

October 2, 2007

Good Morning, I Would Like To Call The October 2nd County Meeting To Order .

The First Item On The Agenda There Be Invocation Followed By The Pledge Of Allegiance .

The Invocation Or The Invocator Was Supposed To Be Pastor Russell, But He Was Unable To Make It, So We're Going To Call On Our What Would You Call Pastor In Training?Yes .

Will Probably Do A Good Job .

And Before We Get Going There Are A Couple Points I Hope Andrea Fraser You Can Mention.

We've Lost A Couple Of Great Citizens In Our Community .

One Was David Durr, Executive Director Of The Regional Planning Council And The Second Was Al Orner And Al Has Been Extremely Active As A Four-Time Gold Medal Winner In The Olympics, The Discus But He Was Also Very Active In Getting Together The Olympian Arts For The Olympian, Something Like That .

So If You Could Mention That Too Andrea, We Would Appreciate It.

And You Can Start, Please .

Almighty And Ever-Loving God, Show Us How To Walk The Path Of Righteousness And Help Us To Share The Voice Of Those Who Help Us To Hear The Voices Of Those Who Are Lonely, Poor Sick And In Need .

Give Us Grateful Hearts To Do The Work Before Us This Day And Always .

We Ask That You Would Remember Those Who Are Grieving And Provide Comfort To Them .

I Ask These Things In Your Name, Amen .

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 .

Andrea I Want To Compliment You .

You Did A Wonderful Job .

We May Have To Call On You Again .

We Have A Couple Of Ceremonial Presentations Going On The Agenda .

Mr .

Chairman?Before Begin Those I Know There Are Some Residents And Security Council Members From Cape Coral That Had Thought That Surfside The Intersection Of Surfside Was On Our Agenda Today .

If We Could Let Them Know It's Not An It's Not Going To Be An Item That's Going To Be Discussed Therefore No Public Comment Will Be Taken On It .

And We'll Try To Schedule .

I Know In November, At My Request Last Week To Discuss Their Side .

So I Did I Didn't Want Them To Sit Through The Entire Meeting Anticipating An Opportunity If They Wanted To Leave Now Or Welcome To Stay Of Course

Also To Make Sure We Understand In Our Board Meetings Here We Permit Public Generally Speaking We Permit Public Comment Only On The Agenda Items .

And So We're Not Talking About Surfside As An Agenda Item Today, Therefore We Will Take No Public Comment On It .

We Have A Time Twice A Month Where We Do Permit Public Comment To Any Item .

And That's At The 5:00 Evening Meeting During The Zoning Hearing .

And We Have A Period Of Time There Where People Can Bring Up Whatever Issues They Want To .

But Generally During The Regular Board Meetings Like This, We Limit Public Comment Only To Those Agenda Items .

So We Won't Be Taking Public Comment On That Issue Today .

But Thank You For Coming And My Goodness, It's A Terrific Turnout .

Shows There's A High Level Of Interest, And Councilman Tim Day, Always A Pleasure To See You .

Thank You .

So You Can Stay If You Want To .

It's A Great Show And It's Free .

[Laughter] Or You Can Watch It On Tv, I Guess .

Tv Doesn't Do It Justice .

Absolutely .

Mr .

Chairman, I Would Be Willing To Listen To The Council Members Since They Have Come This Morning From Cape Coral .

If There's Any Other Sentiment Here, I'm Just Testing The Waters .

Very Good Test But Generally Speaking That's One Of Our Pretty Solid Rules Of Procedure .

We Don't Permit That Because -- I Understand What You're Saying .

That's A Precedent We Just Didn't Want To Change This Morning, But I Appreciate Your Your Interest In Exploring It .

We Have A Number Of Ceremonial Presentations Today .

Let Me See The First One I Do Notice On A Recap Sheet, At A We Are Going To The Reading In Recognizing Michelle Anniversary .

And We Have Another One And Commissioner Mann .

Thank You, A Lot Of People Are Into That And Watch It Carefully And There Are Resources Available To Enjoy And Learn And Prosper But We Will After This Resolution So Thank You For This Opportunity .

Now How About The Folks Of The Genealogical Society .

Would You Folks Come Up Hereand Stand When We Finish This, If You All Have A Designated Spokesman We'll Let You Say A Word Or Two Or We'll Take A Picture Of You .

But Let Me Read What This Is About While You All Are Coming Up .

Thank You Mr .

Chairman .

This Is A Resolution Of The County Commission Whereas October Is Nationally Recognized As Family History Month And Whereas The Board Of County Commissioners Has

Demonstrated Its Support For The Preservation Of Genealogical Materials In Lee County, And Whereas The Study Of Family History Is One Of The Most Popular Avocations For People Nationwide And In Lee County And The Fort Meyers Lee County Library Provides Access Through Its Genealogical Collection Through Important Research Materials On Family History, And Whereas The Library Will Hold A Series Of Five Workshops Entitled The Key To Success, Developing A Plan .

The Last Saturday In September And Continuing Every Saturday Through October And Where As The Lee County Genealogical Society Has Held A Series Of Workshops For Youth And During October At East County Library To Enable Them To Start Climbing Their Family Tree .

And Finally Whereas Interest In Our Personal Family History Transcends All Cultural And Religious Affiliates An Gives Us A Responsibility In Carrying Outside The Legacy Of Our Ancestors .

Now Therefore, That We Do Here By Proclaiming October 2007 As Family History Month .

From Lee County And All Residents To Recognize The Importance To Celebrate Their Family's Heritage .

On The 2nd Day Of October, Lee County Florida .

Thank You Mr .

Chairman And Now Could We Hear From A Spokesperson, After We Say Wow, Thank You .

[Applause] I'm Ruth, I'm President Of The Genealogical Society And The Other People Here Are Some Of Our Executive Board Members .

Carol, The First Vice President .

Byron Wallace A Past President And The Author Of The Resolution .

Margaret, One Of Our Directors .

Carolyn Ford, Our Adult Education Chair And Maureen Jefferson Our Corresponding Secretary An We Thank You For Doing This .

Well Thank You Very Much, Why Don You Step Forward All Of You And Stand Along Here .

Let Me Hand You This Resolution And Then We'll Get A Picture Taken Because We Won't Want This Moment To Escape .

Here, Ruth .

We Brought Our Own Photographer .

Ours Is Pretty Good .

We Pay Top Dollar For Ours, But Feel Free To Show Yours In .

[Laughter] You Might Want To Do That Again .

He Got Your Shoes .

That One Will Probably Be Better .

All Right .

Thank You .

Well Thank You Again, Folks, Very Much .

[Applause] Thank You Very Much, Appreciate It .

Keep Up The Hard Work .

Thank You, Mr .

President, Nice To See You .

Great Work On The Resolution .

No Thank You .

Thank You .

Thank You Very Much .

The Next Resolution I Have The Extreme Honor And Privilege Of Meeting And Presenting Is A Resolution Of Acknowledgment For A Young Lady That's Spent A Lot Of Years With Lee County Who Has Come To Be Probably One Of The Most Expert People That We've Got In The Department Of Transportation .

Our Lee County Guarantee And We Rely On Heavily For Advice And Council, And She's A Great Person .

And Dearly Beloved By Her Colleagues At Work As Well As By The People That She Works With .

Her Supervisors And Needless To Say, So Amy Davis If You Want To Come Down To The Podium, I Have A Resolution .

[Applause] Will Amy Davis Have Dedicated More Than 27 Years Of Service To Lee County And To The Citizens Of Southwest Florida, And Miss Davis Will Be Leaving The County To Join The International Transportation And Consulting Firm Of Wilber Smith And Whereby Amy's Career With The County Began In 1980 .

Began As Public Works Operation Manager And In Addition To Preparing The Annual Budgets For Plans And Construction, Public Works Administration, The Department Of Transportation Capitol Improvement Program And Obtaining Many Federal And State Transportation Grants, Was Instrumental In The Success Of Many Large Scale Public Works Projects Including The Captiva, During The Reconstruction In 1987 .

Getting The New Toll System Set Up And Running In 1995 .

Participating In The Management Of Midpoint Bridge Construction .

Also In 1995, Get The Variable Program Operational In 1998 .

Term Particularly Taking Over As Fiscal Manage Responsibilities During A Major Utility Decision Until A Permanent Director Was Hired And Finally, Working Tirelessly To Arrange Financing For Emergency Repairs, And Event Wall Replacement On The Cozway And Amy Is An Excellent Example Of The Successes At A Can Be Achieved With Hard Work And Dedication To Your Career And To Your Fellow Employees .

Therefore, We Hereby Convey Our Appreciation To Amy Davis For Her Service And Outstanding Contributions To Lee County And Thank Amy For Hard Work And Commitment To Our Community .

Duly Executed This 2nd Day Of October .

It's A Great Pleasure For Me To Present This Award .

[Applause] Godspeed .

Amy .

Thank You .

Thanks Amy .

Do You Want To Say A Few Words? Actually I Where A Little Speech .

Surprise, Surprise, Right?I Guess For The Last Time Amy Davies Lee County Dmp .

I Would Like To Thank My Family And Coworkers For Coming Today .

Just To Go Over A Little Historical Background I Started My Career With Lee County On May 29, 1980 Working For The Department Of Transportation, Airports Division At The Airport As A Receptionist .

Within A Few Months I Was Promoted To The Finance Section Of The Airport, And Three Years Later I Came Downtown To The Administrative Offices When The Airport Became A Department Separate From Transportation, And The Regional Airport Was Opening .

Ben Pratt Was The Director .

Bill Hammond Was The Director Of Community Services And Jim Was Working As A Supervisor For Bill .

A Little Overwhelming .

Lavon Was The County Administrator .

Sal Was The Clerk Of Court And Frank Was The Sheriff .

The Commissioners Were Doug Taylor, Roberts, And Harry Rona .

I Have Worked On Several Hundred Projects Totaling Millions Of Dollars And Have Enjoyed Every Minute .

I Have Been Challenged .

I Have Learned A Great Deal And Have Been Mentored By The Best .

I've Been Told By Many That Lee County Employees Are The Best They Have Worked With .

This Is Due To The County Manager And His Staff Bill, Holly, Pete And Jim .

Don Has Brought Stability And Mentored Me And Others Throughout The County .

He's Allowed His Directors Managers And Supervisors The Flexibility To Do The Best Job For Lee County .

I Was Here During The Time Lee County Went Through County Managers Every 18 Months .

I Would Also Like To Mention David Owen And His Staff .

David Is A Great Leader And Will Guide Lee County Expertly .

He Has Been A Great Mentor To Me .

Allowed Me To Vent When Things Got Hectic And Has Been A Friend During The Tough Times .

I Have Enjoyed Working For The Lee County Commissioners Both Past And Present .

Commissioner We've Worked Together On The Authority And You Recommend The Board Very Well .

Your Representation Of The Female Gender Is Exemplary .

My Special Thanks To Commissioner Janes .

We've Worked Closely On A Project The Cozway .

The Most Difficult Project I've Ever Worked On But As You're Aware It's Now A Nationally Recognized Project .

It Took Real Courage To Stand By The Staff On This Project .

As Chairman Of The Board, With Your Continued Leadership In This County, You Will Help Ease Some Of The Challenges That Lee County Will Face In The Future .

Commissioner Judah, You Are Very Important To Me .

You've Always Been Supportive Of Me And All County Employees .

You're Passionate About Your Role As Commissioner And You Are A Superb Community Leader .

The Directors Managers And Employees In The Department Of Transportation Are Some Of The Best In The Country .

This Will Be A Smooth Transition For Scott Because It Is My Belief That You Work With Your Employees Side By Side And Mentor Them .

Will Ensure My Responsibilities Will Be Handled Very Efficiently .

You Should Be Proud That I've Been Given The Opportunity To Work For Wilbur Smith, The Number One Firm In The Country For Engineering, Planning And Commission .

My Success Is A Direct Result Of My Experience With Lee County .

I Will Miss The Working With Everyone Very Much, Especially My Soul Sisters, Nan, Holly, Karen, Eden Karr Carrie And Ann .

It Has Been My Pleasure And Honor To Work For And Represent Lee County .

Thank You Very Much For This Resolution .

Bill, I'm Ready For Limo .

[Applause] Amy Is Truly Going To Be Missed And I Want Her To Know She Will Always Have A Place Back Here In Lee County Any Time She Wants To Come Back Home, As Far As I'm Concerned .

Okay .

We've Already Done That In A Way That's Deferring The Reading Of A Ceremonial Presentation To The October 23rd Meeting And That's Already Bun Done .

The Other We Have Three Walk-Ons Which We Will Consider At The Appropriate Time In The Agenda .

Public Comment On The Consent And Administrative Agenda .

This Is The Period Where We Permit People To Comment On Any Item That Is On The Consent Or The Administrative Agenda .

As I Indicated Early, Do Not Take Comment On Items Not On The Agenda But Those Items That Are On The Agenda .

So Far I Have Only One Blue Card And On Jerry Murphy First But Then I'll Ask If Anyone Else Would Like To Speak On The Agenda Item .

Jerry?Welcome .

Good Morning, Jerry Murphy On Behalf Of The Town Of Fort Meyers Beach .

I'm Speaking On The Administrative Agenda Item 3-A Which Is The Local Agreement Between The County And The Town .

I'm Asking You To Approve This Agreement But I'm Asking You If You Would Consider Reducing The Costs By 50% To Basically Encourage The Town To Move Forward With Its Transition And Allow Us To Have The Ability To Have Those Funds To Hire Employees To Accomplish That Transition .

In The Past Building Permitting Has Not Been A Charge To The Town .

We Have In The Last Year Transitioned In Code Enforcement And Zoning Responsibilities Which Were The Majority Of The Costs And In The Past .

Currently, It Is Over \$300,000 And That's Based On Subsidies Permitting Fees .

And We Think That It Would Be Reasonable For The County To Reduce That By A Factor Of 50% .

So That You Would Encourage Us To Complete Our Transition .

And I'm Happy To Answer Any Questions If You Have Any .

Thank You Very Much, I Appreciate It Very Much .

Jerry, Will You Be Sticking Around?So We Can Ask Questions Then, Perhaps?Yes .

As Opposed To Asking Them Now .

You're Absolutely Right .

We Give The Public A Chance To Comment .

Anyone Else That Would Like To Speak On A Matter On The Administrative Agenda .

Okay, I Don't See Anybody At This Point .

And There's No Hands Waving So We're Going To Proceed Then On With The Consent Agenda .

First Of The Items To Be Pulled For Discussion By The Board Commissioner Hall .

11-A .

Commissioner Mann .

None, Mr .

Chairman .

None?Mr .

Judah .

None Mr .

Chairman .

Commissioner Big Low .

None .

Okay .

Then We'll Ask For A Motion To Approve .

Move By Commissioner Hall, Discussion?All Those In Favor Say Aye .

Aye .

It's Approved .

Commissioner Hall .

This An Station A Grab To Pull Three Full-Time Employees .

What Happens When The Grant Runs Out .

Is This A Recurring Grant?Division Of Public Safety, This Is A Recurring Grant From The Insurance Surcharge On A Commercial Property Insurance .

If The Grant Does Go Away The Petitions Go Away .

So You Would Reduce Your Employees If The Grant Stopped .

That's Correct .

You Would Come Back And Southeast Us .

I Would Hate Services Go Here And All Of A Sudden We Would Have To Drop It .

I Recognize The Challenge We Have In Hoping That We Get A Recurring Grant .

But You're Saying We Don't Need Them Later, Why Do We Need Them Now?We Need Them And We've Chosen To Fund These Particular Positions With This Grant .

This Grant Has Been Ongoing Since 1993 .

So, Frankly The Commissioner, The Chances Of It Being Nonrecurring Are Very, Very Small Unless There Is You Know A Tremendous Upheaval In The State Legislature In This Particular Grant Funding Goes Away .

It's Coming On Now, Yeah .

I Want To Clarify We're Bringing On Three Employees, And Of Course If The Grant Went Away I Would Like For There To Be Discussion With Don On Whether You Retain Them Or Don't .

Because Certainly We Want To Keep A Core Level Of Service And I Understand This Is A Nice Way To Get Them In The Door, But, Okay, Thank You .

I Will Move The Item .

A Motion By Commissioner Hall On The Consent Agenda Second By Commissioner Mann .

All Those In Favor Signify By Saying Aye .

Aye .

That Completes The Consent Agenda .

We Move To Item 3-A On The Administrative Agenda .

And Here's Mary Gibbs .

Good Morning .

Good Morning, Mary Gibbs For The Record .

For The Upcoming Year And I Thought We Had Reached Agreement On All The Terms Until

Just A Few Minutes Ago .

So, I'm Happy To Answer Any Questions .

Like I Said There's A Transition At Our Local, We Were Trying To Phase Out The Services Over This Next Year .

Mr .

Chairman?Yes, Commissioner Hall .

I Know We're Doing Services For A Few Of The Other Cities And I Know The Board Gave You Direction To Say Weapon To Be Market Rate .

The City There's A Transition And Then There's Ongoing Services .

And Once We're Beyond A Transition Of A Corporation We're A Force For These Services An We Need To Be Competitive In The Regular Market .

So I Guess I'm Looking At These And Ask You How Do They Compare To The Rates That You're Charging The Other Cities .

It's Comparable To What We're Doing With Bonita .

We're Charging The Full Cost As We Have Been For The Next Couple Years .

And So We Eyes The Same Methodology .

Those Are The Only Two That We're Doing .

Mr .

Chairman, If I May, Ann Came In And Spoke With Me This Morning And Said There Was Concern That Because Their Level Of Permitting Has Gone Down They May Be Overpaying .

Do You Have A Methodology That's Having Them Pay For The Services That They're Getting?What Jerry Was Talking About In The Past Because There Was A High Volume Of Permitting, Our Costs Were Covering, The Cost Of Permits Were Covering The Cost To Review .

But Now The That The Volume Is Down, We're Not Getting The Revenue .

Purely We're Not Getting The Revenue So We Have To Charge The Full Cost, Which Means It's Going To Cost Them More Because We're Not Raking In The Revenues That We Were A Couple Years Ago When Things Were Just, You Know At An All-Time High .

The So The Methodology I Use Covers To Make Sure That We Don't Have To Provide Service At A Loss For Us .

Thank You Mr .

Chairman .

Thank You .

Mayor I Thought That The Development Permit Fees Was A Self--Sustained System .

For The Building Permits That Helped To Pay For The Services And Processing Of Those Permits And I Guess What I'm Hearing From You Is When We Had The Volume, It Appeared That Was The Case .

That Now They Were Not Experiencing The Volume That Development Review Related Freeze Not Covering Cost .

They're Not No, They Haven't Been Covering The Cost For The Past Year .

But Prior To That They Were Covering The Cost .

So We Were At Full Cost Recovery .

It Is A User Fee Base .

Doesn't Sound If We're Not Covering The Cost .

Well, We Have A Surplus Fund That We Put Any Excess Building Permit Fees In A Surplus Fund .

So If We're Not Running At A Surplus We Do Take Money From That Account .

So It's Not Like The Taxpayersfinding That .

It Is Still User Fee Based .

But When The Volume Is Way Down .

You May Run A Deficit When It's Up .

Then We Keep That Excess Money In A Separate Sub Fund And We Draw Down On That Which Is What We've Been Doing For The Past Few Months .

So You Had Cash Reserves At The Surplus From Previous Years To Address A Situation Like Today Where We Have A Slowdown In The Economy .

.

Right .

With Fort Meyers Beach Representatives Are Saying That We Keep Those Building Permit

Fees To Help Pay For The Processing Of The Permit Application .

Permit Requests .

It Appears That We Designate A Flat Fee For The Year That May Not Have Any Direct Rational With The Number Of Permitting Amount Of Permitting Activity That's Going On .

Based On Percentage The Methodology I Use Is Percentage Of Total Permits .

For Example Bonita Runs 12% Of Our Total .

And That's What We Charge Proportion Natalie 12% Of Our Cost .

Fort Meyers Beach I Think Was Just A Couple Percent .

So That's How We Do The Methodology .

And Based On The Decline In Number Of Permits Applications And The Decline In The Activity Is It Possible That Percentage .

No Because I Run The Percentage Based On Our Current Percent .

It's Proportionate .

So, You Know, If It Declines It's Still Remains Like The Basic Percentage Of Our Total .

Our Permit Volume Might Be Down .

But They've Declined A Little Bit But It's Based On A Current Percentage .

.

I Guess What I'm Concerned With, I Understand We're Trying To Accomplish Here And Believe Me I'm Not Arguing Or Criticizing What You're Trying To Accomplish In Our Behalf .

I'm Wondering Although They Have An Expired In A Local Agreement Now So They Need To Take Action One Way Or The Other .

I Didn't Know If We Were Perhaps Better Served To Extend The Existing With The Time Frame That We Would Ask Of You To Work With The Beach And Re-Look Another These Numbers That Are Being Proposed .

I Guess What You're Saying It's Based On A Ratio Percentage .

Right, And I'm A Little Confused Because My Understanding Was That The Beach Did Town Council Did Approve This Agreement A Couple Weeks Ago .

Jerry Caught Me A Little Bit Off Guard This Morning When He Said We Want Half The Price Because We've Been Negotiating This Basically Since June .

And I've Been Working On It Pretty Steadily To Try To Come Up With A Number That I Thought Everybody Was In Agreement With .

Like I Said It Just Catches Me Off Guard And Try To Renegotiate A 50% Reduction .

I Can Tell You Now We're Not Going To Come To An Agreement At A 50% Reduction .

I Appreciate That .

Would There Be A Reduction In The Flat Fee That's Being Proposed Here If The Activity Overall Declines Because Of Other Percentage Is Going The Remain In Relationship To The Rest Of The County, I Guess, Well It Will Not Necessarily Remain The Same If They Experiencing A Greater Decline Than Other Parts On The Other Municipalities .

I Just Don't See That Happening .

What I'm Seeing Is A Proportionatedecline For Everybody .

So I Don't See That Something Is Disproportionate To Fort Meyer's Beach That Wouldn't Be The Same In Bonita .

You're Saying The Council Has Already Supported And Agreed To This Interlocal .

It Was Approved, I Think Two Or Three Weeks Ago .

I Just Got A Letter From The Mayor The Other Day Asking If We Would Take A Look At This Matter Again .

So They May Have Changed Their Mind Or Something But I Was Going To Suggest That Perhaps We Could Have Our Staff Commissioner Look At This Again And Verify That's The Status That They've Already Approved It .

You Can Ask Jerry If They Took Some Other Action .

I Don't Know .

You Can Ask Them .

Jerry .

Any Of You Want To Come Up .

Jerry Richard For The Record .

Thank You Commissioners .

Doesn't Have Any Problem With The Methodology That The County Has Used But I Appreciate Your Questions In That Regard .

Basically When The Council Adopted The Interlocal On Our End, They Asked Me To Address The Commissioners And Asked For A Reduction Of The Overall Fee By 50% .

It's A Hat In Hand Gesture .

They Were Kind Of Taken Aback By The Number .

We Recognize That We've Been In A Situation Where The County Has Been The Sole Provider Of These Service .

And We Don't Have An Alternative Provider And It Would Be Something You Know Of A Time -- It Would Take Some Time To Accomplish Getting An Alternate Provider .

So In Terms Of The Negotiations In The Room, The County Is The Larger Party In The Room To Those Negotiations .

So, All I'm Asking For As A Policy Matter That The Board Would Reduce That Fee By 50% As An Incentive To The Town To Hire Some Folks And Accomplish This Transition Sooner Rather Than Later .

Mr .

Chairman?Yes Commissioner Hall .

What You're Saying You Would Want A Reprieve For One Year Where We Just Count The Service For You With The I Guess The Threat That If You Don't Get Off Of Our Services, These Are Going To Be The Realistic Prices Around .

I Guess My Concernis When Marion Junestarted These Negotiations With You And Now We're Here In October .

At What Point Did Younot See -- I Mean Did You Just Get These Last Month?Mary Has Been Telling Us She's Been Meeting With You Since June .

Yes, Ma'am, That's Correct .

But When We Presented This To Our Board, They Asked Me To Ask You If You Would Reduce It By 50% .

And I Want To Point Out In The Previous Interlocal, If You Look At Permit Applications Views An Reviews Basically For Building Permitting, The Cost Column Was No Cost To Town .

Permit Fees To Be Collected By County From Applicants And Will Be For Services Here

Under .

And Now That Provision Has Gone This Year To \$3 -- \$321,164 .

It's A Dramatic Increase, And The Understanding As I Understand It Has Always Been That Permitting Building Permitting Fees Were Basically Revenue Neutral .

The Fees That The County Checked On Behalf Of Permitting Covered The Cost To Provide Those Services .

Now I Understand That The Market Has Gone Down .

Everybody Understands That .

But, The Policy That Building Permitting Is To Be Revenue Neutral, Is A Policy .

Or Shouldn't Have Too Much To Do With The Market .

And The \$321,000 Increase In Our Interlocal Is Extreme .

It's More Expensive Than The Interlocal Has Been In The Past When The County Did All Of The Services For Us Now .

So .

Mr .

Chairman Could I Have Mary Respond To That, Because My Concern Right Now As We Look At New Corporations And This Whole Idea Of Like Government, For Three Years We've Been Trying To Explain There Is No Such Thing As Like Government .

These Employees Have Been, We're Paying Their Benefits, Retirement And Yes, We Keep That Department Revenue Neutral .

And We Have An Oversight .

But When Things Go Down, As Mary Said, She's Grabbing From A Surplus .

We Gear Up For The Other Cities .

They Don Have The Employee Benefits, So Our Direction To Mary Is We Have To Start Being Realistic For The Cities To Understand What This Is Truly Costing Them .

Because It Is Costing The Tax Payers .

If We're Paying It Not Out Of Guys It's Costing The Taxpayers .

It's A Direct Hit To Our General Fund .

So I'm Not Trying To Not Be Sympathetic To Your Challenge, But I'm Also Looking Very, Very Tightly At A Very Tight Budget, And I Think You Know Commissioner Mann, You've Been Very Clear, If We're Not Going To Be Revenue Neutral We Need To Do Layoffs .

We're Trying To Be Partners, But They Have To Have A Realistic Idea Of What It Costs .

Well The Cost Has Gone Up Because We're Recouping The Full Cost Of Service .

And Like I Said, The Volume Is Down So The Revenues Aren't Coming In As We Expected .

So We're Charging The Full Cost .

It's A Lot More Money .

It Was The Same Thing For Bonita This Year .

We Need To Do A Transition Interlocal So You Canphase Out Over This An Extra Year And Then We Do On The Month To Month Basis .

So If That's The Incentive .

The Incentive Is Okay, It's Costing You Some Money To Have Services From Us, But Here's The Incentive .

You Need To Transition Out A Little Bit Faster Than You Were Expecting And Then You Don't Have To Do The Full Year .

And That's What Bonita Said When They Came Here .

It Was Like Yes, It's A Lot Of Money .

And We're Doing It On A Month To Month Basis .

So Maybe By January We'll Have Someone Onboard And We Can Stop .

So You Won't Have To Pay Her For The Whole Year .

Same Thing For The Beach .

If They Need To Phase In Either Outsourcing It Or Hiring Their Own Staff .

Then Just Do That A Little Bit Faster .

And Then Stop Being Our Local In January Or March And Then You're Not Paying That Full Year's Cost .

If You Don't Want To Pay That Full Cost Then Just Transition Out Quicker .

Yes, Don?I Don't Want Anyone Thinking This Is Miss Gibb's Effort To Do Something

Unilaterally .

We Had Her Under A Lot Of Pressure Over The Last Several Years To Make Sure That When We Provide A Service For Someone, That We Capture The Full Cost .

Not Just Part Of The Cost And She's Doing What We Asked Her To Do .

And In Fairness, We All Care What Happens To The Town Of Fort Meyers Beach .

But If We Do Something Like We're Talking About Here Today, We're Asking Other Citizens Outside The Town Of Fort Meyers Beach To Take Up The Short Ball That Fort Meyers Beach Doesn't Want To Handle .

And That's In A Nutshell That's What We Have .

Are We Going To Subsidize The Town Of Fort Meyers Beach?Is Part Of The Cost Of Being A Town?And It's Something That The Rest Of The Taxpayers In Lee County Should Not Appropriately, In Our Opinion, Be Picking Up .

As Far As The Transition Period, We've Been Transitioning, How Long Has The Town Been A Town Now?At Least 10 Years .

Yeah, About 10 Years, Close To It .

We've Been Transitioning Every Year .

We Start Out Very Generally -- Generously, Frankly .

And We See What The Two Costs Is .

And That's Why We're Here The Today .

The If We Give Up Here We Have To Take Away Someplace Else .

Someone Else Will Have To Suffer .

And Then Bonita Springs Will Come To Us Tomorrow, And They're Going To Say Hey, You Contract With Us, Why Don't You Give Us A Deal Like You Did The Town?That's True .

Don, I Agree With You .

That Wasn't The Intent When I Started Asking The Questions .

Mary Has Done An Admiral Job .

You're Absolutely Right .

What I Wanted To Clarify And Appreciate The Clarification Not Only From Mary But Jerry, There's No Dispute To Make Sure That Everybody Is Saying Their Proportion Nat Fair Share

We're Going To Hear From Bonita And We'll Hear From The Potential Efforts Of Lee High Acres And On This Government With Don .

There Is No Government Light And We've Really Got To Make Sure We Treat Everybody Fairly .

I Would Move In Local Agreement .

I'll Second .

There's A Motion That The Item 3-A Be Approved By Mr .

Judah, Second By Commissioner Hall .

And I Do Appreciate The Fact What Jerry Was Suggesting That The Town Of Fort Meyers Beach Is Stepping Up .

And I Think What They're Looking To Do Is Transition Within Six Months, Not A Year .

Certainly Incentive To Make Sure They Work .

I Appreciate The Monumentaleffort They Have Ahead Of Them .

Okay .

Any Further Discussion .

Yes .

Commissioner Mann .

I Want To Say I Had The Same Concerns Expressed By Commissioner Judah This Morning .

It's My Understanding It's A Revenue-Neutral Program .

I Remember Stepping Forth Saying They Don't Mind Increasing Their Fees For A Permit Application If It Would Allow Us To Hire More People To Be Able To Process More Quickly And Smoothly .

And All Made Sense .

What We're Seeing Here, And I'm Somewhat Sympathetic, But This Is Too Quickly Thrown On Me To Make Some Decision This Morning .

If A Permit Applications Have Plummeted, And They Have And Many You And I Have Discussed This, And I've Been Worried About Okay, And We've Had Vacant Positions We Didn't Fill This Year, But If I Was At The Beach And We Had X Millimeter Of Applications

Last Year, And We Have Half Of That This Year Or Less In Some Cases, It's Hard To Understand Why The Total Amount Of The Pro Rata Share Would Go Up When The Permit Applications Have Plummeted Throughout .

I Mean We've Been Seeing The Numbers In The Paper From A Thousand A Month To \$45 A Month .

Just Crazy Figures .

I Hope We Can Continue Some Dialogue Beyond What We're Doing Here This Morning .

This Is Just Too Fast For Me To Try To Absorb The Total Picture Versus The Number Of Applications For Permits That Have Come From The Whole County As Opposed To The Beach .

I Can't Get My Hands Around It Here This Morning, But I Think Continued Dialogue Is Called For Here And See If We Can Get Something Closer That People Can Be Comfortable With .

Meantime I'm Going To Support The Motion But I'm Hoping This Is Not The End Of Our Dialogue .

Okay, Any Other Comments .

Yes .

I'm Particularly Sensitive To The Appeal That's Being Made Today And That Is How They Want To Ween Off Of Us, And Develop Their Own Their Own Staff And They Need Time To Do That .

And They Need Money To Do That .

And So I Was Thinking As This Discuss Was Taking Place, \$1 .

65 Million In A Year .

And That's A Big Hit For Such A Small Tax Base .

It Seems To Me That What We Could Do Is Eat A Little Bit Of This For Their Sake So They Can Get Off Of Our Backs So To Say Sooner Than Later If We Were To Set Up Some Kind Of Rising Per Month Cost So That Let's Say There's A Balloon Payment In A Year Where All \$1 .

65 Million Is Due .

But Smaller Bites Of The Apple So There's An Incentive For Them To Take That Savings And Use It To .

If I Could Just Interrupt But \$413,000 .

Per Quarter?No .

I'm Sorry .

That's For The Year .

My Fault .

Screwing With Me With Your Math .

I Apologize .

I Didn't Read It Correctly .

I Will Like To Up It To \$1 Million If You Want .

Right .

Right .

The Point Still Being In A Year That's A Big Chunk Of Change .

I Would Think If We Could Help Them One Day And Do Incremental Costs That Escalated In A Year We Might Think About That .

But It Looks Like This Is Going To Pass Although Every Interlocal Agreement Is Amendable In Future Days So We Can Readdress It Later If It Should Be The Will Of The Sport .

Any Furtherdiscussion?All Those In Favorof The Motion Will Signify By Saying Aye .

Aye .

The Motion Is Adopted And We'll Proceed On With The Next Item On The Agenda Which Is Item Administrative Item 15-A .

Move The Item .

Seconded By Commissioner Judah, Discussion?All Those In Favor Will Signify By Saying Aye .

Aye .

The Ayes Have It .

That Concludes The Administrative Agenda .

I Don't See Any Public Hearings So I Think We Have None Today .

And We'll Move On With Carryovers .

I Have Three Walk-Ons .

First Item Walk-On Number One .

Move The Item .

Second .

A Motion By Commissioner Judah And Second By Commissioner Hall .

All Those In Favor Signify By Saying Aye .

Aye .

The Motion Carries .

Walk-On Number Two .

Good Morning .

Good Morning .

I'll Move The Item For Discussion .

There's A Motion By Commissioner Hall To Approve .

Second .

Well That's Simply Wonderful .

Commissioner Mann Seconds The Motion For Discussion .

Good Morning Commissioner Roland Natural Resources For The Record .

What We Are Asking Today Is Get Direction For You All For Staff To Pursue A Cooperative Agreement With The South Florida Water Management District To Pursue Properties For The Water Treatment In The Basin .

They've Been Looking At Several Properties Within The Water Shed Between Here And Lake Okeechobee An They're Narrowing Down To A Few Select Sites .

As You Know We Have A Commitment In The National -- Northern Everglades Of The 555, 5 Million From Lee County, 5 Million From The State And 5 Million From The Cast District And What They're Asking For Us Is To Commit Our First Two Years To This Effort Of A Total Of \$10 Million Of A Land Decision .

They In Turn Are Going To Budget About \$135 Million For Actually Construction On The

Storm Water Dream Area For This Project .

So Again, We Will Have A Couple Chances To Take A Look At This .

The Governing Board Will Meet Next Thursday Once We Get Approval From Them Then We Will Come Back To You With This Resolution For The Details An Of Course We Will Involve Our County Land Staff As Well .

And If You Have Any Questions .

I Think This Is An Exciting Proposal And I'm Particularly Excited About The Word "Treatment" That's Been In There .

To Me That's A Very Important Component We Need To Worry More About In Our Area And That's Treatment .

So I'm Supportive Of It .

Mr .

Chairman .

Yes, Mr .

Mayor .

On The Surface Everything Sounds Exactly As You're Saying And I Have No Reason To Question That And I Think The Storm Water Treatment Is Critically Important And I've Heard Commissioner Judah Speak About The Plant Many, Many Times .

And I Share His Concern And I Think We All Do .

What Concerns Me A Little Bit Here I Just Want To Be On Report As Saying It And I Need To Know More As This Project Moving Ahead Is The Speed At Which This Has Come To Us .

And We Have A Single Parcel Available To Us .

We Haven't Been Able To Shop A Market And A Market When Real Estate Values Have Really Collapsed .

So, I Think Old Commissioner Big Low Continues To Worry About Appraisals And Whether They're Hot And Fresh Or Whether We Should Be Re-Appraising I Hope Before This Is Finalized By, Submit Our Portion, I Want Some Comfort That The District Has Done Everything Possible To Make Certain This Is A Good Buy .

Not Just That It's The Only One Available And Let's Jump On It .

That Always Frightens Me .

So We'll Have Another Bite At This Apple Before It Comes Back For Final Commitment Of Our \$5 Million Or \$5 Million This Year And \$5 Next But That's The Kind Of Thing We Need To Know More From You An The Water District Before We Give It That Final Stamp Of Approval .

Thank You .

Yes Commissioner Drew .

Let Me Thank Commissioner Hall Who Spent Time With The South Florida Water District To Support The Northern Everglades Protection Legislation .

And That Is The Vehicle Within Which We're Relying On With This Partnership With The State Funding And The South Florida And Lee County's Funding To Provide A Critical Component To This C-43 Reservoir And That's The Storm Water Treatment Component .

We Appreciate The Good Work You Incurred And Wayne Has Put Into This Effort And Certainly In Partnership With The District .

It's A Good First Start .

On A Mammoth Problem .

The Story Itself Only Accommodate 140,000 Acre, Which Is Maybe Four Or Five Inches Off The Lake .

We Need Two And A Half Foot Of Storage .

But At Least For The First Time We're Now Going The Right Direction To Provide Water Quality Component To This Reservoir .

We All Know About The 6500 Acre On The East Coast .

But Nonetheless I Think We Need To Try To Stay Positive That We're Going In The Right Direction Here And I'm Very, Very Appreciative Of That And Look Forward To This Issue Coming Back So We Can Actually Have The Ability To Store And Treat Water Coming Down To The West Coast .

Any Further Comments .

The 5-5-5 Agreement District, State And Lee County .

That's Effectively Due When?When Is Our \$5 Million Due?For This Year .

I Think They're Still Sorting Out The Language In The Legislation To Determine Specifically .

My Understanding Because This Upcoming Fiscal Year Which You Know We're Now In .

So, And You Know The Governor Made A Commitment .

He Allocated I Think Another \$100 Million Towards Northern Everglades Restoration .

So They're Ready To Move Forward And Doing Good Things With That Legislation .

And The Money That's Been Put Out .

So I Think The Time Is Right .

That There Are Some Properties That Are Available .

Okay, So, \$5 Million Is Pretty Much Due Now .

If I Understand What You're Saying, Fiscal Period .

And Then We're Advancing \$5 Million To Get To The \$10 Million .

It's Not Clear, Yeah, If They Need The Money Cash Up Front .

I Think They Just Want To Make Sure That We're Committed To \$10 Million Towards The Decision From A Large Track Of Land .

, So I Think As Far As Having The Money As A Reimbursement Type Of Scenario We Have To Sort Out Those Details Yet And We'll Bring That Back To You .

Okay, Still To Be Decided How We're Going To Parlay That \$10 Million .

Okay .

Because I Would Like Us To Consider Loaning It To The District Since We're They're Asking For \$5 Million Advance .

And That They Would Then Pay Us Interest Until You Know For That Year .

Because It Is In Advance .

It's A Loan .

I Think We've Already Agreed This Have We Not Earlier? Board Action That We Took Approving The \$10 Million Over A Three Of Year Period .

I Think \$5 Offer That .

\$5 Million Dollars So We Have The \$5 Million In Our Budget This Year .

For A Specific Project .

No, It Was Not .

And That's \$5 This Year But I'm Talking About The \$5 That They Want Accelerated .

They Haven't Asked Us To Accelerate It .

They Asked Us Over A Two-Year Period Would We Commit To \$5 Million .

I Think If You Willlike To Come Book And Find Out From The District Do They Want Us To Advance Or Do We Need To .

And When It Come Backs To Us They Will Make Clear What It Is They Would Like Us To Do .

They May Not Need This Money Until September .

They May Need It In January .

So I Think I Think Staff Is Asking Us For Direction And I Think Your Comments Are Justified .

If They Are Going To Ask For The Full \$10 Million Then We Can Look At That In Our Budget And Say Do We Want To Advance Under A Loan Scenario .

But I Think What Staff Is Asking Us Is Give Us The Latitude To Give Us The Details To Come Back To Us And Make A Decision On .

Yeah, The Last Senate In The Background Is Any Forthcoming Cooperative Resolution Will Include Proposed Funding Partnership With An Anticipated Distribution Of \$10 Million From Lee County .

As I Understand It We're On The Hook For \$5 Million This Fiscal Year And So, Doing To The Math .

And I've Checked My Calculator Trying To Be Sure .

Checked My Math Here For You That They're Looking For \$5 Million Up Front In Advance Of Next Fiscal Year .

So, If We're Going To Advance That Money .

I'm Making The .

I Would Like The District To Know That We Expect Them To Pay To Borrow Our Money .

That's Not Part Of The Motion, I Appreciate This Suggestion .

We're Talking .

We're Talk Under Discussion .

Ago, Any Further Comments? No Further Comments Then All Nose In Favor Signify By Saying Aye .

Aye .

So Order .

Thank You .

Walk-On Item Number Three .

And We've Already Accomplished That We've Given Them Amy Davis Her Memorial .

Thank You And Now We're Going To Move On To Commissioner Items .

Commissioner Hall .

I Have A Couple .

First Of All Last Week's Board Meeting I Was Contact By Council And By Mayor Regarding The Surfside Issue And The Board Supported Us Moving Forward With A November Meeting, And We Were Going To Invite Representatives From Cape Coral To Give An Overview And Address The Surfside Issue For Something To Come Back To A Blue Sheet To The Sport .

And I Wanted To Fine Out And I Think We Need To Maybe Formalize What We're Going To Do, If We Want To Advance That Sooner Versus Later So There's Clearer Communication With The City Of Cape Coral .

I Would Hate For I Know The Meyer Asked If This Could Be A Wake-On Next Week .

But I Think There Needs To Be A Bigger Picture And How Does It Relate The To Surfhighway .

Because Right Now We Have Identified And If We're Going To Make Some Changes I Think Our D .

O .

T .

Staff Would Like The Opportunity Many A Less Constrained Time Frame To Give Us That Philosophy .

I Guess I'm Looking For Direction From The Board And The Chairman Didn't Want To Advance This Prior To November .

And I Think Staff Is Asking The Same Question .

Because Right Now We Scheduled It For November Based On The Board's Decision Last Week .

Well November, Was It Not .

Correct .

Anybody?And Then I Would Ask The Chairman To Formalize A Letter To The City So They Know What Our Schedule Is, And That Way We Won't Have To Take Up Their Time Unnecessarily .

We'll Work On Staff With That .

Can We Discuss That A Little Bit?Will Then The City Be Allowed To Address Us?I Mean .

I Leave That To 2 Chairman And Takes To Mayor And Finds Out What He Wants To Do .

It's Really The Chairman's Prerogative .

Since I've Been Here We've Heard From Senator Nelson At A Board Meeting .

We've Heard From Senator Arenberg, And I Believe representative Nick Thompson has Appeared before Us All Given The Progress To Address Us .

We Have Two Council Members Who Appeared Today Asking Nicely Politely To Speak, And We Sent Them Packing .

This Is My Commissioner Item And I Would Like To Stay Specific To The Item I'm Bringing Up .

If You Would Like To Bring Up .

I Think It Relates Very Nicely .

They Were Here To Talk About The Surfside .

Which On Our Agenda That We Could Communicate When They Have Them In .

And If The Chairman Would Like To Have A Presentation But I Think Our D .

O .

T .

Staff Needs To Be Engaged In This .

It's Not Just -- You're Going To Take A Path And Not The Full Issue .

I Support The Chairman's Resolve .

I Think The Point Is Totally Jermaine, That They Were Here This Morning To Speak .

I Asked Will They Be Able To Speak At The Meeting Because It's Been Told To Me That We Don't Hear From Outside Interests Other Than Our Staff .

So, I'm Trying To Find Out What Can I Expect At This Meeting?I Will Like Them The Prerogative To Appear .

We Have Relationship Issues With The Cities In This County .

And I Think We Need To Try To Figure Out How We Can Be More Accommodating And Be More Open For Them For Their Interests .

And I Would Just Suggest That At That M .

P .

I Would Like To Be Sure That They Know That They Will Be Heard .

I'm Not Sure That I Understand Where You're Coming From .

Okay, This Morning Two City Of Cape Coral Council Members Appeared .

Okay .

And Asked To Speak .

On An Item Not On The Agenda .

Okay, Thank You .

We Heard From Senator Nelson And There Were No Items On The Agenda .

We Heard From Senator Arenburg And There Were No Items On That Agenda .

We Heard From Representative Nick Thompson .

Okay .

I'm Asking To Consider How This Might .

We May Be Asked To Do That Again Commissioner, And What We Will Do, The Majority Want To Do That .

Of The Equation .

How Might It Feel If You Were A Council Member And You Asked To Appeal To The Commissioners? On An Item .

Not On The Agenda .

Well Commissioner I Would Have Called And Found Out As A Subject Matter One In Which Is Going To Be Discussed By The Board, Which They Did Not .

Would It Be Pass To Believe Speak On It, And It Was Not .

I Don't Have A Lot Of Sympathy For Where You're Trying To Go .

How Much Time Are They Given .

You Mean Individually .

Yes, When A Member Of The Public Comes For An Item On The Agenda .

Three Minutes .

We Could Have Given Six Minutes To The City Of Cape Coral Representatives Here Today .

You're Just Grandstanding On This Issue And I Refuse To Go Along With That Debate .

Mr .

Chairman Just To Wrap Up And I'll Go To My Next Item, You Will Coordinate With The City Of Cape Coral And You Will Prepare A Presentation We Usuallyget Our M .

P .

Booked .

And I Appreciate That Commissioner And I Would Like The Opportunity For The Staff To Make A Presentation From Us So This Doesn't Turn Into A Big Show .

A Productive Meeting Where We Can Look At The Fact .

You Think I'm Looking For A Show .

Yes, I Think You're Looking For A Show .

You Want To Bring Them In A Talk When Ever They Want To Talk .

That's A Show .

I'm Not Going To Pursue Its Anymore .

I'm Going To Move On To Another Subject .

Thank You Mr .

Chairman My Second Item Is Yesterday Afternoon Late Afternoon I Received A Call From Colonel Grosscough Asking If He Could Have An Opportunity Before We Pass Our Resolution To Make A Presentation To Our Board On The Language Of This Bill Way And I Asked Him To Contact Commissioner Judah And I Don't Know If He Had An The Opportunity To Speak With You Commissioner Judah .

I Did Not Call Me, He Called Me .

I Was At Mr .

Burr's Memorial Service And Stepped Out To Take His Call .

He Would Like An Opportunity To Share With The Board The Core Position What They're Doing And If We're Going To Offer Some Language, He Would Like To Make Sure That We're Aware Of What The Position Of The Core Is .

I Know We Have A Meeting October 11th I Believe, And I Didn't Know If It Would Be, If It Was Not Time Sensitive If We Could Try To Get Him Back Here Some Time In October And Afford Him At Least That Court Spin He's Been An Extremely Generous Colonel With His Time And Making Himself Available And I Would Like To Afford Him The Same Courtesy Since He Requested It .

Just A Minute Commissioner Judah .

I Did In Fact Get An Opportunity To Speak To Colonel Gross This Morning And He Confirmed With Me That Yes, The Core Is Analyzing The Value Waiting A Spearway For Reaches Two And Three That Is The Second Phase .

The First Phase Being Reaches One .

Understood Very Well The Need Of A High Water Release For The Lake .

But Had Asked If He Could Address This Board .

I Said Absolutely .

This Issue Is Coming Up Next Tuesday At The Board Meeting And He Indicated That He Has A Conflict That He Would Like To Send Stu Applebaum .

I Said Please, By All Means .

He Will Need To Coordinate With The Chairman To See If It Would Be Possible To Make A Presentation To This Board .

But It's Up To Him Working With The Chairman .

So They're Going To Coordinate With The Chairperson .

Wonderful, I Appreciate The Board's Indulgence On That Issue And If We're Going To I Guess Talk About Protocol, It's Nice When Someone Calls Us And Gives Us A Head's Up So We Can Adjust Our Protocol In A Timely Matter .

That's All The Issues I Have .

Commissioner Big Low Did You Ask For The Floor .

I Would Like To Hear From The Colonel Or A Representative Of The Court .

We're Going To Be Doing That .

On The Agenda Or Not .

Exactly .

It Will Be On The Agenda .

Even If It's Not And They Would Show Up, I Would Give Them Three Minutes .

He Needs A Little More Time Than Three Minutes .

No Well Them Give Them Latitude .

Are You All Right?Commissioner, Do You Have A Comment .

I Have Committed Appointments At The Proper Time .

Very Good .

Okay .

Let Me Call On Commissioner Mann Do You Have Any Commissioner Items To Bring Up .

Mr .

Judah .

Yes, The Point I Want To Make Is I Had An Opportunity To Work A Few Years On This Commission And One Thing That Has Been I Think A Very Apparent Is That Protocol Has Played A Pivotal Role In Allowing The Board The To Act In A Very Professional Orderly Manner .

And We Have Extended The Courtesy And Invitation To State Legislative Representatives And Also Congressional Delegation Rep Thais Because Of Their Time Issue With Regards To Committees Or Legislative Sessions Or Congressional Meetings To Allow Them To Update

Us On What's Going On That Effects This Community .

I Don't See A Problem Unfortunately For The Inconvenience For The Two Council Members, And Certainly My Humble Apologies But I Know I Wouldn't Expect Any Of The Municipalities To Allow Me To Some Morning When I Had An Issue I Want To Discuss Show Up And Expect Them To Rearrange And Adjust Their Agenda To Allow Know Speak To The Council .

This Is An Appropriate Protocol Measure Where In Which We'll Have An Opportunity To Hear From Our Transportation Staff On The Issue Of Surfside .

We Also Have Always Had The Ability To Ask Questions Of Any Of Those That Are In Attendance An I Would Be Anticipating Questions To Be Asked Of Any Council Members That Are Going To Be Here, The Mayor That Will Be Here During That Meeting .

So We Will Have Ample Opportunity To Fully Discuss An Get Clarification On The Ramifications Of This Issue So I Look Forward To The November Meeting When We Have This Schedule .

Mr .

Chairman I Just Wanted To Indicate That A Number Of Years Ago Long Before Even Bonita Springs Became A Municipality, A Number Of Volunteers And One In Particular John Spear Worked Very Hard With Our Community To Contribute Funds And Labour To Planting A Number Of Trees, Oaks And Trees Along Bonita Beach Road And We Developed A Master Plan For Improving And Enhancing The Appearance Of Our Transportation System .

Unfortunately Recently Many Of Their Tries That Have Grown Large And Mature And Provided A Lot Of Shade Were Recently Cut Down .

And The Reason They Were Cut Down Is Because There's Evidently An Effort Now To Go In And Landscape The Median .

But The Trees Were Removed For Various Reasons .

One Being They Didn't Comply With Clear Zone Requirements .

But These Trees Have Been There For Over A Decade .

And I Have To Say Some Numskull Went In And Cut Those Mature Oak Trees Down In Order To Plant Smaller Trees To Landscape The Median .

There's Something Really Wrong With The Process Here That I Would Like Administration With The Indulgence With The Board To Try To Correct .

You Cannot Correct The Removal Of Mature Oak Tree Bus At Least With The Landscaping Project I Hope We Would Make A Concerted Effort To Plant Larger Oak Trees Or Slash Pine Trees, Another Decade Were Those Trees Gain Maturity .

It's A Travesty .

There's A Miscommunication And I'm Asking That The Board Give Me Direction To Try To Correct The Issue And Certainly Contact Bonita Springs To Let Them Know That This Was An Inadvertent Mistake .

And That We're Going To Do What Is Necessary To Improve And Enhance The Bonita Beach Road Corridor .

So I Can Do Is Ask You .

Okay .

Also, I Just Wanted To Say, I Didn't At The Time Because We Passed The Issue Consent Agenda, But Al, You Were Very Kind Mr .

Chairman To Include Al Orden In Your Thoughts This Morning, But It's Ironic That The Issue That We Approved Today Was In Support Of The Tourism Development Council, The Money For The Part Of The Olympians Was Really Championed By Mr .

Orden And He's Worked Long And Hard With Former Olympian Bob Beman And I Know His Wife Kathy Will No Doubt Hopefully Take Up The Mantle And Work With These Olympians To Continue To Move This Program Forward .

It's Going To Be A Huge Benefit To This Area .

My Concern Right Now I Understand It Several Weeks Ago .

I Don't Have All The Information, But The City Of Fort Meyer Was Had Worked In Agreement With The Olympians Group Is Now Suggesting There Was A Deviation From Procedure And A Proposal Now Has To Go Back Out On The Street An All I Can Hope For Is Given Our Commitment .

Given The Commitment Of The Art Of The Olympians Committee .

The Funding They've Brought Forth I'm Hopeful Whatever We Can Do To Collaborate In Our Efforts With The City Of Fort Meyers To Make Sure That This Goes Forward Certainly At Mr .

Order's Honor And Recognizing This Is The Right Thing To Do .

Thank You For Bringing That Up Mr .

Judah, It's Extremely Important And Our Committee Has Lost On The Greet Person .

It Truly Has .

But We're Going To Need To Step Up And Coordinate With The City Of Fort Meyers Along With Tourism .

If I May Mr .

Chairman, Commissioner Judah I Did Speak With Flanders, And He Has Assured Me He Is Watching This Very Carefully .

He Was Ready To Bring To It The Board Last Evening But With Their Legal Opinion And The City Manager's Opinion It Does Need To Go Out To A Public Processor .

She's Assured Me It's Going To Be The Shortest Possible Legally And Get Us Back On Track And He's Agreed Communicate With Us To Make Sure We're Not Outside The Loop, Because He Does Know Our Involvement And Of Course Mr .

Hammond's Involvement And Had Agreed Keep Us In A Loop, So If There Is Something The County Needs To Do, That We Will Be Notified .

Great .

Thank You For Your Efforts .

Thank You, Mr .

Chairman .

Well, On That Note I Would Like To Point Out In The Agreement That I Think It Was Part Of The Agreement That The Facility Wherever It Will Be Would Be In The River District So If It Can't Be Worked Out At The City Pier Building, That The Agreement Does Provide I Believe As I Read It Last Night .

The It Was To Be In The River District .

That's Also Helpful And Gives Latitude To This .

I Have No Other .

Okay .

We'll Do Committee Appointments Commissioner Hall .

I Have One New Appointment .

Commissioner Mann .

All Those In Favor Say Aye .

Aye .

So Ordered .

Thank You .

Mr .

Mann .

I Have Three, Jaime Smith To The Charleston Park Local Neighbourhood District .

Richard Bidwell To The Construction Board Of Adjustments And Appeals .

And A Reappointment Of Joe Want Fouler To The Land Decision Stewardship Committee
And I Would Like To Point Out For The Record, She Has Surfed With Distinction And A Lot
Of Effort And Recently Has Been Struggling With Some Really The Tough Medical Issues .

So I Want To Say Publicly How Much We Appreciate Her Willingness To Continue On This In
The Face Of All She's Been Through .

So .

All Those In Favor Say Aye .

Thank You .

Commissioner Judah .

Tina To The Council .

Discussion, All Those In Favor Say Aye .

Aye .

Motion Is Adopted .

Thank You Mr .

Chairman .

That's It?Yes .

Mr .

Bigelow .

Two New Appointments To The Decision Land Committee .

I Don't Rivera Replaces Hammond .

Okay, Second .

Second .

Second By Commissioner Man .

Those Are Replacements And They've Declined To Serve Today Or You Just Replaced Them

Yes .

Okay, No Problem .

One Term Is Ending .

Oh, Okay .

I'm Sorry .

Okay .

Neither Were Interested In Reapplying?I'm Sorry?Neither Were Interested In Being Reappointed .

I Think They Both Were .

Interested In Serving .

They Both Were Interested In Reappointing .

Further Discussion?All Those In Favor Say Aye .

Aye .

Nay .

And Adopted Four To One .

Commissioner Judah, Wally Parker To The Land Decision Stewardship Committee .

It's A Reappointment And Jack From The Smart Grove Committee .

District One .

Second .

Discussion, All Those In Favor Say Aye .

Opposed?The Ayes Have It .

Motion Is Adopted .

I Want To Point Out Something For Mr .

Stillwell .

On The County's Web Page I Was Looking Last Night At The Conservation Decision Stewardship Information Page And It Needs To Be Updated .

It Currently Says There Are Five Vacancies And Then A List Of Members Is Not Accurate From What I Can Tell .

Commissioner, I Was Looking At That As Well And It's One Week Off .

Okay .

Thank You .

One Week Off, What Being Corrected Well, Let Me Just Point Out I Don't Want To Get Into An Argument With Holly Over This .

But, The If Filled Positions And I Have A Copy Of It Here, Does Not Have Kate Gooderham On It, I Don't Know How It Can Be One Week Off, Huh?Commissioner That Was A Vacant Position .

So If There Is A Delay, But Kate Is Not On There Because It's A Vacant Position .

Well Then According To Other Her Term Is Up In November .

So, It's Kind Of Like, One Document Conflicts With Another .

Just A Suggestion That We Look At It .

Okay .

All Right, County Manager Items .

Just One Mr .

Chairman .

I Think What You Did This Morning Was Difficult But It Was Necessary The Situation With The Town Of Fort Meyers Beach .

Frankly We, Your Staff Are Going To Be Coming Back To You The Middle Of Next Month And I Don't Want The Press To Start Asking Us What We're Going To Recommend But We Will Be Back With You With Some Recommendations .

Because As We All Know, The World Changing In Local Government .

And No One Is Giving Us Any Chance To Phase In Anything .

They're Telling Us This Is The Way It's Going To Be And It's Coming Out Of Tallahassee .

I Think If We Wait And See What Tallahassee Does Before We Start Preparing For The Worst Case .

We Will Be Coming Back To You The Middle Of Next Month With Specific Recommendations At A We Will Be Asking You Probably To Implement As Of January 1of '08 Which Sounds Like A Long Ways Away But Is Only A Couple Months From Now .

We Will Be Suggesting A Long-Term Approach As To How We Approach Things, We're Going To Be Asking To Look At Core Services And Make Sure You're Committed To What We're Doing .

Make Sure We're Commit To What It Is Up Us To Do .

We're Going To Be Looking At Fringe Benefits .

Not For Current Employees This Moment But Perhaps In The Future But Certainly We're Going To Be Looking At Fringe Benefits For New Employees .

We're Looking At Whole Myriad Of Issues That I Think Is Mandatory That We Can Put This Board And This County In A Position That We Can Be Responsible And Not Have To Have Huge Reductions In Workforce Some Time In The Five And Tremendous Adverse Impact To Service Levels .

Mr .

Chairman .

Quick Question, Don There's An Issue Evidently, The Legal Arm Of The State Where They're Suggesting We Have To Provide Accommodations And Salary .

Is It Some Kind Of Conflict Resolution .

What I Wanted To Ask You Was That Approved By The Legislature?Or Where Is This Coming Out Of? Those Are Things We Were Looking At .

They're Legal Issues And That's Where The County Turn Comes Into, They Tell Us What Is Right And What Is Wrong And We're Looking To Them To Give Us Good Advice .

I Just Want To Make Sure Because I Remember When They Imposed On The Coin Having To Pay For The Juvenile Detention Facility, And Took A Legal Stand And We Were Able To Defer Action On That In Term Of Our Obligation Funding Wise For A Year Because It Wasn't Done Procedurally .

But Through The Legislation, That's Why I Just Want To Make Sure With This Particular Issue Is This One That's Been Sanctioned And Approved By The Legislature Where We Are Legally Obligated To Have To Provide The Funding In The State .

I Don't Know What The Answer Is .

My Concern Is .

I Guess What I Need To Ask You Is Legal Council To Make Sure We're Under Legal Obligation .

What You're Speaking Of Is The Conflict Council Will Handle Conflict Cases That Are Currently Handled By The Public Defenders Office .

What They've Decided To Do Is They Will No Longer Pay Private Attorneys To Handle Conflict Cases Such As Murder Cases, Theft Cases That Have Two Or More Defendants .

Now There Will Have A Conflict Council That Handles All The Conflict Criminal Cases That Private Attorneys Used To Handle .

We're Required By Statute To Provide Them With A Place To Lease Either We Pay For It Or Provide Them With A Place .

There's Also Some Salary Requirements If We So Choose .

Along With Some Assistance .

I . T . G .

Things Of That Nature .

That We Provide To All The Other Constitutionals .

We Will Be Required By Florida Statute To Provide To Them Beginning November 1st .

This Is Part Of The Pushing Government Down To The Local Level And The State Is Going To Be Very Frugal And They're Going To Save Money .

They're Not Going To Pay Anymore .

Oh, You All Get To Take Care Of It Now .

They Push It Down .

All You Have To Do Is Provide Space For 15 To 20 Attorney .

I'm Not Sure I Understand But Conflict, Season Every Court Case A Conflict .

No, Sir, What Usually Happens -- I'll Give You An Example .

You And I Commit Acrime Together, Hopefully It's Not Murder .

But You And I Commit A Crime Together .

The Public Defenders office Cannot Represent Both Of Us Because We Have Competing Interests .

Usually One Of Us Decides We're Going To Tell On The Other, And That Becomes A Conflict So You Can't Represent The Same Person .

So You Have To Conflict Off One Of Them And A Private Attorney Usually Would Represent Them .

Now They Will Have A Conflict Counsel That Represents All Of Those Conflicts .

This Is Still Being Challenged, Is There Going To Be A Challenge To .

Yes, There Is A Court Challenge That They Cannot Engage In This Type Of Activity Because Public Defenders Is Supposed To Be Elected .

Thank You .

That's All .

On That Same Point We Probably Need To You Know Try To Be As Fair As We Can When We're Looking At What We Have To Fund, Because The States Handed Down This Mandate And I Would Asks Lewis To Put Together Some Information So We Can Balance You Know, What It Is We Pay Out For Those Reasons .

With What It Is That We Take In .

As For Instance Commissioner Hall Pulled An Item Today Which John Wilson Informed Us They've Been Funding Since The Early 80s .

So We Are Taking In State Money .

You Know Through Grants And Through Various Means And I Think Its Only Fair If We're Going To You Know Look At What It Is We Have To Fund It From The State Mandate Perspective That We Also Balance It .

If I Could Commissioners I Think The Difference Is On Those Grants We Have The Choice .

We Can Compete For Those Grants .

With The Mandates That Come Down, We Don't Have A Choice .

Well, It's Money Out, Money In .

I Think We Need To See It All To So We Can Be Sure That We're Seeing It In Total .

Not Just Half The Balance Sheet .

Thank You .

County Attorneys, Any Comments?I Believe Then That Concludes Our Meeting .

The Meeting Is Adjourned .

Thank You .