

September 4, 2007

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

We Will Have The Invocation Conducted By Pastor Steve Hes Followed By The Pledge Of Allegiance.

Steve?
Please Rise.

Almighty God We Come Before You In Thanks And Praise For Your Power And Wisdom And Love.

We Ask You To Guide All The Decisions, All The Discussions At This Meeting And By This Commission As They Seek Your Will To The Glory Of Your Name And To The Building Of Your Kingdom And This Community.

As We Enter This Peak Of The Storm Season We Ask You Oh Ruler Of Wind And Wave.

In Your Holy Name, Amen.

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

Thank You Pastor.

Appreciate It Again, Thanks.

I Do Have A Ceremonial Presentation To Make At This Point.

It's Always A Pleasure For Me Because These People Are Not Only Extremely Active In Preservation But Just Within The County As A Whole.

They Work Very Well With All Types Of Environmental Organizations.

And Pine Island May Not Be The Largest Area Population-Wise In The County, But Let Me Tell You It's A Very Active, Very Dedicated And These People Are Truly Conservationist Oriented.

Anyway I Do Have A Resolution That I Would Like To Read On Behalf Of The Caloosa Land Trust.

Kyle Brunner Will Be Here.

And Bill.

If You Guys Will Come Up To The Podium.

I Would Like To Read The Resolution, Says Whereas In 1996 Board Of County Commissioners, Developed The Conservation Lands Programme, Widely Known As Conservation 2020 Programme.

Purpose To Acquire And Protect Environmentally Critical Or Sensitive Land Within Lee County And Whereas The Caloosa Land Trust And Pine Island Inc Is Individuals, Family And Businesses That Work, And Volunteer Their Time And Financial Support To Protect Natural Resources And Whereas The Caloosa Land Trust Has Been A Close Partner With And Aset To The Conservation 2020 Programme, Contributing Funding For The Acquisition And Stewardship Of Certain Nominated Lands And Partnering With The Lee County Staff To Restore And Manage Acquired Lands And Whereas The Caloosa Land Trust Contributed \$10,000 To The July 13, 2007 Acquisition Of Nomination 185 Which Is One Of Thee Parcels Acquired With The Conservation 2020 Funds That Make Up The Gulf Reserve And Contributed 32,500 To Acquire 152 And 155.

And Whereas The Caloosa Land Trust Contributed \$5,000 To The June 12th 2007 2020 Of Acquisition 315 Which Is 110-Acre Parcel On Smoke House Bay And Whereas The Caloosa Land Trust Has Offered To Assist The Management Of The Above Captioned 2020 Reserves.

Be It Resolved The Commissioners Of Lee County Would Like To Recognize The Contribution To The 2020 Programme Executed This 4th Day Of September 2007.

I Would Like To Present This To You.

We Have A Picture To Take.

Holding The Resolution Up, There We Go.

Thank You.

Bill, Do You Want To Say A Few Words?

Just One Thing, These Two Parcels Bring Total Acquisitions To 11, Which Total 1,223 Acres.

That's Great.

Thank You.

I Can Turn Now To The Recap Sheet.

We Have A Couple Of Items.

One Is A Deferral Of Item On The Administrative Agenda, Item 2a.

Would Like To Defer That To The September 11th Meeting, Is There A Motion?
Motion By Commissioner Mann, Second By Commissioner Hall, All In Favor?
Ayes Have It Motion Is Adopted.

Second Is Administrative Agenda 15 A Asking We Defer To The September 18th Meeting,
Moved By Commissioner Mann, Seconded By Commissioner Hall.

Discussion?
All In Favor?
Opposed?
The Ayes Have It, The Motion Is Adopted.

That Concludes Our Recap Agenda.

And I Have To Say Probably Concludes The Administrative Agenda.

Now At The Point On The Agenda Where We Will Call For The Public Comment On The
Consent And Administrative Agenda.

This Is An Opportunity For Members Of The Public To Be Heard On Agenda Items That Are
On The Agenda.

This Is Where We Will Hear Your Public Comment.

Kevin Is Our First And Only Blue Card That I Have.

If You Want To Speak, It Would Be Nice If You Could Fill Out A Little Blue Card, But If You
Don't, That's Okay Too.

Kevin?

Good Morning, Chairman, Members Of The Commission, Distinguished Counsel, Manager,
Ladies And Gentlemen.

Although The Issue Has Been Delisted From Your Current Active Agenda This Morning I Do
Wish To Speak A Few Comments About This Waiver Of Request Of Representation, Conflict
Of Interest For Citizens For City Hood, I Conducted A Partial Investigation And This
Organization With The Supervisor Of Elections, They Have Not Filed Recently Financial
Declarations, Treasury Declarations.

Additionally They Aren't Registered With The State Of Florida As A Corporation Or Pack Or
Registered With The Internal Revenue Service In The Proper 503 C4, Although This Is
Engagement Of Law Firm For The Purposes Of Political Action.

Therefore This Is A Cart Before The Horse And Until This Organization, I Think As It's
Basically Gets It's Legal House In Order, It's Premature To Accept Representation In Any
Form By Counsel Of Itself A Basic Organization, Because That's What They Are
Representing, They Aren't Representing Individuals, They Are Representing An
Organization.

However Denominated.

I Would Also Like To Address A Few Words Concerning Your Proposed Parking Disabled Ordinance You Are Considering For Further Development.

I Strongly Support Your Increase.

I Would Also Hope That Somehow, Some Way There Would Be Increased Enforcement.

Or Allowing Citizens To Photograph Improperly Parked Cars In Disabled Parking Spaces And Somehow In The Wording Of Your Ordinance Prima Fascia Evidence And A Fine So Attached.

As These Privileged Young People Think That It's Okay At The Grocery Store Or Where Else To Roll Into These Parking Spaces, Run Their Cars, Somebody Jumps Out And They Occupy The Space As A Waiting Zone.

For Whatever.

As A Person Who Has To Hump It Around Appreciate Your Action.

Thank You.

It's Been A Delight.

Thank You, Kevin, Appreciate It.

Anyone Else Wish To Comment?
Seeing None I Will Close The Public Comment.

Items To Be Pulled, Commissioner Bigelow?
Thank You, I Will Pull 2a.

And 9a.

Okay.

Commissioner Mann?
I Have None, Mr. Chairman.

Commissioner Hall?
I Have None.

Can I Have A Motion On The Balance?
So Moved.

Seconded By Commissioner Hall.

Discussion?

All In Favor Signify By Saying Aye.

The Ayes Have It, The Motion Is Adopted.

Item 2a.

Commissioner Bigelow?

Thank You.

We're Going To Pay \$2,235,000 To Pay Off A Debt That I Think Has Still Three Years On It.

The Working Theory Here Is We're Going To Save \$175,000 In Interest?

Yes?

Dina Lewis Administrative Services.

Let Me Finish First.

I'm Opposed To This Way Of Doing Business Because What We Are Doing Is We Are Foregoing The Opportunity To Use That \$175,000 To Gain Interest Ourselves Or To Use It For Some Other Purpose.

Leveraging Is Something That I Think Is A Powerful Financial Tool But We Shoot Ourselves In The Foot When We Take Money Out Of Our Public Coffers, This Is Coming Out Of General Fund Reserves In Order To Pay Off Principle Just To Save Interest Over A Three-Year Period.

I Wouldn't Suggest I Would Do This For My Own Property Acquisition And I Don't Think It Holds Anymore Merit Here With The County Than It Would If It Were My Own Endeavor.

Budget Administrator Cares To Respond, That's Great, But I Will Not Be Supporting This Effort.

Mr. Chairman, The Bonds Currently Accrue Interest At 4.7% For The Years '08-'09 And 10 Which Are The Remaining Period Of The Bond.

The Interest That The County Pays Is 5.0%.

We're Not Earning That On Our Cash Reserves, So By Paying Off The Debt Earlier We Are Actually Saving Dollars Net.

Okay.

Dina, Excuse Me, Is That \$174,500 In Interest Savings, Does That Take Into Account What We Would Be Acquiring If This Was Kept In The Bank?

No, Commissioner.

That Is The Gross Amount Of Interest Savings That Will Be Derived By Paying Off The Bond

Early.

So You Haven't Subtracted The Interest That We Would Acquire If We Kept The \$2,235,000 In The Bank, From The \$174,500.

No Sir But We Aren't Earning That Much On The Cash Reserves So We Pay Less Net By Paying Off Early.

So That \$174,500 Does Not Include The Interest That We Would Obtain If We Kept The \$2,235,000?

That's Correct.

The 174,000 Is The Gross Amount Of Interest We Would Pay On These Bonds.

All Right.

Thank You.

Any Further Comments?

I'll Move The Item.

Second.

Motion By Commissioner Mann.

Seconded By Commissioner Hall.

Discussion?

All In Favor Signify By Saying Aye?

Opposed?

And The Aye's Have It By A Vote Of 3-1 With Commissioner Bigelow In The Negative.

Commissioner Bigelow, Item 9a?

Thank You.

I'm Just Curious As This Is Change Order Three To Continue A Contract For Household Hazardous Waste Collection And Disposal Services.

This Is The Third Change Order, We Once Before Extended This Contract For Two Years Prior And There's A Change Order Before That, Adding \$117,000 To The Sum Cost Of The Contract.

I'm Just Curious Lindsay Why We're Not Putting This Out To Bid Or Why We Haven't Previously And Why We're Not Now?

Good Morning Commissioners, For The Record, Lindsay Samson, Solid Waste.

This Contract Was Originally The Result Of Competitive Process.

It Was Extended Once In The Extension Included A Reduction In The Unit Prices.

That's Change Order 1.

I Don't Recall If It Was 1 Or 2.

Currently We Are Transitioning Our Household Chemical Waste Program From A Bi-Monthly Collection Event To An Ongoing 3-5 Day Per Week Availability Of Collection.

This Is In Follow-Up Of The Board's Approval Of Purchase Of A Dedicated Site For This Purpose.

And We Expect To Be On That Site With Facilities To Accept Hazardous Waste, As I Said, On A Daily Or Weekly Basis.

We Expect To Be On That Facility By February Next Year.

The Contract Will Get Us To That Point In Time Between Now And February, Then We Will Put This Back On The Street With A Change In Services Because The Services Required For A Full-Time Chemical Waste Operation Will Be Different Than The Services Required Under This Current Contract.

Okay, So You Didn't Bid It To Whenever That Change Order 2.

So Two Years Ago You Didn't Bid It And We Aren't Bidding It Now So We Don't Know If There Were Any Potential Savings Because We Didn't Bid It, Is That Correct?
We Know That's Not Entirely Correct.

In Review Of These Services, This Business Has Reduced From About Four Players In The Market Now To About Two Players In The Market.

And, As I Said This Extension Is Simply To Get Us To The New Operations So That We Can Bid Those Services As We Will Need Them Once We Establish The Full-Time Facility.

So In Less Than Six Months We Will See Another Blue Sheet Come Before Us Or So.

Given The New Services Requirements.

All Right, I Will Move The Item.

Motion By Commissioner Bigelow To Approve 9a, Seconded By Commissioner Mann.

Discussion?

All In Favor Signify By Saying Aye?

Opposed?

The Ayes Have It, The Motion Is Adopted.

That Concludes The Consent Agenda.

Let's Take A Look At The Administrative Agenda Which There Is Nothing, So We Will

Proceed To The Public Hearings.

And Here Comes John.

Good Morning, Commissioners, John Fredyma, I Have Just One Petition.

I Have Examined The Affidavit Of Publication For This Request And Find It Legally Sufficient With Respect To Form And Content.

I Will Enter This Affidavit Into The Record By Giving It To Your Board's Clerk.

This Is The Agenda Item Number 1 On Your 9:30 A.M. Public Hearing.

This Is Case Number Vac-2007-00033.

This Is A Request To Vacate A Portion Of A 12-Foot Wide Public Utility Easement, 2115 Wellington Avenue In Alva.

I'll Move The Item.

There's A Motion To Approve.

By Commissioner Mann.

Seconded By Commissioner Hall.

This Is A Public Hearing.

Anyone From The Public Wish To Speak On This Matter?

I Don't See Any Hands Waving Or Anyone Jumping Up And Down, Therefore I Will Close The Public Hearing And Bring It Back To The Board For Discussion, There's A Motion To Approve And Seconded.

Further Discussion?

All In Favor?

Opposed?

The Ayes Have It, The Motion Is Adopted.

And Item Number 2.

Who Is Going To Do That?

Good Morning, Commissioners.

Dawn Leonard Assistant County Attorney, I Have Before Me An Affidavit Of Publication, Concerning The Southern Extension As Controlled Access Facility.

This Notice Is For Two Public Hearings, The First Being Today, The Second Is September 18th At 9:30 A.M.

This Affidavit Is Sufficient With Respect To Form And Content And I Do Enter It Into The Record At This Time.

I Would Also Like To Make The Board Aware Of The Fact That The County Has Placed A Courtesy Notice In The Naples Daily News Regarding This Public Hearing And The September 18th Public Hearing, That Is A Courtesy Notice For Naples Area.

The Department Of Transportation Staff Is Here To Answer Any Questions You May Have, So I Will Turn It Over To Them At This Time.

Thank You.

Thank You.

Any Questions By The Commissioners On This Matter?

If Not We Will Go Back To The, This Is A Public Hearing, Any Members Of The Public Wish To Speak On This Matter?

Okay, Again, I Don't See Anybody, I Will Close The Public Hearing, Back To The Board For Action, Motion By Commissioner Mann To Approve Item Number Two On The Agenda.

Second.

Second By Commissioner Hall.

That Includes The September 18th?

Yes.

All In Favor Signify By Saying Aye?

The Ayes Have It, So Adopted.

That Concludes The Public Hearing Portion.

My Goodness, I Can't Believe We Are Moving Along This Quickly.

Walk-Ons And Carry-Overs We Have None.

We Will Proceed Then With The Commissioner Items.

Commissioner Bigelow?

No, I Have None.

Commissioner Mann?

I Have One.

Not Of A County Matter, More Of A Personal Matter.

Several Weeks Ago As We Were Finishing Our Meeting Here I Uttered Some Phrases That Were Unfortunately Taken At Great Offence By Commissioner Hall.

And I Can See In Reviewing That Whole Thing How That Might Have Happened, While She Was On Vacation Recently I Managed To Make My Apologies Publicly In Two Of The Local Newspapers Here, Recorded As Well As On Television But I Have A Not Had An Opportunity To Offer That Apology To Commissioner Hall, Which I Do At This Time.

Thank You, Sir.

Commissioner Hall.

I Have Nothing.

Committee Appointments?

Commissioner Bigelow?

Commissioner Mann?

Commissioner Hall?

Appointment Of Fitzgerald To The Land Development Code.

Second By Commissioner Bigelow.

All In Favor?

Ayes Have It, So Adopted.

I Have Two Reappointments.

I'm Sorry, Did You Have Another One?

That's It.

I Have Two Reappointments, Jared To The Black Affairs Committee And (Inaudible).

So Moved.

All In Favor?

The Ayes Have It, The Motion Is Adopted.

County Manager Items?

Nothing.

My Goodness.

My Goodness.

Commissioner Hall, Welcome Back.

When You Are Here Things Move Smoothly.

County Attorney Items, None Either, My Goodness.

Well I Believe That's Pretty Well It.

If There Is No Further Business, We Stand Adjourned.