

December 4, 2007

THOSE HERE IN ATTENDANCE, WE'LL PROCEED WITH THE BOARD OF COUNTY COMMISSION PUBLIC MEETING OF DECEMBER 4, 2007.

WE'LL START WITH THE INVOCATION FROM PASTOR CLINT COTTRELL.

GOOD MORNING, PASTOR.

GOOD MORNING.

FRIENDS, LET US PRAY.

GRACIOUS GOD WE MEET THIS MORNING TO CONDUCT THE WORK OF LEE COUNTY.

AS WE GATHER, WE GIVE YOU THANKS FOR OUR HEALTH, THE ABUNDANCE OF FOOD AND THE BLESSING TO LIVE IN A COUNTY AND A COUNTRY WHERE WE MAY PREPARE FOR CHRISTMAS AND CHANUKAH WORSHIPING IN MANY WAYS AND DOING SO IN PEACE, WE THANK YOU.

LORD, WE PRAY FOR THE COUNTY COMMISSIONERS FOR YOU TO FREE THEM FROM WORRIES AND ALLOW THEM TO FOCUS ON THE WORK AT HAND, BE IT ADMINISTRATIVE SERVICES OR COMMUNITY DEVELOPMENT OR MAKING DECISIONS ABOUT TRANSPORTATION AND UTILITIES, HELP THEM TO FIND THE FUNDS AND MAKE ALL AVAILABLE RESOURCES KNOWN TO THEM SO THEY MAY KEEP OUR COUNTY SAFE AND HEALTHY.

MAY THEY LOOK BACK AND KNOW THEY HAVE SERVED YOU AND THE RESIDENTS WELL.

WE PRAY FOR OUR CIVIL SERVANTS, THE FIRE DEPARTMENT, POLICE DEPARTMENT AND THOSE WHO REPAIR ROADS AND THOSE WHO COLLECT REFUSE.

MAY THE SERVANTS OF THE COUNTY BE BLESSED AND MAY THEY RETURN HOME AT THE END OF THE APPOINTED ROUNDS READY TO HEAR YOU SAY "WELL DONE, GOOD AND FAITHFUL SERVANT." LASTLY, WE PRAY FOR THE CITIZENS OF LEE COUNTY.

MAY EACH AND OVER RESIDENT KNOW YOUR LOVE THIS SEASON AND MAY YOUR PEACE BE WITH EVERY ONE OF THEM AND NOT JUST DURING CHRISTMAS OR CHANUKAH BUT EVERY DAY OF THE YEAR.

IN THE NAME OF THE PRINCE OF PEACE, WE PRAY, AMEN AMEN PLEASE REMAIN STANDING.

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.

PLEASE BE SEATED.

WE HAVE QUITE AN AGENDA THIS MORNING AND THIS EVENING.

BEFORE WE MOVE ON WITH THE BUSINESS AT HAND, LET ME FIRST EXTEND APPRECIATION TO FORMER CHAIRMEN.

ONE OF THE THINGS WE'LL DO IS A POST A SIGN AT THE ENTRANCE THAT THERE WILL BE A \$5 FINE TO YOUR FAVORITE CHARITY IF YOUR CELL PHONE GOES OFF DURING THE COMMISSION MEETING.

IT'S AN HONOR SYSTEM.

I WILL RELY ON YOU THAT IF YOU DISTURB THE PROCESS THAT YOU WILL CONTRIBUTE \$5 TO YOUR FAVORITE CHARITY.

THANK YOU VERY MUCH.

I APPRECIATE YOU PUTTING YOUR PHONES ON SILENT MODE.

I WANT TO TAKE THE TIME TO THANK BOB JANES.

HE DID A MARVELLOUS JOB THIS YEAR PARTICULARLY IN LIGHT OF THE FACT THAT AS MANY OF YOU KNOW, NOT ONLY WAS HE CHAIRMAN BUT ALSO AS A REPRESENTATIVE FOR NOT ONLY THE FLORIDA CONSTITUENTS BUT THE NATION AS HE SERVED WITH THE HUMAN SERVICE COMMITTEE FOR THE NATIONAL ASSOCIATION OF COUNTIES.

IT TOOK HIM AN EXTRAORDINARY AMOUNT OF TIME AND EFFORT TO PROPERLY CARRY OUT HIS RESPONSIBILITIES WHICH HE DID WELL AS A COMMISSIONER AND CHAIRMAN OF THIS BOARD AND AS A REPRESENTATIVE OF THE NATIONAL ASSOCIATION OF COUNTIES.

I WANT TO THANK BOB JANES.

YOU ALSO, OF COURSE, PRESIDED OVER A WHOLE NEW SET OF DYNAMICS AND COMPOSITION ON THIS BOARD.

ALWAYS A CHALLENGE FOR ANYONE, BUT COMMISSIONER JANES, THANK YOU VERY MUCH FOR YOUR LEADERSHIP THANK YOU, I APPRECIATE THAT.

[APPLAUSE] GARY WANTS THE GAVEL BACK YEAH.

NO, I WANT YOU TO KNOW THERE'S BEEN PROGRESS ON THE COUNTY BOARD THIS YEAR.

WHEN I WAS CHAIR, THIS WAS THE GAVEL.

THIS IS THE ONE THAT WE USED TO STEER US THROUGH LAST YEAR.

COMMISSIONER JUDAH IS NOW TAKING OVER AS CHAIR AND HIS GAVEL IS THIS.

[LAUGHTER] I THINK THAT'S REALLY REMARKABLE PROGRESS.

I'M SURE HE'LL BE ABLE TO DO IT WELL.

THANK YOU VERY MUCH.

I APPRECIATE IT THANK YOU, MR. JANES.

I APPRECIATE COMMISSIONER MANN ACCEPTING THE NOMINATION AS VICE CHAIRMAN FIRST OF ALL, CONGRATULATIONS ON ASCENDING TO THE SEAT.

I LOOK FORWARD TO SERVING UNDER YOUR COMPETENT, CAPABLE LEADERSHIP.

YOU HAVE BEEN HERE BEFORE, DONE THIS -- BEEN THERE, DONE THIS, AS THEY SAY.

I AM STRUCK BY THE NEW SEATING ARRANGEMENT.

I WANT TO POINT OUT THAT THE VICE CHAIR IS NOW TO YOUR RIGHT.

THAT ACCORDING TO MY RESEARCH WITH ADMINISTRATION IS UNPRECEDENTED IN YEARS SINCE WE HAVE BEEN ROTATING CHAIRMAN'S POSITIONS.

RECOGNIZING THAT FOR THE RECORD FOR THE BENEFIT OF THE BOARD SO I GUESS I CAN ASSUME THAT I WILL THEN TAKE THAT SEAT WHEN I BECOME VICE CHAIR.

IS THAT CORRECT?? ABSOLUTELY THANK YOU SO MUCH CERTAINLY.

IT'S GOOD TO CLARIFY THAT.

WE LOOK FORWARD TO A NUMBER OF PRESENTATIONS AND RECOGNITIONS.

WHAT I WOULD LIKE TO DO AT THIS TIME IS ASK THAT RAY PAVILKA AND KATE TO PLEASE STEP FORWARD.

THEY HAVE BEEN INVOLVED IN BUSINESS IN THE COMMUNITY FOR YEARS.

IT'S A DISTINCT PLEASURE TO ASK THAT YOU BE HERE TODAY SO WE CAN RECOGNIZE THAT YOU SPENT MORE THAN TEN YEARS ON THE CONSERVATION 2020 COMMITTEE.

KATE SERVED AS CHAIRWOMAN FOR THE CONSERVATION 2020 COMMITTEE FOR THREE TO FOUR YEARS AT LEAST.

RAY WAS INVOLVED IN THE EARLY GRASS ROOTS EFFORTS TO EVEN GET THE ISSUE ON THE REFERENDUM SO PEOPLE COULD VOTE TO SUPPORT THE NECESSARY FUNDING TO

ACQUIRE ENVIRONMENT SENSITIVE LANDS.

THEIR WORK HAS ALLOWED LEE COUNTY TO PURCHASE CLOSE TO 19,000 ACRES OF LANDS PROTECTING THE WATER SUPPLIES AND OPEN SPACE, CRITICAL HABITAT FOR LISTED SPECIES.

YOU TWO HAVE SPENT AN EXTRAORDINARY AMOUNT OF TIME AND EFFORT.

RAY, I KNOW YOU NEEDED TO MOVE ON DUE TO PERSONAL REASONS.

I RESPECT AND UNDERSTAND.

I WANT TO THANK YOU PERSONALLY AS MY ORIGINAL APPOINTMENT TO THE COMMITTEE.

KATE, YOU'RE ALL OVER THE PLACE WITH YOUR WORK WITH CONSERVATION AND COASTAL RESOURCE PROTECTION.

I ALSO WANT TO THANK YOU FOR STEPPING UP AND PROVIDING THE TIME TO HELP MAKE THE PROGRAM THE SUCCESS IT IS.

I HAVE TWO RESOLUTIONS.

OBVIOUSLY IT'S TAILORED TO EACH OF YOU AT THE END, BUT THE BULK OF IT IS SIMILAR.

SO IF I COULD READ ONE AND THEN HAND OUT THE TWO TO YOU.

IT READS -- WHEREAS IN 1994 A LAND USE STUDY FOUND ONLY 10% OF LEE COUNTY WAS SET ASIDE FOR CONSERVATION WHEREAS A GROUP OF CONCERNED CITIZENS NOTED THAT THE RATE OF DEVELOPMENT OF LEE COUNTY HAD INCREASED SUBSTANTIALLY AND WAS THREATENING TO CHANGE FOREVER THE UNDEVELOPED AREAS OF THE COUNTY.

THESE CITIZENS TOOK IT UPON THEMSELVES TO TAKE IT TO THE GOVERNMENT AND BEGIN LOBBYING FOR A PROGRAM TO PROTECT NATURAL AREAS.

THE GROUP OF CITIZENS LOBBYING FOR THE CAUSE CALLED THEMSELVES CONSERVATION 2020 TO SIGNIFY THE VISION OF A FUTURE OF LEE COUNTY WITH LARGE UNDEVELOPED AREAS OF NATURAL HABITAT.

WHEREAS THE GROUP WANTED THE PROGRAM TO PRESERVE LAND, NOT WITH THE PURPOSE OF STOPPING DEVELOPMENT BUT ENHANCING GREEN SPACE AND QUALITY OF LIFE IN LEE COUNTY.

DUE TO THEIR EFFORTS IN 1996 A MAJORITY OF VOTERS VOTED TO INCREASE PROPERTY TAXES BY UP TO 5/10 MIL TO FUND THE PROTECTION OF LANDS AND HAVE FULLY FUNDED THE PROVINCE SINCE.

AND THE BOARD OF COMMISSIONERS CREATED A COMMITTEE CALLED THE

STEWARDSHIP ADVISORY COMMITTEE TO OVERSEE THE SELECTION AND PURCHASE OF PROPERTIES AND THEIRMANAGEMENT.

THE PROGRAM BECAME KNOWN AS THE CONSERVATION 20/20 PROGRAM.

WHEREAS MR. RAY PAVELKA AND KATEGUDERHAM HAVE BEEN INVOLVED SINCE THE INCEPTION AND LEE COUNTY NOW HAS OVER 20% OF ITS LAND COMMITTED FOR CONSERVATION.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD THAT WE HEREBY THANK RAY AND KATE FOR THEIR TIME, KNOWLEDGE AND COMMITMENT TO THE PROGRAM.

THEY HAVE HELPED TO PRESERVE LEECOUNTY'S NATURAL BEAUTY FOR GENERATIONS OF FUTURE FLORIDA CITIZENS.

I WAS PRIVILEGED AND HONORED TO SIGN THIS RESOLUTION.

I WOULD LIKE TO SUBMIT BOTH TO YOU, RAY AND KATE, AND HEAR FROMBOTH OF YOU.

THANK YOU SO MUCH.

[APPLAUSE] WE'RE GOING TO HAVE ONE WITH BOTH OF YOU AND THEN SEPARATELYMAKE SURE THE PROCLAMATION SHOWS, RAYSTACEY, GIVE US A HEADS-UPO.KRAY, KATE, THIS HAS BEEN A WONDERFUL COMBINED EFFORT.

WE'D LIKE TO HEAR FROM YOU.

YOU SET ASIDE A WONDERFUL LEGACYFOR THE COMMUNITY.

THANK YOUFOR THE RECORD, MY NAME IS KATE GOODERHAM.

THERE ARE VERY FEW THINGS IN LIFE WE GET TO DO THAT WE GET TOGIVE TO PEOPLE YET UNBORN.

LAST YEAR, ONE GROUP THAT I WAS WORKING FOR WAS CELEBRATING ITS 80TH ANNIVERSARY.

I WENT BACK AND LOOKED AT THE RECORDS OF THE BEGINNING OF THE ORGANIZATION.

THAT IS WHAT THEY WERE TALKING ABOUT -- THE PEOPLE OF THE FUTURE.

IN THAT PARTICULAR CASE, I WAS THE PEOPLE OF THE FUTURE THAT THEY WERE TALKING ABOUT THE LEGACY THAT WE WERE GIVING.

BUT THIS LAND IS SOMETHING THAT WE CAN ENJOY, APPRECIATE AND DO GOOD THINGS FOR OUR COMMUNITY TODAY, BUT IT'S LIKE CENTRAL PARK AND ALL THE OTHER GREEN SPACES AROUND THE COUNTRY THAT OUR GRANDCHILDREN, OUR GREAT GRANDCHILDREN AND ON AND ON, WILL ENJOY INTO THE FUTURE.

IT WAS BECAUSE OF YOUR EFFORT AND OUR EFFORT TOGETHER.

THAT'S THE HEART-WARMING PART.

IT IS OUR GIFT TO THE COMMUNITY TODAY AND FOREVER.

[APPLAUSE] RAY? I COULDN'T SAY ANY MORE THAN KATE COULD ABOUT THE BENEFIT OF THE PROGRAM FOR FUTURE GENERATIONS.

I THINK THAT'S WHAT IT'S ALL ABOUT.

I WOULD LIKE TO THANK A FEW PEOPLE.

FIRST OFF, THE COUNTY COMMISSIONERS FOR SUPPORTING THE PROGRAM, MAKING THE FISCAL COMMITMENT THAT'S NECESSARY.

YOUR PREDECESSORS AND HOPEFULLY YOUR SUCCESSORS AS WELL WILL CONTINUE THE PROGRAM.

I WOULD LIKE TO THANK COMMISSIONER JUDAH FOR HAVING THE CONFIDENCE IN ME AS HIS APPOINTEE FOR THE LAST TEN YEARS.

WE HAVEN'T ALWAYS AGREED ON CERTAIN ISSUES BUT RAY HAD THE CONFIDENCE TO PUT ME IN A POSITION WHERE HE THOUGHT I COULD HELP THE CITIZENS OF LEE COUNTY.

THAT'S BEEN A REAL HONOR FOR ME.

I REALLY APPRECIATE THAT, SIR.

I WOULD LIKE TO THANK THE STAFF BECAUSE THE STAFF, I THINK, HAS DONE A REMARKABLE JOB OF SUPPORTING THIS PROGRAM AND THE COMMITTEE WITH ALL ITS VOLUNTEERTIME IS VERY IMPORTANT, BUT WE COULDN'T GET DONE WHAT WE NEED TO GET DONE WITHOUT HAVING THE STAFF'S HARD WORK IN PREPARING US FOR THE DECISIONS THAT WE MAKE IN TERMS OF MAKING RECOMMENDATIONS TO THE BOARD.

LASTLY, I WOULD LIKE TO THANK THE CITIZENS OF LEE COUNTY FOR THEIR CONTINUED SUPPORT OF THIS PROGRAM.

THERE'S SOME CHALLENGES OUT THERE.

WE PARTICULARLY HAVE A NEED TO PAY ATTENTION TO WHAT WE DO AND HOW WE CARE FOR THE LAND WE HAVE ALREADY ACQUIRED.

BUT I THINK WE WILL BE ABLE TO DO A GOOD JOB OF THAT AS WELL AS ACQUIRE ADDITIONAL LANDS.

THANK YOU VERY MUCH FOR THE OPPORTUNITY TO SERVE LEE COUNTY.

[APPLAUSE] RAY, KATE, YOU'RE WONDERFUL AMBASSADORS OF THE BUSINESS COMMUNITY.

I THINK YOU REFLECT WELL ON THE IMPORTANCE THAT THE BUSINESS COMMUNITY IN THIS COUNTY IN PARTICULAR HAS PLACED ON PROTECTING THE ENVIRONMENT THAT WITH RESPONSIBLE STEWARDSHIP WE CAN ENJOY LONG-TERM ECONOMIC PROSPERITY.

THANK YOU VERY MUCH CHAIRMAN? YES? THIS IS ANOTHER EXAMPLE.

FRANK YESTERDAY POINTED OUT HOW THE CHARTER -- THE FORM OF CHARTER COUNTY GOVERNMENT WAS NOT SUPPORTED BY THIS BOARD AND YET IT PASSED AS A REFERENDUM OF THE VOTERS AS WAS THE CASE WITH THE 20/20 MILLAGE.

THE TAXPAYERS CHOSE THE BURDEN ON THEMSELVES IN OPPOSITION TO THE BOARD.

IT'S CONTROVERSIAL PROGRAM.

THIS IS A FOUNDING MOTHER AND FOUNDING FATHER TO THE PROGRAM.

THEY HAVE REALLY TAKEN IT FROM THE CONTENTION DAYS, IF YOU WILL, TO THE PRESENT.

THEY ARE TO BE APPLAUDED AGAIN AND AGAIN FOR ALL THEIR EFFORTS.

YES, IT'S TRUE.

WE HAVE ALMOST 20,000 ACRES OF LAND PRESERVED FOREVER AND EVER TO ENJOY.

I THINK WE RECOGNIZE THAT WE CAN ALWAYS DO BETTER AND WE ARE LOOKING TO TAKE IT TO A NEW LEVEL.

I KNOW THAT'S SOMETHING THAT YOU, CHAIRMAN JUDAH, HAVE SUGGESTED WE NEED TO DO.

I LOOK FORWARD TO THE NEXT TEN YEARS OF THE PROGRAM.

BECAUSE THE FIRST TEN YEARS HAVE BEEN TREMENDOUSLY SUCCESSFUL.

I WOULD LIKE TO BUILD ON THAT. THANK YOU.

YOU SET A STRONG FOUNDATION FOR THE PROGRAM.

THANK YOU, YOU TWO.

AT THIS TIME, I WOULD LIKE TO -- I HAVE BEEN GIVEN THE OPPORTUNITY TO READ THE RESOLUTION FOR CHANUKAH, THE FESTIVAL OF LIGHTS.

I WOULD LIKE TO ASK RABBI GREENBURG TO STEP FORWARD.

GOOD MORNING, RABBI GOOD MORNING I WOULD LIKE TO READ THE RESOLUTION.

WHEREAS CHANUKAH HAS BEEN CELEBRATED SINCE THE YEAR 165 BCE AND THE HOLIDAY WAS ESTABLISHED TO CELEBRATE THE VICTORY AND THE REDEDICATION OF THE HOLY TEMPLE.

WHEREAS THE RUINS IN THE TEMPLE WHERE THERE WAS A ONE DAY SUPPLY OF OIL AND THE LAMPS BURNED EIGHT DAYS.

IN THE EVENING OF THE EIGHT DAYS A CANDLE IS LIT FROM THE MENORAH WHERE FAMILIES GATHER TOGETHER IN REMEMBRANCE OF THE CAUSE OF FREEDOM FOR ALL PEOPLE.

VISITS TO LOCAL HOSPITALS, CARE HOMES, PRISONS AND PUBLIC MENORAH CEREMONIES IN MAJOR SHOPPING CENTER AND OTHER CELEBRATIONS OFFERING CANDLES AND GIFTS FOR THE CHILDREN.

THE BOARD OF COMMISSION SAYS THROUGH DECEMBER 12 AS CHANUKAH.

EXECUTED THIS 4TH DAY OF DECEMBER.

I WAS HONORED TO SIGN THIS RESOLUTION AND WOULD LIKE TO PRESENT IT TO YOU, SIR.

[APPLAUSE] WE'D LOVE TO HEAR FROM YOU, RABBI ON BEHALF OF THE JEWISH COMMUNITY I WANT TO THANK LEE COUNTY FOR INVITING ME TO PARTICIPATE.

LEE COUNTY'S CELEBRATION OF THE HOLIDAY OF CHANUKAH WHICH IS, OF COURSE, WE'RE CELEBRATING FOR OVER 2100 YEARS AROUND THE MESSAGE OF CHANUKAH IS NOT ONLY A JEWISH MESSAGE BUT A UNIVERSAL MESSAGE TO EVERY ONE OF US.

IT'S A MESSAGE OF TRIUMPH OF GOOD OVER EVIL, OF LIGHT OVER DARKNESS WHERE YOU CAN HAVE ONE DARK ROOM WITH ONE LITTLE LIGHT WE CAN CHANGE THE ROOM FROM COMPLETE DARKNESS INTO LIGHT.

THAT'S WHAT OUR JOB -- EVERYBODY'S JOB IN THIS WORLD IS TO BRING MORE LIGHT INTO THE WORLD AND DISPEL THE DARKNESS, ALL THE EVIL WE MAY FIND IN THE MEDIA, IN THE HEADLINES.

JUST ONE LITTLE GOOD DEED WE MIGHT DO IN THE PRIVACY OF OUR HOME CAN CHANGE THE WORLD FOR A BETTER WORLD.

WE HOPE THE MESSAGE OF CHANUKAH PENETRATES TO EVERY CITIZEN OF LEE COUNTY AND THROUGHOUT THE WORLD AND THEREBY BRING CHANUKAH THROUGHOUT THE WORLD.

THANK YOU VERY MUCH.

[APPLAUSE] THANK YOU, RABBI.

THANKS TO KATE AND RAY.

O.K.

WE HAVE A RECAP SHEET.

IT APPEARS -- OH, WE DO.

I'M SORRY.

I DIDN'T GET THE MODIFIED RECAP.

I KNOW COMMISSIONER JANES WILL HAVE THE NEXT RESOLUTION I HAVE A CHOICE AND I WILL PRESENT THIS ONE FIRST, NOT ONLY BECAUSE IT'S A GOOD ORGANIZATION BUT BECAUSE IT'S FIRST ON MY LIST.

A REAL PLEASURE TO PRESENT THIS RESOLUTION.

WORK FORCE DEVELOPMENT AND THE WORK FORCE COMMUNITY IS EXTREMELY IMPORTANT TO ECONOMIC SUCCESS IN OUR COUNTY.

THIS IS A RESOLUTION THAT IS CELEBRATING EMPLOYEE LEARNING WEEK.

IS CHARLIE HERE? CHARLIE INGRAM? COME ON DOWN.

I HAVE A RESOLUTION TO READ.

WHEREAS THE ORGANIZATIONS OF SOUTHWEST FLORIDA ARE COMMITTED TO CREATING A HIGHLY SKILLED WORKFORCE THAT IS CRITICAL TO GROWING AND SUSTAINING A COMPETITIVE ADVANTAGE AND WHEREAS THEY RECOGNIZE THAT HAVING A KNOWLEDGEABLE SKILLED WORK FORCE IMPROVES THE PERFORMANCE OF THOSE ORGANIZATIONS AND WHEREAS LEARNING DEVELOPS INDIVIDUAL AND ORGANIZATIONAL KNOWLEDGE AND EXPERTISE AND WHEREAS THE AMERICAN SOCIETY FOR TRAINING AND DEVELOPMENT -- THE ASDD -- IS THE WORLD'S LARGEST ORGANIZATION DEDICATED TO WORKPLACE PERFORMING AND PROFESSIONALS HAS DECLARED DECEMBER 3 THROUGH 7, 2007 AS EMPLOYEE LEARNING WEEK AND DESIGNATED A TIME FOR ORGANIZATIONS TO RECOGNIZE THE STRATEGIC VALUE OF EMPLOYEE LEARNING.

AND WHEREAS WORKFORCE DEVELOPMENT IS EVERYONE'S BUSINESS WHICH IS THE MOTTO OF ASDD AND WHEREAS THE SOUTHWEST FLORIDA CHAPTER WHOSE MEMBERS ARE WORK-BASED TRAINING, LEARNING AND PERFORMANCE PROFESSIONALS AND THE ORGANIZATIONS IN SOUTHWEST FLORIDA HAVE DEMONSTRATED THEIR COMMITMENT TO DEVELOPING THE SKILLS OF EMPLOYEES AND THE WORKFORCE.

THEREFORE, IT WILL RESOLVED BY THE BOARD OF COMMISSIONERS OF LEE COUNTY, FLORIDA THAT WE DECLARE DECEMBER 3 THROUGH 7 AS EMPLOYEE LEARNING WEEK IN FLORIDA.

THIS WAS SIGNED BY THE CHAIR OF THE COUNTY BOARD, RAY JUDAH.

I WOULD LIKE TO PRESENT THAT.

[APPLAUSE] THANK YOU VERY MUCHWRONG SIDE, I APOLOGIZENO, NO.

YOU'RE GOODNO WRONG SIDE IN THIS ROOMNOPETHANK YOU VERY MUCH.

FOR THE RECORD MY NAME IS CHARLIE INGRAM.

I'M REPRESENTING THE AMERICAN SOCIETY OF TRAINING AND DEVELOPMENT, THE SOUTHWEST FLORIDA CHAPTER.

ON BEHALF OF THE ASDD, I WANT TOTHANK YOU ALL FOR THE PROCLAMATION.

THIS IS OUR SECOND YEAR OF DESIGNATING THIS WEEK AS EMPLOYEE LEARNING.

MY FOLLOWING OF THE COMMISSION AND ITS GOINGS-ON OVER THE YEARSTHAT WE HAVE LIVED HERE IN SOUTHWEST FLORIDA, I RECOGNIZE THAT THERE IS A LOT OF DISCUSSION ABOUT THE RELATIVE VALUE OF RESOURCES WITHIN OUR COUNTY AND WE TAKE THIS PROCLAMATION TO BE AN ACKNOWLEDGMENT ON BEHALF OF THE COMMISSION THAT AMONG THOSE VARIED RESOURCES AND THEIR RELATIVE VALUES, THE RESOURCE OFPEOPLE WITHIN OUR ORGANIZATIONS IS OF PARAMOUNT VALUE.

PERHAPS AT NO TIME MORE THAN A TIME LIKE THIS WHERE A LOT OF OUR ORGANIZATIONS ARE STRUGGLINGTO MAKE THE MOST OF WHAT THEY HAVE.

THE UNDERSTANDING THAT DEVELOPING AND INVESTING IN THE RESOURCES OF YOUR PEOPLE IS THE GREATEST VALUE YOU CAN PROVIDE TO YOUR ORGANIZATIONS, THE COMPANIES AND THE PEOPLE WHO WORK THERE.

THANK YOU VERY MUCH FOR YOUR UNDERSCORING OF THAT.

[APPLAUSE] THANK YOU, CHARLIE.

COMMISSIONER JANES, YOU HAVE ANOTHER ONE? ONE MORE.

THIS ONE IS A PLEASURE TO PRESENT BECAUSE I WILL PRESENT IT TO SOMEBODY WHO WAS A FAVORITE, I'M CERTAIN, OF ALL THE COMMISSIONERS.

I CAN'T TAKE A POLL, BUT LOOKINGAT THE SMILES ON THEIR FACES ANDEVERYTHING, WREN EVER HE'S AROUND WE KNOW HOW FAVORED HE IS.

NONE OTHER THAN JOHN BUNCH.

THIS IS A RESOLUTION SUPPORTING HIM AS WELL AS OPERATION OPEN ARMS.

JOHN, COME ON UP AND I'LL READ THE RESOLUTIONGOOD MORNINGWHEREAS

OPERATION OPEN ARMS WAS ESTABLISHED IN MAY 2005 AND HAS RECEIVED OVER 3200 E-MAILS ABOUT THE ORGANIZATION FROM ALL OVER THE COUNTRY AFTER A STORY WAS AIRED ON "THE TODAY SHOW" ON NBC AND OPERATION OPEN ARMS IS ANON-PROFIT ORGANIZATION THAT LITERALLY OPENS THE ARMS OF OUR COMMUNITY AND EXPRESSES GRATITUDE TO ACTIVE-DUTY AMERICAN SOLDIERS FIGHTING ON FOREIGN SOIL.

WHEREAS CAPTAIN JOHN BUNCH, THE FOUNDER OF OPERATION OPEN ARMS IS A CHARTER CAPTAIN OF GIDDY-UP FISHING CHARTER, IS AN OFFICER AND A PROUD RESIDENCE DEPARTMENT OF SAINT JAMES CITY.

ON JULY 4, 2007 CAPTAIN BUNCH ASA FISHING CHARTER CAPTAIN AND RETIRED MARINE CAME TO THE RESCUE OF A HEART ATTACK VICTIM AND HIS FAMILY AND ASSISTED THE MARINE PATROL, COAST GUARD AND LEE COUNTY SHERIFF'S OFFICE IN THE RESCUE MISSION AND WHEREAS ON JANUARY 22, 2007, CAPTAIN JOHN BUNCH RECEIVED THE AL MILLS CITIZEN OF THE ISLAND AWARD FOR HIS CREATION OF OPERATION OPEN ARMS.

WHEREAS THE AL MILLS AWARD WAS THE THIRD RECOGNITION IN RECENT MONTH FOR CAPTAIN BUNCH AND OPERATION OPEN ARMS.

IN 2006 HE RECEIVED A DISTINCTION AWARD AT THE E AWARDS BY THE CONVENTION BUREAU AND WAS HONORED BY MARTINEZ AND RECEIVED A THREE-STAR CAPTAIN'S CAP WHICH MAY BE A PINE ISLAND FIRST.

WHEREAS CAPTAIN BUNCH ATTRIBUTES THE SUCCESS OF OPERATION OPEN ARMS AND THE CAUSE TO THE PEOPLE OF GREATER PINE ISLAND AND LEE COUNTY, WHEREAS OPERATION OPEN ARMS HAS MORE THAN 125 SPONSORS WHO OFFER GOODS AND SERVICES TO THESE BRAVE SOLDIERS AND WHEREAS JOHN BUNCH COULD NOT MAKE OPERATION OPEN ARMS SUCCESSFUL WITHOUT THE GUARDIAN ANGEL WHICH SHARES THE AWARD AND ALL OF THE VOLUNTEERS WHO BELIEVE STRONGLY IN THE ORGANIZATION.

WHEREAS OPERATION OPEN ARMS PROVIDES SOLDIERS ON LEAVE WHO HAVE ORDERS TO RETURN OVERSEAS WITH A PLACE OF RESPITE FOR THEM AND THEIR FAMILIES.

WHEREAS OPERATION OPEN ARMS AND CAPTAIN BUNCH ACCEPT CONTRIBUTIONS AND GIFT CARDS TO DISTRIBUTE TO THE VISITING SOLDIERS THAT THEY CAN REDEEM AT LOCAL RESTAURANTS, NAIL, HAIR SALONS, MOVIE THEATERS, CLOTHING AND GIFT SHOPS, AMUSEMENT PARKS OR WHAT AN INDIVIDUAL BELIEVES MAY BE APPRECIATED BY A SOLDIER ON LEAVE.

WHEREAS OPERATION OPEN ARMS HAS DECLARED LEE COUNTY AS THE FRIENDLIEST MILITARY COMMUNITY IN THE UNITED STATES AND WITH GREAT HONOR WE RECOGNIZE CAPTAIN BUNCH AND ALL THE BUSINESSES AND INDIVIDUALS INVOLVED IN THE OPERATION OPEN ARMS ORGANIZATION AND SAY THANK YOU FOR YOUR UNSELFISH ACTS OF KINDNESS AND COMPASSION FOR OUR BRAVE SOLDIERS AND THEIR FAMILIES.

THE BOARD OF COUNTY COMMISSIONERS LEE COUNTY DECLARE THE WEEK OF DECEMBER AS OPEN ARMS WEEK IN LEE COUNTY AND WE RECOGNIZE THIS IS A WEEK OF SPECIAL IMPORTANCE AND IS WORTHY OF RECOGNITION BY THE CITIZENS OF LEE COUNTY AND

THE RESOLUTION IS SIGNED BY THE CHAIR, COMMISSIONER RAY JUDAH.

[APPLAUSE] CAPTAIN, IF YOU COULD PLEASE COME UP WE'RE GOING TO TAKE A PICTURE THERE YOU GO I FEEL MUCH MORE COMFORTABLE DOING THE TV FISHING SHOW THAN SPEAKING IN FRONT OF THE COMMISSIONERS.

I KNOW YOU HEAR THIS ALL THE TIME.

THERE ARE PROBABLY 130 OR 140 SPONSORS THAT DESERVE TO BE SITTING NEXT TO ME, WALKING UP HERE AND GETTING THIS AWARD.

WITHOUT THEM, OPERATION OPEN ARMS AND THEM SAYING "YES", THIS GREAT PROGRAM WOULDN'T BE POSSIBLE.

I WANT EVERYBODY IN THIS ROOM TO IMAGINE SERVING IN IRAQ OR AFGHANISTAN, FLYING BACK HOME AFTER YOU HAVE MISSED YOUR FAMILY, AFTER YOU HAVE NOT SLEPT IN YOUR BED, AFTER YOU HAVE NOT SEEN YOUR DOG AND YOU FLY IN TO FORT MYERS, YOU GET A LIMO FROM THE AIRPORT TO YOUR HOME OR TO A HOTEL.

YOU GO EAT FREE.

THE LIMO'S FREE.

THE HOTELS ARE FREE.

IF YOU WANT TO GO FISHING, WE HAVE OVER 30 FISHING GUIDES TO TAKE YOU FISHING FREE.

IF YOU WANT TO GO SAILING, WE TAKE YOU SAILING FREE.

IF YOU WANT TO GO EAT FREE, GREAT SPONSORS LIKE THE FARMERS MARKET RESTAURANT, BILL VARNWELL, YOU CAN GO THERE AND EAT THREE MEALS FOR YOUR TWO OR THREE WEEKS OF LEAVE AND HE DOESN'T ALLOW ANYONE TO TIP WHICH IS AN AMAZING THING.

I NEVER DREAMED THAT STARTING THIS SMALL LITTLE PROGRAM ON PINE ISLAND FOR PINE ISLAND'S OWN, THAT THIS WOULD EXPAND NOT ONLY TO LEE COUNTY AND COLLIER COUNTY BUT NEXT YEAR PROBABLY CHARLOTTE COUNTY AS WELL.

95% OF THE PEOPLE THAT I HAVE ASKED TO BE IN OPERATION OPEN ARMS SPONSOR HAVE AGREED TO DO SO.

AND THESE PEOPLE DO THIS LIKE THE TARPIN LODGE, DIAMOND HEAD, ALL OF THE GREAT CAPTAINS.

WHEN A CAPTAIN GOES OUT THERE AND TAKES OUR TROOPS FISHING, THEY DO THAT AT THEIR OWN EXPENSE.

THEY GET TWO TO THREE MILES PER GALLON IN THEIR BOAT.

THEY TAKE THEIR TIME AND MISS A \$500 DAY.

I'M PROUD TO SAY THAT THIS IS THE ONLY PROGRAM THIS EXTENSIVE IN THE ENTIRE UNITED STATES.

I OWE IT TO THE PEOPLE OF LEE COUNTY, TO THE SUPPORT OF THE COMMISSIONERS AND PROBABLY THE RECOGNITION THAT CONGRESSMAN DIAZ-POLART, CONNIE MAC, SENATORMEL MARTINEZ, SENATOR JIM WEBB, A BUDDY OF MINE FROM THE MARINES AND CONGRESSMAN JOHN MERTHA WHO WAS IN THE MARINES AS WELL.

THEY HAVE ALL SUPPORTED THIS PROGRAM.

ONE THING I WANT TO MAKE CLEAR IS OPERATION OPEN ARMS IS VOID OF MONEY, VOID OF POLITICS AND VOID OF RELIGION.

I THINK THAT'S WHY EVERYONE GRAVITATES TO IT.

BECAUSE YOU DON'T HAVE TO SUPPORT THE WAR TO SUPPORT THE WARRIORS.

THAT'S WHAT IT'S ALL ABOUT.

I THANK YOU TODAY.

I WAS A LITTLE BIT NERVOUS.

I NEVER GET NERVOUS ON TV.

BUT THIS IS A DEFINING MOMENT AND A VALIDATION PROCESS FOR OPERATION OPEN ARMS.

I WANT YOU TO KNOW THAT AS LONG AS I HAVE ANYTHING TO DO WITH THIS, OPERATION OPEN ARMS WILL SOMEDAY PUT LEE COUNTY ON THE MAP AS THE MOST FRIENDLY COUNTY IN THE UNITED STATES FOR OUR VETERANS TO COME TO.

THANK YOU.

[APPLAUSE] CAPTAIN, WE SALUTE YOU.

YOU'RE VERY HUMBLE.

YOU HAVE PUT TOGETHER QUITE A PRODUCTIVE PROGRAM ON BEHALF OF THE MEN AND WOMEN OF THE ARMED SERVICES.

[INAUDIBLE] THANK YOU, SIR I'VE GOT TO RUN A FISHING CHARTER WISH WE WERE GOING WITH YOU TAKE CARE.

ARE THERE OTHER RESOLUTIONS I'M NOT AWARE OF THAT NEED TO BE AND SHOULD BE READ? NO? ALL SET THEN? THANK YOU VERY MUCH, COMMISSIONER HALL.

WE'LL GO TO THE RECAP.

EVIDENTLY THE ADMINISTRATIVE ITEM 3 A THE DISCUSSIONS WITH CAPE CORAL OVER THE ANNEXATION HAS BEEN REQUESTED TO BE DEFERRED TO JANUARY 15.

WE HAVE A MOTION BY COMMISSIONER JANES, SECONDED BY COMMISSIONER HALL TO DEFER TO JANUARY 15TH.

ANY FURTHER DISCUSSION? ANY OBJECTION? HEARING NO OBJECTION, MOTION PASSES.

UNDER REVISIONS AND CORRECTIONS, WE HAVE THE CONSULTANT RANKING UNDER CONSENT ITEM 3-B.

I GUESS WE MAY AS WELL INCORPORATE THAT INTO THE AGENDA ITEM.

SO MOTION ON -- SO MOVED. SECOND WE DO HAVE A MOTION AND SECOND.

MOTION PASSES.

OF COURSE WE HAVE THE WALK-ON ITEM NUMBER ONE.

AT THIS POINT IN TIME, UNLESS THERE ARE MODIFICATIONS OR ADDITIONS TO THE AGENDA, WE'LL GO TO THE PUBLIC COMMENT ON THE CONSENT ADMINISTRATIVE AGENDA.

BEFORE WE DO, CHARLIE, I WOULD LIKE TO GIVE YOU AN OPPORTUNITY TO SHARE A FEW WORDS WITH THE BOARD AND THE COMMUNITY.

I THINK IT'S WORTH DOING.

THANK YOU, CHARLIE ALL OF US HAVE BEEN WATCHING THE NEWS AND READING THE PAPER ABOUT THE STATE BOARD OF ADMINISTRATION'S PROBLEMS WITH THE STATE POOL.

THERE IS ONE PERSON IN LEE COUNTY WHO HAS ABOVE ALL OF US SAVED US A TON OF MONEY AND HELPED US TREMENDOUSLY.

THAT'S JOE MASHMIRE WHO WORKS IN THE CLERK'S OFFICE.

OVER THE PAST 7 MONTHS, JOE HAS WATCHED WHAT'S BEEN HAPPENING WITH SBA AND MOVED ALMOST ALL OF THE MONEY OUT OF THE POOL SO THAT WE HAD NO PROBLEMS DRAWING DOWN.

SHE PULLED OUT \$280 MILLION LAST WEEK BEFORE THEY STOPPED WITHDRAWALS FROM THE POOL.

I JUST WANTED TO MAKE SURE THAT DAVID OWEN SENT ME AN ATTA BOY AND IT SHOULD HAVE BEEN AN ATTA GIRL TO JILL MASHMIRE.

SHE'S THE REVENUE INVESTMENT MANAGER IN THE OFFICE.

SHE HAS SIX EMPLOYEES.

SHE TAKES CARE OF ALL OUR INVESTMENTS AND DEPOSITS ALL OUR MONEY.

LET ME READ FROM HER EVALUATION THAT WAS DONE BY HER SUPERVISOR, DONNA HORN.

YOU ALL KNOW DONNA.

IF THERE IS ANYBODY TIGHTER THAN DONNA, I'D LIKE TO KNOW WHO IT IS.

SHE'S TERRIFIC.

THIS IS WHAT DONNA SAID OF JILL.

JILL'S AREA OF STRENGTH IS HER ACCURACY AND TIMELINESS.

SHE FULLY UNDERSTANDS HER RESPONSIBILITY TO THE TAXPAYER AND IS VERY CAREFUL IN THE HANDLING OF THEIR MONEY.

I THINK THAT'S SOMETHING ALL OF US IN PUBLIC OFFICE REALIZE.

IT IS THEIR MONEY.

IT'S NICE TO HAVE SOMEBODY TO WORK WITH WHO IS SO RESPONSIBLE.

A QUICK UPDATE ON SBA.

LOOKS LIKE THEY WILL DIVIDE IT INTO TWO FUNDS.

THERE WILL BE A SECURED FUND A WHICH IS A HIGHER RATING THAN B.

THEN THEY ARE GOING TO TRY TO GET DEPOSITS BACK INTO A AND LET B KIND OF TAKE ITS TIME AND SEE WHAT HAPPENS.

ONE OF THE THINGS THAT ALL OF US NEED TO BE AWARE OF, ANY INVESTMENT THAT ANYBODY HAS, IF IT'S MORTGAGED BACKED YOU WILL HAVE PROBLEMS OVER THE NEXT TWO YEARS PROBABLY.

HOPEFULLY IT WILL WASH OUT AND SBA WILL GET BACK ON ITS FEET.

IT'S BEEN A VERY SUCCESSFUL INVESTMENT TOOL FOR LEE COUNTY OVER THE YEARS.

WE HAVE DONE VERY WELL IN INVESTING IN SBA.

THANKS TO JILL, WE HAVE -- OF THE \$600 MILLION WE HAD IN THERE NOT MANY

MONTHS AGO, WE HAVE \$57MILLION LEFT.

SO WE'RE IN VERY, VERY GOOD SHAPE.

THAT'S DUE TO JILL.

JILL, I HOPE YOU'RE LISTENING BECAUSE I DON'T WANT TO EMBARRASS YOU, BUT YOU DID AN OUTSTANDING JOB.

ANYBODY HAVE ANY QUESTIONS ABOUTWHAT'S GOING ON WITH SBA? FIRST OF ALL, LET ME THANK YOU FOR TAKING THE TIME TO RECOGNIZE AND EXTEND YOUR APPRECIATION AND OURS TO JILL.

OBVIOUSLY WE ARE IN VERY CAPABLEHANDS WITH HER OVER SIGHTIF YOU DON'T KNOW ANYTHING, WORK WITH SOMEBODY WHO DOES.

BOY, AM I LUCKYANY QUESTIONS?CHARLIE, THANK YOU SO MUCH.

O.K.

WE DO HAVE A COUPLE OF CARDSWHO WAS THAT MAN? CHARLIE GREEN, FOR THE RECORDOH, THANK YOU.

I RECOGNIZED THE FACEKEVIN SHAYE?GOOD MORNING, KEVINFOR THE RECORD, KEVIN SHAYE.

MR. CHAIRMAN, COMMISSIONERS, DISTINGUISHED COUNCIL MANAGER, IWANT TO MAKE TWO POINTS ON THIS ITEM 7-A, YOUR DISTRIBUTION OF FUNDS TO THE DEPARTMENT OF HEALTH.

I WOULD HOPE THAT THROUGH THIS PROCESS THERE WOULD BE A PROPER PROPORTION AND ALLOCATION OF FUNDS, NOT ONLY TO THE MAC GREGOR CLINIC BUT TO THE DR. SWARTZ AND IN THE AIDS TREATMENTAND OTHER ASPECTS AND NOT HAVE WHAT HAPPENED THIS LAST YEAR WHERE FUNDS THAT WERE SUPPOSED TO BE PASSED THROUGH FOR LAB TESTS AND SO ON WERE WITHHELD, ETC.

I REALIZE THEY HAVE SOME MANAGEMENT PROBLEMS, BUT THERE SHOULD BE SOME EFFECTIVE OVERSIGHT.

THEN I RAISE THE OTHER ISSUE ON YOUR CONSTRUCTION.

I HAVE FORGOTTEN THE NUMBER HEREON YOUR CONSTRUCTION CONTRACT FOR THE RIVERDALE LIBRARY WHICH HAS A 7.5% CONSTRUCTION MANAGEMENT FEE WHICH SEEMS A LITTLE ON THE HIGH SIDE FOR SUCHA PROJECT IN COMPARISON TO SOME OTHER PROJECTS.

THAT'S SOMETHING I THINK THAT NEEDS TO BE MINDFUL IN THESE TIMES AS CERTAIN ENGINEERING FEES, CONSTRUCTION MANAGER FEES ARE NEGOTIABLE, SHOULD BE NEGOTIABLE AND THE COUNTY SHOULD BE GETTING A GOOD DEAL ON THESE

SITUATIONS.

WITH THAT, THANK YOU VERY MUCH.

I WILL BID YOU ADIEU UNTIL NEXT WEEK THANK YOU VERY MUCH.

TERRY? GOOD MORNING GOOD MORNING, MR. CHAIRMAN.

I TURNED THE CARD IN BEFORE I KNEW WHAT THE OUTCOME OF THE VOTE WOULD BE ON THIS MATTER.

SO I DON'T REALLY NEED TO SPEAK OTHER THAN TO SAY THANK YOU FOR THE OPPORTUNITY TO CONTINUE DISCUSSING THIS ITEM WE THANK YOU FOR BEING HERE THANK YOU, SIR I DON'T HAVE ANY OTHER CARDS.

MEMBERS OF THE PUBLIC, IF THEY WISH TO COMMENT ON THE CONSENT OR ADMINISTRATIVE AGENDA? YES, SIR.

STATE YOUR NAME FOR THE RECORD LARRY SANTAMOND.

I'M HERE TO SPEAK ABOUT THE LIBRARIES.

I WAS HERE LAST WEEK.

I'M NOT AGAINST THE LIBRARIES, I'M JUST AGAINST THAT WE ARE RENTING A LIBRARY.

IT JUST DON'T SEEM RIGHT TO ME.

BASICALLY I KNOW A LOT OF THINGS WERE GOING ON AND I DON'T KNOW THE -- GOING ON AND I DON'T KNOW THE FACTS AND FIGURES, BUT WE ARE PAYING FOR A BUILD-OUT HERE.

IT'S MY UNDERSTANDING THAT A SCHOOL, A COURTHOUSE OR WHATEVER SHOULD BE PURCHASED, NOT RENTED.

A LIBRARY IS A PERMANENT FIXTURE IN THE COMMUNITY.

FOR US TO RENT LIBRARIES, I DON'T KNOW THE WHOLE STORY.

IT DON'T MAKE A LOT OF SENSE TO ME.

IF YOU LOOK AT THE HISTORY OF LEE COUNTY, BACK IN THE EARLY 1900s, IF WE HAD RENTED THIS BUILDING I DON'T KNOW WHERE WE WOULD BE MEETING NOW.

I HAVE A QUESTION WITH PAYING FOR BUILD-OUTS WHEN LIBRARIES SHOULD BE A PERMANENT FIXTURE.

THE LIBRARY FUND HAS \$60 MILLION AVAILABLE TO BUILD LIBRARIES.

AT THE SAME TIME WHILE I'M ON THE LIBRARIES, I WOULD ASK THAT NEXT YEAR IN THE BUDGET YOU THINK ABOUT REDUCING THE MILLAGE RATE BECAUSE I REALLY FEEL WE HAVE PLENTY OF MONEY FOR THE LIBRARIES.

I'M NOT AGAINST THEM.

I JUST THINK WE SHOULD BE LOOKING INTO SOME OF THESE ISSUES, THANK YOU, LARRY.

ANYONE ELSE FROM THE PUBLIC WISH TO COMMENT AT THIS TIME ON THE CONSENT OR ADMINISTRATIVE APGD? SEEING NONE? WE'LL CLOSE PUBLIC COMMENT AND MOVE ON TO THE CONSENT AGENDA OF WHICH I WOULD ASK FELLOW BOARD MEMBERS IF THEY HAVE ITEMS TO BE PULLED.

COMMISSIONER HALL? 4-B, 10-BAND 10-B? YES, SIRO.K.

COMMISSIONER JANES? NONE COMMISSIONER MANN? 9-A, 17-A.

4-B -- THAT'S PULLED ALREADY THANK YOU 17-A? AND 9-A COMMISSIONER BIGELOW? 2-A.

13-A.

13-BI HAVE SEVERAL ITEMS TO PULL IF I COULD.

I APPRECIATE YOUR PATIENCE.

13-C.

14 C, D, E.

15-A AND A MOTION TO MOVE THE BALANCE SO MOVED MOTION TO MOVE SECONDED BY COMMISSIONER MANN.

HEARING NO OBJECTION, MOTION PASSES.

COMMISSIONER HALL, ITEM 4 B? I NEED TO ABSTAIN.

SINCE WE RECEIVED COMMENTS ON THIS ITEM, PERHAPS, JIM, IF YOU WOULD LIKE TO PROVIDE A RESPONSE THE RIVERDALE LIBRARY IS A BRANCH LIBRARY.

AS YOU KNOW, WE HAVE A REGIONAL LIBRARY SYSTEM WHICH SOME BRANCHES STILL EXIST.

WE HAD A RENTED BUILDING IN THE VICINITY OF WHERE THIS BUILDING IS BEING CONSTRUCTED.

WE WERE PLANNING TO DO THE BUILD-OUT.

WE WERE HAVING ONGOING DIFFICULTIES WITH THE LANDLORD IN THE BUILDING EVER SINCE 2004 AND 2005 WHEN THE HURRICANES CAME THROUGH REGARDING ROOF REPAIRS AND SUCH.

SO WE ARE CANCELLING THE LEASE WITH THAT INDIVIDUAL AND WE LOOKFOR AN ALTERNATE LOCATION.

WE WERE GOING TO MOVE SLIGHTLY DOWN THE ROAD INTO THE SHOPS ANDPUT A STORE FRONT IN THERE.

THERE IS A FAIR AMOUNT OF DISGRUNTLEMENT BY THE PUBLIC.

THIS BUILDING IS LITERALLY A STONE'S THROW AWAY FROM THE OTHER LIBRARY NEAR THE LITTLE RIVERDALE SHOPPING PLAZA THERE.

I BELIEVE IT'S THE ONLY LIBRARY BRANCH THAT WE RENT AND WE ONLY RENT THERE BECAUSE GENERALLY WE DON'T BUILD BRANCHES.

BRANCHES ARE NOT A PART OF OUR SYSTEM, BUT WE HAVE SOME LEFT OVER BRANCHES -- DUNBAR, PINE ISLAND -- AND THEY ARE VERY USEDHEAVILY BY THE LOCAL POPULATIONS.

IF THE BOARD CHOOSES TO AT SOME POINT IN TIME, WE COULD NEGOTIATE FOR THE BUILDING OR LOOK AT CONSTRUCTING.

WE DO TEND TO BE AT THIS LOCATION FOR A LONG TIME BECAUSETHE PUBLIC DESIRES IT TO BE HERE.

I DON'T KNOW IF SHELDON'S HERE, BUT WE ARE FOLLOWING THE DIRECTIVE OF THE LIBRARY STAFF THAT THE LIBRARY BE AS CLOSE TO THE FORMER LOCATION AS POSSIBLE.

IT'S ROUGHLY ON THE SAME PARCEL.

THAT'S BASICALLY WHAT WE'RE DOING.

IN REFERENCE TO THE FEE, WE THINK THE FEE IS FAIR.

WE HAVE HAD DISCUSSIONS NUMEROUSTIMES ABOUT THE FEE.

IF THE BOARD WOULD LIKE, I'M HAPPY TO BRING A FEE SCHEDULE BACK TO THE BOARD FOR APPROVAL.

IT WOULD TAKE ALL THE FEE DELIBERATIONS OUT OF OUR HANDS AND SET A SCALE FOR A CERTAIN VALUE, A CERTAIN FEE.

YOU CAN DELIBERATE AND DECIDE WHAT YOU THINK FEE IS REASONABLE.

WE CAN DO IT THAT WAY.

MY BELIEF IS EACH PROJECT IS INDIVIDUAL.

THERE ARE CERTAIN NUANCES TO EACH PROJECT.

TODAY, YOU HAVE A HOUSEHOLD HAZARDOUS WASTE WHICH IS A COMMERCIAL BUILDING, METAL BUILDING AND THE FEE IS LOWER AND WHEN WE HAVE A LIBRARY.

THERE IS A DISCREPANCY BECAUSE IT'S NOT APPLES TO APPLES.

I'M HAPPY TO BRING BACK A SET SCALE IF THE BOARD WOULD LIKE TO SEE IT.

OTHERWISE, WE'RE TRYING TO GET THE MOST REASONABLE FEE WE CAN.

WE HAVE A VERY STRAIGHTFORWARD PROCESS WHERE -- PLEASE UNDERSTAND THAT IF I RUN THE FEEDDOWN, I HAVE ONE PROJECT MANAGE AROUND ONE INSPECTOR ON EACH PROJECT.

IF WE RUN THE FEE DOWN 3%, 4%, IT'S GOING TO MOTIVATE CONTRACTORS AND CONSTRUCTION MANAGERS TO EKE OUT MONEY IN DIFFERENT WAYS WHICH WE TRY NOT TO HAVE HAPPEN.

WE TRY TO ACHIEVE A FAIR AND REASONABLE FEE THAT DOESN'T MOTIVATE THEM TO DO UNSCRUPULOUS THINGS LIKE MAKE MONEY OFF SUBCONTRACTS.

WE DON'T HAVE THE STAFF TO WATCH THEIR ACTIVITY.

WE HAVE REASONABLE FEES AND WE TRY TO BE FAIR.

WE ALSO EXPECT THEM TO DO THE WORK FOR JUST THAT FEE.

WE DON'T WANT OTHER MANIPULATION OF THE FUNDS.

BUT, AGAIN, IF YOU WANT A SCALE, I'M HAPPY TO BRING IT BACK OR HOWEVER YOU WANT TO DO IT I DON'T THINK -- I'M SORRY I'LL MOVE THE ITEM, MR. CHAIRMAN JIM, THANK YOU FOR THE RESPONSE.

WE HAVE A MOTION TO MOVE 4-B BY COMMISSIONER JANES.

DO WE HAVE A SECOND? I'LL SECOND FOR PURPOSES OF DISCUSSION.

JIM, I DON'T THINK YOU'RE HEARING FROM THIS BOARD -- AT LEAST THE MAJORITY OF THE BOARD -- THAT WE HAVE DIFFICULTY OR PROBLEMS WITH THE WAY IN WHICH THE CONSTRUCTION CONTRACTS HAVE BEEN DEVELOPED.

YOU HAVE PROVIDED TREMENDOUS COST SAVINGS OVER THE YEARS.

UNLESS I HEAR OTHERWISE FROM THE BOARD, STAY THE COURSE.

DISCUSSION? COMMISSIONER MANN? THANK YOU, MR. LAVENDER.

YOU ANTICIPATED SOME OF MY QUESTIONS.

I COULD TELL BY THE DIRECTION YOU WERE HEADED THERE.

MR. CHAIRMAN, YOU'RE RIGHT.

I DON'T THINK YOU HEARD FROM A MAJORITY OF THE BOARD EXPRESSING A CONCERN ABOUT THE LEVEL OF FEES AND HOW THEY ARE ARRIVED AT, BUT YOU HAVE HEARD FROM ME ANUMBER OF TIMES.

OBVIOUSLY I'M NOT MAKING MUCH PROGRESS.

EACH TIME THESE COME UP, PARTICULARLY IN TODAY'S CONSTRUCTION AND ECONOMIC MARKET, I WILL CONTINUE TO TALK ABOUT THEM.

I HOPE SOMEDAY I WILL BE SUCCESSFUL IN GETTING ADJUSTMENT TO THE FEE SCHEDULES.

I PULLED THE OTHER ITEM -- THE ONE YOU REFERRED TO, MR. LAVENDER WHICH WAS 9-A.

THAT WAS THE ONE ABOUT -- THESE HAVE A NEED TO GO IN CONVERT, BECAUSE ONE HAD A FEE SCHEDULE OF 6% AND THIS HAD ONE AT 7.5%.

THAT BRINGS TO MIND A QUESTION OF WHAT IS THE DIFFERENCE IN COMPLEXITY.

THE ONE AT THE HIGHER LEVEL NOW AT 7.5% IS THE LIBRARY BUILDING, A BRAND NEW BUILDING.

IT OUGHT TO BE THE EASIEST TO MOVE THROUGH FIT'S A PROJECT.

IT'S A BRAND NEW BUILDING.

I WOULD REFLECT ALSO WHAT MR. SHAYE SAID ABOUT RENTING THESE BUILDINGS.

THAT MAY HAVE BEEN THE POLICY IN THE PAST.

I WOULD LIKE TO, AT SOME POINT REVIEW THAT POLICY ALTHOUGH I DON'T KNOW THAT WE HAVE \$600,000 RENOVATIONS PLANNED AT THIS TIME.

BUT IF IT'S A LIBRARY AND WE DON'T CONTEMPLATE CLOSING IT, I WOULD LIKE TO THINK OF US AS OWNING THOSE AS PERMANENT BUILDINGS.

THAT'S THE LEAST EXPENSIVE WAY TO GO THAN TO PAY RENT AND PUT \$600,000 INVESTMENT INTO A RENTED BUILDING.

THE TWO TOGETHER IS A ONE-TWO PUNCH THAT REALLY PAINS ME.

I THINK I'M SPEAKING PROBABLY ONBEHALF OF THE VAST MAJORITY OF THE COUNTY TAXPAYERS THAT FOLLOWTHESE THINGS.

I APOLOGIZE IF I SEEM TO BE BELABORING THIS, BUT, AGAIN, I'MNOT GETTING ANYWHERE.

THIS IS PARTICULARLY DIFFICULT FOR ME BECAUSE THERE IS NO QUESTION ABOUT THE ABILITY, THE INTEGRITY OR THE HISTORY OF THE CONTRACTOR IN THIS CASE.

HE HAPPENS TO BE A PERSONAL FRIEND OF MINE AND REPRESENTS THE THIRD GENERATION OF A FAMILYWHO'S SERVED LEE COUNTY VERY WELL. THEIR ABILITIES ARE WELL KNOWN FOREVER.

NONETHELESS, IT TROUBLES ME A LITTLE BIT THAT IN HIS OWN RESPONSE TO THE COUNTY AS TO WHAT HE'D BE WILLING TO DO THE WORK AT, HE MADE SPECIFIC REFERENCE TO -- BASED ON OUR CURRENT ESTIMATE OF \$600,000 ANDIN ACCORDANCE WITH THE CURRENT LEE COUNTY SCALE OF FEES FOR PROJECTS LESS THAN \$1 MILLION INVALUE -- THEN HE PRESENTS THE 7.5% FEE.

MY PRAYER TO YOU GUYS, MR. STILLWELL, YOU'RE WHERE THE BUCKSTOPS -- HAS BEEN I WANT THE COUNTY TO HAVE THE SAME ADVANTAGE TODAY THAT EVERY TAXPAYER IN LEE COUNTY AND FLORIDA HAS TODAY IN THE MARKET THAT WE FIND OURSELVES.

I CAN BUY A HOUSE TODAY IN LEE COUNTY FOR ONE-THIRD LESS -- ANDIT'S HAPPENING EVERY DAY -- THAN YOU PAID 18 MONTHS AGO.

AND THAT IS THE NATURAL MARKET AT WORK OUT THERE THAT EVERY LEECOUNTY CITIZEN HAS AVAILABLE TO HIM, BUT NOT US.

I'M SAYING WE SHOULD BE RENEGOTIATING FEES NOW.

IT IS TIMELY, IMPORTANT AND THE RIGHT THING TO DO FOR THE TAXPAYERS.

I WILL KEEP MAKING THIS LITTLE PRAYER.

I KNOW YOU'RE TIRED OF HEARING IT, BUT I CANNOT SUPPORT THIS.

MY HOPE IS THAT THE MOTION FAILSAND WE CAN GO BACK TO THE CONTRACTOR AND SAY, LOOK, FOLKS WANT TO RENEGOTIATE THIS AND RETHINK IT IN THE LIGHT OF WHEREWE ARE TODAY AND THE REAL LIFE ECONOMICS OF THE CONSTRUCTION INDUSTRY IN SOUTHWEST FLORIDA.

SO, THAT'S MY PRAYER, MY SPEECH ONE MORE TIME.

THERE MR. CHAIRMAN? YES.

COMMISSIONER HALL LEE COUNTY DOES HAVE THE ADVANTAGE OF THE TAXPAYERS.

RENEGOTIATING LAND AND PURCHASING ITEMS, WE ARE SEEING A REDUCTION IN PURCHASING PROPERTY.

WE HAVE SEEN IT ALREADY THROUGH THE 20/20 PROGRAM, THROUGH THE OTHER REAL ESTATE ACQUISITIONS THAT COME ACROSS THIS AGENDA EVERY WEEK TO THE TUNE OF SOMETIMES HUNDREDS OF THOUSANDS OF DOLLARS AND SOMETIMES MILLIONS OF DOLLARS.

THE GENERAL CONTRACTING -- EVERYWEEK WE HAVE CONTRACTS ON THIS AGENDA AND EVERY WEEK WE DEBATE THE PERCENTAGES AND WE FINALLY SAID, WE WON'T WORK ON PERCENTAGES.

WE'LL WORK ON FEES.

THESE GUYS GO OUT AND NEGOTIATE EVERY CONTRACT.

TO MAKE THE ASSUMPTION THAT OUR STAFF IS NOT NEGOTIATING AS FEROCIOUSLY AND PRODUCTIVELY ANDEFFICIENTLY AS POSSIBLE, I THINK, IS ERRONEOUS.

THESE GUYS HAVE BEEN DOING THIS YEARS.

THIS IS THEIR EXPERTISE.

THAT'S WHY WE HIRED THEM TO DO THIS JOB.

THE INDUSTRY HAS ADJUSTED AND LOOKED AT HOW THEY CAN WORK WITHUS.

NOBODY OUT THERE IS SAYING, HEY,LET'S WORK FOR THE COUNTY AND WECAN GET TWICE AS HIGH FEES AS WECAN GET ANY PLACE ELSE.

I HAVE TO ABSTAIN FROM 4-B BUT ANY OF THESE CONTRACTS HAVE BEENA THREE-TWO.

I DON'T KNOW IF WE NEED A MANAGEMENT PLANNING DISCUSSION, BUT TO PUT IN A FEE STRUCTURE ISN'T RIGHT BECAUSE NOT EVERY PROJECT IS THE SAME.

WE HAVE TO LOOK AT EACH OF THEM AS UNIQUE AND WHAT'S APPROPRIATEFOR THAT PARTICULAR PROJECT.

TO SAY THAT WE DON'T HAVE THE CONFIDENCE IN OUR STAFF THAT THEY ARE NEGOTIATING WITH THE BEST INTEREST OF LEE COUNTY, I HAVE SEEN THE STAFF COME FORWARDAND SAY, NO, WE CAN'T RECOMMEND THIS.

THEY CAN COME BACK AND SAY, THE NUMBERS AREN'T APPROPRIATE, IT'SNOT WORKING.

TO ACCUSE THEM OF NOT DOING THAT, IT'S COUNTER PRODUCTIVE BECAUSE THE STAFF IS CONSCIENTIOUS ABOUT THE PUBLIC'SMONEY BECAUSE IT'S OUR MONEY.

WE'RE TAXPAYERS, THEY ARE.

THEY LIVE HERE.

THEY DON'T COME FROM CHARLOTTE COUNTY.

THEY'RE FROM LEE.

THEY LOOK AT BEING A PART OF THIS INSTITUTION AS A WAY TO GIVE BACK TO THE COMMUNITY AND IT'S THEIR JOB.

I'M FRUSTRATED THAT WHEN WE'RE TALKING ABOUT THIS, HOW DO WE EITHER AGREE TO DISAGREE ON EVERY ONE OF THESE ITEMS OR HOW DO WE COME TO A CONSENSUS THAT THE CONFIDENCE IS GIVEN TO THE STAFF THAT THEY ARE DOING WHAT WE HAVE ASKED THEM TO DO WHICH IS TO NEGOTIATE IN THE BEST MANNER AND THE MOST EFFECTIVE MANNER ON BEHALF OF THE RESIDENTS OF THE COMMUNITY.

I HAVE THE CONFIDENCE IN THEM, BUT OBVIOUSLY SOME OF US DON'T THANK YOU, COMMISSIONER HALL.

DON? YOU KNOW, THIS IS A DIFFICULT AREA.

THERE IS NO QUESTION.

I THINK EVERYONE RECOGNIZES THE MONEY BELONGS TO THE TAXPAYERS AND WE'RE ALL TAXPAYERS AS COMMISSIONER HALL JUST SAID.

COMMISSIONER MANN IS RIGHT.

ON A HOUSE, YOU CAN BUY A HOUSE FOR MUCH LESS TODAY THAN YOU COULD A YEAR AGO.

BUT WE'RE TALKING ABOUT A FEE.

THE PERCENTAGE FOR THE HOUSE MAY DROP FROM \$150,000 TO \$100,000.

THE FEE IS A PERCENT OF THE TOTAL NUMBER.

SO THE AMOUNT THE PERSON IS GETTING HAS ALREADY DROPPED.

IF A HOUSE SOLD FOR \$150,000 LAST YEAR WITH A #% FEE, THIS YEAR IT'S 7% ON \$100,000 THERE IS NOT A DIRECT CORRELATION TO FEE.

A FEE IS A FEE.

THE IMPORTANT THING TO REMEMBER IT COMES DOWN TO WHAT COMMISSIONER HALL SAID AGAIN.

IT'S A TOUGH NEGOTIATION BASED ON THE UNIQUENESS OF THIS PARTICULAR PROJECT.

I THINK WE'RE GOING TO GET INTO A BIND IF WE START TRYING TO PUT A NUMBER AND SAY, I DON'T CARE WHAT THE PROJECT, WHAT THE UNIQUENESS OF THE PROJECT IS.

THAT'S WHAT WE PAY.

WE CAN GET AWAY WITH THAT FOR A SHORT TIME, BUT IT ALWAYS COMES BACK TO HAUNT YOU.

I WOULD ENCOURAGE THE BOARD TO LET STAFF HAVE THE LATITUDE TO MAKE OPINIONS AND DECISIONS.

LET'S NOT ADOPT A FLAT FEE.

I THINK, COMMISSIONER MANN, I'M NOT ARGUING.

I HEAR WHAT YOU ARE SAYING.

WE ACCEPT THE CHALLENGE TO DO BETTER BY THE TAXPAYERS.

I HAVE NEWS FOR ALL OF YOU.

THIS IS JUST BEGINNING.

YOU THINK IT'S TOUGH NOW, IT'S JUST BEGINNING.

WAIT FOR NEXT YEAR'S BUDGET.

WE'LL BE TALKING ABOUT A LOT OF THINGS.

WE CAN BE A POUND WISE AND VERY FOOLISH, TOO.

IF WE CUT BACK TOO SOON IN THE WRONG PLACE WE'LL HURT OURSELVES LONG-TERM.

ONE THING THIS COUNTY'S DONE IS WE DO THINGS RIGHT.

WE DO THINGS FOR THE LONG-TERM.

COMMISSIONER BIGELOW TALKS ABOUT PLANNING.

THIS IS PLANNING.

THIS IS DOING THINGS RIGHT.

WE ARE NEGOTIATING AND DOING WHAT'S RIGHT FOR THE TAXPAYERS.

IF YOU WANT TO CHANGE THE POLICY, WE CAN BRING IT UP, SCHEDULE IT ON YOUR AGENDA, BUT I RECOMMEND STRONGLY YOU GO FORWARD TODAY.

YOU'RE GETTING INTO NEGOTIATION PROCESS AND I DON'T THINK YOU WANT TO GET

INTO THAT.

YOU'RE GOING TO HAVE EVERYONE IN THE COUNTY CALLING YOU EVERY TIME SOMETHING HAPPENS.

EVERY TIME STAFF DOES SOMETHING, YOU WON'T HAVE TIME TO ANSWER EVERYBODY TRYING TO NEGOTIATE WITH YOU INDIVIDUALLY AS COMMISSIONERS.

YOU WANT TO CHANGE THE POLICY, CHANGE IT IN THE FUTURE.

NOT NOW.

I HOPE YOU DON'T CHANGE THE POLICY, BUT IF YOU DO, TODAY ISN'T THE TIME TO DO IT. THANK YOU, DON. COMMISSIONER BIGELOW, WHERE IS THE LIBRARY DIRECTOR? I'M SORRY? WHERE IS OUR LIBRARY DIRECTOR? I JUST DON'T KNOW, BUT WE COULD GET HIM HERE. YOU DON'T KNOW WHERE YOUR LIBRARY DIRECTOR IS? COMMISSIONER, LIBRARIES IS A DEPARTMENT I WORK WITH.

HE AND I SPOKE.

THIS WAS A STRAIGHTFORWARD CONSTRUCTION ITEM.

WE DIDN'T FEEL IT WAS NECESSARY FOR HIM TO BE HERE. THESE AGENDA ITEMS HAVE ALWAYS BEEN PULLED SINCE I HAVE BEEN ON THE BOARD.

WE DIDN'T SEE FIT TO HAVE THE LIBRARY DIRECTOR HERE? MR. BIGELOW, IT ISN'T A LIBRARY ISSUE PER SE.

THIS IS A CONSTRUCTION ISSUE.

I THINK THAT'S WHAT MS. HALL IS POINTING OUT.

IT DOESN'T HAVE TO DO WITH THE LIBRARY DIRECTOR.

IT'S A CONSTRUCTION -- IT'S A POOR DECISION IN MY OPINION NOT TO HAVE THE LIBRARY DIRECTOR HERE.

I HAVE LOTS TO SAY ON THIS ISSUE.

IT SEEMS TO ME THAT, AGAIN, I WILL START WITH SOMETHING YOU HAVE HEARD FROM ME MANY TIMES BEFORE.

THE SELECTION COMMITTEE MAKE-UP -- AND I WILL GET TO THE CM FEE IN SHORT ORDER.

THE WAY WE FORM THE SELECTION COMMITTEES IS TROUBLING FOR ME.

I HAVE TO PUT THIS OUT THERE AGAIN.

YOU HAVE THE PUBLIC WORKS DIRECTOR, JIM LAVENDER, AND THE LIBRARY DIRECTOR ON THE COMMITTEE AND THAT'S GOOD BECAUSE THE LIBRARY DIRECTOR DOESN'T ANSWER TO THE PUBLIC COURSE DIRECTOR.

BUT YOU HAVE ONE WHO WORKS UNDERJIM LAVENDER.

I DON'T CARE FOR THIS KIND OF SUBORDINATE TO SUPERIOR RELATIONSHIP ON THESE SELECTION COMMITTEES.

I JUST WANTED TO SAY THAT ONCE AGAIN.

THAT'S ONLY ONE OF THE REASONS IWON'T BE SUPPORTING THIS.

LET ME POINT OUT SOME OTHER PROBLEMS HERE.

I HAVE STUDIED THIS AT SOME LENGTH.

THERE IS A RATHER INTERESTING INCONSISTENCY BETWEEN THE BLUE SHEET AND THE BACK-UP MATERIAL.

AFTER CONDUCTING INTERVIEWS WITHTHE FIVE SHORT-LISTED FIRMS ON OCTOBER 5 OF 2007 THERE WAS A CONSENSUS OF THE COMMITTEE TO RECOMMEND AWARD TO THE CHRIS TELL COMPANY.

OCTOBER 5 OF 2007 WAS THE INTERVIEWS AND PRESENTATIONS MEETING.

BUT THEN IF YOU LOOK AT THE BACK-UP, THE QUALIFICATION SELECTION COMMITTEE OVERALL RANKING SHEET SIGNED BY DANIEL CRUZ, AT THE TOP IS DATED OCTOBER 11.

SO THAT'S INCONSISTENT, PERHAPS HUMAN ERROR.

IF YOU LOOK DOWN AT THE SIGNATURE LINE, THE DATE THAT MR. CRUZ SIGNED IT WAS OCTOBER 15TH WHICH IS TEN DAYS AFTER IT'S SAID HERE IN THE BLUE SHEETAND FOUR DAYS AFTER THE ACTUAL SELECTION COMMITTEE SUPPOSEDLY WAS HELD.

THE INCONSISTENCIES JUST RAISED MY EYEBROWS.

I DON'T KNOW WHY WE HAVE ALL THESE DIFFERENT DATES THAT QUITEOBVIOUSLY COULD HAVE BEEN EASILYGOTTEN CORRECT.

BELOW THAT COMMENT IN THE BLUE SHEET, IT SAYS A LETTER WAS RECEIVED FROM THE CHRIS TELL COMPANY ON NOVEMBER 3 BUT THE LETTER FROM MR. WHEELER DATED NOVEMBER 1 WAS RECEIVED STAMPED NOVEMBER 5.

I DON'T KNOW WHY WE CAN'T GET THIS BLUE SHEET RIGHT WHEN IT'S CLEAR.

MAYBE A MINOR POINT, HUMAN ERRORS, BUT THERE'S SEVERAL OF THEM HERE.

THIS IS A LITTLE BIT TROUBLING.

IT GIVES ME SOME PAUSE.

O.K.

I THEN WANT TO TALK ABOUT WHETHER WE'RE RENTING OR BUYING -- OWNING, I MEAN.

IT SEEMS TO ME WE HAVE TO FIGURE THIS OUT.

WHAT ARE WE DOING OUT IN RIVERDALE WITH RESPECT TO LIBRARIES.

I'D LIKE TO HEAR FROM THE LIBRARY DIRECTOR.

I CAN'T DO THAT HOWEVER, I HAVE BEEN WORKING CLOSELY WITH SHELDON ON THIS ISSUE -- COMMISSIONER JUDAH, I WOULD LIKE TO FINISH NOW, COMMISSIONER BIGELOW, I'M GOING TO CUT YOU OFF NOW.

OUT OF COURTESY, YOU TALKED ABOUT WHY WE SHOULD HAVE THE LIBRARY DIRECTOR HERE.

HOLLY SWARTZ OVERSEES.

IT'S NOT AN ISSUE OF LIBRARIES.

IT'S A CONSTRUCTION CONTRACT.

I WILL HAVE THAT POINT RESPONDED TO.

HOLLY? I DIDN'T ASK A QUESTION COMMISSIONER BIGELOW, HAVE THE COURTESY I DIDN'T -- NO.

HAVE THE COURTESY TO HAVE YOUR COMMENT RESPONDED TO.

YOU WERE DISRESPECTFUL.

YOU DENIGRATE STAFF.

I'M GOING TO SUGGEST TO YOU NOW, COMMISSIONER BIGELOW -- I HAVE THE FLOOR AND I WILL RESPECT THAT.

BUT STAFF GET A CHANCE TO RESPOND TO YOU.

HOLLY, PLEASE RESPOND. I THINK I FORGOT THE QUESTION.

BUT TO RESPOND TO COMMISSIONER BIGELOW AND JIM HAD STATED IT EARLIER, ESSENTIALLY WE WERE HAVING SOME REAL ISSUES WITH THE FACILITY WHERE THE PRESENT LIBRARY WAS.

SO WE NEEDED TO MAKE QUICK DECISIONS FOR THE SAFETY OF THE PEOPLE IN THE

LIBRARY.

SO WE DID AND THIS GREAT DEAL CAME UP AND THAT'S SPECIFICALLY WHY WE DECIDED TO GO WITH THIS OPPORTUNITY TO RENT VERY, VERY CLOSELY TO THE FACILITY THAT'S EXISTING.

THAT WAS ONE OF THE BIG ISSUES THAT THE COMMUNITY HAD.

THEY DIDN'T WANT IT TO BE MOVED TOO FAR AWAY BECAUSE IT WAS NEARRIVERDALE HIGH SCHOOL AND THAT WOULD HAVE BEEN THE MOST ADVANTAGE LOCATION
COMMISSIONER BIGELOW? THANK YOU.

I WOULD LIKE TO TALK NOW ABOUT THE 7.5% FEE.

THE CM FEE, AS I UNDERSTAND IT -- AND THIS IS BASED ON LENGTHY CONVERSATIONS WITH STAFF AND PEOPLE IN THE BUSINESS -- IS TO BE BASED UPON THE DIRECT COSTS.

DIRECT COST MEANING SUBCONTRACTOR COST, CONTINGENCIES, BONDING, INSURANCE AND WHATNOT.

YET IN THE LETTER FROM MR. WHEELER IT SAYS LET THIS LETTER CONFIRM THAT THE FEE FOR THE ABOVE REFERENCED PROJECT WILL BE 7.5% OF THE TOTAL GM FEE.

NOW THE TOTAL FEE IS THE FINAL PRICE.

YOU DON'T SET THE CM FEE BASED ON THE FINAL PRICE.

THE FINAL PRICE INCLUDES THE CM FEE.

SO YOU CAN'T TAKE A PERCENTAGE OF THE TOTAL WHICH INCLUDES THE CM FEE TO DERIVE THE CM FEE.

IT'S NOT CORRECT.

I HOPE THAT'S NOT WHAT WE'RE DOING BECAUSE THAT'S CLEARLY DOUBLE-DIPPING.

AS I READ EARLIER -- NO.

I HAVEN'T READ THIS.

THE 7.5% INCLUDES CONSTRUCTION AND PRE-CONSTRUCTION SERVICES FOR THE OWNER.

MR. LAVENDER, IS THE 7.5% APPLIED TO THE PRE-CONSTRUCTION SERVICES COST IN THIS PARTICULAR CASE? IS THE 7.5% APPLIED TO THE PRE-CONSTRUCTION SERVICES COST? NO.

PART OF THE 7.5% IS THE PRE-CONSTRUCTION COST.

WE ARE PAYING A PERCENTAGE FOR THEM TO DO PRE-CONSTRUCTION WORK FOR USSO
IT DOES NOT APPLY? CORRECT THANK YOU SO MUCH.

O.K.

SO BASED ON ALL OF THESE TROUBLING POINTS, I'M NOT GOING TO SUPPORT THE
ITEM ALL RIGHT COMMISSIONER MANN? I KNOW THIS IS A DELICATE ISSUE, MR.
CHAIRMAN.

BUT I KNOW COMMISSIONER HALL HAS STATED SHE WON'T VOTE ON THIS BECAUSE OF A
POSSIBLE CONFLICT.

BUT SHE HAS BROUGHT UP SOME POINTS THAT I JUST CAN'T LEAVE LAY.

ONE OF THE MAJOR POINTS WAS, COMMISSIONER, THAT OUR STAFF WORKS
VIGOROUSLY AT NEGOTIATIONS WITHIN THE LATITUDE THAT OUR RULES AND
REGULATIONS ALLOW.

THAT'S CERTAINLY WHAT I HAVE BEEN SPEAKING TO.

I WOULD ENCOURAGE US TO BE MORE FORCEFUL IN OUR NEGOTIATIONS.

BUT THE VERY DOCUMENT THAT I REFERRED TO SIGNED BY THE PRESIDENT OF CHRIS
DALE CONSTRUCTION HERE, LET ME READ IT ONE MORE TIME.

THESE FEES WILL BE BILLED ALONG WITH THE CONSTRUCTION OF THE PROJECT ON A
MONTHLY BASIS BASED ON OUR CURRENT PRELIMINARY ESTIMATE OF \$600,000 AND IN
ACCORDANCE WITH THE CURRENT LEE COUNTY SCALE OF FEES FOR PROJECTS LESS
THAN \$1 MILLION IN VALUE.

HE STATES ABOVE IT THAT IT WILL BE 7.5%.

THERE WERE NO NEGOTIATIONS HERE.

THE CONTRACTOR IS TELLING US WHAT THE FEE IS GOING TO BE.

AND NOW OUR STAFF IS RECOMMENDING IT.

WHERE IS THE NEGOTIATION IN THAT? AGGRESSIVE NEGOTIATION I'M HEARING ABOUT.

THAT'S WHAT'S TROUBLED ME, NOT THE CONTRACTOR.

THEY ARE GREAT.

THEY HAVE A WONDERFUL RECORD.

WHETHER IT'S THE QUALITY OF CONSTRUCTION OR THE INTEGRITY OF THE COMPANY,
THEY ARE GREAT PEOPLE.

I'M SAYING WE OUGHT TO BE MORE AGGRESSIVE IN NEGOTIATIONS HERE.

IT'S TIME TO DO IT AND START NOWMUCH? ONE SECOND, COMMISSIONER HALL.

JIM LAVENDER HAS A RESPONSEI WOULD LIKE TO KNOW WHAT THEBOARD THINKS IS A REASONABLE FEEFOR THIS.

WE DID HAVE A NEGOTIATION.

WE SIT DOWN TO HAVE A NEGOTIATION EVERY TIME WE DO THESE.

JUST FOR MY OWN KNOWLEDGE, WHAT IS IT THAT COMMISSIONER MANN FEELS WOULD BE A REASONABLE FEE FOR THE PROJECT?I WOULD LIKE TO KNOW.

I DON'T KNOW THATCOMMISSIONER MANN? WELL, THAT GREATLY BROADENS THE SUBJECT HERE.

WE HAVE ONE SUBJECT BEFORE US.

I HAVE MADE MY POINT THAT THE CONTRACTOR SET THE FEE.

IT WAS NOT SET BY A NEGOTIATION.

I WOULD WELCOME AN M & P MEETINGDEVOTED TO NOTHING BUT FEE NEGOTIATIONS IN THE LIGHT OF TODAY'S MARKET.

I THINK IT WOULD BE QUITE APPROPRIATE -- QUITE INAPPROPRIATE FOR ME TO TRY TO PULL OUT OF THE AIR SOME MAGIC NUMBER RIGHT HERE.

THE POINT -- I'M HAVING DIFFICULTY HAVING THIS COME IN FOR A LANDING.

WHEN A CONTRACTOR PUTS IN HIS LETTERS TO US AN ACCEPTANCE BASED ON A SCHEDULE OF FEES WE HAVE AND TELLS US WHAT IT'S GOING TO B YOU CAN'T TELL ME THAT'S NEGOTIATIONS.

THAT'S MY TROUBLE.

I WOULD BE HAPPY TO LOOK INTO THIS FURTHER.

GOSH, I THOUGHT I HAD SENT THAT MESSAGE MANY TIMES.

I'LL SEND IT ONE MORE TIMECOMMISSIONER HALL? I WOULD LIKE JIM TO RESPOND THAT YOU HAD NO DIALOGUE WHEN SETTING THE FEE AND HE JUST WROTE YOU THIS LETTER WITH NO DISCUSSION AND SAID, HEY, BASED ON THE FEE I PULLED OUT OF A POLICY MY FEE SHOULD BE 7.5% ANDTHAT WAS THE END OF THE CONVERSATIONTHE LETTERS THAT WE GET ARE THE CULMINATION OF THE NEGOTIATION.

UNDER \$1 MILLION WHEN WE PICK SOMEBODY OFF THE CONTINUING CONTRACT LIST WE HAVE A SCALE WEUSE SO EVERYBODY GETS GENERALLY FAIR TREATMENT.

IT'S A GUIDELINE, NOT SET IN STONE.

IT DEPENDS ON THE DETAILS OF THE PROJECT.

BUT CERTAINLY THE LETTER IS THE CULMINATION OF NEGOTIATION, NOT THE BEGINNING.

WE DID BRING IT TO M & P.

WE TALKED ABOUT THE WHOLE CONSTRUCTION PROCESS.

I HAD COMPARISONS WITH THE SCHOOL BOARD, OTHER ENTITIES AND OTHER GOVERNMENTS IN THE COUNTY, OTHER COUNTY GOVERNMENTS.

I DID A WHOLE ANALYSIS AND HAD COMPARISONS OF FEES VERSUS OURS.

WE'RE RIGHT IN THE MID OF THE PACK NOW.

MAYBE WE DISAGREE WITH ALL OF THAT.

I DON'T KNOW.

WE'RE HAPPY TO KEEP NEGOTIATING.

LET'S SET A SCALE AND WE'LL PUT THE FEE OUT THERE THAT WAY MR. CHAIRMAN? COMMISSIONER HALL AND THEN COMMISSIONER JANES AND COMMISSIONER BIGELOW LEGALLY, I DON'T HAVE TO ABSTAIN FROM THE VOTE.

PERSONALLY I FEEL IT'S APPROPRIATE TO ABSTAIN BECAUSE MY BOYFRIEND IS THE PRESIDENT OF CHRIS TELL.

I CHOOSE TO ABSTAIN BECAUSE I HAVE A PERSONAL RELATIONSHIP.

THE THING THAT UPSETS ME THE MOST ON THIS PARTICULAR ISSUE IS, AGAIN, SAYING TO OUR STAFF THAT THEY ARE ALLOWING CONTRACTORS, VENDORS, REAL ESTATE BROKERS, WHATEVER THEY ARE -- THAT WE JUST TAKE THAT INFORMATION AND ACCEPT IT WITHOUT ANY COMMENT BACK.

THIS STAFF DOES NOT WORK 40 HOURS A WEEK.

THEY WORK FAR BEYOND THAT.

THEY ARE VERY -- THEIR INTEGRITY AND CHARACTER WHEN THIS BOARD IN PUBLIC MEETING THAT, I HAVE AN ISSUE.

I HAVE WORKED WITH THESE PEOPLE FOR 20 YEARS.

I WORKED WITH THEM AS A CITY OF FORT MYERS EMPLOYEE.

I WORKED WITH THEM AS A COMMUNITY REDEVELOPMENT AGENCY EMPLOYEE.

I HAVE WORKED AS A CITY COUNCILPERSON.

I HAVE WORKED WITH THEM IN MY OWN BUSINESS WHEN I HAD HOLLAND COMPANY AND NOW AS A COUNTY COMMISSIONER.

I DON'T HAVE A PROBLEM BE BRINGING FEES BACK TO MANAGEMENT AROUND PLANNING TO TRY AGAIN TO GO OVER THEM.

BUT I AM NOT GOING TO SAY THAT ONE SYSTEM FITS ALL.

IT DOESN'T.

THERE HAS TO BE LEGISLATIVE OF CONFIDENCE IN THE -- LEVEL OF CONFIDENCE IN THE STAFF THAT THEY ARE NEGOTIATING.

TO INSINUATE ON A LETTER THAT'S BASICALLY TWO PARAGRAPHS THAT THIS STAFF DOESN'T DO STRINGENT AND TOUGH NEGOTIATIONS ON A REGULAR BASIS WITH CONTRACTORS IS FALSE.

I WANT IT ON THE RECORD.

IT'S SIMPLY FALSE.

THE IDEA THAT WE ARE SO DRACONIAN THAT STAFF MEMBERS THAT WORK UNDER SUPERVISORS ARE INTIMIDATED AND THAT THE ATMOSPHERE IN OUR EMPLOYEES OF OVER 2,500 EMPLOYEES OR WHATEVER IT IS TODAY, THAT OUR MANAGERS ARE SO INTIMIDATING TO THE ASSISTANT MANAGERS OR THE DEPUTIES OF AGENCIES THAT WE CAN'T HAVE A FAIR PROCESS IS ALSO INAPPROPRIATE IN MY OPINION TO ACCUSE OUR STAFF OF THAT.

THIS COUNTY STAFF AND THE EMPLOYEES HERE ARE TREATED AS FAIRLY AS POSSIBLE.

WE FOSTER AN ENVIRONMENT OF DEBATE.

WE FOSTER ON ENVIRONMENT WHERE STAFF CAN COME AND DISAGREE AND AGREE TO DISAGREE.

WE FOSTER THAT DEBATE AMONG THE COMMISSIONERS WITH STAFF.

I AM NOT AWARE OF ANY RETRIBUTION TO A STAFF PERSON WHO HAS STOOD AT THIS PODIUM AND DISAGREED WITH OTHER MEMBERS OF THE STAFF. AS A MATTER OF FACT, WE HAVE ENCOURAGED IT BECAUSE IT GIVES US MANY POINTS OF VIEW TO TAKE INTO CONSIDERATION ON TOUGH DECISIONS THAT THIS BOARD HAS TO MAKE.

I'M SORRY THAT THIS HAD TO BE THE ISSUE THAT WE'RE HAVING THIS CONVERSATION, BUT I'M CERTAINLY NOT INTIMIDATED THAT IT IS.

I THINK IT'S AN OVERREACHING ISSUE AND IT COMES BACK AGAIN TO THE CONFIDENCE THE BOARD HAS IN THE STAFF.

I, FOR ONE, HAVE A HIGH CONFIDENCE LEVEL AND I APPLAUD THE STAFF.

THEY WORK HARD IN EXTREMELY DIFFICULT SITUATIONS.

I WOULD RECOMMEND CHAIRMAN JUDA THAT WE AGAIN ASK AFTER THE FIRST OF THE YEAR THAT JIM COME BACK AND THAT THIS BOARD HAVE AN UNDERSTANDING AND WE BLUE SHEET A POLICY THAT THIS BOARD CAN EITHER ADOPT BY A MAJORITY VOTE OR NOT ADOPT, BUT THEN AT LEAST THERE IS CLEARANCE ON WHAT IS OUR POLICY TODAY.

I REALIZE WE HAVE POLICIES WE HAVE ENACTED OVER THE YEARS.

SOMETIMES WE NEED TO UPDATE THEM, REAFFIRM OR CHANGE THEM. THANK YOU, COMMISSIONER HALL.

COMMISSIONER JANES? THANK YOU.

APPRECIATE THE OPPORTUNITY.

I JUST WANT TO REMIND EVERYBODY THAT THE SIGNED LETTER WE RECEIVE FROM THE CONTRACTOR ALSO INDICATES AN AGREEMENT THAT THE CONTRACTOR HAS WITH THE PROCESS.

TO MY WAY OF THINKING AFTER THE NEGOTIATION AND DISCUSSION HAS OCCURRED, THAT WOULD BE VERY NICE TO HAVE THE CONTRACTOR SEND US A LETTER TO TELL US WHAT HE VIEWS OR HOW HE SEES THE CONTRACT COMING ALONG.

THE NEGOTIATION IS OVER.

HE'S INDICATING THE PROCESS AND WHAT HE EXPECTS ON THE CONTRACT.

IT PAINS ME GREATLY THAT WHAT WE ARE DOING IS SECOND-GUESSING AND HAGGLING OVER THESE FEES BECAUSE ALL THAT DOES IS, A, I THINK DONIS RIGHT IT WILL BRING NOTHING BUT TELEPHONE CALLS TO US FROM EVERYBODY HAGGLING ABOUT THE FEES AND THIS SORT OF THING.

I SUGGEST IF WE CONTINUE THIS ROUTE THEN MAYBE WE OUGHT TO FIRE THESE PEOPLE AND WE DO THE HAGGLING OURSELVES UP HERE.

MAYBE THIS WOULD SATISFY PEOPLE.

I TAKE IT WE ALL HAVE SUPERIOR NEGOTIATING SKILLS AND WE ALL UNDERSTAND THE FINE POINTS OF CONSTRUCTION SO WE WILL UNDOUBTEDLY DO A MUCH BETTER JOB.

THAT'S INDICATED BECAUSE WE ARE HAGGLING OVER DETAILS.

I THINK WE NEED TO MOVE ON.

I AGREE WITH COMMISSIONER HALL AND MAYBE PERHAPS WE OUGHT TO HAVE AN M & P MEETING TO TALK ABOUT IT.

BUT WE CANNOT CONTINUE GOING DOWN THIS ROUTE OF HAGGLING OVER EVERY CONSTRUCTION CONTRACT THAT COMES BEFORE THE BOARD.

IT IS CREATING CHAOS AND IT IS GOING TO CREATE CHAOS IN THE CONSTRUCTION MARKET.

FOR US TO DO THIS, I'VE GOT TO SAY IT'S POOR GOVERNANCE ON OUR PART.

IF WE'RE NOT CONFIDENT IN THE STAFF TO DO THIS, A, WE HAVE A PROBLEM HERE AND WE HAVE TO HAVE SOME EVIDENCE THAT THEY ARE WRONG AND THERE IS NONE EVER PRESENTED THAT THE CRITICISM THAT THE STAFF IS GETTING IS MERELY GRANDSTANDING BY PEOPLE THAT DON'T UNDERSTAND THE SITUATION.

I THINK WE CAN NO LONGER PERMIT THIS TO HAPPEN.

WE NEED FOR THE SAKE OF GOOD GOVERNANCE TO MOVE THESE PROJECTS ALONG, TO BUILD UP A BACKLOG BECAUSE YOU WANT TO HAGGLE OVER A FEE THAT'S ALREADY BEEN NEGOTIATED, TO ME, IS RIDICULOUS -- AND NEGOTIATED BY A STAFF THAT KNOWS WHAT THEY ARE DOING.

THIS STAFF IS SUPERB.

I'M TELLING YOU, I HAVE SEEN STAFFS IN MY LONG YEARS AND I HAVE BEEN AT THIS GAME FOR MORE THAN ONE YEAR OR SIX MONTHS.

IT'S BEEN YEARS.

I UNDERSTAND WHAT A GOOD STAFF IS AND HOW THEY WORK AND THIS STAFF IS SUPERB.

WE'RE LUCKY TO HAVE THEM AND WE WANT TO CONTINUE TO DEGRADE AND CRITICIZE THEIR EFFORTS IS NOT GOOD GOVERNANCE.

I JUST HAVE TO SAY THAT.

I THINK WE NEED TO MOVE ON WITH THE PROJECTS, BUT TO CONSTANTLY TIE THESE PROJECTS DOWN ACCOMPLISHES NOTHING THANK YOU.

COMMISSIONER BIGELOW? CHAIRMAN JUDAH, I WILL BE VERY QUICK.

I APPRECIATE YOUR INDULGENCE.

I'M THRILLED WE ARE HAVING THIS DELIBERATION.

I THINK IT'S HEALTHY.

THIS IS WHAT AS FORMER CHAIRMAN JANES EXPLAINED YESTERDAY IN HIS DESCRIPTION OF CIVICS 101 YESTERDAY.

THIS IS A REPRESENTATIVE FORM OF GOVERNMENT.

WE ARE HEAR REPRESENTING VARIOUS VIEWS AND IT'S HEALTHY AND PROPER.

LET ME PICK UP WHAT'S ALREADY BEEN SAID AND POINT OUT THAT ABSENT A LIBRARY DIRECTOR -- THAT'S A FAIR CRITICISM TO MAKE OF THE COUNTY MANAGEMENT.

I THINK THAT'S ABSOLUTELY A FAIR CRITICISM TO MAKE.

IT'S MEANT TO BE CONSTRUCTIVE.

LET ME ALSO SAY THAT WE HAVE TO FIGURE OUT, IN MY ESTIMATION, A WAY TO MAKE THE CM FEES COMPETITIVE.

I THINK WE CAN DO IT.

WE HAVE TO FIND A WAY TO MAKE THEM BORNE OUT OF A COMPETITIVE PROCESS.

I WILL GIVE YOU ONE IDEA AS A FOR INSTANCE.

IF ALL FIVE OF US ARE CONTRACTORS AND WE KNOW THERE IS A LIBRARY TO BE BUILT IN RIVERDALE, WE'LL GO INSPECT THE SHELL OF THE BUILDING, KNOW WHAT THE PLANS ARE, SEE WHAT IT ENTAILS, WALK INTO THE SELECTION COMMITTEE.

I WILL HAVE A PERCENTAGE IN MIND, I WILL TELL THE COMMUNITY I THINK I CAN DO IT FOR 7.5.

FRANK COMES IN AND SAYS, I CAN DO IT FOR 7.

THERE WE GO.

THERE'S A COMPETITIVE PROCESS.

THAT'S JUST A FOR INSTANCE.

I'M NOT SUGGESTING THAT'S THE WAY IT GOES, BUT WE COULD PROBABLY VET THAT IDEA.

I'M HEARING FROM FOLKS IN THE INDUSTRY THAT TELL ME THAT COLLIER COUNTY DOES THEIR CONTRACTING -- CM COMPETITIVE BID PROCESS MUCH DIFFERENTLY THAN LEE COUNTY.

THEIR COMMITTEES ARE MADE UP DIFFERENTLY THAN OURS.

THEIR PROCESSES RUN DIFFERENT.

I'D LIKE US TO STUDY THEIRS.

THEY HAVE DELIBERATED AT A COMMISSION LEVEL AND COME TO A NEW WAY OF DOING BUSINESS WITH THAT RESPECT.

I WOULD SUPPORT A MANAGEMENT AND PLANNING EFFORT, BUT I'M NOT SUPPORTING THIS TODAY LET ME INTERJECT.

THANK YOU, COMMISSIONER BIGELOW.

COMMISSIONER HALL, I APPLAUD -- YOU HAVE ALWAYS BEEN VERY FORTHRIGHT AND HONEST AND DIRECT WITH REGARDS TO YOUR RESPONSIBILITY HERE ON THIS BOARD.

I DEEPLY RESPECT THE REASONS WHY YOU FELT YOU WERE, AGAIN, VERY UP FRONT ON THE PUBLIC RECORD AS TO WHY YOU FELT IT WAS IMPORTANT TO ABSTAIN.

WITHOUT PUTTING YOU ON THE SPOT, I THINK IT WOULD BE HELPFUL TO GET AT LEAST A LEGAL INTERPRETATION OR OPINION FROM OUR LEGAL STAFF AS TO WHETHER OR NOT THERE WOULD BE ANY CONFLICT OF INTEREST.

I DON'T SEE HOW THIS IS GOING TO BE IN YOUR BENEFIT, PERSONALLY, BUT I UNDERSTAND THE CAUTION YOU ARE APPLYING TO THIS.

IF I COULD HEAR FROM LEGAL STAFF AS TO WHETHER OR NOT THERE IS ANY POSSIBLE POTENTIAL CONFLICT OF INTEREST GOOD MORNING, MR. CHAIRMAN, COMMISSIONERS.

WITHOUT GOING INTO GREAT DETAIL AND WORKING FROM MEMORY, I DON'T BELIEVE THAT THE COMMISSIONER HAS A CONFLICT OF INTEREST.

IN THE PAST, I HAVE ALWAYS ADVISED THIS COMMISSION THAT IF YOU HAVE A CONFLICT OF INTEREST FOLLOWING THE RULES UNDER 8-B, CHAPTER 112 THAT YOU SHOULD ABSTAIN.

IF YOU DO NOT HAVE A CONFLICT, YOU SHOULD NOT ABSTAIN.

THAT'S A STATE LAW.

THE BEST I CAN TELL YOU TODAY BASED ON THE COMMISSIONER'S DISCUSSIONS THIS MORNING, I STAND HERE BEFORE YOU AND TELL YOU TO THE BEST OF MY KNOWLEDGE, AGAIN WORKING FROM RECOLLECTION THAT THE COMMISSIONER DOES NOT HAVE A CONFLICT OF INTEREST.

A BOYFRIEND DOES NOT CONSTITUTE THAT FAMILIAL OR OVER RELATIONSHIP OUTLINED IN CHAPTER 112 RELATING TO CONFLICT OF INTEREST WHERE YOU WOULD BECOME THE BENEFICIARY THROUGH MARRIAGE, PARENT TANG, THAT TYPE OF THING OF THE BENEFITS OF BEING AWARDED A CONTRACT IF THE COMMISSIONER WERE TO VOTE ON THAT PARTICULAR ITEM.

THAT'S THE BEST OPINION I CAN GIVE YOU THIS MORNING I HAVE CONTACTED THE STATE AND THEY HAVE GIVEN ME THAT SAME LEGAL OPINION PROBABLY THREE OR FOUR YEARS AGO.

JUST, AGAIN, IF WE'RE GOING TO COME DOWN TO A 2-2, THIS WE'LL BE IN DEAD LOCK AND I WILL VOTE.

I WAS HOPING I WOULD NOT HAVE TO CAST A VOTE.

IF THAT'S THE WAY IT WILL GO, I WILL CAST A VOTE COMMISSIONER HALL, I RESPECT YOUR CONVICTIONS AND I IN NO WAY WANT TO PUT YOU ON THE SPOT.

I UNDERSTAND OUT OF CAUTION IF YOU DESIRED TO HOLD OFF AND WE WERE PLANNING ON DOING THIS AT THE PLANNING COMMITTEE REGARDING MANAGEMENT FEES, HOWEVER, THERE ARE RAMIFICATIONS OUT OF EVERY DECISION THE BOARD MAKES.

I WANTED TO ASK STAFF IF THIS WEREN'T TO GO FORWARD TODAY WHAT THE RAMIFICATIONS WOULD BE.

CLARIFY FOR THE RECORD ON THIS PARTICULAR AGENDA ITEM IF IT'S JUST BEING DEFERRED THE CONSEQUENCES AREN'T THAT GREAT.

IF IT'S BEING CANCELLED THERE ARE CONSEQUENCES TO THE PROPERTY OWNER AND THE BUILDING OWNER, THAT PERSON, NOT THE CONTRACTOR WHEN IS THE NEXT M & P MEETING? IS THERE ONE COMING UP? [INAUDIBLE] IT'S THE 13TH, BUT IT'S A RURAL -- ISSUES WORKSHOP ISSUES.

THAT WOULD MEAN THE FIRST MONDAY OF JANUARY WOULD BE -- WHAT DATE? 7TH SO, JIM, IS IT A PROBLEM TO DEFER UNTIL THE 8TH? NOT AT ALL IF WE'RE AT A SWING VOTE? WE'LL WAIT AND SEE HOW THE VOTE GETS CAST THEN I ALSO WANT TO POINT OUT ALSO IN THE BALANCE OF THE PATRONS OF THE REGIONAL LIBRARY OF COURSE EXCUSE ME, THE BRANCH LIBRARY.

I CAN CALL FOR THE MOTION TODAY OR DEFER -- MR. CHAIRMAN -- JUST ONE SECOND, IF I COULD, COMMISSIONER MANN.

I WILL PROVIDE THE TABLE FOR YOU IN A SECOND.

IF THE SUGGESTION IS TO DEFER UNTIL AFTER THE 8TH WHEN WE DO SCUSS MANAGEMENT FEES AND RE SCHEDULE THE ITEM WE CAN DO THAT WE CAN RESCHEDULE FOR THE 8TH BECAUSE THE 7TH IS THE PLANNING MEETING.

THAT'S ABOUT FIVE WEEKS.

IS THAT CORRECT?? WE WOULD BE DELAYING FIVE WEEKS ARE YOU TALKING ABOUT -- JANUARY JANUARY 8 THE M & P MEETING IS JANUARY 7TH AND TUESDAY IS THE 8TH.

SO DELAYING APPROXIMATELY FIVE WEEKS ALL RIGHT.

HAVING CLARIFIED THAT -- YES, COMMISSIONER MANN? JUST BRIEFLY, IT DOESN'T SEEM THAT COMPLEX TO ME.

IF THE ISSUE WERE VOTED AND COMMISSIONER HALL CHOSE NOT TO VOTE, IT WOULD FAIL LARGELY BASED ON THE FEE SCHEDULE WE WERE TALKING ABOUT OR THE FEE ON THIS PARTICULAR PROJECT.

THEN IT WOULD BE BACK TO THE STAFF SIMPLY TO GET WITH THE CONTRACTOR AND SAY THERE SEEMS TO BE A FEE ISSUE WITH THE COMMISSION.

CAN WE TIGHTEN IT UP A LITTLE BIT AND BRING IT ON BACK? I'M SURE THAT WOULD HAPPEN.

THE PROJECT DOESN'T GO AWAY.

OR YOU GO TO THE SECOND PERSON ON THE LIST AND NEGOTIATE A FEE THERE.

BUT NEGOTIATIONS CONTINUE.

THE WORLD DOESN'T COME TO AN END.

THE SKY ISN'T FALLING HERE.

THIS IS A ROUTINE EVENT.

YOU FOLLOW UP ROUTINELY THAT MAY BE O.K. IN THE SHORT RUN.

LONG RUN, IT MAY BITE US IN THE FOOT. CHAIRMAN, I WOULD LIKE TO MAKE A MOTION WE DEFER THE ITEM UNTIL JANUARY 8TH LET ME ASK YOU TO WITHDRAW THE MOTION TO MOVE FORWARD I WITHDRAW IT. SECONDER AGREES I WANT TO DEFER IT TO JANUARY 8 WE HAVE A MOTION TO DEFER 4-B TO THE JANUARY 8 BOARD MEETING.

THE ISSUE ON THE MANAGEMENT FEES AT THE PLANNING MEETING ON JANUARY 7.

DO WE HAVE A SECOND FOR THAT DEFERRAL? WELL, I WILL SECOND IT, BUT I'M NOT AT ALL CONVINCED A DEFERRAL WILL EXPLAIN WHAT'S BOTHERING COMMISSIONER MANN OR COMMISSIONER BIGELOW.

I DON'T KNOW WHAT GOOD DEFERRAL WILL BE, BUT WE CAN ONLY TRY THAT'S A SECOND.

UNDER DISCUSSION, COMMISSIONER BIGELOW? THANK YOU.

THERE IS ANOTHER POLICY ISSUE HERE AT PLAY.

THAT IS WHETHER OR NOT WE WANT TO RENT A FACILITY TO PROVIDE LIBRARY SERVICES IN RIVERDALE AREA.

I THINK THAT -- WE ALREADY DID I THINK WE SHOULD VISIT THAT THOUGH AT THIS SAME NEXT MEETING.

MAYBE, DON, WE COULD HAVE OUR LIBRARY DIRECTOR PRESENT FOR THAT TO HAVE SHELDON THERE, OBVIOUSLY WE CERTAINLY NEED TO REVISIT WHAT HAD BEEN BOARD POLICY WITH REGARDS TO THE COST SAVINGS TO MOVE FORWARD WITH REGIONAL LIBRARIES AND DE-EMPHASIZE -- IT'S MY RECOLLECTION THAT WE APPROVED THE LEASE WITH THE BUILDING OWNER SEVERAL WEEKS AGO HERE.

SO THE LEASE IS IN EFFECT.

WE'RE JUST TRYING TO BRING THE BUILDING IN FOR A LANDING.

WE CAN'T UNDO THIS ONE WE COULD UNDO THAT WE'LL HAVE THAT DISCUSSION.

O.K.

COMMISSIONER BIGELOW SM ONE MORE COMMENT TO THE QUESTION OF CONFLICT OR NOT.

I WILL JUST REMIND MY COLLEAGUES AT THE FAR END OF THE DIAS THAT WHEN THE QUESTION WAS MY RELATIONSHIP TO A FORMER UNCLE WHO WAS 20 YEARS AGO DIVORCED FROM MY FATHER'S SISTER, THE COLLEAGUES AT THE FAR END FELT IT NECESSARY TO BE QUOTED -- MAKE COMMENTS TO THE NEWS PRESS REPORTERS -- I DON'T KNOW THAT IT'S GERMANE TO THE MATTER I DIDN'T MUCH CARE FOR THE COMMENTS REPORTED, BUT I DO UNDERSTAND AND WOULD SUPPORT COMMISSIONER HALL'S RIGHT TO ROTATE IN THIS FOR THE SAME REASON I WAS CLEARED OF ETHICAL INDISCRETION WE ALREADY HAVE -- SO I WOULD ASK THOSE TO LISTEN TO THE WORDS THEY CRITICIZED ME WITH WE HAVE A DEFERRAL PROPOSED FOR JANUARY 8.

MOTION PASSES.

AT THIS RATE, WE MIGHT GET TO 2008 MOVING RIGHT ALONG UNBELIEVABLE COMMISSIONER HALL, THANK YOU VERY MUCH.

YOU HAVE ONE MORE ITEM -- YOU KNOW WHAT -- WE WERE LECTURED YESTERDAY ABOUT COMMISSION BEHAVIOR.

I DO REFLECT VERY DEEPLY ON THE COMMENTS I MADE IN PRIVATE AND IN PUBLIC.

IT'S OFFENSIVE TO ME TO SIT HERE AND BE LECTURED ON THESE ISSUES WHEN WE DO TRY TO HAVE A BOARD THAT'S PROFESSIONAL, THAT HOLDS THE CONFIDENCE OF THE PUBLIC AND THE LEADERSHIP TRUST THAT THEY HAVE IN US.

I WILL ASK MY COLLEAGUE TO MY RIGHT, THE FAR RIGHT, TO REMEMBER THAT THIS BOARD HAS NEVER AS INDIVIDUALS TAKEN THE LIBERTY TO WRITE GUEST OPINIONS TO CRITICIZE EACH OTHER.

WE HAVE NOT TAKEN THE LIBERTY OF CALLING NAMES IN PUBLIC OR REFERRING TO PEOPLE OTHER THAN BY THEIR TITLES -- POINT OF ORDER -- I WOULD JUST LIKE TO -- CHAIRMAN -- FINISHING UP -- UNDER WHAT ITEM DOES THIS COMMENT FALL? EXCUSE ME.

I WOULD LIKE TO ASK -- WE ARE BEYOND -- OUT OF RESPECT -- ROBERTS RULES OF ORDER ALLOW THAT COMMISSIONER HALL -- COMMISSIONER BIGELOW, SHE WILL BE ABLE TO FINISH UP.

COMMISSIONER HALL? THIS IS IN RESPONSE TO MY COLLEAGUE TO THE RIGHT'S COMMENTS.

I WOULD JUST LIKE TO ASK FOR US IN THE FUTURE THAT WE TRY TO STICK TO THE ITEMS THAT ARE ON THIS AGENDA AND STICK TO THE ISSUES.

HOW WE DEAL WITH EACH OTHER PERSONALLY NEEDS TO JUST BE PROFESSIONAL.

I THINK WE SHOULD ALL REFLECT UPON THAT AND TRY TO DO A BETTER JOB IN THAT MANNER IN THE SPIRIT OF THE HOLIDAY SEASON WE ARE GOING RIGHT TO 10-B COMMISSIONER? EXCUSE ME, COMMISSIONER BIGELOW YOU DIDN'T ALLOW -- I DID ALLOW YOUR COMMENTS TO STAND.

YOU HAVE BEEN HEARD, SIR.

WE'RE GOING TO 10-B.

COMMISSIONER BIGELOW, WE ARE GOING TO HAVE ORDER ON THIS BOARD AND GET THROUGH WITH THE BUSINESS AT HAND.

THANK YOU, COMMISSIONER BIGELOW.

DONE, PLEASE.

DO YOU WANT TO COMMENT ON 10-B THIS IS MY COMMENT I PULLED.

MY QUESTION IS ON THE EASEMENTS, I COULDN'T TELL WHO OWNS THE EASEMENTS.

WHO WERE THE EASEMENTS GIVEN TO? GOOD MORNING, DON DE-BARRY, LEE COUNTY DOT.

THE ORIGINAL EASEMENT WAS GIVEN TO THE COUNTY BY THE LAND OWNER AT THE TIME.

I DON'T RECALL THE GENTLEMAN'S NAME.

BUT PRIOR TO THE PURCHASE OF THE PROPERTY BY 20/20.

SO WHEN THE COUNTY PURCHASED THE PRAIRIE PINES PRESERVE PARCEL, IT CONTAINED AN EASEMENT GIVEN TO THE COUNTY PRIOR WITH RESPECT TO THE NOD GRADE ROAD

ALIGNMENTMY OTHER QUESTION IS WITH THAT PRESERVE IS THERE AN EASEMENT
ISSUE WITH LEE COUNTY CO-OP WE'RE WORKING THROUGH? I'M NOT AWARE OF -- THIS
IS THE LEE COUNTY ITEM -- I'LL MOVE THE ITEMSECONDED BY COMMISSIONER MANN.

DISCUSSION?OBJECTION?MOTION PASSES.

WE GO ON TO COMMISSIONER JANES.

THANK YOU, COMMISSIONER HALLI HAVE NONECOMMISSIONER MANN, I KNOW YOU DO I
HAD 9-A.

THAT WAS FAIRLY WELL-COVERED.

IT HAD A FEE OF 6%.

I BROUGHT IT UP TO MAKE THE CONTRAST.

BUT THE 6% SOUNDS LIKE IT WAS ANAGGRESSIVELY ARRIVED AT FEE STRUCTURE.

I SUPPORT THISTHAT'S A MOTION.

DO WE HAVE A SECOND? I'LL SECONDO.K., COMMISSIONER JANESIT COULD HAVE BEEN
5-3/4DO YOU WANT SOMETHING ON THE RECORD? YES, SIR.

COMMISSIONERS, IF YOU PLEASE, FORWARD MY NAME IS LINDSAY SAMPSON.

WE'RE TALKING ABOUT PERCENTAGES.

IN THIS MOTION, IT IS USED IN A DIFFERENT FASHION THAN IN THE PREVIOUS SUBJECT.

THE FEE FOR THIS JOB IS APPROXIMATELY \$30,000.

YOU CAN DIVIDE IT BY THE JOB ESTIMATE BECAUSE IT'S NOT THE TOTAL AMOUNT OR IT
COULD BE TWO SEPARATE NUMBERS BY USING A LARGER TOTAL ESTIMATED
CONSTRUCTION JOB.

IT REDUCES THAT PERCENTAGE TO A NUMBER CLOSER THAN 6%.

IF YOU WANT TO USE THE ESTIMATEDCONSTRUCTION COST, IT WILL MOVE THAT
PERCENTAGE CLOSER TO 7%.

WE HAVE TALKED ABOUT A LOT OF DIFFERENT THINGS WITH REGARD TO PERCENTAGES
AND FEES.

THE FEES ON THIS JOB IS \$30,000.

444.

IT'S NOT A PERCENTAGE.

IT CAN BE A PERCENTAGE OF ANY DIFFERENT AMOUNT OF NUMBERS.

I JUST WANT TO PROVIDE THAT FORWARD THAT THE FEE IS \$30,000-PLUS.

WE CAN COME UP WITH ANY NUMBER PERCENTAGE DEPENDING ON WHAT YOU WANT TO DIVIDE IT BY.

I CHOSE TO DIVIDE IT BY THE GREATER NUMBER WHICH PROVIDES FOR A SMALLER PERCENTAGE COMMISSIONER BIGELOW? CHAIRMAN, I HAVE NO IDEA WHAT HE SAID.

HERE'S THE PROBLEM.

THIS 6% WHICH IS WRITTEN HERE OF THE TOTAL PROJECT COST SUPPOSEDLY IS \$30,444.36.

6% OF THE TOTAL PROJECT COST.

O.K.

\$30,444.36 IS 6% OF \$507,406.

THIS TOTAL PRICE IS \$492,785.

WHAT IS THE 6% THAT'S WRITTEN HERE A PERCENTAGE OF? LINDSAY? 6% OF -- IT SAYS OF TOTAL PROJECT COST WHICH IS \$492,000 BUT IT REPRESENTS 6% OF \$507,000 THE FEES ARE ESTABLISHED IN ACCORDANCE WITH THE CONTRACT.

I APOLOGIZE THAT THE 6% LABELED IS PROBABLY CLOSER TO 6.4.

BUT IT'S ONLY SHOWN AS A VALUE.

THE VALUE IS WHAT IS ESTABLISHED IN THE CONTRACTOR'S PROPOSAL AND WHAT IS ESTABLISHED IS \$30,444 O.K.

LOOK, CHAIRMAN JUDAH? YES, COMMISSIONER BIGELOW JIM -- I'LL WAIT FOR COMMISSIONER HALL TO FINISH.

WHATEVER.

MAYBE SHE COULD MAKE HER COMMENTS PUBLIC JIM, EVIDENTLY COMMISSIONER BIGELOW HAS A QUESTION THIS IS THE SAME CONTRACTING PROCESS AS PREVIOUSLY DEBATED.

YOU HAVE HEARD YOUR SOLID WASTE DIRECTOR TELL US SOMETHING -- AND I'M NOT SURE WHAT.

BUT THIS 6% WHICH IS NOTED HERE AS \$30,444 IS A PERCENTAGE OF A NUMBER THAT'S NOT EVEN PART OF THIS BLUE SHEET.

IT MAKES NO SENSE.

DOESN'T ADD UP.

I REALLY THINK YOU MIGHT WANT TOPULL THIS AND GET STRAIGHT WITH YOUR NUMBERS.

IT'S NOT RIGHTJIM AND THEN LINDSAY OR LINDSAY AND JIM.

EITHER ONEI HAVEN'T LOOKED AT THE BACK-UP ON THIS.

THE ONLY ONE THAT SHOULDN'T BE IN THE FEE IS THE GENERAL CONDITIONS.

THAT'S IT.

EVERYTHING ELSE IS BASED ON THE GMP FOR THE PROJECT.

I APOLOGIZE.

I HAVEN'T SEEN A BACK-UPIF I COULD HAVE LINDSAY RESPONDTHE GENERAL CONDITIONS ARE LISTED AS SEPARATE ITEMS.

AGAIN, THE GUARANTEED MAXIMUM PRICE FOR THIS AGENDA ITEM IS \$492,785.24.

THAT INCLUDES A CM FEE OF \$30,444.36MUCH? COMMISSIONER HALL? WHAT YOU'RE SAYING ON THE BACK-UP SHEET IS THEY HAVE A SUBCONTRACTOR COST, CONTINGENCY AND PAYMENT FOR PERFORMANCE AND THE CM FEE OF \$30,444.36 IS BASED ON THE \$363.

I SEE WHERE YOU HAVE REMOVED GENERAL CONDITIONS FROM THAT.

SO \$363,490 DIVIDED BY 30,444 SHOULD GIVE US THE PERCENTAGEIT WILL GIVE YOU A PERCENTAGEIT DOESN'T ADD UP.

HOW CAN I OVERSEE THE PERFORMANCE OF THE STAFF IF THE NUMBERS JUST CLEARLY DON'T ADD UP?YOU JUST NEED 5TH GRADE MATH SKILLS TO FIGURE THIS OUT.

IT'S NOT ADDING UP.

I'M NOT GOING TO SUPPORT THIS.

IT'S JUST ALL OVER THE PLACEWE DO HAVE A MOTION AND A SECOND.

LINDSAY, IF I CAN GET YOU BACK UP HERE QUICKLY FOR THE BENEFIT OF THOSE LISTENING AND VIEWING IN, I THINK WE GET A LARGER AUDIENCE EVERY TUESDAY AS WE PROGRESS.

THIS HOUSEHOLD CHEMICAL WASTE FACILITY IS GOING TO BE A TREMENDOUS BENEFIT

TO THE COMMUNITY IN TERMS OF AVOIDANCE OF ENVIRONMENTAL CLEAN-UP.

CAN YOU EXPLAIN TO THOSE LISTENING AND WATCHING WHERE IT WOULD BE LOCATED AND THE SCHEDULING FOR THOSE THAT WOULD LIKE TO -- WISH TO DROP OFF CHEMICAL HAZARDOUS WASTE THANK YOU FOR THE OPPORTUNITY.

THIS WILL PROVIDE A PERMANENT FACILITY FOR RESIDENTS TO BRING CHEMICALS FROM THEIR HOMES FOR PROPER DISPOSAL.

THE LOCATION IS ON TOPAZ AVENUE EAST OF METRO.

JUST NORTH OF CRYSTAL DRIVE.

IT'S A VERY CENTRAL LOCATION FOR THE VAST MAJORITY OF CITIZENS IN LEE COUNTY.

OPERATING HOURS AREN'T SET YET, BUT THEY WILL BE IN THE NEIGHBORHOOD OF FIVE DAYS A WEEK WITH SOME WEEKEND TIME INCLUDED ON SOME WEEKS.

IT WILL BE FLEXIBLE SO THAT PEOPLE CAN VISIT.

ALSO PROBABLY SOME EVENING HOURS.

BUT THAT ALL COMES DOWN TO THE STAFFING SCHEDULING YOU WOULD LIKE TO ADD -- WE THINK IT WILL BE POPULAR -- UP AND RUNNING APPROXIMATELY WHEN? WE HOPE TO HAVE IT OPEN SHORTER THAN THE FOUR MONTH SCHEDULE IN THIS PORTION OF THE WORK.

I'M SHOOTING FOR THE MIDDLE OF MARCH AT THE LATEST.

ALSO, JUST TO LET YOU KNOW, WE HAD A VERY POPULAR ATTENDING OF OUR EVENT SATURDAY IN BONITA SPRINGS WITH APPROXIMATELY 600 PEOPLE BRINGING MATERIAL.

THAT WAS THE LARGEST BONITA SPRINGS EVENT WE HAVE HAD YET.

WE WERE VERY ENCOURAGED BY THAT MR. CHAIRMAN? EVER SO BRIEFLY, BUT I WANT TO HELP MAKE THE POINT THAT YOU MADE VERY WELL.

IN THE HISTORY OF THE COUNTY HERE AND THE STATE WE HAVE HAD AMNESTY DAYS WHERE YOU COULD BRING THE UGLIEST, NASTIEST MOST DANGEROUS THING AND GET RID OF IT WHERE IT WOULD BE PROPERLY DISPOSED OF BUT THOSE DAYS WERE SOMETIMES ONCE OR TWICE A YEAR.

THIS IS A BADLY NEEDED FACILITY FOR LEE COUNTY.

I IN NO WAY WANT TO SLOW THIS DOWN.

I COMMEND YOU FOR THE DIRECTION.

OUR STAFF, AS ALWAYS, IS WAY AHEAD OF US IN THINKING AND PLANNING THIS IS AN

11% CM FEE THAT YOU'RE SUPPORTING 11% IF YOU TAKE 30,000 AND DIVIDE IT INTO 363,000 IT'S AN 11% CM FEE YOU HAVE MADE A MOTION TO APPROVE COMMISSIONER MANNTHANK YOU.

IF I MAY, MR. CHAIRMAN, FOR THAT EDUCATION, THE BLUE SHEET SAYS 6%.

THIS MAN SAID HE BACKED INTO THE 6%.

NOW WE'RE GOING TO PLAY MATHEMATICS HERE.

IF YOU'RE TRYING TO GET ME TO VOTE AGAINST THIS PROJECT ON THIS TECHNICALITY AFTER IT'S BEEN IN THE RECORD WRITTEN AND VERBAL THAT IT'S 6 THEN SO BE IT.

I'M NOT GOING TO PLAY GAMES.

I MADE THE MOTION TO SUPPORT IT AT 6%.

THAT'S WHAT IT SAYS.

THAT'S WHAT I'M SUPPORTING.

HOW LONG ARE WE GOING TO DO HE SAY, SHE SAYS TODAY? AT THIS POINT WE HAVE A MOTION AND A SECOND.

I THINK IN TERMS OF AT LEAST BEING GENEROUS WITH ROBERTS RULES FOR COMMISSIONERS TO SPEAK AT LEAST TWICE ON THE ITEM THAT WE NEED TO GO AHEAD AND MOVE FORWARD AMEN WITHOUT FURTHER DISCUSSION, ANY OBJECTION? HEARING NO -- YES COMMISSIONER BIGELOW OBJECTS.

MOTION PASSES 4-1.

NOW WE GO TO 17-A. MR. CHAIRMAN, COINCIDENTALLY, THIS WEEK I RECEIVED -- WHO DO I HAVE FROM STAFF TO TALK TO? THIS IS DISPOSAL OF SURPLUS OR WORN OUT -- WHAT IS THIS? DO YOU WANT TO TAKE THIS? I'LL GO ON WITH MY QUESTION HERE.

I WAS APPROACHED BY SOMEBODY IN THE AUCTION BUSINESS.

THEY AUCTION WORN OUT EQUIPMENT FOR SCHOOLS AND SEVERAL COUNTIES INCLUDING SARASOTA AND THEY ASKED ABOUT EQUIPMENT IN LEE COUNTY.

I HAD TO SAY I'M NOT SURE HOW WE DISPOSE OF THAT.

I'M TRYING TO FIGURE ALL THIS OUT.

BUT HERE'S -- WE'RE ADOPTING SOME POLICY TO DEAL WITH THAT.

SO I JUST WANTED TO LEARN ABOUT THIS BEFORE WE ADOPT THE POLICY AND GO FORWARD ON THIS.

SHALL WE HOLD IT UNTIL WE GET SOMEBODY HERE? ANDREA FRASER, COMMISSIONER MANNARE YOU MY PROPERTY DISPOSAL EXPERT? I AM THE ONE WHO WROTE THE BLUE SHEET ON BEHALF OF THE CLERK.

THE PROPERTY DISPOSAL ADMINISTRATIVE CODE IS ALREADY IN PLACE.

WHAT WE'RE DOING IS MAKING SOME MINOR CHANGES BASED ON STATE OF FLORIDA'S CHANGES THAT REQUIRED US TO MAKE THOSE.

THAT'S ALL WE ARE DOING, JUST CLEANING UP THE ORDINANCE ALREADY IN EFFECT WHO DO I SEND THESE PEOPLE TO? BECAUSE APPARENTLY FROM TIME TO TIME WE AUCTION SOME -- YES, SIR.

IT'S PURSUANT TO FLORIDA STATE STATUTE HOW WE DISPOSE OF PROPERTY.

IT'S NOT UP TO US.

IT'S UP TO THE STATUTE.

SO IF THE PERSON WANTS TO CONTACT -- WHO IS THE CLERK YOU'RE REFERRING TO? CHARLIE GREEN CHARLIE'S OUR DISPOSAL MAN? YES, SIR. THANK YOU VERY MUCH.

I MOVE THE ITEM. O.K.

WE HAVE A MOTION BY COMMISSIONER MANN TO MOVE 17-A, I BELIEVE IT WAS SECONDED SECOND BY COMMISSIONER JANES.

17-A.

FURTHER DISCUSSION? OBJECTION? MOTION PASSES.

COMMISSIONER BIGELOW, I BELIEVE YOU HAD SEVERAL ITEMS STARTING WITH 2- THANK YOU, CHAIRMAN JUDAH.

WE HAVE DELIBERATED OVER THIS ISSUE BEFORE.

BUT SINCE IT'S HERE FOR ADOPTION, I'D LIKE TO ASK DIANA IF SHE COULD PLEASE EXPLAIN FOR US -- AND JUST FOR THOSE IN THE AUDIENCE AND WATCHING, THIS IS AN ACTION ITEM TO ADOPT A REVISION TO THE BENEFITS PLAN, SUMMARY PLAN DOCUMENT FOR RETIREES, TO ELIMINATE THE SUBSIDY OF RETIREE HEALTH BENEFITS FOR EMPLOYEES HIRED AFTER 12/31/07.

DIANA, COULD YOU EXPLAIN WHAT THE SUBSIDY IS IT'S AN -- TO THE FLORIDA RETIREMENT SYSTEM'S HEALTH BENEFIT COVERAGE.

I'D LIKE TO UNDERSTAND THAT FOR THE RECORD DIANA LEWIS, MR. CHAIRMAN AND COMMISSIONERS, THIS ITEM CAME BEFORE THE BOARD ON NOVEMBER 6TH OF 2007.

INDEED, LEE COUNTY DOES PROVIDE AN ADDITIONAL SUBSIDY TO RETIREES FOR THEIR

HEALTH INSURANCE PREMIUMS.

THE DECISION OF THE BOARD AT THAT EARLIER SESSION WAS THAT EMPLOYEES HIRED AFTER THE END OF THIS CALENDAR YEAR -- SO EMPLOYEES HIRED AT JANUARY 1, 2008 AND LATER WOULD NOT RECEIVE THIS BENEFIT RIGHT.

WHAT WAS THE SAVINGS TO ADOPT WHAT WE AGREED TO ADOPT PREVIOUSLY? TO APPLY IT TO POST JANUARY 1 OF 2008? THE SAVINGS WERE VARIED FROM YEAR TO YEAR, BUT IN THE FIRST YEAR THE ANTICIPATED SAVINGS IS \$1.5 MILLION.

SP AND APPLIED TO CURRENT AND FUTURE EMPLOYEES? WE HAVE NOT ASKED FOR THOSE NUMBERS. CONSIDERABLY MORE, RIGHT? YES THAT WAS NOT REQUESTED BY A MAJORITY OF THE BOARD, COMMISSIONER BIGELOW O.K.

SO I JUST WANT TO BE CLEAR FOR THE RECORD DURING DISCUSSION OF THIS ITEM THAT THIS IS A SUBSIDY OR AN ADDITION TO THE BENEFIT THAT THE FLORIDA RETIREMENT SYSTEM ALREADY PROVIDES FOR RETIREES.

SO IN A SENSE WE ARE GOING TO PUNISH, IF YOU WILL, FUTURE EMPLOYEES -- OR SEPARATE THEM, LOOK AT THEM DIFFERENTLY THAN CURRENT EMPLOYEES BUT WE COULD REALIZE SIGNIFICANT SAVINGS BY APPLYING IT TO CURRENT AS WELL.

I WILL MOVE THIS ITEM TODAY, BUT I WANT TO MAKE IT CLEAR THAT THERE IS CONSIDERABLE SAVINGS BEING LEFT ON THE TABLE MOTION BY COMMISSIONER BIGELOW, SECONDED BY COMMISSIONER MANN.

DISCUSSION? TO CLARIFY, THIS WILL ONLY PERTAIN TO FUTURE COUNTY EMPLOYEES, NOT CONSTITUTIONAL EMPLOYEES.

IT'S SOMETHING WE HOPE THE CONSTITUTIONAL OFFICES WILL CONSIDER YES, MR. CHAIRMAN.

THE BOARD EXPRESSED THEIR ENCOURAGEMENT TO THE OTHER CONSTITUTIONAL OFFICERS TO ALSO FOLLOW THIS LEAD. WE HAVE HAD CONVERSATIONS WITH SEVERAL OF THEM.

I KNOW THEY ARE ACTIVELY CONSIDERING THIS ALL RIGHT.

ANY FURTHER DISCUSSION? ANY OBJECTION? MOTION PASSES.

THANK YOU, DINAH.

COMMISSIONER BIGELOW, I BELIEVE 13-AYES.

THIS IS A CHANGE ORDER TO CLEANING AND PAINTING FOR CAPE CORAL MIDPOINT QUARTER TOLL FACILITIES.

IN THE BACKGROUND TO THE BLUE SHEET IT'S STATED ON JAN 16, 2007 THE BOARD APPROVED ENTERING INTO A CONTRACT WITH PROGRESS COMPANY UNDER BO 702

CLEANING AND PAINTING FOR CAPE CORAL AND MIDPOINT CORRIDOR TOLL FACILITIES IN THE AMOUNT OF \$709,972.42.

PAUL, HAVE WE COMPLETED THE CAPECORAL AND MIDPOINT CORRIDOR TOLL FACILITIES PAINTING? WE HAVE COMPLETED THE MAJORITY -- FOR THE RECORD, PAUL WINGUARD, DOT.

WE HAVE COMPLETED THE MAJORITY OF WHAT WAS IN THE ORIGINAL CONTRACT.

THIS IS WORK ABOVE AND WHAT WAS IN THE ORIGINAL CONTRACT O.K.

SO I HAVE TO ASK THE QUESTION.

IT E BEGS TO BE ASKED.

SO WE SPENT \$710,000, IF YOU WILL, TO PAINT THE FACILITIES THAT WE HAVE POTENTIALLY PUT ON THE CHOPPING BLOCK FOR DESTRUCTION.

THE TOLL FACILITIES THAT MAY COME DOWN IF WE ADOPT ONE-WAY TOLLING.

CORRECT? NONOT EXACTLY O.K.

SO WE DIDN'T PAINT THE TOLL FACILITIES THAT WE MIGHT TAKE DOWN THAT'S CORRECT.

MOST OF THE PAINTING WAS NOT THE FACILITY BUT BARRIER WALLS, THE PRIVACY WALL, PARTS OF THE BRIDGE STRUCTURE THAT APPROACHED THE TOLL FACILITY.

VERY, VERY LITTLE OF THE WORK WAS DONE AT THE TOLL FACILITY. THERE WAS A LIMITED AMOUNT THAT WAS, BUT IT WAS PROBABLY JUST IN THE THOUSANDS OF DOLLARS, NOT THE HUNDREDS OF THOUSANDS BUT WE DID PAINT -- AND I'M NOT GOING OUT THERE TO CHECK TO SEE IF FRESH PAINT WAS APPLIED, BUT YOU'RE TELLING ME WE DID NOT PAINT THE FACILITIES THAT COULD COME DOWN.

IS THAT -- NO, SIR.

WE DID PAINT PART OF THE FACILITY THAT IF WE REMOVE THE STRUCTURE, PART OF IT WOULD BE REMOVED.

THAT'S A SMALL PORTION OF THE \$709,000 LET ME BE CLEAR.

I DON'T KNOW IF I UNDERSTAND YOUR ANSWER.

DID WE PAINT THE TOLL COLLECTION FACILITIES FOR THE CORRIDOR? A PORTION OF THEM, YES, SIR NOT THE PORTION THAT WILL BE POTENTIALLY TORN DOWN? NO.

PART OF IT WOULD BE TORN DOWN AS WELL A PORTION OF IT, O.K.

SOUNDS LIKE A HALF YES BUT A YES NEVERTHELESS FOR CLARIFICATION, THIS IS IF WE

GO AHEAD WITH THE ONE-WAY TOLLYES.

IF WE WERE TO MOVE FORWARD WITH THE PERMANENT ONE-WAY TOLL WHICHWON'T BE BROUGHT BACK TO THE BOARD FOR APPROXIMATELY A YEAR, IT WOULD TAKE US ANOTHER YEAR APPROXIMATELY TO GO THROUGH AND GET THE DESIGN DOWN AND THEN IN THE THIRD YEAR BEFORE WE'D ACTUALLY BE DOING THE CONSTRUCTION WORK.

SO THERE IS A CONSIDERABLE TIME LAG BEFORE THE WORK WOULD BE DONETHAT'S AN IMPORTANT POINTO.K.

NOW IT WAS A RELATED ISSUE, BUT I WANT TO SPEAK SPECIFICALLY TO THIS ONE.

PAUL, YOU WANT US TO APPROVE A CONSIDERABLE CHUNK OF CHANGE HERE -- \$180,000 -- TO PAINT THEMACGREGOR OVERPASS AND VETERAN'SPARKWAY OVERPASS.

CORRECT? THIS CHANGE ORDER IS MADE OF TWO ITEMS.

THE FIRST IS TO PAIN THE STRUCTURAL STEEL BEAMS THAT ARE PART OF THE OVERPASS AT COLLEGE PARKWAY.

THE STEEL BEAMS WEREN'T INCLUDEDIN THE ORIGINAL CONTRACT PRIMARILY BECAUSE THE CONTRACT WAS ACTUALLY PUT TOGETHER ABOUT FIVE YEARS AGO, BUT BECAUSE OF FUNDING ISSUES, WE COULDN'T MOVEFORWARD WITH IT UNTIL LAST YEAR.

SO WE DID NOT INCLUDE THE STEEL IN THE ORIGINAL CONTRACT BECAUSEIT DIDN'T NEED PAINTING.

NOW IT IS TO THE PAINT THAT IT NEEDS TO BE PAINTED.

SO WE HAVE ADDED THOSE.

THE OTHER HALF OF THE CONTRACT IS TO PAINT SOME OF THE BARRIER WALL THAT ARE LOCATED TO THE WEST OF THE MID-POINT TOLL PLAZAON VETERANS PARKWAY WHICH WERE NOT INCLUDED IN THE ORIGINAL CONTRACT.

AT THE TIME, THE WALLS WERE ONLYFIVE YEARS OLD.

NOW THEY ARE TEN YEARS OLD AND NEED TO BE PAINTEDO.K.

THIS IS CHANGE ORDER NUMBER TWO.

THE FIRST WAS TIME EXTENSION ONLY.

YOU KNOW, THIS WAS A HARD BID PRICE INITIALLY? YES, SIR.

THAT'S CORRECTTHAT WAS SOME TIME AGO WHEN WE DIDN'T REALIZE WHAT WE ARE REALIZING TODAY IN THE CONSTRUCTION INDUSTRY.

I THINK THEREFORE IN MY ESTIMATION THERE IS A POTENTIAL COST SAVINGS BY

REBIDDING THE WORK BECAUSE YOU'RE APPLYING PRICES FROM WHEN DAYS WERE NICER.

I THINK WE'RE FORGETTING HERE IN THIS INSTANCE THAT THIS IS NOT OUR MONEY AS THE CLERK REMINDED US THIS MORNING I'M NOT SUPPORTING THIS ITEM BELIEVE ME, WE NEVER FORGET IT'S NOT OUR MONEY.

MOVED BY COMMISSIONER HALL.

SECONDED BY COMMISSIONER MANN.

DISCUSSION? YES.

THANK YOU COMMISSIONER HALL THESE WERE ITEMS NOT IN THE ORIGINAL CONTRACT.

BECAUSE IT'S A CHANGE ORDER, I KNOW STAFF HAS LOOKED AT COSTS AND I DON'T FEEL WE'RE OVERPAYING FOR THE WORK.

PAUL, I HAVE TO TELL YOU THAT I DO CROSS OVER ALL THE BRIDGES ON A REGULAR BASIS BECAUSE I LIVE IN THE COMMUNITY CALLED CAPE CORAL THAT WE ARE TRYING TO BE SELF-SUSTAINING.

THE WORK HAS BEEN GREAT.

THERE'S BEEN A LOT OF COMMENT ON HOW MUCH NICER THE CAPE CORAL BRIDGE LOOKS.

IT WAS GETTING VERY ROUGH-LOOKING.

SO RESIDENTS AND SEVERAL COUNCIL MEMBERS HAVE COMMENTED AND APPRECIATE THAT ENTRANCE TO BE MORE AMENABLE AS PEOPLE COME AND GO FROM LEE COUNTY.

WE APPRECIATE THE WORK.

THEY DID A VERY GOOD JOB WHILE PAINTING, KEEPING THE JOB CONTAINED.

THAT WAS A CONCERN OF RESIDENTS IS HOW MUCH WORK WILL THEY NEED TO STAGE.

SEVERAL TIMES THEY DID CONTAIN THE JOB SITE VERY WELL.

I WANT TO CONGRATULATE THE CONTRACTOR ON DEALING WITH TRAFFIC AND THINGS LIKE THAT THANK YOU.

JUST A COUPLE OTHER COMMENTS.

WE DID EXTEND THE UNIT PRICES BECAUSE THE CONTRACTOR HAD TO COME BACK.

WE HAD TO STOP HIM BECAUSE OF RAINY SEASON.

WE'RE BASICALLY SAVING AS OPPOSED TO REBIDDING IT IS THE COST OF MOBILIZING A SECOND CONTRACTOR.

THIS GUY HAS TO MOBILIZE AGAIN TO FINISH A CERTAIN PORTION OF THE JOB.

WE WOULD THEN HAVE TO HAVE A SECOND CONTRACTOR MOBILIZED.

WE ARE MOVING FORWARD WITH ANOTHER CONTRACT TO DO ADDITIONAL PAINTING ON THE CAME CORAL BRIDGE WHICH IS THE STEEL BEAMS THERE ARE A PART OF THE SUPER STRUCTURE.

WE DO LOOK AT EACH PROJECT ON THE MERITS AND THERE ARE REASONS WE MAY CHOOSE TO REBID OR REASONS WHY WE MAY CHOOSE TO CONTINUE WITH THE UNIT PRICES CHAIRMAN? COMMISSIONER BIGELOW I THINK PAUL THEN IT WOULD PROBABLY BE PRUDENT TO SHARE WAS WHY YOU'RE NOT GOING BACK OUT TO BID. PLENTY OF ROOM ON THE BACK-UP TO GIVE US EXPLANATION AS TO WHY YOU ARE PUTTING NORTH CHANGE ORDER ES.

THEY ARE CONSISTENTLY MORE EXPENSIVE WHEN YOU MANAGE YOUR PROJECTS THIS WAY.

THAT'S IT ANY FURTHER DISCUSSION? OBJECTION? YES, OBJECTION MOTION PASSES.

4-1.

COMMISSIONER BIGELOW DISSENTING.

COMMISSIONER BIGELOW? I WILL ALSO NOT BE SUPPORTING THIS DO WE HAVE A MOTION? WELL -- O.K. MOTION BY COMMISSIONER JANES.

SECONDED BY ACADEMY.

UNDER DISCUSSION, COMMISSIONER BIGELOW THANK YOU, CHAIRMAN, JUDAH.

THIS IS FOR BIG CARLOS BRIDGE, COASTAL MARINE CONSTRUCTION.

THIS STARTED AT \$929,000 AND CHANGE.

THAT WAS IN OCTOBER OF 2006.

\$929,000.

WE HAVE HAD A SERIES OF CHANGE ORDERS.

THE FIRST WAS A 76% INCREASE TO THE \$929,000.

THAT WAS AN ADDITION OF \$700,000.

TWO MORE CHANGE ORDERS STEPPING IT UP 5%.

NUMBER 4 WAS A 4% INCREASE.

TODAY WE ARE BEING ASKED TO APPROVE CHANGE ORDER NUMBER 5 IN THE AMOUNT OF \$118,000 MAKING THE FINAL PRICE TO DATE, \$2,009,000 ON A PROJECT ORIGINALLY BID AT \$929,000.

A 216% INCREASE IN COST.

THIS IS NOT OUR MONEY.

THIS IS THE PEOPLE'S MONEY AND I CANNOT SUPPORT THIS ITEM ANY FURTHER DISCUSSION? ANY OBJECTION? MOTION PASSES 4-1 MR. CHAIRMAN? LET'S GO BACK TO DISCUSSION I WOULD LIKE FOR STAFF TO COMMENT.

TO LEAVE THE COMMENT AS SUCH BECAUSE THERE IS A PROCESS THAT WE USE CHANGE ORDERS FOR.

IT'S NOT BECAUSE WE DON'T KNOW WHAT COSTS WILL BE BUT THERE ARE SAVINGS IN USING THIS METHODOLOGY WHICH WE HAVE TALKED ABOUT SEVERAL TIMES.

COULD YOU GIVE US SOME IDEA OF WHAT CAUSED A SERIES OF CHANGE ORDERS? THERE ARE PRIMARILY TWO REASONS.

ONE IS A BY-DESIGN.

WE FOLLOW THE STANDARDS THAT FDOT USES WHEN THEY BID A REHAB PROJECT WHICH IS TO PUT A SMALL QUANTITY IN FOR THE CONCRETE BECAUSE IT'S UNKNOWN.

THEY HAVE A FORMULA AND WE FOLLOW IT KNOWING THE POTENTIAL IS THERE FOR CONSIDERABLE INCREASE.

IT WON'T BE A DECREASE.

BY PLAN, THAT'S JUST THE WAY IT'S BID.

I THINK THEY DO IT TO LEVEL THE PLAYING FIELD SO A CONTRACTOR CAN'T TAKE ADVANTAGE OF UNBALANCING THEIR BID TO GET THE LOWER PRICE AND THEN DRIVE THE PRICE UP LATER BY FINDING MORE CONCRETE THAN WHAT'S NECESSARY.

THE OTHER THING IS THAT SIMILARLY IN ANY TYPE OF REHABILITATION LIKE THIS OF A MAJOR PIECE OF INFRASTRUCTURE IT'S DIFFICULT OR EXPENSIVE TO GO THROUGH AND DO THE ENGINEERING ANALYSIS, FIELD TESTING AND OFTEN DESTRUCTIVE TESTING TO DETERMINE HOW MUCH CONCRETE IS BAD OR HOW MUCH STEEL MAY NEED TO BE REPLACED.

IT'S AN EXPENSIVE PROCESS.

IT'S MUCH CHEAPER TO GET THE CONTRACTOR ON BOARD AND WORKING WITH THE

DESIGN ENGINEER TO MAKE THE DETERMINATIONS AS THE PROJECT MOVES FORWARD.

IT DOES CAUSE JOBS TO HAVE CONSIDERABLE INCREASES AS BIG CARLOS DOES.

WE DON'T DO MANY OF THESE TYPES OF REHAB PROJECTS AT THE END OF THE DAY WE HAVE A CONTRACTOR AND A TEAM OF OUR STAFF AND ENGINEERS THAT ARE LOOKING AT NOT ONLY THE HEALTH SAFETY OF THE STRUCTURE TO BE SURE IT'S REHABILITATED AND COST SAVINGS AREN'T THERE BECAUSE WE HAVE A HARD BID FOR THE BASE.

AS WE FIND THE ITEMS THAT WE'RE LOOKING FOR, WE THEN ADJUST WITH THE CONTRACTOR BASED ON A TEAM EFFORT SO THAT THE STRUCTURE IS COMPLETED IN A WAY THAT WILL HAVE THE LONGEVITY FOR THE HEALTH SAFETY OF FOLKS GOING OVER THE BRIDGE.

THAT'S THE BASIS OF WHY WE, AGAIN, DO SOME OF THE PROJECTS WHERE WE KNOW WE'LL HAVE RECEIVE CHANGE ORDERS.

I KNOW THAT WE HAVE DONE IT THAT WAY BECAUSE THERE ARE UNKNOWNNS.

TO FORCE A CONTRACTOR TO SAY, THAT'S ALL YOU HAVE TO DO IS NOT PRACTICAL.

WE WOULD GET NO BIDS BECAUSE THERE ARE SO MANY UNKNOWNNS.

I JUST WANTED FOR THE RECORD TO ACKNOWLEDGE THAT WE KNEW THERE WOULD BE CHANGE ORDERS COMING THROUGH ON THE PROJECT.

THIS IS NOT A SURPRISE TO US YES, THAT'S CORRECT CHAIRMAN JUDAH? YES, COMMISSIONER BIGELOW BEFORE I ARRIVED HERE IN 2006 YOU CONSIDERED A \$929,000 PRICE TAG.

ALONG THE WAY WE HAVE SEEN THE CHANGE ORDERS COME.

THERE IS NO DEGREE OF COMFORT I CAN FIND HERE THAT THIS IS THE END.

THAT THE 216% INCREASE IS THE END.

ABSENT THAT AND, AGAIN, PAUL, GIVE US SOMETHING TO HANG OUR HAT ON WHEN WE'RE REVIEWING THIS.

GIVE US SOMETHING TO TRY TO PUT THIS EXPENSE IN PERSPECTIVE WE COULD DO IT IN THE FUTURE.

WE COULD TRY TO LOOK HARDER AT WHAT WE PUT IN THE BACK-UP TO MAKE IT MORE EXPLAINABLE AS YOU SUGGESTED WITH THE PAINTING CONTRACT JUST TO SHARE WITH YOU THE HEAT IN THE SEAT I SIT IN SO YOU UNDERSTAND WHERE I'M COMING FROM.

I'M BEHOLDEN TO FOLKS OUT THERE.

YOU'RE BEHOLDEN TO THAT MAN AND HE'S BEHOLDEN TO US.

WE HAVE TO BE SURE THAT WE ARE OVERSEEING AND COMFORTABLE WITH THE PRICE TAGS THAT YOU'RE BRINGING FORWARD TO US.

PLEASE, COUNTY MANAGER, HELP US GET COMFORTABLE IF YOU COULD, HELP ME.

I THINK SOME RATIONAL EXPLANATION MAY HELP.

WE HAVE NO IDEA HOW HIGH THIS WILL GO.

NOTHING HERE TO HELP US FURTHER OBJECTION? IS THERE AN OBJECTION? YES MOTION PASSES 4-1.

I HAVE SEVERAL ITEMS.

I THINK THAT'S IT FOR YOU, COMMISSIONER BIGELOW YEP ITEMS 14 C, D AND E.

I WOULD LIKE A MOTION TO MOVE THEM MOVE.

SECONDED I WANT TO THANK THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT THIS IS FUNDS FOR THINGS LIKE RECLAIMED WASTE WATER AND ADDITIONAL WELLS.

FURTHER DISCUSSION? OBJECTION? MOTION PASSES.

THERE IS ONE OTHER ITEM I HAVE.

THAT'S 15-A.

I JUST NEED A CLARIFICATION.

IS THAT A NEW COMMUNICATION ANTENNA OR AN EXISTING ONE THAT WE'LL BE INVOLVED WITH CO LOCATION? IT'S ALREADY EXISTING SO WE'RE TALKING ABOUT CO-LOCATING.

VERY GOOD MOVED. SECONDED BY COMMISSIONER MANN.

HEARING NO OBJECTION, MOTION PASSES.

WE GO ONTO THE ADMINISTRATIVE AGENDA ITEMS DID WE DO 13-C? YES CHAIRMAN JUDAH, I THINK YOU PULLED 14 C, D AND E WE MOVED THEM ALREADY AND 3-A ON THE ADMINISTRATIVE AGENDA HAS BEEN PULLED YES.

REQUEST FOR COUNTY ATTORNEY'S OFFICE.

SO WE MOVE ON TO -- WE'LL HAVE TO ADJOURN AND CONVENE AT THE PORT AUTHORITY.

COMMISSIONER JANES, YOU ARE THE CUSTOMARY MAN OF THE PORT AUTHORITY.

AS SOON AS THE MINUTES LET US KNOW WE'LL CONVENE AS THE PORT AUTHORITY BOARD.

WE ARE.

WE HAVE SEVERAL ITEMS HERE.

FIRST ITEM, ADMINISTRATIVE ITEM 18-AMOVE IT SECOND.

MOVED BY JANES AND SECONDED BY COMMISSIONER HALL.

ANY ADDITIONAL INFORMATION? I HAVE ONE COMMENT COMMISSIONER HALL AND THEN COMMISSIONER MANNI WOULD LIKE TO CONGRATULATE THE AIRPORT TEAM.

YOUR BUDGET THIS YEAR WAS EXCEPTIONAL.

BOB, YOU AND EVERY ONE OF THE TEAM MEMBERS TOP TO BOTTOM, SIDeways, LEFT TO RIGHT, EVERYONE PUT IN AN EFFORT TO PUT YOUR NUMBERS WHERE THEY WERE.

I'M SURE THE AIRLINES ARE PLEASED.

IT SHOWS A CONSIDERABLE AMOUNT OF EFFORT FROM YOUR TEAM.

THANK YOU FOR RUNNING AN AIRPORT THAT CONTINUES TO GET HIGH REGARD IN THE SERVICE YOU PROVIDE TO THE FOLKS TRAVELING THROUGH.

WE APPRECIATE IT ANY FURTHER DISCUSSION? COMMISSIONER MANN? MR. CHAIRMAN, I KNOW WE HAVE HAD A LONG MORNING.

WE'RE BUILDING A HOTEL OR ALLOWING SOMEONE TO COME ON THE PREMISES TO BUILD A HOTEL? THAT'S THE NEXT ITEM.

18-AI DIDN'T MEAN TO GET AHEAD THAT'S ALL RIGHT.

MOTION PASSES.

ADMINISTRATIVE ITEM 18-B, COMMISSIONER MANN SAME QUESTION.

WELL, THE QUESTION RELATES TO THERE WAS A SOLE PROPOSER.

THAT ALWAYS GETS MY ATTENTION.

WE'RE BUILDING A HOTEL ON THE AIRPORT PREMISES.

IS THAT RIGHT? BUT THERE IS ONLY ONE PERSON INTERESTED IN DOING THIS THAT'S CORRECT.

SEVERAL MONTHS AGO WE ISSUED AN RFP FOR PURCHASES OF SOLICITING A DEVELOPER TO BUILD AND OPERATE A HOTEL.

WE GOT ONE.

WE WERE HAPPY TO SEE ONE PROPOSAL.

ACTUALLY FOR THE RECORD I'M BEN SEEINGLE, AIRPORT ADMINISTRATION.

WE WERE HAPPY TO SEE THE ONE PROPOSAL WITH ALL THE DEVELOPMENT WE ARE SEEING IN TERMS OF HOTEL.

THIS AGENDA ITEM IS REQUESTING THAT WE SELECT THAT PROPOSAL AND AUTHORIZE STAFF TO MERELY BEGIN CONTRACT NEGOTIATIONS WITH BB & L FOR PURPOSES OF DEVELOPING A HOTEL, BRINGING THAT CONTRACT ALONG WITH THE PRESENTATION BACK TO THE AIRPORT SPECIAL MANAGEMENT COMMITTEE AND BOARD FOR APPROVAL. GIVE ME A SENSE OF THE PARAMETERS.

DO WE GIVE THEM THE LAND ON A 50 OR 100-YEAR LEASE AND THEY BUILD IT AT THEIR COST AND RISK? THAT'S CORRECT.

WE HAVEN'T NEGOTIATED -- OBVIOUSLY WE HAVE A LOT OF NEGOTIATION TO DO.

IT WOULD BE A LONG-TERM LEASE.

THEY WOULD LEASE IT FROM US AND PAY US A PERCENTAGE OF GROSS REVENUE.

THEY WOULD BUILD IT AT THEIR RISK, THEIR MONEY.

AT THE END OF THE LEASE, THE HOTEL WOULD BECOME COUNTY AIRPORT PROPERTY. THAT WOULD BE 50 YEARS AT LEAST? IT COULD BE, YES, SIR. O.K.

BEFORE WE GET TO THE END OF THAT, FROM TIME TO TIME COULD WE HAVE A LITTLE BRIEFING OR MAYBE CALL ME UP INDIVIDUALLY AND SAY, ALL RIGHT -- YES, SIR.

WE CAN DO THAT. THIS IS HOW IT'S COMING TOGETHER.

I'LL MOVE IT. MOTION BY COMMISSIONER MANN.

SECONDED BY COMMISSIONER HALL.

COMMISSIONER HALL? I WANT TO REMIND THE BOARD THAT THE PROPERTY.

WE HAD A WORKSHOP TO LOOK AT OUR PIECE BECAUSE WE HAVE A COMMERCIAL CORRIDOR THERE.

I ASSUME THERE WILL BE OTHER RFPs GOING OUT FOR WHAT WE WANT DEVELOPED WHERE THE TERMINAL AND OTHER PROPERTIES ARE OR THERE ALSO.

I ASSUME THIS IS PART OF THE BEGINNING OF THE PROCESS. YES, I WANT TO REMIND THE BOARD THAT FIVE MONTHS AGO OR SO, STAFF DID GIVE US A BRIEFING ON HOW THEY

WERE GOING TO MOVE FORWARD WITH THE PROPERTY AND TRYING TO FIND PRIVATE ENTITIES BECAUSE I KNOW A LOT OF CALLS WERE COMING IN AND HOW SHOULD WE DO IT IN A WAY THAT'S APPROPRIATE AND FAIR FOR FOLKS TO PARTICIPATE IN ACCESSING THE PROPERTY FOR DEVELOPMENT CHAIRMAN JUDAH? YES, COMMISSIONER BIGELOW THANK YOU.

WE ADVERTISE VERY WELL FOR SOLICITORS, RIGHT? WE SOLICITED VERY WELL FOR APPLICATIONS OR -- I BELIEVE WE HAVE, YES, SIR CAN YOU DESCRIBE THAT? HOW WELL OR -- THE ADVERTISEMENTS WERE DONE TWICE LOCALLY IN THE WALL STREET JOURNAL AND ON THE SITE SELECTIONS WEBSITES WERE THE AREAS WE CHOSE TO ADVERTISE O.K.

THE POINT WAS MADE THAT ONE ENTITY CAME FORWARD.

TO ME THAT MEANS THERE IS RISK HERE THAT OTHERS WEREN'T WILLING TO TAKE.

THIS ONE IS WILLING TO TAKE A BITE AT IT.

WHAT BECOMES OF THIS PROPERTY IF THEY WALK AWAY? I KNOW WE ASSUME IT, BUT THERE WE HAVE A HOTEL -- SIX AND A HALF ACRES, FIVE STORIES. IF THAT WERE TO HAPPEN AND THE DEVELOPER WAS NO LONGER PROVIDING MANAGEMENT AND OPERATION OF THE HOTEL, YES, IT WOULD REVERT TO US.

AT THAT TIME WE WOULD MOST LIKELY BE MAKING A RECOMMENDATION TO SELECT A HOTEL OPERATOR TO CONTINUE TO MANAGE THE FACILITY GOING FORWARD IF WE DIDN'T FIND ANYBODY BECAUSE IT WASN'T VIABLE THEN -- WE WOULD HAVE A HOTEL ON PROPERTY THAT IS NOT BEING OPERATED YEAH.

I TELL YOU, I AM MOVING FORWARD WITH THE GREATEST DEGREE OF TREPIDATION ON THIS.

THE PRIVATE SECTOR DOESN'T HAVE CONFIDENCE DEMONSTRATED BY THE FACT THAT ONLY ONE CAME FORWARD.

TELLS ME WE COULD BE ON THE HOOK BIG TIME.

THE NEXT ITEM IS THE SAME CASE.

WE ONLY HAD ONE -- ONE PROPOSAL FOR ITEM C.

THAT'S CORRECT I JUST WANT TO PUT IT OUT THERE, FELLOW BOARD MEMBERS, THIS IS AN EYEBROW-RAISER FOR ME.

I'M A LITTLE BIT WORRIED.

BUT GOING FORWARD WITH HOPE AND TREPIDATION.

GOOD LUCK.

IT'S BEEN A LOT OF GOOD PLANNING.

I LOOK FORWARD TO THE TRANSPORTATION CENTER AT THE AIRPORT.

LET'S GO FORWARD.

OBJECTION?MOTION PASSES.

ITEM 18-CMOVE THE ITEMSECOND. UNDER DISCUSSION, IF I COULD, BEN, THIS IS HUGE FOR THIS COMMUNITY AND THIS REGION.

FOR US TO MAYBE SUMMARIZE AND ELABORATE ON WHAT'S BEING PROPOSED HERETHE NAME IS GULF COAST TECHNOLOGY INC.

THEY ARE PROPOSING AN OFFICE TECHNOLOGY PARK ON THE NORTH PART OF WHERE THE AIRPORT USED TO BE.

JUST NORTH OF THAT ALONG THE DANIELS CORRIDOR.

THEY ARE PROPOSING A TECHNOLOGY OFFICE CENTER THAT WILL PROVIDE FOR HIGH-PAYING JOBS, RESEARCH AND DEVELOPMENT TYPE OF OFFICE COMPLEX.

THEY INITIALLY ARE PLANNING TO LEASE APPROXIMATELY 30 ACRES.

IF WE MOVE FORWARD TODAY, WE'LL NEGOTIATE IT WITH THEM.

THEY ARE ALSO PROPOSING A PARKING GARAGE IN A VERY, VERY FIRST CLASS TYPE OF FACILITY.

IT'S EXCITING FOR US.

WE THINK IT WILL BE THE FIRST OFITS KIND IN THIS AREA.

THAT'S ALL I CAN REALLY SAY ABOUT IT AT THIS POINT.

WE HAVE THE DEVELOPER HERE IF YOU NEED TO ASK SPECIFIC QUESTIONS I JUST WANT TO THANK YOU BEN AND THE TEAM ALONG WITH REGINA SMITH AND THE OFFICE IN HELPING BRING THIS TO FRUITION.

A BIG FIRST STEP.

COMMISSIONER BIGELOW? THANK YOU, CHAIRMAN, JUDAH.

BEN, AGAIN, I GUESS WE HEAVILY ADVERTISED AND GOT ONE RESPONDENT.

THEY ARE GOING TO BREAK GROUND ON A RATHER SIGNIFICANT COMPLEX HERE.

NICE SITE PLAN.

WHAT STRIKES ME AS RISKY IS THAT THIS IS ON THE SOUTH SIDE OF DANIELS.

ON THE NORTH SIDE WE HAVE GATEWAY AND THERE ARE ALL SORTS OF OPPORTUNITIES THERE THAT HAVENOT BEEN REALIZED IN THE 20 YEARS THAT GATEWAY HAS BEEN IN EXISTENCE.

I HAVE A QUESTION.

IF NOT THERE, WHY HERE? WHY IS THIS SOMETHING YOU THINK WILL TAKE OFF WHEN THE OPPORTUNITY HAS BEEN AVAILABLE ACROSS THE STREET? WELL, I HAVE TO BELIEVE THE DEVELOPER SEES SOMETHING OR HAS BUSINESSES LINED UP THAT THEY ARE WORKING WITH.

WE HAVE RECEIVED A PROPOSAL.

WE HAVE EVALUATED THE PROPOSAL.

WE HAD A VERY, VERY BRIEF CLARIFICATION COMMITTEE MEETING WITH THEM JUST TO CLARIFY SOME OF THE ITEMS IN THE PROPOSAL.

BUT WE HAVE NOT BEEN ABLE TO SITDOWN AND REALLY TALK TO THEM BECAUSE WE'RE WAITING FOR THE NEXT STEP.

ONCE WE TAKE THE NEXT STEP, WE'LL NEGOTIATE A CONTRACT WITH THEM.

WE CAN PROVIDE BRIEFINGS ALONG THE WAY AND THERE WILL BE AN OPPORTUNITY TO SEE THIS AGAIN INTERMS OF A CONTRACT AND A PLAN O.K.

IF THIS GOES BELLY-UP, IT'S OUR LAND, OUR BUILDINGS AND I THINK YOU TOLD ME IN BRIEFING THEY WOULD START WITH THREE BUILDINGS AND A PARKING GARAGE? IT'S ONE OFFICE BUILDING AND A PARKING GARAGE, APPROXIMATELY 30 ACRES INITIALLY FOR DEVELOPMENT RIGHT.

SO IT'S ALL BACK ON US IF THEY WALK AWAY.

THEN WE'LL HAVE AN OFFICE COMPLEX -- FOR US TO THEN LEASE TO ANOTHER THIRD PARTY.

MEANTIME, WE'LL BE COLLECTING REVENUE ON THAT PROPERTY WHILE THEY ARE OPERATING O.K.

FURTHER DISCUSSION? OBJECTION? WELL -- MOTION PASSES WITH COMMISSIONER BIGELOW DISSENTING.

THE NEXT ITEM IS THE PUBLIC HEARING PORTION OF THE AGENDA.

THAT HAS TO DO WITH A VACATION REQUEST.

JOHN'S GOING TO HANDLE IT.

GOOD MORNING.

ASSISTANT COUNTY ATTORNEY.

I HAVE ONE PETITION TO VACATE FOR YOU TO HEAR FROM THE 9:30 A.M. AGENDA.

EXCUSE ME.

THE NOTICE OF HEARING WAS PUBLISHED IN THE NEWS PRESS ON NOVEMBER 19 AND NOVEMBER 26 OF THIS YEAR.

I DO NOT HAVE A CORRECT AFFIDAVIT OF PUBLICATION YET, HOWEVER I HAVE PERSONALLY SEEN BOTH ADS IN THE NEWS PRESS. WE ARE ABLE TO GO FORWARD WITH THE HEARING AT THIS TIME.

A PROPER AFFIDAVIT WILL BE PRODUCED AND INTRODUCED INTO THERECORD ONCE RECEIVED.

THIS IS AGENDA ITEM NUMBER 1 FOR 9:30 A.M. THIS IS A REQUEST TO VACATE IN CASE -
- A REQUEST TO VACATE A PORTION OF A 12 FOOT WIDE PUBLIC UTILITY EASEMENT AT 4014 FIFTH STREET SOUTHWEST IN LE HIGH ACRES.

SPL MOVE THE ITEM O.K.

WE HAVE A MOTION BY COMMISSIONER HALL TO MOVE THE ITEM.

SECOND BY COMMISSIONER MANN.

UNDER DISCUSSION, WE'LL TAKE PUBLIC INPUT.

ANYONE WISH TO COMMENT? BACK TO THE BOARD FOR DISCUSSION.

NO OBJECTION.

MOTION PASSES.

THANK YOU, JOHN THANK YOU, COMMISSIONERS WE GO TO CARRY-OVER AND WALK-ON ITEMS.

WE HAVE A WALK-ON PERTAINING TO A LETTER MOVE THE ITEM MOTION BY COMMISSIONER HALL.

SECOND BY COMMISSIONER JANES.

DISCUSSION? YES COMMISSIONER HALL AND COMMISSIONER BIGELOW WAYNE, THANK YOU FOR GIVING US A HEADS-UP ON THE DATE.

I ASSUME BETWEEN YOURSELVES AND NATURAL RESOURCES IT WILL BE A

COLLABORATIVE EFFORT AND THEN A LETTER BACK TO THE BOARD AS YOU HAVE DESCRIBED. THANK YOU COMMISSIONER BIGELOW? YES.

THANK YOU.

WAYNE, WHAT DO WE SEEK TO HAVE ACCOMPLISHED BY THIS? THE STRATEGY HAS TARGETED EACH BASIN AND LAKE ITSELF FOR IMPROVEMENTS IN EITHER STORAGE OR OPERATIONS.

PREVIOUSLY THE BOARD'S POSITION ON FORWARD -- EXCUSE ME -- FLOW PUMPING.

I HAVE TO GET THEM CORRECT.

SO THAT THE LAKE COULD BE OPERATED LOWER SCHEDULE WHICH WAS BENEFICIAL TO US.

THAT WAS ACCOMPLISHED AND THE DISTRICT IS DEMONSTRATING THAT.

THIS IS THE OTHER HALF.

WE'RE TRYING TO MAKE SURE WHEN IT GETS TO THE HIGHER LEVEL THEY DON'T FLOW THE PUMPS OPEN AND FLOOD US OUT.

THEY HAVE A PROGRAM OF MORE ATTENUATION OF FLOWS SO WE DON'T GET HARMFUL DISCHARGES.

IT IS A MARGINAL IMPROVEMENT, BUT IT IS MADE IN OPPOSITION OF OTHERS WHO DIDN'T WANT THE IMPROVEMENT AT ALL.

THE FINAL CONCLUSION IS AS MORE STORAGE COMES ON-LINE, THIS GETS BETTER AND BETTER.

RIGHT NOW, WE REVERSED THE FLOW, SO TO SPEAK, OF THE MANAGEMENT EFFORT FROM PROTECTION FROM FLOOD AND DRAUGHT OF THE SOUTH TO IMPROVEMENTS IN FLOOD AND DRAUGHT TO THE TWO COASTAL ESTUARIES LET'S MOVE FORWARD THE LETTER WILL EXPLAIN IN GREATER DETAIL WHAT'S HAPPENED THANKS UNDER DISCUSSION, HE'S REALLY BEEN ABLE TO HOLD FIRM WITH A LOT OF STAKE HOLDER INTEREST ON THIS MATTER.

IT'S AN IMPROVEMENT FOR US.

WE CAN HOPE TO ASPIRE TO CREATE MORE AND BETTER IMPROVEMENTS TO MINIMIZE ADVERSE EFFECT ON THEM BUT THIS IS A STEP FORWARD.

COMMISSIONER HALL THANK YOU FOR YOUR INVOLVEMENT AND CERTAINLY TO YOU, WAYNE.

FURTHER DISCUSSION? OBJECTION? MOTION PASSES.

WE GO ON TO COMMISSIONER ITEMS AND COMMITTEE APPOINTMENTS.

COMMISSIONER HALL? NONECOMMISSIONER JANES NONECOMMISSIONER
MANNNONECOMMISSIONER BIGELOWI NEED TO BRING ONE UP THAT WE HAVE TALKED
ABOUT BEFORE.

THE PARKING CENTER IS A STICKY POINT BETWEEN US AND THE CITY OFFORT MYERS.

THEY HAVE, AGAIN, DEFERRED IT LAST NIGHT AT THEIR COUNCIL MEETING.

I LET COUNCILMAN FLANDERS KNOW THAT I WOULD ONCE AGAIN COME TO THE BOARD
AND SEEK YOUR PERMISSION TO HOLD A JOINT MEETING WITH THE CITY OF FORT MYERS
ON THIS ISSUE AND A HOST OF ISSUES THAT I THINK WE HAVE BETWEEN US AND THE
CITY THAT WE WOULD NEED TO COOPERATIVELY WORKOUT.

I'D LIKE TO POINT OUT A COUPLE POINTS ON THE MATTER.

THAT'S THAT PETE ADVISED ME THATWE HAVEN'T HAD A JOINT MEETING FOR AS FAR AS
HIS RECORDKEEPING GOES.

THE JOINT MEETING WITH THE CITY OF BONITA SPRINGS COMMENT WAS MADE IN THE
EARLY MINUTES THAT WE HADN'T MET WITH THE CITY OF BONITA SPRINGS FOR FOUR
YEARS AND ROUNDING -- A ROUND OF APPLAUSE FOLLOWED THAT STATEMENTBY EACH
AND EVERY ONE OF US.

NOT TO SAY THAT WE SHOULD BE EATING MORE OFTEN THAN ONCE EVERY FOUR YEARS.

THAT MET WITH APPLAUSE, NOT THATWE DIDN'T MEET.

COMMISSIONER HALL, I THINK YOU POINTED OUT IN YOUR MAYORS ADVISORY GROUP IT
WAS AGREED WE WOULD MEET WITH THE CITIES ONCE A YEAR, RECOGNIZING THAT WE
HAVENOT MET WITH THE CITY OF FORT MYERS IN SUCH A LONG PERIOD OF TIME, I
WOULD BESEECH THIS BOARDTO GO AHEAD AND LET'S MEET OR FORM A CONSENSUS TO
AGREE TO DIRECT STAFF TO REACH OUT TO THECITY OF FORT MYERSMR. CHAIRMAN?
YES, COMMISSIONER HALLWHEN THAT ISSUE CAME UP WHILEI WAS CHAIR, I CAME BACK
TO THE BOARD AND IT WAS AGREED UPON THAT IN 2008 STAFF WOULD SCHEDULE
BETWEEN FEBRUARY AND MAY ONE MEETING WITH EACH CITY COUNCIL.

SO I HAVEN'T HEARD ANY DISSENSION FROM THE BOARD TO DO THAT.

I REPEATED IT AT THE BONITA SPRINGS MEETING AND IT SEEMED TOHAVE CONSENSUS
THERE.

IT'S MY UNDERSTANDING WE'LL DO IT BETWEEN FEBRUARY AND MAY.

THAT FALLS INTO THE TIME WHEN PEOPLE ARE LOOKING AT BUDGETS AND IF THERE ARE
ONE OR TWO ITEMS WE WANT TO WORK ON WITH THE CITY, WE'RE IN A MECHANISM
THAT ALLOWS US TO ADDRESS THEM WHETHER THEY ARE BUDGETARY OR POLICY
DECISIONS.

HAS SOMETHING CHANGED FROM THAT? NOT THAT I'M AWARE OF.

I'M LOOKING FORWARD TO COORDINATING WITH THE CITY OF FORT MYERS AT THAT TIME SECONDLY, I DID HAVE THE OPPORTUNITY TO ATTEND THE CITY COUNCIL MEETING LAST NIGHT.

THEY ARE STILL -- THE AGREEMENT AND THE ISSUE WITH THE ORDINANCE AND THE PLANNED UNIT DEVELOPMENT THAT THE COUNTY HAS WERE NOT THAT FAR AWAY FROM HAVING AN UNDERSTANDING WHERE THE CITY.

THE REASON FOR THE DEFERMENT WAS THERE WERE THINGS THAT THE COUNTY HAD SOME CONCERNS WITH AND THERE WERE THINGS THE CITY HAD ACTUALLY LEFT OUT THEY WANTED TO ADD.

RATHER THAN STAND IN THE HALL WAY AND ADD THOSE THINGS WITHOUT THE CITY ATTORNEY HAVING THE OPPORTUNITY TO LOOK AT IT.

IT WAS SUGGESTED WE DEFER TO THE NEXT PUBLIC HEARING.

I THINK WE'RE ALMOST THERE.

-- AGAIN, I DON'T KNOW IF COUNCIL MAN FLANDERS HAD AN OPPORTUNITY TO SEE BECAUSE THE CHANGES CAME LATE YESTERDAY.

I DON'T KNOW IF HE HAD A CHANCE TO SEE THEM OR NOT.

WITH THE TWO WEEK DELAY HE'LL HAVE AN OPPORTUNITY PRIOR TO PUBLIC HEARING TO SEE THE ITEM THE POINT IS WHEN ARE WE GOING TO MEET WITH THE CITY.

YOU SAY FEBRUARY TO MAY.

THAT'S -- WELL, COMMITTEE -- IF I COULD GIVE DIRECTION TO GO AHEAD AND MOVE FORWARD FORTH WITH -- I THINK ADMINISTRATION UNDERSTANDS THEY WILL TRY TO SETUP A MEETING BETWEEN FEBRUARY AND MAY STAFF IS MEETING WITH THEM AND NEGOTIATING WITH THEM AS WE SPEAK GREAT SUGGESTION NEGOTIATING WITH THEM -- OH, TO MEET? OR ON THE PARKING GARAGE ISSUE? YES, SIRON THE PARKING GARAGE ISSUE YOU'RE NEGOTIATING? YES SCHEDULING A MEETING BETWEEN FEBRUARY AND MAY O.K.

I JUST WANT TO BE CLEAR ON WHAT I'M HEARING.

THAT'S IT I HAVE A FEW ITEMS.

ONE IS WHAT WE TALKED ABOUT.

I THINK -- IT'S UNFORTUNATE BECAUSE CHARLES, OUR REPRESENTATIVE WAS HERE YESTERDAY BUT WE GOT INVOLVED IN OTHER MATTERS.

UNFORTUNATELY HE HAD TO LEAF.

OUT OF RESPECT TO HIM, I THINK WE SHOULD AT LEAST FRAME A LETTER FOR MY SIGNATURESO MOVED MOTION BY COMMISSIONER HALLTHIS IS ON PARTNERSHIP FUNDING TO HELPFOR THEM TO PARTICIPATEO.K.

SECONDED BY COMMISSIONER MANN.

HEARING NO OBJECTION, MOTION PASSES.

THE STATE LEGISLATURE FORMED AN AGGREGATE STUDY COMMITTEE.

THEY WILL HAVE SEVERAL MEETINGS ACROSS THE STATE.

AT LEAST FOUR.

WE NEED TO HAVE A REPRESENTATIVEAT THE TABLE.

THERE'S ONE COMING UP SOON.

IT DOESN'T NECESSARILY HAVE TO BE A BOARD MEMBER.

IT CAN BE.

IT COULD BE SOMEONE FROM ADMINISTRATION.

WE NEED REPRESENTATION AT LEE COUNTYCOMMISSIONER? YES, MA'AM? I THOUGHT THE APPOINTMENTS WERE DONE.

THERE IS ONE PERSON FROM LEE COUNTY THAT'S BEEN APPOINTED TO SIT THERE REPRESENTING THIS AREABY THE GOVERNOR? I DON'T KNOW IF IT WAS THE GOVERNOR, THE SPEAKER OR THE PRESIDENT OF THE SENATE.

THERE IS ONE PERSON FROM FLORIDAROC, I BELIEVE THAT WAS APPOINTED.

I ASKED FOR A SCHEDULE AND I WASGOING TO ATTEND.

I CAN'T PARTICIPATE, BUT I WANTED TO HEAR WHAT THEY WERE SAYING, BUT I THINK THE APPOINTMENTS HAVE BEEN MADE NOWYOU KNOW, I'M NOT CERTAIN.

YOU MAY BE RIGHT, COMMISSIONER HALL.

I APPRECIATE YOU BEING WILLING TO BE THE REPRESENTATIVE AND IF YOU CAN'T MAKE IT, DELEGATE SOMEONE TO BE THERE.

I WANT TO HAVE A PRESENCE AT THETHREE TO FOUR MEETINGS AROUND THE STATECAN WE ASK HOLLY TO CONFIRM THAT THEY HAVE NOT MADE THE APPOINTMENTS? IF THE BOARD DOESN'T MIND, ASK COMMISSIONER HALL TO COORDINATE TO PROVIDE REPRESENTATION FOR LEE COUNTY WITH RESPECT TO THAT STUDY. THAT'S FINESO

MOVED. BY JANES.

DISCUSSION, OBJECTION, MOTION PASSES.

THANK YOU.

THE BONITA SPRINGS TO LEE COUNTYJOINT MEETING, ALEX GRANT.

COUNCIL MAN BROUGHT FORWARD THE ISSUE OF FUNDING ALREADY AT THE STATE LEVEL TO PROVIDE FOR COMMUTER RAIL TO THIS REGION, BUT WE NEED TO GET ON BOARD AND SUPPORT THE BONITA SPRINGS RESOLUTION REQUESTING THAT FUNDING BE ALLOCATED SO THAT COMMUTER RAIL CAN BE BROUGHT TO SOUTHWEST FLORIDASO MOVED. MOTION TO SUPPORT THE SAME RESOLUTION BONITA DRAFTED TO TAPINTO THE FUNDING.

MOTION BY COMMISSIONER HALL.

SECONDED BY COMMISSIONER MANN.

DISCUSSION? FOR SOMETHING FROM THE MPO TOGO FORWARD ALSO ON BEHALF OF A RESOLUTION ASKING FOR US TO REVIEW THATEXCELLENT IDEA.

WE'LL GET IT ON THE AGENDA THEN.

COUPLE OTHER ITEMS.

AFTER THIS, I'M GOING TO PLEAD GUILTY AND SUGGEST THAT EVEN MYSELF AND ALL THE REST OF THE BOARD MEMBERS PROVIDE A MEMO TO ME LIKE I WILL PROVIDE A MEMO TOYOU FOR ANY FUTURE COMMISSION ITEMS THAT ARE GOING TO COME BEFORE THIS BOARD.

IT'S BEEN UNWIELDY AT TIMES AND I'M PROBABLY PRINCIPALLY TO BLAME.

FOR ME TO HOPEFULLY GET A HANDLEON ALL THESE COMMISSIONER ITEMS,INCLUDING MY OWN, I WILL MAKE SURE YOU UNDERSTAND WHAT I'M GOING TO BRING UP.

IF THAT'S O.KABSOLUTELYI APPRECIATE YOUR INDULGENCE TODAY.

COMMISSIONER MANN? IF DURING THE COURSE OF A MEETING SOMETHING COMES UP -- WE'LL ALLOW DISCRETION, CIRCUMSTANCES.

ABSOLUTELYTHE FIRE CONTROL DISTRICT.

EVIDENTLY THERE WAS A STOP WORK ORDER PLACED ON THE FIRE DISTRICT HAVING TO DO WITH THE PRESENCE OF AN EAGLE NEST.

THEY OPTED OUT NOT TO VOLUNTARILY COMPLY WITH OUR EAGLE MANAGEMENT PLAN.

THAT DOESN'T SIT WELLI DIDN'T REALIZE YOU COULD OPT OUTMARY GIBBS IS HERE TO

COMMENT BRIEFLY.

THEY RUN THE RISK OF HARASSING, DISTURBING AN ENDANGERED SPECIES AND FISH AND WILD LIFE HAS DRAFTER SANCTIONS THAN WE HAVE I HAVE SOMETHING TO BRING TO YOU IN THREE WEEKS TO REVISE THE ORDINANCE.

THE FIRE DISTRICT IS WORKING ON AN EAGLE MANAGEMENT PLAN.

THEY HIRED A MONITOR.

THOUGH THEY OPTED OUT, THEY DID MEET SOME OF THE REQUIREMENTS.

I HAVE THE BLUE SHEET DRAFTED ALREADY TO BRING IT TO YOU AND DIRECT THE STAFF TO MAKE THE REVISIONS NEEDED. AT THIS POINT IN TIME IT'S VOLUNTARY.

WE CAN'T REQUIRE OR REQUEST LEGAL COUNCIL TO MOVE FORWARD WITH STOP WORK ORDER ONCE THEY SENT THE LETTER I HAD TO COORDINATE WITH THE ATTORNEY'S OFFICE WE HAVE NO OTHER RECOURSE? NO COMMISSIONER, THIS ORDINANCE WAS DESIGNED TO BE VOLUNTARY IT IS VOLUNTARY.

THE PURPOSE WAS TO GIVE THEM INCENTIVE TO PRODUCE EAGLE MANAGEMENT PLANS.

IF THEY WORK WITH US, THEY ESSENTIALLY GET A PASS FROM THE STATE AND THE FEDERAL GOVERNMENTS ON THEIR EAGLE ISSUES.

BUT FROM THE VERY BEGINNING IT WAS WRITTEN AS VOLUNTARY.

IT'S NOT A LOOPHOLE.

IT WAS DESIGNED THAT WAY IT'S AMAZING TO ME THE PRIVATE SECTOR STEPPED UP TO PROVIDE EAGLE MANAGEMENT PLANS AND HERE WE HAVE A PUBLIC ENTITY FIRE DISTRICT THAT'S OPTED OUT.

IT DOESN'T SET A GOOD EXAMPLE COMMISSIONER, IF I MAY, JUST TO CLARIFY THAT, I THINK IT NEEDS TO BE EXPLAINED THAT NO ONE, EVEN THE COUNTY, KNEW ABOUT THE EXISTENCE OF THE EAGLE NEST AT THE TIME THEY GOT THEIR PERMITS.

THEY ESTIMATED THAT THE PROBLEM IS THEY WERE IN THE MIDDLE OF CONSTRUCTION.

IF THEY STOPPED THEN AND TRIED TO COMPLY WITH OUR REGULATIONS -- NOT BECAUSE THEY WANT TO HURT THE EAGLE OR DON'T CARE -- IF THEY STOPPED THEN, IT WOULD BE A MATTER OF MANY MONTHS FOR THEM TO PRODUCE A PLAN, GET IT APPROVED BY THE BOARD AND GET BACK TO WORK AT WHICH POINT THEY WOULD HAVE SEVERE PROBLEMS WITH GETTING THEIR FACILITY IN PLACE.

I THINK IT WAS MORE OF A PRACTICAL ISSUE THAN A "WE DON'T LIKE THE EAGLE" ISSUE.

I JUST WANTED TO CLARIFY THEY RUN THE RISK OF DISTURBING THE EAGLE AND THEN FISH AND WILDLIFE COMES IN.

THAT'S WHAT WE ARE TRYING TO AVOID AND THAT'S WHY WE HAVE GUIDELINES SO THE PRIVATE SECTOR, AND I WISH THE PUBLIC SECTOR, WOULD COMPLY W. IF THEY ARE FOUND IN NON-COMPLIANCE WITHDISTURBING THE BALD EAGLE THERE WILL BE FAR GREATER SANCTIONS.

IT'S FOR THEIR OWN GOODI'M BRINGING IT BACK, COMMISSIONER WITH THE DELISTING,THE FEDERALIST DATA IN FLUX AND WE HAVE AN IDEA OF HOW TO FIX OUR ORDINANCE TO WORK WITH THEIRS AND WE WON'T HAVE TO WORRY ABOUT IT AGAINTHANK YOU, MARY AND TIM.

ONE LAST ITEM.

I WANT TO OFFER IT TO THE REST OF THE BOARD MEMBERS.

DURING MY TERM OF OFFICE, WE HAVE SO MANY BUSINESSES, WE HEARD FROM A NUMBER OF INDIVIDUALS AND RECOGNIZED A NUMBER OF INDIVIDUALS THAT DO SOMUCH FOR THE COMMUNITY TODAY.

WHAT I WANT TO OFFER AND WE CAN KEEP IT GOING DEPENDING ON FUTURE CHAIRMEN AND WOMEN.

IS A COMMUNITY ENRICHMENT AWARD.

I HAVE A COUPLE OF BUSINESSES INMIND THAT I WOULD LIKE TO BRING FORWARD THE LAST TUESDAY BEFORE WE BREAK FOR CHRISTMAS TO RECOGNIZE, ACKNOWLEDGE THEM AND PRESENT THE COMMUNITY ENRICHMENTAWARD.

I WOULD LIKE EACH OF YOU TO HAVETHE OPPORTUNITY TO SOMETIME WITHIN THE COURSE OF THE YEAR TOLIKE-WISE BRING FORWARD A BUSINESS OR INDIVIDUALS YOU FEELDESERVE A COMMUNITY ENRICHMENT AWARD AND PROVIDE THAT RECOGNITIONDON'T WE ALREADY DO THAT? WHAT'S THE AWARD? A PLAQUE AND A RECOGNITIONWE HAVE DONE THAT FOR LIKE OSWALD TRIP AND OTHERS. WE PROBABLY HAD A LETTER OR CERTIFICATIONI'D SUPPORT A MORE FORMAL PROCESS AT THE DISCRETION OF INDIVIDUAL COMMISSIONERS WHERE WE INTERACT INDIVIDUALLY WITH MANY CORPORATIONS AND SMALL BUSINESSES, MEDIUM BUSINESSES.

I THINK SOMETIMES WE STRUGGLE IFIT'S APPROPRIATE TO BRING THEM FORWARD.

IF YOU COULD WORK WITH STAFF TO SORT OF IDENTIFY POLICY THAT WE COULD USE AS A GUIDELINE, THAT WOULD BE GREATSUREI CERTAINLY SUPPORT THE RECOGNITION OF THE FOLKS -- A COMMUNITY IS ONLY AS STRONG AS ITS PEOPLE.

THIS IS A VERY GIVING COMMUNITY IN HARD TIMES AS WITNESSED BY SEVERAL GROUP. I APPRECIATE IT.

INITIALLY I THOUGHT MAYBE JUST AT ONE TIME EACH OF US COULD BRING IT FORWARD OR IF YOU WANT TO DO IT TWICE A YEAR.

JUST TRYING TO DO BRING VALUE AND MEANING TO THE IMPORTANCE OF THE AWARD UNLIMITED -- ONE COMMISSIONER CAN -- WELL -- RECOGNIZE AS OFTEN AS THEY WANT? I WANTED IT TO BE ONCE OR TWICE A YEAR FROM EACH INDIVIDUAL COMMISSIONER ONCE, YEAH I WANT TO START WITH THE LAST TUESDAY OF THIS MONTH AND LEAVE IT UP TO YOU TO -- GIVE US SOME GUIDELINES AND WE -- YES PERHAPS KNOWING YOUR FIRST NOMINATION WOULD LET US KNOW WHAT YOU'RE LOOKING AT IN STANDARDS. IT'S A SURPRISE.

I'D LIKE TO HOLD OUT ON IT. I CAN'T HARDLY WAIT YOU'LL BE PLEASANTLY -- I KNOW I'LL BE THRILLED. IT WON'T COST MUCH MONEY, RIGHT? IT WON'T COST ANY MONEY FROM PUBLIC TAXPAYERS.

THE REASON I WANT TO RECOGNIZE THE BUSINESSES IS IT CAME OUT OF THEIR POCKETS DON'T TELL ME.

I DON'T WANT TO KNOW ANY MORE FELLOW BOARD MEMBERS, I CAN'T WIN FOR LOSING ON THIS, BUT I DID MY BEST TO TRY TO PROVIDE THE LIAISON APPOINTMENTS FOR THE UPCOMING YEAR.

I APPRECIATE YOUR ACCEPTING THE APPOINTMENTS.

I LOOK FORWARD TO WORKING WITH YOU DURING THE COURSE OF THE YEAR YOU'RE HERE I WILL BE SUBMITTING THESE TO YOU.

WE GO ON TO COUNTY MANAGER ITEMS.

OH, I'M SORRY.

COMMITTEE APPOINTMENTS YES.

I HAVE FOUR.

A REAPPOINTMENT OF BEN FISHER TO THE TROPIC ISLES STREET LIGHTER, JOHN OTTO TO THE STREET LIGHTING UNIT.

A REAPPOINTMENT OF EDWIN WILSON TO THE WATER WAY ESTATES STREET LIGHTING UNIT AND CURT MARTIN TO THE DRGR COMMITTEE REPRESENTING CAT TWO DISCUSSION? OBJECTION? MOTION PASSES.

THANK YOU, COMMISSIONER HALL COMMISSIONER JANES? NONE COMMISSIONER MANN? I HAVE A HANDFUL.

MARGARET, MARK RAIDER.

I HAVE THREE ON THE LE HIGH ACRES STREET LIGHTING DISTRICT.

PAULA HENSPETER AND REX JACKSON.

FORT MYERS SHORE STREET LIGHTER, JEFFREY GREEN AND BOB LEE AND JANET TRIP ON

THAT SAME COMMITTEEMOTION BY COMMISSIONER MANN, SECONDED BY COMMISSIONER JANES.

DISCUSSION, OBJECTION, MOTION PASSES.

COMMISSIONER BIGELOW? THANK YOU, CHAIRMAN, JUDAH.

I HAVE REAPPOINTMENT OF JOHN SYLVIE BEAUDETLY, THE PAGE PARK VIOLET CLEM SON, NORTH SHORES STREET LIGHTING, BETTY WILSON, MOORE SHORES STREET LIGHTING.

ONE MORE PAGE.

ELIZABETH CORTES, HISPANIC AFFAIRS ADVISORY BOARD.

THESE ARE DRGR.

JASON LORETSON, CURRENTLY THE ASSISTANT DIRECTOR OF CORKSCREW SWAMP SANCTUARY.

CATEGORY ONE.

LINDA TANNER IS A RESIDENT OF THE BROOKS, SO THAT'S CATEGORY TWO AND PHIL BUCHANAN, A RESIDENT OF PINE ISLANDTHANK YOU SMOKINGS BY COMMISSIONER BIGELOW, SECONDED BYMAN.

MOTION PASSES.

TO THE DRGR, BRENDA BROOKS, CAN COLIN HASTY, HARLEM HEIGHTS, EVERETT.

BILL SUMMER, BETTY GOOD ACRE.

MOTION PASSES.

THAT'S A COMMITTEE APPOINTMENTS.

COUNTY MANAGER? NOTHING, MR. CHAIRFIGURED OUT THE HOLIDAYS YET? GOOD QUESTION.

WE NEED TO CERTAINLY VOTE ON THE DATES -- CHRISTMAS IS A TUESDAY AND NEW YEAR'S IS A TUESDAY DECEMBER 25 AND JANUARY 1 ARE COUNTY HOLIDAYS ANYWAY.

SO THERE ARE NO -- NOTHING'S OPEN ON THAT DAY, SO NOTHING'S BEING SCHEDULED FOR THOSE MEETINGS.

THEY ARE BOTH TUESDAY MONDAY IS ALSO A TIME OFF.

DO WE HAVE MANAGEMENT PLANNING ORB OTHER ISSUES ON MONDAY? NONOTHING FORMALLY WE NEED TO PROVIDE FOR BRING THAT FORWARD NEXT WEEK, DON.

WE'LL RATIFY IT.

[INAUDIBLE] JANUARY 8 WILL BE BUSY YEAH.

DOUBLE BLINDERS DAVID? NO THANK YOU BY THE WAY, DAVID, LET ME GET AN UPDATE WITH PHOSPHATE MINING.

ANY PROGRESS ON SCHEDULING WITH THE OTHER COUNTIES? I'LL BE WORKING ON THAT PROBABLY AFTER THE FIRST OF THE YEAR? ALL RIGHT.

THANK YOU FOR WORKING ON THAT LET'S SEE.

I THINK NOW WE ARE GOING TO HAVE A HE HAVE AGENDA THIS EVENING.

HOPEFULLY EVERYBODY CAN PAYCHECK IT AT 5:00.

WE ARE ADJOURNED.

WE ARE RECESSED.