 25 Years Now.

Commissioner Mann And Commissioner Judah, I'm Familiar With.

I've Been At This Podium Before.

I Have Stayed Away From This Podium For A Number Of Years Because I Became Disenchanted With My Government.

I Served My Public Elsewhere, And That's Why You Haven't Seen Me At This Podium.

I'm Going To Take You Back, Mr. Judah And Commissioner Mann, To About 18 Years Ago.

I Appeared Here With A Group Of People From Pallomona Park And All Over Fort Myers.

We Were Supporting A North Fort Myers Regional Or Community Park.

Commissioner Judah, Commissioner Mann, Supported That Park.

Now 18 Years Later, I Was On The Steering Committee.

And We Spent Many, Many Hours On That Steering Committee To Design This Park.

It Was Designed In House By A Member Of The Park -- Who Worked For The Park District At That Time.

We Are Now 18 Years Later.

I Defy Any Of You Board Members Or Anyone In This Room To Go To That Park In North Fort Myers With The Small Group Of Family Members And Find A Place To Have A Picnic.

We Went Right Here, And We Transferred Money From The School District To A Swimming Pool.

For That Park.

It Was Supposed To Be In The Park.

If You Remember, We Discussed Whether It Should Be A Standard Pool Or An Olympic-Sized Pool.

The Decision Was Made That Money Would Be Transferred In, And We Would Explore It And Possibly Have Our Olympic-Sized Pool.

That Olympic-Sized Pool Is Not Built Yet.

They Wanted It To Build It In Cape Coral.

They Want To Build It Elsewhere Around The County.

Down At The University And Everything Else.

Now, This Is My Positions.

Had Frank Mann Remained My Commissioner In A Single District, He Wouldn't Have Rested Until That Park Was Built.

That Park Isn't One-Half Built Today.

There's Not A Place, One Little Shelter, Next To The Shuffle Courts That Were Built That Were Never Designed To Be There For The Fort Myers Shuffle Club.

Those Kids Don't Have It.

You Can't Go And Have A Family Picnic.

Why Do I Want Single Member And Why Do You Think You Should Put It On The Ballot? That's My Reason.

Good Evening, Commissioner.

I'm Here To Speak On Behalf Of Myself And The Brooks Concerned Citizens.

I Ask That You Vote Today Not To Put A Single Member District On The Ballot In November.

We Feel The Current Board Where All Members Are Elected By All Residents And Has And Is A System That Has Served Lee County And Its Residents Well.

The Current System Makes All Commissioners Accountability To All -- Accountable To All Of The Residents Of The County.

The Current System Assures That All Of The Commissioners Look Out For The Best Interests Of The Entire County, Not Just Their District.

A Single Member District Would Put A System Into Effect That Could Have Our Future Commissioners Looking Out For Future Problems And Issues In A Very Parochial Manner.

A Lee County Board Of Commissioners Elected Solely By A Single Member District Could Bring To Lee County The Worst Parts Of Government Where Officials Where Elected Officials Do What They Need To Do To Get Elected Again.

Not What Is Best For The County As A Whole.

However, For Whatever Reason You Feel You Must Make A Change, We Strongly Request That You Vote No Tonight On A Single Member District On The Ballot That Is In Front Of You.

And That You Ask The Staff To Bring Back To You A Hybrid Version Of The Single Member District That Was Described Earlier This Evening.

We Propose That You Put On The Ballot In November A Proposal That Will Allow For A Seven-Member Board Of County Commissioners, Which Would Be Comp Comprised Of Four Commissioners Elected From Single Member Districts And Three Commissioners Elected At Large, Including The Chair And Vice Chair.

The System Captures Some Of The Advantages Of Both At The Large And Single Member Systems By Electing County Commissioners.

But It Is Important To Recognize That The Hybrid System Allows Each Voter In Lee County To Vote For A Majority Of The Members Of The Board, Of The Seven Members Of The County Commissioners, Three At Large And One From Their District.

Again, We Feel That The Current System Is Still The Best System, But If You Feel You Need To Make A Change For Some Reason, We Ask That You Not Do This Tonight By Passing The Proposal In Front Of You, But That You Instead Ask The Staff To Bring Back This Hybrid Version At Another Meeting.

I Thank You All For Your Consideration Of Our Recommendations.

And We Thank You All, Not Just The Ones In Our District, But All Of You For The Work That You've Done For Us Over The Years.

Chairman Hall: Bill Douglas, Who Will Be Followed By Tyler Ortingrin.

Good Evening, Commissioners.

I'm Not Here To Cast Gate Any Of You For What You Have Said Or Praise You For What You've Done.

I'm Here To Urge You To Refrain From Putting The Single Member District Proposition On The Ballot.

I Would Ask You -- I Am Here Basically To Comment On What I Would Consider A Realistic Compromise, Incorporating The Major Components And Beliefs Of Those Who Wish To Change The Single Member Districts Exclusively, And Those Who Wish To Maintain The Current At Large Method Of Electing Our Commissioners.

If I Wanted To Be Strictly Selfish, I Would Advocate Keeping The Current System.

It Works Well For Me.

I've Got Five Commissioners I Can Talk To, And They Generally Have A Broad View Of What Needs To Happen In Lee County.

For Those Who Advocate The Single-Member District To The Exclusion Of Others, I Ask You To Look At The United States House Of Representatives.

They Are Also Elected From Single Districts.

And The Vast Majority Of Our Citizenry Is Frustrated By The Petty Politics, The Lack Of Cooperation, And The Ear Marks And The Provincialism That Exists There Today.

I Don't Want To See That Happen In Lee County.

I Believe That The Best Points Of View Of Both At Large And Single Member Districts Can Be Accommodated By A Hybrid Method.

There Would Be An Increase In The Board From The Current Members From Five To Seven.

Four Commissioners Would Be Elected From Single Member Districts, And Only By The Registered Voters Of That District.

Three Commissioners Would Live In Separate Residential Districts And Would Be Elected At Large By All Of The Voters.

The Chairman And Vice Chairman Would Be Elected At Large And The Candidate Receiving The Largest Number Of Votes Would Be The Chairperson And The Ones Receiving The Second Number Would Be The Vice Chairperson.

This Hybrid Model Balances The Features Of Both At The Large And Single Member Districts.

It Enables Each Voter To Vote For A Majority Of The Board Of County Commissioners, And I

Believe This Is Absolutely Essential To Good Governance.

I Would Like To Say In Conclusion, It Seems To Me That Some Compromise Model Should Be Adopted.

The Hybrid Model Gives The Voters Of A Particular Geographic District Exclusive Voter Control Over Their Commissioner, Yet It Balances The Real Concern Of An Exclusive Parochial Point Of View Being Brought To The Board With Three At Large Commissioners Who Would Have A Broader Or More Global View Of Governance.

I Also Realize That This Recommendation Will Increase The Expenses Relating To Salaries, Office Space, Support Staff At A Time When Budgets Are Being Carefully Scrutinized And Cut.

That Is Why I Urge Go Slow, But I Don't Think Looking At Single Member Versus At Large Necessarily Brings Us The Best Proposal.

Therefore, I Hope That You Will Seriously Consider Having Your Staff Members Research And Look At This Model.

This Was One Considered By The Charter Review Committee, And I Believe It Has Some Strong Merit.

I Can Speak Very Comfortably With This.

I Spent 39 Years Teaching Political Science And Government, And It's My Background, And I Think It Has A Lot Of Merits.

Chairman Hall: Tyler Is My Last Card Is.

There Anyone Else From The Public Who Wants To Address The Board? I Would Like You To Come To This Front Row So We Can Get You In, And You'll Need To Fill Out A Blue Card Before You Leave.

Anyone Else Other Than This Woman Who Wants To Speak? Then After You, We'll Close Public Comments.

Tyler? Good Evening, Commissioners.

My Name Is Tyler Ortingrin, President Of The Estero Council Of Young Community Leaders.

I Was Born And Raised In South Lee County And Has Watched Our County Grow.

It Was A Pleasure Growing Up In This Beautiful And Well-Planned Community Such As Estero And I Hope One Day To Raise My Children Here In A Place Where The Community Input Is Vital To The Way The Community Work.

We Support The Current At Large Election Process It.

Has Allowed Fast-Growing Communities Of This County Such As Estero In Planning Our Entire Community As A Whole.

In This Way, The People Of Lee County Have The Unique Privilege And Opportunity Of Not Only Electing Their District Commissioners But All County Commissioners.

By Voting For All Five County Commissioners, We Can Vote For Individuals Who Will Serve The Entire County And Provide A Means For Fair And Efficient Planning Of County Projects That Ask Us All Today.

We Feel That If A Vote Was Passed For A Single Member District Voting System, Then The County Would See Far Less Progress Being Made.

It Would Then Divide The Commissioners And Result In A Poor System Where Officials Work Only For Their District Instead Of The Whole County Itself.

We Feel That These Decisions Will Have A Lasting Impact On The County And Will Have A Negative Effect Not Only On Us Today, But On Generations To Come.

If The Current Election System Is Working, Why Change It? It's Not Broke.

Don't Fix It.

The Estero Council Of Young Community Leaders Deserve To Have The Same Opportunities That Previous Estero Residents Have Had For Generations And Continue To Have The Privilege Of Voting For All Five County Commissioners.

On Behalf Of The Estero Council Of Young Community Leaders, I Would Like To Thank You For Your Time.

Chairman Hall: Thank You, Tyler.

And I See You Have A Blue Card In Your Hand.

So If You'll Just Pass It Right Up, That Would Be Great.

Thank You.

Good Evening.

I Thank You For The Opportunity To Participate In Open Government.

Madame Chair, Mr. Commissioners, And All Of You In Your Respectful Places.

My Name Is Joanne M. Thomas Joseph, A Resident Of Lee County For Approximately 21 Years.

Maybe A Little Bit More.

I Thank You -- I Think We Made A Good Choice When We Elected You All.

However, I Don't Think We Voted To Give Up -- To Give You The Power And The Authority To Take Away Our Choices.

Quality Should Never Be Diminished -- Quality Should Never Be Diminished Because Of Quantity.

I Think Single Member Districts Should Be Placed On The Ballot, And We The People Be Allowed To Make Our Own Choices Once Again.

Free Will.

It Is A Good Thing.

I Thank You.

I Appreciate All Of The Services -- Of Your Services That You Have Provided To Us, And Have A Blessed Night.

Chairman Hall: Thank You.

Again, Is There Anyone Else From The Public Who Wishes To Be Heard? Seeing No One, We Are Closing Public Comment And Will Come Back To The Board.

And The First Item -- Let Me Get Back To My Agenda, On The Agenda Is To Consider The Adoption Of A County Resolution Directing The Board's Proposed Amendments To The Supervisor Action For Placement On The November 22, 2010 Ballot.

Oh, Take That Second.

Ok.

Back To My Agenda And Go To Number Three.

Conduct A Special Hearing To Consider The Adoption Of A County Ordinance Amending Lee County Ordinance Number 08-15 Relating To Single Member Districts.

Did We Just Lose A Commissioner? All Right.

It's One Of Those Evenings.

It's Been A Long Day.

Board Didn't End Until 2:00 Today.

There He Is.

He's Back.

Wonderful.

Ok.

I'm Here To Hear The Board's Comments.

I'm Here To Take Up A Motion.

Can I Ask A Question? Chairman Hall: Yes, Commissioner Bigelow.

That's What We're Here Today.

Comm. Bigelow: Are We Limited In Scope As To What We Can Do, And That Would Be That We Would Decide Here Tonight That We Are Either Moving The Question To The Fall Ballot, November 2, 2010, Ballot That Would Allow The Voters To Decide If We Five Members Would Be Voted Or Elected By District, Right? And That's It? That We Couldn't Take This Opportunity Tonight To Do Anything Differently Than That Question? You Cannot.

Comm. Bigelow: Ok.

You Have Been Advertised For.

We Have Directed Staff And We Have Prepared The Documentation This Evening For You To Put On The Ballot The Question Of The Electoral Process To Change From Single Member To At Large Districts.

Comm. Bigelow: Thank You.

And I Would Have Another Question For Pete, I Guess.

The Blue Sheet Says The Management Recommendation Is To Approve The Amending Ordinance.

Is That Correct? And County Management Has Deliberated This? No.

I Don't Believe So.

I Am Not Aware Of That.

But If It Is, I Think It's Probably -- Chairman Hall: You Have Another Blue Sheet.

It's Out Of Habit That I Have It, But It Does Say Recommend Approval.

That Must Be Carried Over From Some Other Blue Sheet.

Comm. Bigelow: There Wasn't Anything That The County Management Deliberated? Ok.

Well, I Suppose This Is The Only Question Before Us.

So I'll Make The Motion That We Adopt The Ordinance As Advertised, Drafted And Advertised.

Chairman Hall: And The Motion By Commissioner Bigelow.

Is There A Second? Madame Chairman, I Am Prepared To Second That, But I Frankly Wish We Could Have A Little Bit More Discussion And Ask Council A Couple More Questions Before We Take A Motion.

Chairman Hall: Well, You Have To Ask The Motion Maker Does He Wish To Hold His Motion For Now.

Comm. Bigelow: Yes.

Chairman Hall: So We'll Open Up For Additional Questions.

Commissioner Mann? Comm. Mann: Mr. Owen, Can I Have You Back, Please? I Will State Publicly That I Have Previously Discussed The Question That Commissioner Bigelow Asked Mr. Owen About Options Tonight.

And I Do Understand That The Only Issue That We Can Vote Up Or Down Tonight That Would Go To The Ballot Is Indeed Five Commissioners, Single Member Versus At Large.

That's The Only Thing That We Can Approve This Evening.

But I Need For You To Confirm That Our Discussion Can In Fact Encompass The So-Called Hybrid Or Some Other Version That Would Then Have To Be Dealt With At Another Public Hearing, And That Hopefully There Was Still Time To Get A Modified Version To The Ballot So That The People Could Vote On It In November.

Can You Just Walk Me Through What You Shared With Me On The Phone? You Can Discuss It, Of Course.

But The Issue Before You In The Motion That Is Before You Is To Adopt What The Board Directed Your Staff To Do And To Bring To You This Evening.

Any Other Scheme Other Than That Involves An Expansion Of The Board To Seven Members.

And There Are Two Permutation Said To That.

-- Permutations To That.

Number One Is Five Single Member Districts With Two At Large, Or As Mentioned Here Earlier This Evening, Four Single Member Districts With Three At Large With The Additional Requirement That The Chair And The Vice Chair Be Elected When They Are Elected To Their Position On The Board.

As I Discussed With You Yesterday, And I'll Give To The Board This Evening, And I've Had A Short Discussion With Other Commissioners On This, Is That You Would Have To Direct Your Staff To Come Back With Something Involving The Seven-Member Board, Whether It's The 5-2 Or The 4-3.

We Would Have To Redraft All Of The Documents, Bring A Blue Sheet To You As Soon As Possible, Once Those Documents Are Drafted, For You To Approve Them.

Then Send It To A Second Public Hearing.

The Last Public Hearing That You Have Available To Get This To The Supervisor Of Election On Time Would Be June 22nd.

That's Fairly Tight.

If You're Asking Me Could It Be Done, It Probably Could Be Done.

But There's A Lot Of Interesting Fallout From Changing From The Scheme That's Before You This Evening, Which Is The Five-Member Board Just Moving From The Single-Member Or From At The Large To The Single-Member Electoral Scheme.

Interestingly, Our Charter Says That When The Board Proposes An Amendment To Our Charter, It Must Embrace But A Single Subject.

Which Means What Has Been Brought Up This Evening I Have Counted Three Separate Subjects, Which Would Mean Three Issues That Would Be On The Ballot, As Separate Issues.

That Is Changing The Board From Five To Seven.

Having The Board Make Up The Four Or Five Single Member Districts, And Then Either Two Or Three At Large Members, And Whether Or Not The Chair And The Vice Chair Would Be Elected To The Board As Part Of That Scheme.

And, Again, As We Discussed Yesterday, A Little Bit, That Can Have Some Interesting Fallout If One Or Two Of Those Are Passed By The Electorate But Not Approved On The Other Side.

Some Of Them, If You Had The Scheme, Say, The 4-3 Or The 5-2 Approved By The Seven-Member Board Was Not Approved, Then That Action Would Be Moot.

It Would Default To Where You Are Now, Which Is The Five Members At Large.

Adding The Additional Element Of Having The Chair And The Vice Chair Elected Adds Another Dimension And Adds To The Issues That Are In Fingerprint Of The Elector -- And Adds To The Issues That Are In Front Of The Electorate.

The Counties That Have Done The 5-3 Or 4-2 Have Been Done Over Time.

I Have Not Had The Opportunity This Evening To Go Through That In Any Great Detail.

I Would Certainly Do So, If That's What The Board's Wish Is Here Tonight.

But Candidly, Commissioners, What You're Doing Is Making The Situation More Complex.

There's Nothing That Says That If The Five Single Member Districts Either Passes Or Doesn't Pass That This Matter Can't Be Readdressed At A Future Point In Time By Another Sitting Board.

So Your Options Aren't Lost.

The One Changing From The Five To Seven, Though, You Can Appreciate That That's A Major Change To The Composition Of The Board And To How The County Is Going To Be Redistricted, Which As You Know You're Probably Going To Be Doing That Either Later Year Or Early Next Year Once We Have All Of The Census Information In For The Purpose Of Dividing Up The County.

Here Again, If You Were To Go With The 4-3, The County Literally Would Have To Be Quartered On A Population Basis So That You Would Get Your Four Single Member Districts And The Other Three Coming In On An At-Large Basis.

If You Have The 5-2, Then We Would Just Adjust The Districting The Way We Do Now, Basically.

When We Get That Information, We Come Back To You, And Based On A Population, Your District Changes, But Your Position On The Board Does Not.

Is That Helpful? Comm. Mann: Yes.

Probably More Than I Needed, But Thank You Very Much.

Madame Chairman -- I Wanted To Be Thorough.

Comm. Mann: You Were Very Thorough.

Don't Make Yourself A Stranger.

I Bet We'll Have A Chance To Chat Again Before The Evening Is Over.

Madame Chairman, The Point I'm Trying To Get To Here And Not Taking The Motion Right Now, We've Had 40 Some Approximately People Take The Time To Come Here Tonight And Share Their Thoughts With Us On This Fundamental Structure Of Government.

It's The People's Government.

It's Their Charter.

And That Has Been My Oft Spoken Position That They Deserve The Right To Make The

Decision On What It's Going To Look Like.

David, You Might As Well Sit Down.

Chairman Hall: You're Going To Be Long? Comm. Mann: Yes.

You Might Want To Turn On The Three-Minute Light Here.

But I Think It's Incumbent Upon Us, To Each Of Us, To Share Our Thinking With These Good People That Have Come Out, And Of Course The Media Is Going To Be Paying Attention To This Too, To Let You Understand Our Thinking And Where You're Headed.

So Let Me Just Share Some Thoughts, And I'm Hoping That Will Trigger A Willingness On The Part Of Each Commissioner To Share Their Thoughts About This Specific Proposal Before Us, About The So-Called Hybrids, Or Doing Nothing.

But Let Me Share A Couple Of Thoughts.

Apparently, I Forget Who The Other Speaker Was That Have Me Being Opposed To Single Member Districts But Being In Favor Of Putting On The Ballot.

I Have Successfully Confused At Least Two Of You.

I Have Never Said As A Matter Of Public Record I Have Never Said Whether I Support The Single Member Or At The Large.

I Have Said From Day One That I Support Putting It On The Ballot For The Citizens To Decide.

Because It Is Their Government.

And I Have Gotten Favorable Response From That From Most Of The You Folks In The Room That Are Wearing The Little Badges Tonight.

My Thinking Is It's So Very Difficult To Get This Issue Before Us, And God Rest His Soul, If Bob Janes Hadn't Changed His Mind Just Before He Died, We Wouldn't Be Here Tonight.

This Issue Would Be A Dead Issue.

Excuse The Terrible Pun, And I Certainly Didn't Intend That.

But The Gentleman Who Said He Taught Poly Sci -- Is That You? Where Are You? I Have Taught Poly Sci.

And I Know I Can Tell You This That The Single Member District Works Well In Florida, As Does At The Large District.

Five Votes And Seven Votes.

Counties Our Own Size In Florida Work Well Under Each.

Each Or Some Combination, Some Hybrid.

You Can Argue Very Validly Points On Each Side.

And I'll Give You A Couple Of Examples.

It Cannot Be Challenged, I Do Not Think, If My Own Heart And Mind And Soul And Experience, That It Is Far More Expensive To Run At Large.

That Is A Barrier, Clearly A Barrier, To The Little Guy Trying To Play His Role In The American Dream, And That's Being A Public Servant.

Because He Is Up Against When The Big Special Interests Up There Have The Money.

Or An Individual Candidate Finances His Own.

So It Is A Barrier To The Little Guy To Get Them To Do What America Is All About.

And What Our First Speaker Made Reference To And All Of Those Americans Who Have Given Their Lives So We Can Engage In A Productive Democracy.

So Having Said That, I Wanted To Give A Couple Of Examples.

I'll Start With One In Lehigh Acres.

I Was Out There About A Month Ago Chatting With Some Of The Guys, Or Guys And Gals, At The Lehigh Chamber Of Commerce.

And They Just Said Casually, Frank, Where Do You Stand On This? And I Said, Well, I Can Answer It Both Ways And Answer A Polygraph On Either Side.

And Then I Gave Them An Example.

We Discussed Up Here A Proposal For Lehigh Acres.

They Have So Much Residential Land Out There And Very Little Commercial And Industrial.

They Desperately Need A Funding Mechanism To Allow Them To Go Buy Up Some Of This Residential Land Because They Don't Have To Room To Put A Mall If They Wanted It.

They Simply Don't Have It.

So They Have To Get In Their Cars And Drive Hundreds Of Thousands Of Miles Every Year, Collectively Millions Of Miles, Burning Up The Gas, Putting The Pressure On The Roads.

If They Are Ever Going To Move Ahead Productively Up There, It Would Be Very Helpful If They Could Get This County Commission -- And We Have Discussed It, And There's Been

Kind Of A, Yeah, The Idea Is Worth Looking At.

But Now If I'm Their District Represent Today, I Represent Lehigh.

If I Was The Only One Representing Lehigh, I Could Scream And Holler Until I Was Blue In The Face Up Here Begging Those Folks, My Colleagues, To Give Me \$3 Million So I Can Put This Little Scheme Together.

And I Would Be The Only One That They, You Know, Had A Chance To Vote On.

They Can't Vote On Anybody Else That Would Help Make That Decision That Is So Critically Important To Them, And They Are Going To Need Two Other Votes.

And It Would Be Very Helpful To Them If They Could Have The Intimidation Of At Large Voting To Make Certain These Other People Are Listening To.

Now I'm Telling You There Are Examples.

I'll Give You Another One.

Mr. Bigelow, Pay Attention.

This Is Your District I'll Use As An Example.

Colonial Boulevard Connects Lehigh And Cape Coral.

And It Goes Through A Very Busy Section Of Fort Myers Where There Are Businesses Trying To Stay Alive Up And Down That Route On Colonial Boulevard.

Everybody Is Familiar With It.

You Have Been Up There And Shopped In Those Stores And Eaten In Those Restaurants.

And Those Businesspeople Are Scared To Death That There Is Going To Be A Massive High Rise Elevated Road Come In There And Put Those Businesses Out Of Business.

And There's A Good Chance That Could Happen.

No Matter How Carefully They Plan It, It's Going To Be A Major Disruption.

And You Can Have With Single Member Districts, You Will Be Their District Commissioner And You Could Scream And Holler And You Could Turn Blue In The Face, Laying On The Ground Like A Baby With A Temper Tantrum, And Two Commissioners Which Would Be Essentially Controlled By Cape Coral On A New Scheme Of Single Member Districts, And One From Lehigh Could Run Roughshod Right Over You And You Couldn't Do A Thing About It.

My Point, And I Think I Can Rest It -- Well, I'll Give You One More.

In My District, We Are Scared To Death Of Being Overrun By Development.

People Move There Because It's A Rural District.

They Are Happy Living There.

They Are Scared To Death That The Bigger Development -- And There Has Been An Attempt, But Thank God For The Recession And They Are Not Coming.

It Was Divine Intervention That Brought That Recession And Now Bonita Bay Is Not Going To Put 50,000 People Out There In Our Side Yard Where We've Got Our Rural Character.

I'm Their District Commissioner Too.

And I Could Throw That Same Hissy Fit I Was Describing For Commissioner Bigelow, And If Three Other Commissioners Were Supported By The Big Business Developers They Could Run Roughshod Right Over Me And There's Nothing I Could Do About It.

I Give You These Examples To Tell You That You Can In Fact Argue With Validity To Either Side Of The This Issue.

And That's Why Even Though I'm Publicly On Record And Prepared To Support It As I Said Earlier, If It Just Gets Down To It And We Can't Find Any Other Avenue To Go, I Would Put This On The Ballot To Vote It Up Or Down.

But Two Points I Would Like To Make.

One Is When This County Was -- Became A County Over 100 Years Ago, We Had About 10,000 People In It.

We've Got Close To 600,000 Today.

I Think At The Very Least, And I'm Sorry That The Charter Review Commission Didn't Spend More Time On This Alone, Democracy Almost Demands That We Expand This Beyond The Five Commissioners You've Got Today.

It Would Give You Much Better Representation Than You Have Now, Whether It Was At Large Or Single Member, And It's Time We Do That.

And One Gentleman Said Let's Go From Five To Three To Save Money.

If We Added Two More Commissioners, And We Added Two More Commission Aids -- I Hope I'm Not Boring Y'all On This, But This Is A Critically Important Fundamental Issue With Your Government Here.

It Would Cost, I'm Guessing, Around \$300,000.

Divide That Amongst Those 600,000 People On A Per Capita Cost, That's 50 Cents Per Person, Man, Woman, And Child That It Would Cost To Expand Those Two People And Give

You A Much Better Representation On Your County Commission.

I Don't Think Anybody's Going To Object To Paying 50 Cents Per Capita Out Here To Do That Of The So I Hope -- I Want To Hear What You Guys Have Got To Say About Seven.

And Then The Only Thing Left Is The Hybrid If We Want To Think About That.

The One That's Been Mentioned Twice Is The 4-3.

Four Single Member Districts, And Three At Large.

That Gives Everybody Their Own Individual Single Member District Elected Commissioner, Plus One At Large.

So You're Going To Have Five People.

I Mean, You'll Have Four Of The Seven In Any Vote.

You'll Have The Three At Large Answering To You, And You'll Have Your Own.

So You'll Have A Say On What Goes On, But You'll Also Have Your Own District Commissioner.

Another Proposal That Was Suggested Was 5-2.

Frankly, It Sounded Fairly Interesting To Me.

That Would Essentially Keep Things The Way They Are Now, As We Would Have Five Single Members, Two At Large.

Those Two Since They Went To The Trouble Of Getting Everybody's Support In The Election, The Suggestion Would Be That They Rotate And Be Permanent Chair And Vice Chair.

And Each Year, A Different One.

They Flip Flop Back And Forth.

So You Would Have The Benefit Of Both Of The Arguments I Have Proffered Here.

And You Would Have Your Single Member Districts, And You Would Have At The Large Apron That Kind Of Wrapped Around The Whole Thing, And Gave It The Best Of Both Scenarios.

I'm Profoundly Grateful For All Of You Who Spoke Strongly About Your Strong Beliefs And Which Way They Go.

And I'm Just Trying To Say That In America Today, All Of The Versions Have Worked.

They Each Bring Or The Variety Brings Certain Advantages In This Democracy And They Are Important For Us To Consider Them.

I Think There's A Possibility That A Hybrid Might Work, And My First Wish Would Be That We Could Find That.

If We Can't, I Will Do What I Have Said I Will Do.

I Will Second The Motion.

But I Hope We Can Have A -- And I'm Sorry For The Amount Of Time I've Season, Madame Chairman And Colleagues, But I Wanted To Kind Of Frame The Issue To Get A Full Discussion On What's Before Us Here.

So I Rest My Case Here For A Spell.

Thank You.

Chairman Hall: I'm Just Waiting For Someone Else To Say, Madame Chair, I'd Like The Floor.

If That's Not You, I Would Go To Mr. Judah.

If It's Not Anyone Else, Then Ok.

No? You Have Nothing To Say? Ok.

I Have A Question For You, Dave.

And You Don't Have To Get Up, If You Want To Stay Seated And Use The Microphone At The Table, That's Fine.

In Our Charter, We Have Set Up The Method Of Changing The Charter.

And I Recognize The Challenge That We Went Through Just To Get To Be A Charter Government, Because I Was Actually Around When That Happened More Than Once.

So In The Charter, We Have The Ability To Change The Charter Through The Charter Review Committee.

Yes.

And Now The Commission.

Chairman Hall: Yes.

But It's Currently As The Committee.

We Have The Ability By A Simple Majority Of The Board To Put A Ballot Item That Will

Affect The Charter On The Ballot? An Amendment, Yes, Ma'am.

Chairman Hall: One Amendment, Though, Is That Correct? Well, No.

What Is The Charter Says -- Chairman Hall: But One Item At A Time? Single Subject For Each Amendment.

Chairman Hall: Single Subject.

Let Me Restate That.

And Then The Other Ability Is For The Citizens To Put Forth A Petition Process And By Whatever The Number Is Then That Would Go On The Ballot For A Charter Amendment? Yes.

Chairman Hall: Now, In Our Charter We Also Talk About When We Can Convene The Charter Committee, Now The Commission.

Can The Board Without Going To Amendment Bring Back The Charter Commission Review To Take On Any Item That The Board May Want To Consider As A Single Item Amendment To The Charter? It Doesn't Speak To That.

Chairman Hall: If It Doesn't Speak To That, It Would Be Upon The Will Of The Board To Reconvene A Commission Or Appoint A New Commission In Between The Time Frame Set Out As Policy To Discuss Any Issue That May Want To Come Before This Board As A Charter Amendment? I Would Suggest That You Would Have To Do That By Amending The Charter.

Chairman Hall: You're Saying The Charter Doesn't Address That Now.

I Think You Would Have To Address It In Order To Be Able To Address It.

Right Now The Way The Charter Is Set Up, You Have A Charter Review Commission That Will Be Convening In 2015 For The 2016 Ballot.

There's Nothing In The Charter That Would Authorize The Board To Bring Forth A Charter Review Commission Prior To That Without An Amendment.

Chairman Hall: Which Would Have To Go To The Ballot? Yes, Ma'am.

Chairman Hall: Ok.

That Was My Question.

Thank You, David.

Comm. Judah: Madame Chair? Chairman Hall: Yes, Commissioner Judah.

Comm. Judah: First Of All, Thank You Each And Every One Of You For Being Here This Evening And Expressing Your Position.

Madame Chair, And Many Of You Here, Are Already Aware That When I Ran As A Registered Democrat In 1988, I Was Opposed To Charter Government.

Not Opposed To Charter Government, Single Member District As An Amendment To The Charter Form Of Government.

I Registered To The Republican Party In 1990, Midway Through My First Term Of Office, So I Can Speak As A Member Of The Democratic Party At The Time And Also As A Member Of The Republican Party.

And I Can Tell You I Opposed The Single Member District As A Democrat In 1988.

I Continue To Oppose Single Member District As A Republican Since 1990.

And So I'm Hoping To At Least Convey To Those Here In The Audience Tonight, It's Not A Partisan Issue With Me, And I Think Many Of You Said Tonight That It's Not A Partisan Issue To You Either.

I Have Always Felt It's Been A Community Issue.

And While My Own Personal Opinion May Be Irrelevant In The Minds Of Some Of You Tonight, My Main Concern Was That I Did Feel That In Fact Some Districts Would Not Be Representative Of The Entire Community Because In Fact You As A Voter Can Influence Your Representative By Having The Opportunity To Vote For That Representative.

And So If You Were Restricted And Had Your Influence Reduced By 4/5 And Only Being Able To Vote For A Representative In That District, You've Diluted Your Power.

I Also Felt That It Was Important That Commissioners Were Accountable To The Entire Community In Order To Represent All Interests Countywide.

I Think That There's No Question That I Would Be Hypocritical If I Didn't Maintain The Characteristics That I Believe I Have Tried To Abide By Since Being An Elected Official Since 1988, And That's My Integrity And Consistency.

And As I Said, I Have Always Been Consistently Opposed To Single Member District.

I Just Cannot In Good Conscience Support Reducing The Voting Rights Of The People At Large In Changing To A Single Member District Form Of Government.

And I Think Commissioner Mann You Very Eloquently Expressed A Number Of Different Scenarios, And I Did Not Have A Problem With The Length Of Your Presentation Here This Evening.

It Speaks To The Fact That It Is An Issue That Requires Appropriate Discussion.

Appropriate Input.

It Was Given That Test Back In 2008 By The Then Charter Review Committee.

And That Committee Did Not Reach The 2/3 Majority In Order To Make The Recommendation To The Board Of County Commissioners To Place It On The Ballot.

There Are Those Who Have Said, Why Am I Arguing A Technicality? Well, There Was A Reason Why The Charter Review Committee Was Set Up Pursuant To The Charter Form Of Government So That Very Active, Well Informed Members Of Our Community Appointed By The County Board Of County Commissioners Would Properly Vet The Issue And They Decided It Wasn't In Terms Of Timing Issue Right For Recommendation To The Board Of County Commissioners.

However, The Board Did As I Indicated In My Commentary That Was Placed In The Paper On Sunday, The Board Of County Commissioners Did Approve Of Sending A Proposed Amendment To The Charter.

And So In 2016, Such A Charter Commission Will Have An Opportunity By A 3/5 Vote To Make A Recommendation To The Board For An Amendment To The Charter On By 4/5 Bypass The Board Entirely And Go Directly Toreferendum.

An Individual Mentioned Why Upon Not.

I Would Agree, Why Not? But Let The Procedure Play Out.

Show That There Is A Demonstrated Support And Concern To Elevate This Issue In Which The Entire Community Have An Opportunity To Vote On It.

And You Can Do So By Having 7% Of The Registered Voters Petition To Place This On The Ballot.

You Can Also Do So By Providing Your Input And Discuss At Length With Commissioner Mann Brought To Light Already This Evening In A Proper Forum, At The Charter Review Commission When They Convene In 2015.

And I Believe From A Procedural Standpoint, That's The Opportunity For The Public To Make Known What Their Position Is In Changing Such A Critical Issue As The Structure And Form Of County Government.

Thank You.

Comm. Mann: Would The Gentleman Yield? Chairman Hall: Good Ahead.

Comm. Mann: Commissioner Judah, I Want Your Thoughts On Going From Five To Seven.

Comm. Judah: I Like The Suggestion Of The County Attorney David Owen Could We Convene A Charter Commission Before 2015 Or 2016 To Discuss The Merits Of The Hybridized Version.

That Was Discussed Also In The 2008 Charter Of Review Committee, And That Was

Rejected.

But It's Not To Say That That May Not Perhaps Be The Appropriate Compromise.

But Let It Be Properly Discussed In The Appropriate Forum.

Chairman Hall: Well, I'll Share My Thoughts Since I Guess Commissioner Bigelow Has Already Shared His, And Usually The Chair Waits Until Last To Go.

I Have To Tell You First Of All Thank You.

I Have Had A Handful Of Calls And A Handful Of Emails And I'm Out And About All Over This County And I Have Talked To Numerous People About This.

And I Would Have To Say That It's Probably 50/50 On People Expressing What They Like And Dislike.

But Tonight Isn't About Do I Think Single Member Districts Is Good.

I Have Served In Both.

At Large And Single Member Districts.

And Quite Honestly, I Think I Did A Good Job And I Think I'm Doing A Good Job In Both.

But What Tonight Is For Me Is Do We Put This On The Ballot.

And, You Know, Right, Wrong, Or Indifferent, You Know, The You News Press Labels Me As Very Procedurally Driven Because I Believe People Want To Count On A Process.

They Don't Want A Process That Is Only Good For This Group Of People But Not Good For This Group Of People.

They Want A Process.

First Of All, Commissioner Janes Was A Personal Friend Of Mine.

He Was A Gentleman, And He Was A Mentor, And I Loved Him Dearly.

And You're Right.

We Said Very, Very Loving, Heartfelt Thoughts Of Him At His Memorial.

I'm A Little Bit Saddened By People Using His Death As An Impetus For What We're Doing.

Commissioner Janes Said He Made A Campaign Promise.

I Reached Out For Support.

And In Exchange For That Support, I Was Asked To Bring This Issue Back Since I Was One Of The Voters Who Said No To Bring It Back To Go To The Ballot.

I Do Not Like The Idea.

I Believe It's Populace.

But I'm A Man Of My Word, And I Made That Quid Pro Quo.

That's What He Said.

There's A Tape, Listen To It.

It Wasn't That He Was Passionate That He Wanted It To The Ballot.

It Wasn't That.

He Was Running For Office.

He Went To Someone For A Request, And He Was A Man Of Honor, And He Shook That Man's Hand And Said That's What I'll Do.

And I Admired That About Him And I Respect That About Him And I Understand Why He Did It.

We Have A Process In Our Charter Which Is Called The Charter Review Committee At The Time.

And People Say, Well, That Only Failed By One Vote.

Well, You Know What? The Charter -- What Would You Say To Me If I Said, Well, You Know, The Request For A Charter Review Commission Only Passed By One Vote, Therefore Why Should I Support It? Because It Only Pass Passed By One Vote.

It Is The Vote, Whether It's One, 10, Or A Thousand Votes, It Is Still The Vote.

There Is A Process.

We Try To Pick People That Will Take The Time To Make A Recommendation And Vet Out.

What Scares Me When A Board Will Come In A Political Agenda Will Come In To Change Our Charter.

We Worked Really Hard In This Community, Really Hard, For Those Of You Who Were Not Involved With This, To Get This Charter Government.

And It Failed Numerous Times, And We Sat For Hours Debating How To Put The Structure Together.

And The Idea That When We Changed The Charter, And Believe Me, Single Member Districts Along With Voting At Large Was Part Of That Discussion Of Charter Government.

What Do We Want To Do? And It Was Vetted At Length, And The Choice Was To Stay At Large.

Let's Go Forward With That.

I Don't Really -- To Me, It Doesn't Matter To Me Single Member Or Not.

Today What Bothers Me More Is That We're Being Asked To Go Outside Of A Process.

And I Think That's Disenfranchising To Some People.

And My Personal Opinion, We Have A Mechanism.

I Asked Immediately Before We Even Got To This Point, Can We Reconvene A Review Committee To Look At This Issue So That All Of The Unintended Consequences Or Intended Consequences Could Be Discussed In A Forum Where People Could Sit And Have A Debate.

Now, I Don't Know If We Got Change Where We Can Go Out And Campaign For Referendum Items.

But Up To This Point, We Have Not Been Able To Be The Voice Of Or The Launching Pad For Issues That Are On Referendum From County Government To Be For Or Against Or Create That Opportunity For Them To Be Discussed.

It's A Very Gray Area.

So We Would Have To Count On Outside Sources To Do That, And We Could Participate As Individuals As Long As No County Time Was Used.

So I Appreciate The Idea That We Would Be The Impetus For The Debate, But I Don't Know If Legally We Can Even Do That At This Point.

It Depends On What Happens At The Legislature This Year.

The Charter Is Our Bible.

It Is How This Government Is Set Up.

And The Process In Which We Make These Changes I Think Is Very Important That We Respect It.

I Recognize That An Item Can Come To Me, And I Can Make That Decision With The Simple Majority.

But It's Not What I Want To Do.

I Believe In The Commission.

That's Why I Didn't Question Anything That The Committee At The Time Brought Forward.

I Said Whatever They Bring Forward, By Vote, I'm Going On Support That.

Whether I Agree With It Or Not, I'm Going To Support It.

And Believe Me, I Didn't Really Agree With The Commission.

I Didn't Think The Way They Structured The Commission Was The Best Way To Have A Commission.

But I Wasn't Part Of That Debate.

They Decided They Wanted The Commission The Way.

They Decided They Wanted The Commission To Meet In 2015.

They Decided These Things.

No One On This Boards, Wait A Second, Why Do You Want To Wait So Long? We Said We Accept What You're Recommending And We'll Put That Out There.

So For Someone Who Thought That Somehow We Had A Hand In Designing That Commission, I Don't Recall Where We Really Gerrymandered That Recommendation.

We Took The Recommendation That Was Brought Forward By The Committee And Accepted It.

I Am All For Putting On The Ballot An Amendment Or A Process In Which If We Need To Call Back A Charter Review Commission, That We Do That.

And If That's What Goes On The Ballot And That We Look At A 2012 Initiative.

As Far As It Goes To A Seven-Member County Commission Versus A Five-Member County Commission, I Don't Really Know How I Feel About That.

I Don't Have Opposition To It Necessarily.

I Don't Have Opposition To Going To Three Single Member Districts And Two At Large.

I Certainly Don't See Us Going To Seven County Commissioner, But I Don't Really Have A Position That.

Again, I Think That's Something For The County Charter Commission Now To Discuss.

And Come Back To Us And Vet That Out.

Where Citizens Who Are Going To Have To Vote On It Eventually Will Come Back And Make A Recommendation.

You Know, This Board, We Have So Many Advisory Committees That Advise Us, And We Try To Listen To What You Have To Say.

I Really -- I Know This Has Been A Very Difficult Process, And People Are Very Emotional About It.

But For Me, It's Not About Whether I Support Single Member Or Not.

It's About The Process.

And Respecting What The People Voted For In This Community And What They Wanted.

And When We Made This Charter, And We Came Here, We Said They Would Be At Large.

That Doesn't Mean I've Ever Been Against Change, Because I Love Change.

But When The Charter Review Commission Committee At The Time Debated This Issue, It Did Not Pass.

It Did Not Meet The Mustard.

And, Yes, It Failed By One.

But It Still Failed.

I Have A Problem With Backdooring That Process And Then Coming Back To Me And Saying, Ok, Override That Commission And That Committee Because I Think It Should Be This Way.

I Have A Serious Problem With That Because There Was A Process That We Followed.

I Don't Have A Problem, Commissioner Mann, I Think You Very Eloquently Gave Us Lots Of Options Out There.

My Preference Would Be That If This Item Doesn't Pass, That We Try To Put On A Mechanism For Staff To Allow Us To Bring Back The Charter Commission To Put Something On The Ballot In 2012.

I Don't Want To Sit And Debate Five, 12, Six, Two, Any Of Those.

I Think The Commission Is The Place To Have That Done.

And For The One Item To Be On The Ballot, The Single Issue, I Would Prefer That, That We Provide In Our Charter Some Mechanism That If We Need To Bring That Commission Back Sooner That We Have That Option Through A Process.

And That We Somehow Debate That Issue, And Then Give Staff Some Language To Do That.

I'm Not Afraid To Put This On The Ballot.

I Have A Problem With The Process We're Using To Get It On The Ballot.

And That's My Position.

Comm. Mann: I'll Second His Motion.

Chairman Hall: Mr. Bigelow, You Are Making A Motion To Place The Five Single Member Resolution Onto The Ballot.

And I Have A Second By Commissioner Mann.

Andrea, Did You Have Something You Needed To Say? Yes, Ma'am.

I Actually Have To Do The Voice Vote At This Point.

Chairman Hall: Further Discussion Now That We Have A Motion.

Comm. Bigelow: Again, Rephrase The Motion, Because You Were Talking About Going To --
Comm. Mann: No.

I'm Seconding His Motion.

Chairman Hall: To Put On The Ballot The Five Member Single District, And He Is Seconding That Motion.

Is There Any Further Discussion? Comm. Bigelow: Actually, Yes.

Chairman Hall: Commissioner Bigelow.

Comm. Bigelow: I'm A Little Troubled By This Notion That This Is An Illegitimate Process Before Us.

This Is Wholly Appropriate.

This Is Contemplated As Part Of The Execution Of A Democratic Republic, That We Have The Prerogative Here, The Power Of This Body Is That We Can Put Something On The Ballot Should We Choose To Do So.

So I'm Having A Little Tough Time Here Understanding This Argument That This Didn't Follow Some Appropriate Process.

Because I Tell You, It Just Really Doesn't Get Any More Appropriate Than This.

So I Guess We'll See Where The Votes Fall, And Maybe We Can Try Something Again

Another Day.

Chairman Hall: Well, I Don't Want You To Put Words In My Mouth, Commissioner Bigelow.

What I Said Is I Do Recognize It Is Appropriate For This Board To Put Items On The Ballot.

What I Found As A Back Door Method That We Put This Issue, The Charter Review Committee Looked At This Issue, And When It Did Not Pass, There Was A Swelling Of Folks To Come Back To Us To Put It On The Ballot.

That's What My Issue Is, Is That When We Convene The Commission, Whether It's For Or Against, I Don't Feel That That Is My Role To Ignore What Was Debated And Then Come Back Around.

That's A Personal Opinion, And I'm Not In Any Way Disparaging Or Saying This Is Inappropriate Not I Just Felt It Was A Back Doorway When It Was Debated In A Committee For To In Back.

Just Like If The Commission Had Passed, Where It Came Back Around To Add Indicate Against It, I Would Not Have Supported That Either.

I'm Not Saying It's An Inappropriate Process That The Board Of Commissioners Have A Right To Put Something On The Ballot.

Commissioner Mann? Comm. Mann: I Don't Think We Have To Be A Rocket Scientist To Speculate As To Where This Is Going.

And I'm Sorry About That, And I'm Sorry For The People Who Have Spent A Lot Of The Last Three Years In Trying To Get To This Point.

But I'm Holding Out This Little Hope.

We Have A Vacancy Here.

And The Governor Is Expected To Fill That Vacancy Any Moment.

I Hope The Sooner The Better.

I Would Agree With Commissioner Hall's Comments In The Paper The Other Day That She Seemed To Indicate That She Was Ready Anytime.

If We Get That Third Vote Up Here Soon Enough, We May Still Yet Have Time To Bring This Issue Back.

And Still Get It On The Ballot.

So Why Don't Y'all Call Charlie Up There In Tallahassee And Say, Charles, Now Is The Time.

Chairman Hall: I'll Share With You The Governor's Office Called Me Today To Let Me Know

That They Will Be Making An Appointment.

They Did Confirm That They Definitely Will Be Making An Appointment To This Commission.

That They Will Be Making An Appointment From District One For This Commission.

But That Unfortunately It's Going To Probably Take Them 3-4 Weeks To Make That Appointment.

And That Is The Latest Information I Had As Of 4:00 Today.

Comm. Mann: Well, That Could Still Be Enough Time.

Chairman Hall: It Certainly Could Be.

Any More Discussion? Comm. Mann: Well, Let Me Ask A Procedural Question Of The County Attorney.

With The Motion On The Table Here, And If It Dies 2-2, Who's The Prevailing Side? Because We Might Want To Withdraw The Motion If Commissioner Mann And I Are To Reserve Some Rights Here.

When The Motion Is Made, The Proponents Of The Motion, If There Are Only Two Votes, Then Those Two Votes That Are The No Votes Would Defeat That Motion, The Prevailing Side Would Be The Nay Votes, The No Votes.

Comm. Bigelow: So Only Those Two -- Comm. Judah: So Only Those Who Could Bring It Up? Yes.

Comm. Mann: Could A New Commissioner Bring It Up Since He Was Not Here? Yes.

Comm. Mann: Thank You.

Chairman Hall: And -- In The Alternative, If The Board Is Seeking To Continue This Public Hearing To Another Date And Time Certain, You Can Do That.

But I Think There's Some Real Uncertainty With Respect To When The Exact Timing Will Be For Your Fifth Commissioner To Be Appointed.

And Whether Or Not It Would Make That June 22 Final Public Hearing Date For You To Take Before We Have To Get It To The Supervisor Of Elections For Placement On The Ballot.

Chairman Hall: David, I Just Want To Ask You A Question.

Let's Just Say The Motion We Decide To Continue.

This Issue Is Brought Back Because Commissioner Janes At The Time The Board Did Vote No, Placing This On The Ballot, And Three Commissioners Voted No Not To Put It On The Ballot, Two Said Yes.

Commissioner Janes Was On The Vote Of The No, And That's Why It Came Back Under Commissioner Janes Because He Voted Previously On It In 2008.

So That Would Go Away.

And The Only Other People Who Could Bring This Back If There Was A No Vote Tonight Would Be A New Commissioner Or Commissioner Judah Or Myself.

Is That Correct? If The Vote Were Commissioners Mann And Bigelow Voting Aye, The Chair And Commissioner Judah Voting No, Then The Nos Would Be The Prevailing Party, And They Would Have The Right To Bring It Back Up Again.

With Respect To Commissioner Janes, He Brought That Up As A Commissioner Item Back In January To Announce To The Board At That Time That He Had A Change In Position On That.

Chairman Hall: Right.

But What I Was Saying Is If There Was No Vote Tonight, In Other Words, I Guess We Don't Have A Choice, We Have To Vote Or We Can Continue.

Those Are Our Two Choices, Continue Or Vote? That's Up To The Board.

If The Board Wants To Continue This Evening And Continue On To Another Time And Date Certain, You Run The Risk That You'll Be Looking At The Same Situation Again On Another Evening.

I Can't Predict.

Chairman Hall: But Those Are Our Two Choices For This Evening, Vote Or Continue? We Can't Just Not Vote? Comm. Bigelow: Sure We Could Not Vote If We Didn't Put A Motion Up.

But If You Did Not Vote Or Not Continue, Then The Matter Would Basically Be Concluded.

This Is A Public Hearing.

And The Only Way You're Going To Have Any Manoeuvring Ability With That Is Either To Take Your Vote This Evening Or Continue That Public Hearing To A Time And Date Certain So That We Can Bring It Back So You Can Take A Vote.

If You Don't Take A Vote, If The Board Takes No Action Tonight, Then That's It.

The Item Is Dead.

Comm. Bigelow: Ok.

I Think -- You Want To Vote? Comm. Mann: Yeah, I Do Not, Madame Chairman, I Do Not

Intend To Withdraw My Second.

It's Been Too Much Bloodshed Over This.

We Need Now To Conclude This At This Time, And We Have Methods To Take It Up Again When A Fifth Commissioner Is Named.

And Any Time That We May Lose This Opportunity This Year Still Three Commissioners Can Bring This Up, Notwithstanding What The Re-Establishment Of A Charter Commission Would Do And All Of This Sort Of Thing.

But I Think The People Deserve A Vote.

Comm. Judah: I Definitely Agree With That.

But I Think That Continuing Might Be More Advantageous.

Then We And Folks Here Can Call The Governor's Office And Tell Him What Is -- Chairman Hall: You Can Call Him Now.

Comm. Judah: So If We Continue It For Instance To A Date Certain, This Same Public Hearing Issue, To A Date Certain, And Then We Will Hold That Public Hearing And Maybe We'll Have A Fifth Commissioner.

You Now Of Course This Is Going To Take Commissioner Hall Or Commissioner Judah's Support I Think To Continue It.

So Are You Not Willing? Chairman Hall: No, Commissioner Bigelow.

I Do Believe We Need To Vote Today.

I Think Whoever The Fifth Commissioner Is, Whether They Come And They Were Going To Be On The Continuous Or Come Prior To That Date -- Comm. Bigelow: Ok.

Chairman Hall: It's An Advocate.

If You Want Advocate Someone Who Is Pro, You Can Do That With Your Vote Or Without Your Vote.

I Don't Really Think It Matters.

So I Would Leak To Go Ahead -- I Guess What I'm Going To Do Is Ask For Someone To Call The Question.

Comm. Bigelow: Call The Question.

Chairman Hall: I Second The Motion To Call The Question.

Further Discussion? All Those In Favor Of Calling The Question? I'm Just Calling The

Question Right Now.

Comm. Mann: I'm For That, Yeah.

Chairman Hall: So I Have Three Yeses And -- Comm. Bigelow: I'm Fine With It.

Chairman Hall: So We Have It Unanimous To Call The Question.

So The Question Is Now A Motion.

And I'll Ask The County Attorney, Deputy Attorney To Go For A Roll Call Vote.

Commissioner Mann? Comm. Mann: Yes.

Commissioner Hall? Chairman Hall: No.

Commissioner Judah? Comm. Judah: Nay.

Commissioner Bigelow? Aye.

The Vote Is 2-2.

All Right.

Chairman Hall: What I'd Like To Ask Is That We Give Direction If Our Commission Would Consider To Put On A Blue Sheet For Next Week The Opportunity To Go To Public Hearing To Amend The Charter To Allow Us Flexibility In Between The Standard Dates For The Charter Review Commission That The Board Can Bring The Commission Back On Specific Items.

We Could Talk About That At Some Point.

I'm Going To Have To Respectfully Disagree With Our County Attorney.

Nothing Precludes -- Nothing In The Charter Precludes Us From Convening A Commission, A Committee, Somebody To Advise Us.

We Can Do That Any Day Of The Week If We Want.

The Charter Requires Us To Convene A Commission Now Every Six Years.

Chairman Hall: All I'm Asking Is To Ask Staff To Be Able To Bring Back At A Board Meeting As A Blue Sheeted Item The Opportunity To Discuss That With Us, So That If We Choose That We Want To Do That, We Can Do That, And Then Maybe David Would Have Time To Actually Look At What You're Saying.

I Know We Can Pull Together A Committee And Say, Approximate Pull The Then People Together And Tell Us What You Think.

I Realize We Can Do That.

Comm. Judah: Ok.

We Can Pick That Up At Another Date And Time.

Chairman Hall: There's No Interest To Doing That? Let's Just Get Back To Order.

Commissioner Bigelow Since I Asked A Question And You Seem To Have Answered It For Everyone, Do You Have A Question For The County Attorney? Comm. Judah: No.

Go Ahead.

Test Your Question.

Chairman Hall: That's Fine.

Do You Have A Question For The County Attorney? Comm. Judah: If We Get A Fifth Commissioner And He Brings It Up, And Frank And I Support Bringing The Issue Back Up -- Comm. Bigelow: Or She.

Comm. Judah: Good Point.

We Would Have To Go To Two Other Public Hearings, Right? You Would Just Have The One That Would Bring It Back To You.

We Could Schedule That For -- Comm. Bigelow: But We Have To Do The Authorized For Public Hearing At One Meeting And Then The Public Hearing? Yeah.

Comm. Judah: Can You Give Me The Drop Dead Dates On Those So I Can Know Those? June 22 As Far As Conducting Another Public Hearing To Have An Amendment Adopted To Go To The Supervisor Of Elections.

Comm. Judah: June 22.

Sir? Comm. Judah: June 22.

Ok.

I Appreciate It.

Chairman Hall: We Have To Do Number Two As Well? No.

Chairman Hall: Does It Just Go Away? Did I Understand The Board Correctly That You Want A Blue Sheet? Chairman Hall: They Didn't Want To Support That.

We'll See If It Comes Back As A Commissioner Item.

Who Knows.

The Last Thing Is The Public Presentation By Citizens Of Items Not On The Agenda.

Yes, Way In The Back.

Can You Fill Out Another Card For Us, Steve? Steve? Get Your Way Up Here.

Comm. Mann: Make Way.

Chairman Hall: Happy To Have You.

I Rarely Get Here Anymore.

Chairman Hall: I'm Going To Ask That If You're Leaving The Chambers, If You Could Leave Quietly So We Can Continue Our Meeting And Speak On Matters They Have Of Concern To The Board.

Thank You So Much For That Opportunity.

Steve, Go Ahead.

Thank You.

My Name Is Steve Maxwell For The Record.

And Just A Couple Of Issues I Wanted To Bring Forth In The Context Of Listening To All Of You At Large County Commissioners On The Issues Of Importance.

I.E., This Swim Center.

Was That On The Agenda Today? Chairman Hall: It Was.

I Can't Talk About It Then? Chairman Hall: You Can Talk About Anything.

I Would Just Say This.

That Maybe We Kind Of Stop, Look, And Listen For A While Before We All Of A Sudden Think We're Going To Dive Off The Diving Board Into This Pool In Terms Of Dollars.

I Remember A County Commissioner Stating That, You Know, This Is Kind Of Putting The Cart Before The Horse In Terms Of Is There A Needs Assessment That Has Been Done That Will Demonstrate That This Will Be Profitable.

Chairman Hall: You Know What? I Would Really Appreciate -- You Have Three Minutes To Say Anything They Want.

It's Not A Dialogue.

It's Where Citizens Come To Speak To The Board.

I Want To Give Steve His Three Minutes To Give Us His Points Of View, And Afterwards Commissioners Are Welcome To Engage.

Comm. Judah: Understood.

Chairman Hall: Thank You, Steve.

Just Stop, Look And Listen And Take A Little Time Before We Dive Off That Diving Board From A Fiscal Standpoint.

We Have Been Spending A Lot Of Money Over The Last Five Years.

And I Have Been Pretty Silent And Understanding And Knowing We're A Growing County, But We Need To Kind Of Maybe Tighten Our Belts A Little Bit, And Maybe Do A Little Bit Of Public Expenditure Analysis As To Where We Are In Terms Of Operations.

Also, The Other Issue In Relationship To Dollars Again Is Our Reserves.

You Know, It's Been Said That Our Reserves Are Going To Be Exhausted At A Certain Time And Point, And What Are We Going To Do In Order To Shore Up That Kind Of I Would Say Deficit? And Then We Have This Issue Of Our Property Values.

Where Is That Going To Be In The Next Three Years To Five Years To Deal With Again These Huge Initiatives That We're Looking To Take On? I Just Am Concerned Regarding This Pool.

And I Think We Just Really Need To Know In Fact That The Dollars Are Going To Be Generated And What's Known In The Business As A 2-1, 3-1 Profit Ratio.

That It Will In Fact Be The Magnet.

Ok, I Was A Swim Coach.

I Would Be All For It, But If The Market Is Not There, That Concerns Me.

And Then Lastly, Baseball.

No One Likes To Knock Baseball.

But I'm Getting To The Point Where I Have's Little Hard Time Thinking How Is A Guy Worth \$129 Million To Go Like This, Give Me A Curveball, Ok, And Sit And Squat 3 1/2 Hours.

Are We Going To Make Money On That On That Boston Red Sox? Are We Going To Have To Shoulder This In The Future? That's My Concern.

If We Are Guaranteed We're Not Going To Have To Shoulder It, I'll Be Happy.

I Kept Quiet About It, But The Numbers Are Starting To Come In That Are Concerning Me.

That's All I Want To Say On It.

And I Know You'll Listen, And You Have Listened.

So That's All I Have Really To Say Today.

Chairman Hall: Thank You, Steve.

Fiscal Responsibility.

And I Know You're Up For It.

Chairman Hall: Thank You Very Much.

Are There Other Citizens -- I'm Going To Take You In Order.

Come On Up, Then.

Whatever You Would Like To Say.

I Know We're Not Supposed To Be Chit Chatting Here.

You Said So.

Chairman Hall: No.

This Is A Time -- If I Can Ask A Question.

I Really Haven't Seen This In The Newspapers.

Has Anyone Contacted The Chicago Cubs, Which Collier County Is On Top Of? And If So, Please Bring Us All Up To Date On That.

On This Matter Of Voting, I Would Like To Get Back To It.

I Think It's Time, Because I Remember Some Stories That Were Related To The Millennium Bug And What This County Spent Or Wanted To Spend About Some Corrective Measures, Excuse Me, That Were Taken Along The Way.

You Didn't End Up Spending What You Wanted To Spend At The Turn Of The Century On Computer Updating And So On.

But I Know That You Have A Substantial Investment In Computers.

In The County.

And Because Of That, You May Have The Power Already In Place To Enable Us To Pursue Something In The Near Future Like Voting On Issues Just If It Were A Straw Vote To Get

Some Sense Of Really Where The Public Was Coming From With Respect To -- Let Me Get Back To The Baseball Stadium Again, Which I Think Is Sitting In A Lot Of People's Crow.

But I Would Urge You To Do That.

And, Again, I Would Hope That You Would Bring Tonight's Issue Of The Evening Back Real Soon So That You Have Time To Do It On The November 2 Ballot.

And If It Isn't, Then You Could Use A Direct Mail Ballot Process Because It Is An Issue And Not Folks Running For Election.

And, Again, The City Of Bonita Allows That.

I Don't Know If The County Charter Would Allow It.

But Maybe It's Something You Would Like To Address Tonight In The Light Of The Fact That There Are So Many People Who Are Here With An Interest In That Issue, And Probably Many Others.

Thank You For Listening.

Chairman Hall: Thank You.

Mr. Diamond? Thank You Again For Listening To Me.

I Chaired The Charter Review Committee In 2000 And 2004.

And I Argued Endlessly For A Hybrid Commission, A 4-3 As Commissioner Mann Brought Out A Moment Ago So The Voters Would Vote For A Majority Of Commissioners.

I Still Believe In That.

I Have Problems With Single Member, And I Have Problems With At Large.

I Know Several Counties Have Gone To A Hybrid Commission, And It's Worked Out Well.

Now I Heard Talk About, Well, Let's Reconvene The Charter Review, It's Called A Commission Now.

Frankly, That's Not The Way To Go.

You Commissioners Have The Right To Place On The Ballot Your Own Amendment To The Charter.

I Think It's Probably Too Late For This Year, But You Should Discuss It, Get Staff Input, Get Public Input, And Come Up With A Hybrid As The Way To Go.

You Don't Need Another Charter Review Committee Or Commission Or Whatever You Call It To Make The Decision For You.

You're Five Intelligent People.

You Know In Your Own Mind That That Is The Answer, The Best Possible Solution You Can Come Up With.

And I Look Forward To You Moving Forward On That.

Thank You Very Much.

Chairman Hall: Thank You, Mr. Diamond.

Anyone Else Who Would Like To Address The Board Of County Commissioners On Any Item Of Concern? Mr. Johnson, How Are You? For The Record, I'm Still James Johnson From North Fort Myers.

After Hearing -- Having The Benefit Of Listening To You Commissioners And Your Final Comments And So Forth, And Then Hearing The Hybrid System, I Came Before I Came To Florida I Came Out Of A Hybrid System.

It Was A City System, And It Worked Magnificently.

I Liked It Then.

I Still Like It.

I Wasn't Aware That -- I Thought That This -- Excuse Me -- I Thought That The State Was Dictating How You Would Operate As A Board And So Forth Like That.

But Just To Let You Know From A Personal Standpoint, I Would Welcome That.

I Prefer It.

It's Been -- It's Worked For 75 Years Of My Life, You Know, Back In Indiana Where I Came From.

In Any Case, I Appreciate The Time.

Thank You.

Chairman Hall: Anyone Else Who Would Like To Address The Board On Matters Of A Concerned Citizen? Before We Adjourn, I Really Don't Have A Problem If This Board Is Interested In Just Letting David Review.

We Have Gotten Some Input On The Hybrid.

If You Want Staff To Direct Them Or If You Want To Look At This And Discuss It Next Tuesday To Give Staff Some Direction So We Can Take Some Time To Take Our Thoughts.

But I Know Commissioner Mann Had Asked How We Feel About That, And I Was Sort Of Ambivalent.

I'm Really Not Opposed To Looking At That Even As An Option As We Go Forward To The 22nd In The Meantime.

Maybe We'll Talk About That On Tuesday And I'll Put That Out There For Us To Keep In The Back Of Our Minds As We Come Onto Tuesday's Agenda Under Commissioner's Items.

Anyone Else? Seeing No One Else, Again, We Can't Thank You Enough For Being Here With Us This Evening, And We Are Adjourned.