

May 5, 2009

Good Morning Everyone, Those Viewing And Listening In, We'll Get Started With Our Board And County Commission Meeting Of May 5th.

We'll Start With The Pastor Giving The Invocation.

Is The Pastor Here? Good Morning.

If You Could All Please Rise.

Heavenly Father, We Thank You For This Day You've Given Us.

We Believe Every Day Is Created With Purpose And Fashion Or The For Us To Operate According To Your Will And Purpose.

We Thank You So Much For The Time We Have To Come Before You An Make Decisions That Affect People's Lives.

We Know Your Word Declares Your Thoughts Are Higher Than Our Ways.

Let Us Not Lean On Our Own Understanding Or Our Own Thoughts Or Power.

But Father Lean Upon Your Word And Upon Your Understands In Our Decisions.

God We Thank You For Our Leaders Of And People In Public Office That You Strengthen Them Father, In A Time That They Have To Make Decisions.

74 Us All To Strengthen One Another And Love One Another.

We Thank You And Praise You For All Things And Ask You To Have Your Way In This Meeting In The Name Of Jesus, Amen.

I Pledge Allegiance To The Flan 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.

Resolution.

Thank You Mr. Chairman And It Pleases Me Immensely To Be Able To Read This.

We've Done This I Think We Did It Last Year.

We Have Many People In Our Community What Have Been Stricken With A.L.S.

So The Resolution Leads As Follows.

Comm. Janes: Those In The Audience You Would Like To Pull Up.

You Guys Come Closer To The Mike.

Chairman Judah: Do You Have The Names Of The Commissioners.

Comm. Mann: Yes, I Do.

Grab Your Troops, Bring Them Forward.

Chairman Judah: Nice To Have Everybody Here.

Comm. Mann: Wayne Ford, Kathy Ramenga.

Just A Symbol Up There By Christine.

Anywhere.

Bring Them All Up Front While We Read This.

Perfect, Christine, We Will Be Taking A Picture And Let You Say A Word Or Two.

Thank You Mr. Chairman.

Whereas A.L.S. Better Known As Lou Gehrig's Disease And Whereas A.L.S. Is A Fatal Disease Characterized By Degeneration Of Cell Bodies In The Grey Matter Of The Anterior Horn To The Spinal Cord.

And Whereas Is Weakness Of The Skeletal Muscles Especially Those Of The Extremities And Whereas As A.L.S. Progresses The Patient Speaks Difficulties Talking, Swallowing And Breathing, And Whereas A.L.S.

Causes Muscles To Atrophy And The Patient Becomes Quadriplegic, And Whereas A.L.S. Does Not Affect The Patient's Mental Capacity, So That Patient Remains Alert Of His Or Her Motor Function In The Outcome Of The Continued Deterioration And Death.

And Whereas On Average Parents Diagnosed With A.L.S. Only Survive Two To Five Years From The Time Of Buying No Sis And Whereas Research Indicates That Military Veterans Are At A 50% Or Greater Risk Of Developing A.L.S. Than Those Who Have Not Serve Odd In The Military And Where A.L.S. Has No Nope Cause Leading To Prevention Or Cure.

And Whereas A.L.S. Awareness Month Increases The Public's Awareness Of A.L.S. Patients

Circumstances, And Acknowledges The Terrible Impact This Disease Has, Not Only On The Patient, But On His Or Her Family, And The Community And Recognizes Research Being Done To Eradicate This Horrible Disease, Now Therefore It Be It Resolved That The Board Of County Commissioners Of Lee County Florida Does Proclaim The Month Of May 2009 As A.L.S.

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

This Is Duly Executed This 5th Day Of May, 2009 Proudly Kind By Our Chairman, Ray Judah.

Now, And If We Could Have A Picture With You Good Folks And We Would Be Pleased To Hear From You.

Comm. Mann: Could You Say A Few Words On Behalf Of Your Team? I'm Christine Bride Care Coordinator And On Behalf Of The A.L.S. Community In Lee Coin, And On Behalf Of The A.L.S.

Association Florida Chapter, I Want To Thank You From The Bottom Of My Heart, Making This A Special Day For People Living With A.L.S. In Lee County.

The A.L.S. Association Supports Cure And Treatment And Supports Services To People Living With A.L.S. Here In Lee County.

There Are People Who Are With Us Last Year For This Proclamation That Are Not With Us Any Longer, And Especially For Them And Their Families, I Thank You.

[Applause] Would You Want To Add Anything? Chairman Judah: There's A Handheld Mike We Would Be Able To Provide You.

Thank You, David.

Hello? I'm Hilda, Last Year I Was Here And Able To Walk To The Microphone.

This Year I'm Not.

I Have A Motto That Says Talk While You Can, Walk While You Can, I Can't Walk Anymore, But My Husband Can.

And So I Just Need To Do This For All The People Like Christine Said, That Can't Do This Anymore.

Some Have Passed Away, And Some Are Bed Ridden, And I Just Need To Do This While We Can.

And Greg Is The Same Way, He's Been At It For 14 Years His Speech Is Not What It Used

To, We Are This Week Going Up To Washington To Talk To Our Representatives.

That's My Second Year Also.

It Was Very Helpful Over The Years, Where Greg Is A Veteran, And Now The Veteran Administration Recognizes A.L.S.

As One Of The Service Disabilities At Any Time That Any Time You Were In The Service, And You Come Down With A.L.S. Many Years Later, They Recognize It As One Of The Diseases.

So We've Made Quite A Bit Of Headway.

The Other Thing That We Are Trying To Do, Is Have A National Row.

In Other Words If Somebody Gets Diagnosed Or Passes Away, We Know The Age And The Disease Course And The Part Of The Country And All That.

And We're Trying To Find That, And That's What Happens, And It's Very Helpful Finding A Cure.

So, I Would Like To Commend The County Commissioners Of This Piece Of Paper.

It's Wonderfully Written.

I Don't Know Who Is Taking Credit.

I Just Think It's Wonderful.

It's Very Medically Sound And Very Comprehensive, And We Will Be Back Next Year.

All Right.

Look Forward Seeing You.

[Applause] Comm. Judah: On Behalf Of The Board, It Was An Honor Having You.

Thank You So Much.

See You Next Year, Guys.

Need To Go To Driver Training School.

Chairman Judah: Thank You Commissioner Than.

Thank You All.

We Have One More Ceremonial Presentation And For Letter Carriers Food Drive.

And I Would Ask George Sasha With The U.S. Postal Service Shasa.

I Apologize, But It's Very Important That You Are Here.

And We Can't Thank You Enough.

I Know Your Husband Is Not Here, But The Food Bank Has Been Involved In So Many Years With The Letter Carriers And Helping To Promote People's Awareness And Understanding Of Participating In The Annual Food Drive, And We Thank You For Being Here This Morning.

I Would Like To Read The Resolution.

Where As The Letter Carriers Are Conducting Their Annual Food Bank On May 9th And Mail Carriers Are Requesting People Leave Nonperishable Food By Their Mailbox.

Where As The Harry Chapin Will Distribute The Food To Over 167 Agencies That Feed People In Need.

Now The Board Of County Commissioners Of Lee County Florida, Proclaims May 9th, 2009 As Letter Carrier's National Food Drive Day In Lee County And Urge Our Citizens To Participate In This Worthy Cause.

This Fifth Day Of May 2009 As Chair Of The Board I Was Proud To Sign The Resolution.

If I Could Please Present It To You.

[Applause] This Is The 17th Year That Nalc Has Been Doing The Food Drive.

And It Started Out Just The Carriers, The City Carriers Picking Up Food.

And It Has Grown Into Something Much, Much Bigger.

It's No Longer Just The City Carriers, The National Association Of Rural Carriers.

We Have More Rural Carriers Than City Carriers.

And They're Shouldering A Great Deal Of The Burden.

Joyce Has Been Phenomenal, And This Is The First Year I'm Taking The Reigns Of This, But My Predecessor Has Told Me Without Joyce, This Thing Wouldn't Be Half Of What It Is.

I Also Want To Thank The United Way For Getting Volunteers For Us.

Postal Management Has Been Really Good.

They've Backed Up Just About Every Initiative We've Tried To Beg From Them Or Ram Down Their Throat, But They're Behind Us 100%.

Some Of The Smaller Charities Wake Up America.

Well, It's Just So Many People Involved, At So Many Levels.

And Though The Public's People Are Providing These Plastic Bags, You May Have Seen Them In Previous Years.

You Will Be Getting A Plastic Bag In Your Mailbox For You To Put Food In And Leave It At Your Mailbox Or Hang It From Your Mailbox, Or If You Live In An Area With A Centralized Mail Location Just Leave It On The Floor There, Your Carriers Will Pick It Up On The Day Of The Food Drive.

We're Getting About 100 Volunteers Who Will Be Using Their Own Vehicles To Assist Us In Picking Up The Food.

Most Of Them Will Be Wearing These Stylish Orange T-Shirts, And Will Have Posters On Their Trucks, So You Know With Who They Are.

That Doesn't Mean We Won't Have A Couple Of People That Are Volunteering And Didn't Get A T-Shirt.

Because Frankly I Only Bought 100 T-Shirts And If We Get Anymore Volunteers, We're Going The Run Out.

But The Outpouring Of Interest Has Been Phenomenal, And I Want To Thank Everyone Involved.

Thank You For The Proclamation, And Hopefully We'll See You Again Next Year.

Thank You, George.

[Applause] Can I Ask You A Question? Sure.

Comm. Bigelow: I Got The Postcard In The Mail, But If I Put It In My Mailbox Say Before May 9th Or Maybe A Little After Will The Carrier Still Pick It Up.

Yes, Before The Carrier Will Know What To Do With The Food.

And We Have Lots Of People Who As Much As A Week Later Are Still Putting Out Food.

That Food Will Still Go To A Worthwhile Cause.

You Can Take It To The Post Office.

You Can Take It To As A Matter Of Fact There Is A Site At Edson College On The College Parkway Side, If You Want To Drive Up There And Drop Food Off, You Can Do That Too.

But At Any Time If You Want To Come To The Post Office And Drop Off Some Food, We'll Take It And We'll Get Somebody Fed.

Comm. Bigelow: From The Bottom Of My Heart, Thank You So Much Because Everyone Understands The Trying Times We're In, And We Have People With Dumpsters Looking For Food.

Last Year In Lee County We Collected A Little Over A Third Of A Million Pounds Of Food.

Like 358,000 Pounds.

That's Not Going To Be Enough 37 Last Year It Wasn't Enough.

This Year We Got To Do Better And We Need People To Be More Generous.

Some Of The People Donor Last Year Are Going To Be Recipients This Year.

So It's Something That I Just Implore Everyone, Just Do It.

Comm. Bigelow: Thing For Helping Get The Word Out.

Thank You.

Chairman Judah: You Have Chris's Big Shoes Too Fill.

You're Doing Well.

First, He Wrote The Book.

Chairman Judah: Appreciate It Thanks, George.

What We Need To Do Is Have David Owen Step Forward And We Have A Serious Matter To Address.

David, I Know That You've Already Sent The Correspondence And Material To Each Of The Board Members, But I Believe Official Action Needs To Be Taken.

Good Morning, David Owen Of The County Attorney's Office.

This Morning I Sent You A Memorandum Relative To The Term Nation Of Mr. Stilwell.

If You Recall Last Tuesday's Meeting There Was A Motion Made, I Seconded And Adopted By A Majority Of The Board To Terminate The County Manager Without Cause.

To Provide Him With Three Months Severance Packaging And All Full Benefits.

Since Last Tuesday And This Tuesday, The Documents That Are Necessary To Complete That Action Have Been Developed.

They Were Signed By The County Manager At About 5:15 Last Evening.

And Provided To Me And I've Provided Them To You This Morning.

The Compensation Package, That Is The Severance Payment Push Student To The County Standard, Separation Agreement Is \$152,983.55.

I Believe That Number Can Be Direct With What The Board Directed Last Tuesday, And The Terms And Conditions Of Mr. Stilwell's Contract As It Was Adopted In 1993.

As I Indicated In My Memorandum, This Would Be An Appropriate Time For The Board To Acknowledge Or Give The Board Chair, The Authority To Go Ahead And Execute The Agreement On Behalf Of The Board And Conclude The Matter.

Chairman Judah: Entertain A Motion Then To Allow Me As Chair To Execute The Agreement.

Mr. Chairman.

Chairman Judah: Yes, Commissioner Mann.

Comm. Mann: I Want To Clarify That.

The Public Will Be Confused By That Number For Mr. Stilwell.

It's My Understanding The Number That You Have Just Mentioned Includes Accrued Sick Leave And Vacation Leave, Which Accounts For Another \$54,000 That Perhaps What We Are Saying, Full Severance Package.

Some People Will Not Have Considered That A Prude Lead As Part Of That.

There Are A Number Of Other Factors Other Than Just The Salary Package, But This Is All Within The Spirit Of Full Three Months Severance Package And Consistent With A Motion Of Last Week.

And Mr. Stilwell's Contract Terms, You Would Move That You Execute The Documents That We Have Relating To The Termination, Understanding With Mr. Stilwell.

Chairman Judah: All Right, We Have A Motion By Commissioner Mann, Do We Have A Second? Do We Have A Second? I Will Second For Purposes Of Discussion.

Comm. Hall: Mr. Chairman? David, You're Saying That Mr. Stilwell Has Already? Yes, He Has.

Comm. Hall: The Only Issue That I Have, I Just Saw This Morning.

Let Me Go Through A Couple Of Things To Make Sure I Understand.

Page Two On Paragraph Three, Is It By State Law We Have To Require The Employer Provided With A 21 Days In Which To Consider And Accept The Agreement By Signing Below And Returning To The Chair Of The Board.

In Addition You May Resend Your Asset If Within Seven Days You Deliver A Notice To The

Chair, So That I've Got Two Recession Notices In Here.

One That Takes Us Through May 26th And One That Takes Us Through May 12th.

Is That State Law That I Have To Have Rescinding Notices In An Agreement Like This.

That's Federal Law, Commissioner.

And This Is A Standard Document We've Used Here In The County For 12 Years Now.

It's The Older Workers Benefits Act Or Pwpa And That Is Because Mr. Stilwell Is In A Protected Class, And Yes, Ma'am, That's Required By Law.

By Federal Law.

I Apologize, I've Only Been Here Five Years And This Is The First Termination Agreement I've Been Involved With.

Ordinarily The Board Does Not See These.

This Is The First One I've Brought To The Board.

Comm. Hall: I Didn't Realize We Were Giving Him All The Benefits.

I Had Assumed We Had Made The Motion, It Wasn't Clear In My Mind That We Were Giving Him Three-Month's Salary.

He Also Has Car Privileges.

Is That Being Extend For Three Months Or What's Happening With That? I Don't Understand What The 152 S So As A Commissioner, I Don't Understand What The 152 Contains All Of What It Contains.

The Automobile Is Registered In Mr. Stilwell's Name.

Held By Him And Titled In His Name.

It's A Lease, And What We Have Been Doing For The Past Several Years Since 2006, I Believe Have Been Paying Mr. Stilwell The Obligation Under The Contract And That Is To Pay For The Rental Payments And The Insurance On The Able.

And The Second Part Of That Is, Yes, The Extension, The Benefit Of That Automobile Is Extended For Three Months And That Is Part Of The Calculation.

Health Care He's Going To Keep The Car.

He Keeps The Car Commissioner, The Lease Is In His Name.

What We've Been Doing Is Reimbursing Him The Payments For The Lease, The Insurance,

And The Gasoline For Business Expenses.

Comm. Bigelow: Somewhere It Says To Turn In Keys By 5:00 P.M. Today.

That's The First Agreement.

That's The Separation Agreement.

And That Is In Paragraph Two And That's Where He's To Turn In All Of His Things That Have Been Provided For Him To Do The County's Business, The Keys To The Buildings, Keys To His Office, Things Of That Nature.

All Of His I. D. Cards.

It Just Says All Keys.

Ok.

Chairman Judah: If I Could Get A Clarification.

None Of It Will Be For Later.

We Had Been Reimbursing Him For The Lease From Here On Out It Would Be My Understanding That He Would Pay For The Lease, Not The County.

Are You Seeing That Differently? Comm. Hall: Yes.

I Put That In The Package Because The Board's Motion Last Week Was Full Benefits Package, That Automobile Was Part Of The Benefits, And That Number Is Calculated In There For The Next Three Months But That's For The Lease Payment, And The Insurance Only.

No Gasoline.

Chairman Judah: You Don't See The Direct In Access With The Automobile As Being Business Related.

I'm Not Trying To Muddy The Water.

I Understand The Full Benefits That We're Discussing, But I Don't Know If That Would Be Construed To Be Part Of The Full Benefits If It's No Longer Business Related.

Commissioner Mann.

Comm. Mann: His Salary Is Business Related.

Chairman Judah: Yes, It Is.

Comm. Mann: As Was His Health Insurance Package, And Whatever Retirement Benefits

Towards His 401 K It's All Part Of A Full Benefit Package.

When I Was Briefed By Mr. Owen On How Held The Develop, I Told Him That When I Had Made The Motion, That Referred To Full Benefit Package, That I Thought It Would Be To Pick And Choose.

Chairman Judah: I Agree With You.

I Just Wanted A Clarification.

I Didn't Want To Risk Reneging On Something In Good Faith.

Chairman Judah: I Appreciate And Respect That.

I Just Wanted A Clarification.

If I Could Clarify A Little Bit.

Mr. Chairman In His Contract Under Section Nine, Entitled Other Benefits.

He Should Have Exclusive And Unrestricted Use Of A Full-Sized Automobile During His Employment With The County.

The Employer Hereby Agrees To Provide Such Automobile To The Employee For His Use.

I Would Interpret That.

And The Automobile That The Difference With This Would Be Whether It Would Be Leased By The County, Which If That Were The Case The Car Would Be Turned In.

In This Case The Car Was Leased By Mr. Stilwell Itself, That's Why It Was Included In The Package.

Comm. Hall: I Think This Board Has Been Really Very, Very Diligent In How We Try To Deal With This Situation In A Professional And Reasonable Manner.

But I've Got To Tell You.

I Feel Like I'm In The Dark And The Only Time I Get To See Things Is When I'm Sitting Here, And I Have Just Enough Information That's Making Me Uncomfortable.

Didn't Have All The Information Last Tuesday.

Probably Would Have Done Something Different, Had I Had The Information That I Had This Week, Last Week.

I Had Very Brief Meeting With David.

I Did Not Understand On A Motion That It Was Full Benefits And I Don't Think It's Right.

I Just Don't Think It's Right.

I Think We Try To Do The Right Thing.

But I Just, I'm Not Going To Support Putting Three Months Of An Automobile In There David And Have The Taxpayers Pay That.

My Understanding Was Three Months Severance, And Health Insurance Comes Because There's A Cobra Requirement, And That's What I Felt Was Fair, Because We Were Going To Terminate Without The Cause.

But There Is Certainly, We Certainly Have Enough To Walk Away And Terminate With Cause.

And I Had To Think About, I Supported Commissioner Mane's Motion .

The.

If That Motion Was Made This Tuesday, I Wouldn't Have Supported It.

I'm Willing To Be Here But I Think We'll All Vote On Conscience Spot That's Fine.

This Is Very Awkward Position For Us To Be In, And Not Having A Chance To Review What The Exit Agreement Was Before I Got Handed It At 9:00 This Morning To Run In Here And Vote On It.

I Find It Difficult And I Don't Like Doing Business This Way.

I Try To Do As Much Work Ahead Of Time Before I Get Here And I Feel Like I'm Not Prepared.

And I'm Certainly Not Prepared To Come To Grips With Three Months Of A Car And Three Months Of Car Insurance.

Chairman Judah: David, There Are Always Repercussions.

The Repercussion, The Ramification, If It Does Not Go Forward Today.

We All Need To Go Into This With Our Eyes Fully Wide Open, If You Could Elaborate.

Commissioners Yesterday -- Last Tuesday You Made An Offer To County Manager Stilwell For Him To Depart The County's Employment.

The Motion I Felt Was Fairly Clear.

I've Looked At The Tape.

I Had Heard The Terms Full Benefits Three Times Made On That Tape.

And I Watched, I Have Consistently Tried To Put This Together And Mr. Stilwell's Contract.
Mr. Stilwell Has Subpoenaed Your Offer In Writing, Submit It To Me Which I'm Submitting To You.

If The Board Does Not Go Forward And Mr. Stilwell May Have An Opportunity To Bring A Suit For A Breach Of Contract.

And Then The Board's Action Today.

Of Course We'll Always Defend Every Action That You Make.

To The Best Of Our Ability.

But I Think That's Going To Be An Awkward Case To Defend.

Everybody In This Has Bargained In Good Faith Openly, Fairly.

And We Have A Resolution That's In Front Of You This Morning With Respect To The Dismissal Of Mr. Stilwell.

As I Did In My Memo.

I Recommend The Board Proceed Today And Has Been The Will Of A Majority Board Last Tuesday, It Becomes Difficult When You Get Into A Position Like Today, Where We Have An Offer, And Acceptance, And Need To Proceed With The Formalizing The Chair's Authority To Go Ahead And Sign Off On The Document.

Obviously Commissioners You Can Always Do What You Choose To Do.

Commissioner Hall Said You Can Always Vote Your Conscience.

I Would Suggest To You That If We Don't Go Forward With This, At Some Point In Time, And There's Probably Going To Be An Issue With Respect To The Offer Acceptance, And The Contract Made Between Mr. Stilwell As Your Employee.

That's The Best I Can Explain To You Commissioners This Morning, With Respect To This Matter.

Chairman Judah: Commissioner Janes.

Comm. Janes: I Hope We Can Move For Word With This.

To Do Anything To Delay, I Can't Tell You The Repercussions Of That Would Be Unbelievable.

We Just Can't Do It.

Comm. Hall: Mr. Chairman? You Will Like I'm In A Box.

I Feel Like I'm Damned If I Do, And I'm Damned If I Don't, Because We've Had To Deal With This Issue With No Information Until I Get Here.

It's The Same With The Motion.

I Perceive The Motion One Way.

It's Been Perceived Another Way Because We Had No Time Before Tuesday To Sit Down With You, David, And Go Through This Entire Contract, To Be Prepared To Make A Motion Of An Offer.

We're Here Working, Because We Can't Talk To Each Other, Throwing It Out There And Saying Is That The Best Thing To Do? Is That How We Should Deal With This.

Not Having Had An Opportunity To Discuss All His Ben Gets And Contract Prior To Tuesday.

Not Having And You Want The To See The Extent Of The Issue That Was The Cause For The Termination.

Tuesday Was An Exercise In What We Individually Got, But Not Collectively.

And Bits And Pieces Here And There, But Enough That Said Hey, We've Got To Make A Decision, This Isn't Right.

And I Feel Like I'm Boxed In Now, And Every Time I Get A Little More Information, I Look Back And Feel, Oh My God, What Was I Thinking.

That's Where I'm Having Difficulty On The Agreement That We Have Up Here On The Separation Agreement Which I'm Assuming We Sign.

I Don't Know Why I'm Waiting Until 5:00 Today, 10:00 Is Fine With Me To Have Keys Turned In.

So Was It Here? And I Would Think Someone From The County's Attorney's Office Should Be Responsible For Executing The Separation Agreement.

Everyone Else Which Would Normally Be Human Resources Is A Subordinate To The County Manager.

And So To Have The County Attorney's Office Execute The Termination Agreement.

I've Seen Employees Who Were Terminated Have A Completely Different Termination Exit From Our Buildings.

An In Trying To Be Fair And What's Right, I Don't Know Why We're Waiting Until 5:00 Today Either.

I Don't Know What The Purpose Of That Time Frame Is.

Commissioner, Obviously If All Those Materials Are Accounted For And Ready To Be Turned In Immediately After The Board Meeting, By One Of The Member Of My Office, That's The Desire Of The Board, That's Not An Issue.

Just Having Read This, But 30 Men Ago, I Don't Know Who That He Burn They're Keys Into, We Should Probably Identify Who That Person Is, So That Everything Can Be Done Appropriately.

So It's Going To Be The Chair To Receive Their Keys.

Chairman Judah: I Would Ask The Keys Be Turned Over To The County Attorney.

I Will Be Happy To Accept Them.

Chairman Judah: Commissioner Bigelow.

Comm. Bigelow: When We Talked Last Friday, And You Showed Me The Evidence, Right, And It Was Different Or More Than What's Been Circulating And What We've Seen On Television And What Not.

And It Was -- I Asked Mr. Renter, This Was Pornography Because It Seemed To Be.

And It Was.

And My Reason For Going Through This, Is It Was, I Mean I Thought It Was Bad But When I Saw It Friday, It Was Just Really, Really Bad.

Gruesome, And That It Was Happening On County Time, It Just Was So, So Difficult To Accept.

And Yet What Happened Last Tuesday, Through A Majority Rule Of This Board Is We Made An Offer, Correct? So In The World Of Contract Law, And I'm Not A Lawyer, And We Even Talked A Bit About This, When You Offer Something, The Person To Whom You're Offering It Or Entity Has Three Choices.

I Guess Maybe Three, Accept, Reject Or Counter, Right? Correct.

Comm. Bigelow: So, If Your Legal Mind, Nothing More Than Acceptance Of Everything That This Board Was Offering, So That If We Reject This, In Other Words, We're Rejecting The Offer We Made And Therefore I Guess We're In A Really Tough Position Legally I Will Think And Next Tuesday, I'm Sorry.

You Would Be Resending It, Without Mutual Ascent.

It Would Be Unilateral.

Comm. Bigelow: And That Makes The Strength Of Our Case That You Made To Me Last

Friday, Weakened I Guess In A Way.

In A Way.

Ok.

The Pain Of This Is So Great That Even Though This Number Is Twice What I Thought It Would Be, I Think There's Very Significant Value That We Can Intangible Value To This What Appear To Be A Doubles Of The Number, I Guess We Were Thinking About Last Tuesday.

But I Tell You, If You Multiply This 152,000 Times Four, What It Cost Us To Retain A County Manager.

I Had No Idea It Was That Much Total.

I Thought \$240,000 Was A Lot, Because It Was One Of The Highest Paid Or It's Not The Highest Paid County Manager In The State.

Much More Than That, Even It Appears.

I Guess I Just Would Like To See This End As Quickly As Possible.

This Does It.

And Move On.

And I Also I Think I Should Take This Opportunity To Say We Still Have Work To Do To Right All These Wrongs.

You Can Hear In My Voice, This Is Really Uncomfortable Stuff But It's Got To Be Done.

The Next Interim Has Some Uncomfortable Work To Do Too.

I Won't Go Into Naming Names And Positions, But I've Talked To Several Of Them, And I Think There's More Cleanup To Be Done.

This Is Just The Beginning.

But I Think I'm Going To Have To Support Commissioner Hall.

Comm. Hall: Don't Have To Answer To Me.

Comm. Bigelow: Just To Answer To Your Comments.

Comm. Hall: I Realize I'm Violating Order By Taking A Third Step.

Chairman Judah: It's Fine.

Comm. Mann: What Upset Me More Than Anything Else, The Process We Took To Get Here And The Important Decision That The Public Making For Us To Make In Dealing With Personnel Issues.

It's Difficult When You Have Five Elected Officials Who Have To Operate In Sunshine, That We Don't All Get The Same Information At The Same Time.

And We Don't Have A Mechanism In Which To Have A Discussion Outside Of These Chambers And In This Format.

So Not Always Do You Have All The Information, And What Upsets Me More Than Anything Else Again Is That Feeling Of I've Got Just Enough Information To Be Dangerous, And I Don't Like That Feeling.

I'm Feeling Like I'm On Ice And Walking Around And Hopefully Not Going To Break Through.

And The Fact That And I Guess Maybe There's -- I Don't Know What The Process, I Don't Know What The Answer Is But Certainly Looking Back On Having A Broader Discussion On What's Appropriate, What's Not, Take Up Time In This Meeting To Do That, If We're All Going To Sit Here Together And Have That Discussion, This Is The Way It Has To Be Done.

Or We Sit Down And Say We're Not Going To Make A Decision Until We Have A Chance To Sit Down With Our County Attorney Individually And Then Come Back And Have A More Informed Discussion And That Didn't Happen.

You Have The Move Forward And I Have To Tell You, This Contract Mains Me.

I Think It's I Don't Think It Is Rep Thai Of The Issue.

And I Just You Know I Recognize The Ramifications, But I Also Recognize The Lack Of Information Provided To Me To Make A Good Legal Sound Decision.

And I Just, It Bothers Me Greatly.

Chairman Judah: Any Further Discussion? Any Objection.

Comm. Hall: Yes.

Chairman Judah: Motion Passes 4 To 1.

Rather Than Wait For Commissioner Items.

It's Important That We Discuss Who Would Be The Interim County Manager.

As Chair, This Has To Be And Should Be A Collective Decision.

All I Can Offer To This Board Is Having Tried To Assess Who Would Be Appropriate In Filling In As The Interim County Manager And I'm Sure Each And Every One Of You Have Likewise

Given That Same Consideration, Rather Than Get Into Having Three Or Four Names Out There, I'm Going To Ask That You Give Serious Conversation To This Person Who Is Certainly Has A Strong Historical Perspective Having Been Here In The County For Some Time, Has Very Dill Generally Demonstrated Her Strong Work Ethic Also Tremendous Background Having Been In Budgets Will Being A Director Of A Department.

And Also Having Served As A Former Assistant To County Manager.

I Think That She's One That Hopefully This Board Would Respect And No Doubt You Do Respect, Which Ever Way You Decide On Whether You Support This Individual, We Continue To Respect, But I Just Wanted To Try To Provide What I Believe Would Be A Smooth Transition In Recommending This Board To Consider Putting In As Interim County Manager Karen Haas.

And I Open It Up For Discussion.

Comm. Hall: Go Ahead.

Comm. Bigelow: Mr. Chairman.

Can I Start? Again It's A Really Tough Situation, Because We've Either Got To Decide Yes We're Going With The Charm's Pick And We're Not Going To Talk About Others, Therefore We Don't Have To Talk About The Pros, Cons Of Somebody, Because We're Not Going To Go Through A More Formal Interviewing Process, I Guess.

The Situation Doesn't Allow For It.

I Apologize For My Voice.

I Guess I Don't See Someone Else In Attendance To Consider, Is Mary Gibbs Here? I Don't See Mary Gibbs.

Ok.

Let Me Say This.

Last Friday, I Came To You Mr. Chairman, And I Said I Don't Envy Your Position.

Because You Are The Chairman And This Is A Really Tough Time.

And I Was Trying To Give You Support.

For The Difficult Position You're In.

I Sincerely Mean That, It's A Tough, Tough Place To Be.

And I Guess We Had A Moment Of Levity Of Sorts Because You And Your Assistant Had Just Noticed Someone Had Placed A Little Cherub Or Something Outside Your Window In The Landscaping Out There.

And We Certainly Could Use That Kind Of Support.

I Guess I'm Thinking About One Thing, When I Think Who Is Going To Take The Interim Position, First And Foremost.

Lots Of The Things But First And Foremost, I'm Thinking Who Is Most Likely Going To Be Able To Likely Do Some Of This Difficult Cleanup Work.

And I Guess That's Kind Of Like The Toughest Job Immediately In Front Of This Interim.

I Have Some Experience As Well As My Assistant With Mary Gibbs.

And I Think That She Too Has Been Here As Long Or Longer Than Karen.

Not That I Can't Support Karen, Because I Can.

And Who Is Going To Take Over The Department, And I Think Second In Command.

Would Have To Get On The Job Training To Become Number Two In Community Development Department, Would Be A Win-Win In That She Would Be Building Strength, And Department Needs Needs A Strong Number Two.

So I Think I Would Like To At Least Have A Little Discussion About Whether Or Not, About The Next Interim Can Do The Heavy Lifting That Needs To Be Done And.

I Don't Mean To Imply That Karen Can't Before Becoming A County Commissioner That Could Step In And Do A Tremendous Job.

Chairman Judah: If I Could Comment Very Quickly, Because I Think It Would Be Helpful.

I Thought Of Mary Also.

Mary Has Probably One Of The Toughest Jobs In The County, Both In The Public And Private Sector.

Very Well Respected.

Jim Lavender Likewise Public Works, Very Well Respected, Strong Work Ethic.

My Own Personal Feeling On This Trying To Think Things Through, Commissioner Big Low, Mary Has An Credible Amount Of Work On Her Agenda.

She Is Very, Very Busy Young Woman.

Likewise With Public Works Has A Full At Of Projects Out There, Karen Has An Incredible Member Or The.

And I Think As We All Know, Ann Arnel Has Been A Phenomenal Asset To Deposit Of Human

Services And Actually Would Do Very Well In Continues To Run The Department In Karen's Absence.

That Is Clearly On The Shoulders Of Jim And Recognizing Karen Likewise, But Ann Could Certainly Step In And Fill The Shoes And Keep Things Running Smoothly.

Apparently Not, That Ann Arnel I've Known Practically All My Life.

We Saw How She Stepped In When He Was On Medical Leave And A Wonderful Job After The Storms That Hit During That Period Of Time.

This Is In No Way, Whatsoever.

And I Hope Karen, Hopefully She's Not Smiling.

No Reflection Upon How My Confidence And Her, Because I Have Great Confidence.

Just Of The Spirit Of Again, Trying To Understand Where We're Going, Because You've Had That Experience Of Doing This A Few Times, I've Not.

I Will Like To Get A Little Bit Of Background.

First Of All, Personally The Two People That Raised To Me That I Thought Would Be Excellent In Term Were Jim Lavender And Karen Haas, So I Have No Issue With Supporting Karen Coming Onboard.

But Recognizing, I Asked Him Who Is Going To Be The Point Person On The Red Sox And He Said Me, And I Really Said I Want You To Have That Time Because You Are So Clicked In, You Will Be Able To Provide Karen With Information And I Know All Of You Work Very Well Together.

He's Going To Be Dealing With Right Now, I Didn't Want Jim To Get Too Far Off On Those Issues And Not Have, You're Better Than Any Women I've Seen Do It And I Have To Congratulate You Because You Have A Lot Of Balls In The Air Right Now, Bout A Doubt And You've Got A Great Team.

I Think You Could Do It But I Hate To Lose Your Leadership On The Other Side.

But Having Said That, My Bigger Concern Is The Bigger Picture And I Want To Take The Time I Hope, Are We Looking At The Interim Manager, Do We Have An Idea What The Length Of Time Is? Are We Going To Discuss Today What Our Process Is Going To Be To Then Are You Going To The Interim Manager.

That Would Be The Next Step.

You Want To Be Able To Again, There's Things That We Can Do By The Board.

Some Are Passive, Some Are Aggressive, I Would Like To Talk About The Differences Between The Two, In Finding The Next County Manager.

So, So I'm Comfortable With Karen Taking A Lead.

I Think That If There's Anything For The Record Knowing Karen's Position As The Director Of Human Services Has Retained There's Clarity And Disclosure, So People Know That.

I Think Those Are Things We Need To Put On The Record Today So That There Is No Coming Back And Doing It Later, Unless Of Course Doesn't Want Her Job, May Be More Than She Wants To Deal With, But Those Are Things I Need To Understand That Before We Make That Motion That Those Are Things That Are Career, Because I Don't Want The Public To Keep Asking Me Questions Or Have The Media Say, Did You Know? So Anything That We Think We Know Right Now That We Need To Put On The Record I Would Like To Do It, So That We Can Say See, We Told You And That's Right.

We Have A Tendency Sometimes Because Of The Awkwardness, To Move Forward Because We Have Information But We Don't Disclose It And Seems To Be A Perception That Somehow We're Trying Not To Disclose It.

And Evening More Of It Is About Being Respectful Of People, And Trying To Conduct Ourselves In A Professional Man Inner, It Amazes Me The Criticism We Get For Trying To Do The Right Thing, So In An Effort To Be Up Front With Everybody, I'm Happy To Wait On The Motion Until Other Commissioners Have An Opportunity Unless There's Someone Else They Want To Bring Forward.

Comm. Janes: There's Absolutely No Question About It, Harry Gibbs, Jim Lavender, Karen Haas, Three Come To Mind.

I Support Either One, Any Of Them, But I Support Karen.

I Think Karen Would Be Superb In That Job.

But, I Also Know That Karen Deeply Loves Human Services, And Wants To Make Certain And Would Like To Make Certain, I Believe That You Would Like To Be Able To Go Back To That Job As Director Of Human Services.

We Need To Clarify That, With Any Understanding That We Have With Karen.

No Matter How Good Adam Is, It's Terrific.

It Would Be To Our Detriment.

Comm. Bigelow: I'm Ready To Make A Motion.

Chairman Judah: Sorry, Commissioner Mann.

Comm. Mann: This Is A Fairly Significant Step To Say The Least.

I Thought It Was Great That As I Was Reading The Papers, The Comments Of All Of Us, That The Same Three Names Continue To Come Up.

Have Just Been Mentioned Here This Morning.

Jim Lavender, Mary Gibbs, And Karen Haas.

That Is Significant That All Five Of Us Have Such Confidence In All Three Of Them.

And You Could Just About Flip A Coin.

Flip It Twice With Three People I Suppose To Get There, But They're All Great.

Commissioner.

Da You And I Had The Advantage Of Being Here 16 Years Ago, When We Were In Between County Managers, They Were Administrators Technically At That Time.

Karen At That Time Came Within One Vote Of Being Named The Acting Copy Manager As We Were For Mr. Stilwell It Turns Out.

I Have The Greatest Confidence In Her.

And For This Same Reason About The Enormous Responsibility This Poor Man Has And Mary Gibbs Right Now And The Tremendous Job.

Ping Your Suggestion Is A Fine One.

Commissioner Bill.

Comm. Bigelow: I Make The Motion That We Appoint On An Interim Basis Karen Haas.

Comm. Hall: I'll Second That, And For Discussion Purposes Can We Have Karen Come Forward.

Chairman Judah: Motion And A Second.

We Hope That The Individual We're Offering Would Be Willing To Accept The Request Of This Board.

Before Car Reason Steps Forward Anything We Need To Do On The Record With Regards To The Next Step For The Interim County Manager? Just A Caveat That His Haas Will Have A Chance To Go Back To Her Position After We Find A Permanent Health Care I Would Like To Just Get Her As Interim An Move Forward A Little Bit, Because There's Other Issues We Need To Discuss And Again, Maybe If We Could Take Action On This Particular Motion, Make Sure She's Comfortable, I Would Like To Ask A Couple Questions That Are Housekeeping Issues.

Chairman Judah: Absolutely, Karen, If You Would Step Forward.

And We Thank You For Considering Our Offer And Ask.

Good Morning, Commissioners Karen Haas For The Record.

I Have Been Working Though.

I Have Been Busy Too.

I Would Accept The Interim Position.

Chairman Judah: We Thank You, Karen.

In Questions At This Time, Or Go Ahead Any Further Discussion? Any Objection, Motion Passes.

Congratulations Karen.

Thank You.

[Applause] I Know It's All Kind Of Surreal But If You Have Your Books Back There, You Have A Seat Up Front, You Are Interim County Manager.

We Appreciate You Being Here With Us.

Ok.

Comm. Mann: I Will Approach A Question Upon Us.

The Salary.

It's A Delegate Situation And I Don't Have A Suggestion For A Specific Number.

Chairman Judah: Would You Allow Me Get Together With Karen And Bring It Back To The Board? Comm. Mann: I Was Going To Suggest That One Of The First Duties Of The Acting County Manager Would Be To Suggest A Salary Level For That Position.

And If She Could Come Back To You And We Could Weigh It.

Chairman Judah: And I Can Bring It Back To The Board.

Comm. Bigelow: I Think We've Given Some Parameters That Should Be No Less Than Than The Highest Paid County Employee Under The County Manager, At Least.

At The Bottom.

Comm. Mann: I Think That Will All Sort Of Wash Out.

Chairman Judah: Karen And I Will Be Getting Together And Bringing The Proposal Back To This Board.

Karen? We'll Have And You Want The To Talk About It, And Then Bring It Back To This Board For Action.

Mr. Chairman, I Guess This Is A Technical Question From David's Perspective Are We Going To Enter Into An Employment Agreement Or Are We Going To Stay As An Employee-Employer Relationship That We Currently Is That The Coins Have With Karen.

I'd Recommend The Employment Remain Exactly The Same.

County Manager Contract Is Not Appropriate At This Time Nor An Agreement.

All Of The Other Things With Respect To Her Employment Will Flow From The Board To Karen, Through The Charter And Through Our Administrative Code With Respect To The Duties And Socials To The County Manager.

Comm. Hall: And The Other Question I Have, Mr. Chairman, Is The Process That We're Going To Now Go Through, Are We Going To Have A Special Workshop To Talk About How We Want To Do That With The Next County Manager? Chairman Judah: I Believe That We Should.

There's A Number Of Options We Can Pursue, Today We Should Have That Special Workshop Really Soon.

I Will Like To Have Input From The County Manager, Also Thoughts On That, And Have It Be A More Of A Collective Process And Come Back And Have A Discussion.

Comm. Janes: We'll Coordinate With Your Offices.

Commissioner Mane Mechanic It's My Plan Right Now To Leave Town Next When And I'll Be Gone Through Sunday, If It's At All Possible To Do It Between Now And Then,.

Comm. Mann: Maybe We Can Even Look At It, Mops Are Pretty Good Days And We Can Move Things Around Or Right After Our Board Meeting On Tuesday, We Can Go To Lunch And Come Back.

Or Even This Week, I Have Time This Week Too.

Comm. Mann: I Will Be Back Monday.

I Will Be Gone Tomorrow Night Through Sunday.

Comm. Hall: I Thought You Said Next Wednesday.

Chairman Judah: We'll Do It Probably On Monday.

Comm. Mann: I Appreciate The Suggestion Because A Lot Of Thing We Need To Kick Around.

Chairman Judah: Absolutely.

Comm. Bigelow: We Have A Port Authority Meeting Monday Morning But We Could Probably Do It In The Afternoon.

Comm. Hall: We Could Even Do It After The Port Authority Meeting, We Don't Necessarily Have To Do It In These Chambers, Do We.

Chairman Judah: I Don't Believe So.

Comm. Hall: We Can Ex-Tend That Meeting.

I Recommend You Do It In Chambers, Mr. Chairman, Because Then It's Televised And There's Other Committees.

Chairman Judah: That's Fine.

A Good Recommendation.

As Far As Public Advertisement.

I'll Get Right To You, We'll Work Out The Scheduling Some Time Today For Time Next Week.

Comm. Hall: Ok.

Chairman Judah: I Thank You For Your Recommendation.

We Have The Recap .

Comm. Hall: So Moved.

Chairman Judah: Motion By Commissioner Hall, Second By Commissioner Mann, Yes, Commissioner Bigelow.

Comm. Bigelow: We Need To Be Stating What That Is.

That's The Code Of Ethics Policy.

So, Some Degree Of Public Interest In That.

So That's Now Deferred To June 2nd.

Chairman Judah: That's Correct, Thank You For Clarifying.

Hearing No Objection.

Motion Passes.

We Have A Little Bit Of A Touch-Up Work There On Consent Item 14-J Where The Budget

Transfer Goes Health Care So Moved.

Chairman Judah: Motion By Commissioner Hall, Second By Commissioner Mann.

Motion Passes.

We'll Now Go On To Public Comment.

I Don't Have Any Cards.

Comm. Bigelow: Sometimes We Do Adopt Through A Formal Action, Recap And Sometimes We Don't.

I Have A Technical Question, We Just Approved Only The Revision, Right? Chairman Judah: Right, You Can Still Pull That Item.

Commissioner, I Was Just Going To Remind You.

Chairman Judah: She's Kind Enough To Give Us An Update On The Swine Flu.

She Is Doctor, Thank You For Your Patience And For Being Here This Morning.

You Will Give Us An Update With Regard To The Swine Flu.

Welcome.

Thank You, Good Morning Commissioners.

I'm The Director Of The Lee County Health Department.

Just A Couple Minutes To Tell You What We Are Doing With Influenza H1n1, We Have Two Confirmed Cases In Lee County.

There Are Five Con Firmed Cases In The State Of Florida, So We Have The Privilege Of Having Two Out Of Five.

We Have A Fair Case That We're Awaiting Confirmation On.

As You Know From Reading The Newspapers, All Of Our Known Probable And Confirmed Cases Are In Children From Spring Creeks Elementary.

We Have No Confirmed Or Probable Cases Of People Not Associated With That School.

And That Was Part Of The Rationale Behind Closing That School.

I Need To Say That We Are Having Wonderful Cooperation Between The Health Department, The School District, Your Emergency Operation Center And Emergency Management.

We've All Been Working Very Closely Together We Talked With One Another.

Our Plan Right Now Are To Continue Very Active Surveillance That Is Looking For Other Cases, Following Up On Cases That We Are Hearing From, We're Going To Work With Emergency Management Today, And With United Way On Getting Supplemental Food To The Children Of Spring Creek Because Many Of Those Children Are On Free And Reduced Lunches And Dependent Upon The School For Their Food During The Week.

So We're Working On That.

I Need To Warn You This Is A Very Dynamic Situation In The Course Of Your Meeting.

I've Had A Half Dozen E-Mails About Influenza Surveillance.

So Every Day It's A New System On What We Do.

We're Following The Recommendation.

And With That, I Will Close, Except To Remind You To Wash Your Hands.

Thank You For The Hand Wash Sanitation Things I Saw Downstairs.

The Important Message For All The People Of Lee County Is To Remain Alert, And That The Protecting As We Can All Take Are Hand Washing, Good Hygiene, Covering Coughs, Avoiding Sick People, If You Or Yourself Get Sick.

I Would Be Happy To Answer Any Questions.

Comm. Mann: What Is The Science Of The Specific Designation? You Say We Have Two Confirmed.

Is It Through A Microscope, Is It A Culture? It's Determined Using Genetic Testing Of The Genetic Sequence Of Markers On The Virus.

The H And The N We Talked About Are Specific Markers On The Outside Of The Virus.

And They Have Specific Genetic Material That Changes From Virus To Virus.

So The Process Is Here In Lee County At The Patient's Bedside, We Can Tell Whether That Person Has Influenza A.

If We Determine The Person Has Influenza A, We Can Send The Specimen To The State Lab.

Is It Blood, Urine.

It's A Nasal Swab.

We Accepted It To The State Lab.

They Then Test It Against Everything They Can Test It Against.

Comm. Mann: It's No Possibility There Could Be A Mistake.

We Have Two Confirmed, And They're The Same Ones As In Texas.

Yes, Sir, That's Two Confirmations Have Come From The Center Of Disease Control.

The Third One We Are Waiting On But, The Science Is So Far Been That If The State Lab Cannot Identify It And It Goes To The Cdc, We Have Greater Than A 95 Percent Chance That It Listen Confirmed.

Comm. Mann: Thank You.

Chairman Judah: You Want To Thank You Personally.

You've Been Such An Incredible Professional And Elevated The Conscience Of The Community To Be Concerned, But Be Cautious And The Press Conference You Gave With The School Board And Also John Wilson's Public Safety.

That Was Very Informative For The Media And We Thank The Mead, You Keeping Us Updated With What's Developed.

Thank You Very Much On Be-Of The Board.

One Of The Great Things Of Work And Living In Lee County Is If Ease Which We Can Cooperate With Emergency Manage And With The Health Department.

It Makes It A Whole Lot Easier.

Commissioner Bigelow.

Comm. Bigelow: Thank You So Much For Being Here, And For Everything You're Doing And How Quickly You're Having To Do It.

We All Know Because You're Mostly State Funded, You've Taken A Huge Hit.

I Hope Given Your Relationship With Our Former Human Services Director Now Interim, County Manager, That We'll Stay Fully Abreast Of Every Action That We Should Be Taking And As More Information Comes To Light, Also, Speaking Only From This Particular Commissioners Position In Office, I'm Prepared To Help However I Can With Additional Funding To Try To Get On This.

The Secretary For The Human Health Services, Federal Government Pandemic.

And You Set Off Bells And Alarms For Me.

That When The Health And Human Service Secretary On A National Level Is Calling It A

Pandemic And We Have Two Known Cases, A Possible Third, You Know It Brings That National Issue, International Issue Home.

I Would Also Like To Comment Your Public Information Officer, Jennifer Janes, She's My Cousin Twice Removed, Married A Fraternity Brother Of Mine.

Seems To Be Doing A Heck Of A Job Too.

She's Doing An Excellent Job.

She Was Drafted On The Fly.

Jennifer, Come, We Need Help.

Comm. Bigelow: I'm Prepared, It's The Board Windshield It To Help However We Can In Whatever We Can Do.

Chairman Judah: Thank You Dr. Hartner.

I'm Going To Go Back To Those Who Didn't Wish To Comment On The Administrative Agenda.

Items To Be Pulled On The Consent, Commissioner Janes.

14-F.

Chairman Judah: Ok, Commissioner Hall.

Comm. Hall: 14-I, 14-F And 14-G.

Chairman Judah: Ok, And Commissioner Bigelow.

Comm. Bigelow: I Was Going To Pull 14-E And Pull 14-J As Well.

Motion To Move The, Second By Commissioner Hall, Discussion? Hearing No Objection, Motion Passes.

Commissioner Janes I Believe You Called.

Comm. Janes: I'm Happy To Move 14-F But I'll Wait For The Others Who Have Questions About It.

But The Only Question I Have Is What Happens To The Sludge? Comm. Hall: That Was My Question Too.

And I Have One Follow-Up After That.

Chairman Judah: Good Morning No Good Morning, Member Of The Board.

The Sludge Is Hauled To In This Particular Case It's Going To Be Hauled To Evening Pastureland, It's Tilled Into The Soil And The E.P.S.

Recommends It Be Tilled In At Rate That's Nine Tons Per Acre.

It Can't Be Stocked Above Group.

Can't Be Put In Someplace Where It Just Sits.

It Has To Be Tilled In So It Didn't Blow Around, So There's No Hazard Related To It No Are We Doing This To The Other Sludge, To Control The End Result As Well.

Comm. Janes: I Don't Want To Segue Off.

But, We Still Need A Discussion On What We're Going To Do.

How We're Going To Handle Sludge, Whether We're Going To Process It Mechanically, Technically Or Burn It Or What.

Which Goes To The Proposal Stage For A Drawing Facility Located At The Waste Energy Site.

That Was One Of The Items That We Punished Back In Our C.I.P., And We Are Also Looking, We're Still Looking As Technology Advances We're Looking At Couple Of Other Alternatives As Well.

As Time Passes Here.

Thank You Mr. Chairman.

I'll Defer To Commissioner Hall On This Health Care Thank You.

So You're Saying Contractually, It Has In Their Bid 805 The Lands That They're Going To Be Doing And How We're Confirming They're Going To The Exact Lands They Said, And If They're Meeting The Requirements Of That.

Because We've Had Problems Where People Have Been Legally Said They're Doing One Thing And Find Out Later Through Resident Complaint That They're Doing Another.

That's I Don't Know.

We Can Certainly Phillip.

We Get A Letter From The Contractor, So We Have A Specific Address For The Use Or We Can Just Follow-Up To Confirm Or We Can Make That A Environment.

Comm. Hall: I Know That, But We Have Found That Other People -- What Happens Again Is We Get Informed From The Community That Our Contractor Is Illegally Dumping Stuff And I Don't Want Be The Last To Know.

It's A Very Competitive Process An We Need To Hold Their Feet To The Bid And Then They Find Mechanisms To Stay Within The Price They've Given Us And That Sometime Creates Not Follow All The Rules.

So The Egg Bern Is Going To Acknowledge That They're Receiving This And Meeting That Requirement.

Because Otherwise I Want D.E.P.

To Recognize That Land Owner.

It Wasn't Even A Year Ago And That's A Negative Reflection Upon Us, It's Our Product And We Need To Follow Through What's Happening With It And Where It's Going.

We're Spending Million Of Dollars On Water Studies And Surface Water And All These Other Things And I Don't Want To Be Part Of The Problem.

We've Put A Lot Of Lee County's Money To Be Part Of The Solution.

So I Don't Want To See This Department Over Here Working Against This Department Over There.

So I Guess You Will Have Someone On Your Half Periodically That It's Happening.

There May Be A Mechanism Already, But We'll Make Sure That It's Used.

Comm. Hall: Secondly, Is Local Lands Inc. A Local Contractor.

I Don't Know For Sure.

I Believe So, But I Don't Know For Sure.

Comm. Hall: Again, In This Time And We've Made Such An Effort To Try To Work With Our Local Contractors, A Local Bidder's, If There Could Be A Any On Whether They're Local Or Not, That Would Be From Our Various Organizations Asking Why We're Not Giving Our Work To Local Contractors, So We Will Know Right Up Front.

Thing, I Second To Commissioner Janes Motion To Approve, All These Disposal Sites Have To Be Certified By D.E.P. And No Question That We Can Coordinate With Them To Make Sure The Concern Hall Stated To Get An Update From You At The Next Available Meeting To Talk About What We Were Going To Do In Term Of Processing Or Telus For The Facility But We Can't Put This On The Backburner.

An Ground Water Resources, And Potential Contamination Though All The Best Intentions, Lime Just Pretty Much The Site When It's Applied.

So I Would Ask That You Just Go Ahead And Give Us An Update On Where We Are As Commissioner Janes Had Asked, Concerning The Jim? We'll Do A Comprehensive Youths

Update, June I Believe, So We'll Include That.

Chairman Judah: Thank You.

Any Objection? Motion Passes.

Commissioner Hall, I Think You Had Several Of Them.

Comm. Hall: 14-E, This Is Larding The Improvement, Phase Three.

We've Had Phase One And Phase Two And Normally When I See These Phases Come And Go And Most Of Our Projects We're Usually Doing Updates To Continuing Contracts.

So Have We Built Phase One Separate.

Phases One And Two Were It Was A Different Consultant.

Phases One And Two Were Upgrades And Rehabilitations To The Fitters And I Believe It Was Malcolm Was The Consultant Doing Those Phases.

When We Got To Number Three, We Felt It Was A Good Point To Break And Go Out And Recompete For The Design Services For The Third Face Of The Water Treatment Plant.

Comm. Hall: We're Not Losing Any Experience Or It's Not Going To Cost Us Anymore, Because Normally You Know Jim's Approving Advocate For Why We Do These Team Orders, But Because We Don't Know What The Scope Of Work Is, We Start In These Phases.

So I Just Wanted To Raise The Flag.

The Phases Were Distinct And Different, So We Do Not Back Up At All On This, Is It A Local Company? Because This Is I Guess This Is A Bid.

This Was A Consultant Chosen Based On Qualification.

Health Care Are They Local.

They Were Purchased By A National Term Been The Last Five Years They Have A Local Office, But Their Ownership Is National.

Comm. Hall: I'll Move Item 4.

Chairman Judah: Motion By Commissioner Hall, Second By Commissioner Janes.

Discuss,.

Comm. Bigelow: Thank You.

Item Not Where We're Going But It's How We're Getting There.

I Remain Opposed To, So Voting Against It.

Chairman Judah: Any Further Discussion? Motion Passes 4 To 1.

Again I'm Looking At The Corkscrew, And 38 To The Lowest Responsible Bidder, So This Is A Bid Process Of Drilling Corporation, And Again You Don't Know Whether They're Local.

They Are Local.

Comm. Hall: Great.

I'll Go Ahead And Move.

Chairman Judah: Discussion, Objection, Motion Passes.

Commissioner Bigelow, Item 14-J.

Comm. Bigelow: Thank You.

Chairman Judah: Stay There, Doug.

Ok.

Comm. Bigelow: This Is An Award Of A G.M.P., Guaranteed Maximum Price For The Pass Water Main Replacement.

I Know We're Trying To Make Right A Failed Attempt.

Member Of The Board, I Guess Item An Old Song And Hopefully I Will Sing It Again And Be Quick About It.

But If You Look At What Craft Construction Has Put Forward To Us Here.

If You're Looking At The Backup.

It's In That Package Total Pass About The Contents, And This Would Be Third Page Beyond.

Title Gmp Cost Estimate.

Horizontal Directional Drilling, Shows Three Bids.

And Had Craft Is Going To Charge Us \$767,000, Which Is Not Reflective Of Any Of The Bids.

And It's 172,000 More Than The Lowest Bid 73 That's A Troubling Fact.

The Site Utilities Under That, Craft Will Do It For \$250,000.

The Rest Of This Gets A Little Confusing.

It's Tough To Follow If You're Not Watching The Titles Or Descriptions Carefully.

But There's A Lot Of Items Here That Are General Conditions, So The Independent Observer, Project Requirements, Insurance Trawler, Permit Trailer Impact Fees, Payment And Importance Bonds.

Again If You Look Below The Title, You Will See There's Another Item Labeled General Conditions.

Which Is Not Inclusive Of Those Others.

And That Mean They're Adding Above The General Conditions Listed Above Be Which We've Not Been Doing Before.

23 You Look At The General Conditions, Summary Feet, Further In The Package.

There's Two Tables.

I'm Just Going To Pick Out One And That Would Be The One Who Comes At Unit Cost Of Three, Four Hundred A Week.

3,400 A Week Is What We're Paying A Superintendent In This Contract.

Wow, That's Big Bucks And They Don't Make Much Of That, Much Of That Figure.

Granted There's Some Overcost Here, Some Overhead.

But At Least 150% More Than What The Superintendent Cost.

So That Tells Me That All Of These Employees That Are Going To Be Working For Kraft Are Similarly Over Marked.

This Is A \$1.9 Million Dollar Contract.

It's Just Full Of Full Of Problems.

Shocking, Actually.

This Is Looking Like Cost, Plus Cost, Plus Cost And I'm Not At All Happy With It.

I Would Prefer That We Take Another Look At This I Thinking We've Got A Lot Of We've Got A Lot Of Analysis To Do To Make This Right.

This Is Looking A Lot Like What Was Happening In Cape Coral It's Moving Shells Around I'm Not Really Happy With It.

This Is A Significant Change Of Change The Item First, The Directional Drill.

Where The Estimated Maximum Price.

There Is Down Time Associated With It There's A Down Time Charging And What It Did Was They Took A Look.

Down Time Based On Coordination.

And Put That In To Establish A Reasonable Maximum Price For The Directional Drill.

Again This Is An Open Book Process.

They Are Just Trying To Make Sure That They Take Into Account.

As Far As This Has Been Review.

This Has Been Reviewed At Least Four Times, By Contracts.

It's Reviewed By People In The Department We've Had The Financial Group Go For Us To Make Sure They're Looking At The General Conditions Versus The Construction Cost.

So It Has Been Vetted And We Only Started This Process We Get A Bid From A Risk, Came In At A Price Of Over A Million Dollars.

That's Why We Then Had To Go To The Competitive Process And Go Forward And Tell You That This Price Holds Up Very Well What We Had Gotten Early On So I Feel Comfortable That It Is Appropriate.

I Feel Comfortable That It's Been Looked At By A Significant Number Of People With The Expertise And It Represents An Appropriate Contract.

You've Signed Off On It, Jim Lavender Has Signed Off On It.

Cindy Logan.

Has Signed Off On It.

Everyone In The Public Works Department.

Scot Has Signed On It.

I Would Ask Of The County Attorney.

So Indicate That, Please.

Because I Can Tell You, It Does Not Let's Just About The One You Pick Out.

\$9995,000 Low Bid Becomes \$760,000 To Kraft, And Then They Add On Top Of That A 6.5% Fee.

So It Goes From The Low Bid Of \$600,000 To \$800,000 And More Money On Top Of That.

I'm Just Not Buying It.

These General Conditions That Are Also Handed Additionally Added To.

Should Be Below That, And C.M.P. Should Not Be Associated With That.

That's Been Viewed.

I Can Represent That After This Has Been Reviewed That The Appropriate Items So That The Construction Management Fee Is Imposed On The Appropriate Amount Here.

Comm. Bigelow: Ok, I'm Going To Tell You, This In Clear Conflict With Our Contracting Policies.

Chairman Judah: Entertain A Motion.

Comm. Hall: So Moved.

Second By Commissioner Janes.

Discussion, Objection, Motion Passes 4-1.

Comm. Bigelow: That's All I Have.

Chairman Judah: With Go To The Administrative General.

-- Agenda.

Item 15, Actually We Need To Adjourn.

No, Let's See.

Yeah, We Do Need To Adjourn.

Convenes The Board Of Port Commissioners.

Item 15-A, Greg.

Assistant County Attorney.

I've Put This Item Before You For Your Consideration.

I Can Go Through Blue Sheet If You Like.

If You've Got Any Questions I Can Respond To Those.

It's Essentially A Request From Foley Who Has Represented The Port Authority Over The

Years And Complex Construction Law Questions.

Wanting To Disclose To The Board That They've Proposed To Represent Intermedix Which Is A Firm Providing Billing Services For Lee County E.M.S., Lee County E.M.S. Is Currently In A Dispute Where Lee Memorial Health System, And There's At Least The Chance That At Some Point, The Interests Of The County And Intermedix As The County's Agent May Separate, And So Rather Than Putting The Board In The A Position Of Not Having Any Knowledge Until This Separation Might Occur, I Ask That I Put This Before You, Entertain Any Concerns I Might Have And If I Don't Have Any Concerns, Ask That You Waive Any Potential Contract.

Even Though I Consider The Chance Very Remote Of Any Conflict.

And Then The Other Part Of This, Since The Port Authority Is A Subsidiary, If The County Has A Conflict.

The Port Authority Has A Conflict.

That's Why I'm Bringing It For You This Morning.

Chairman Judah: Questions? Comments? Yes, Commissioner Bigelow.

Comm. Bigelow: If I Understand You're Just Putting Us On Notice Of The Potential For Conflict Of Interest.

That's Exactly Right.

Comm. Bigelow: At A Later Time, You've Determined It To Be A Conflict, When You Take Action To Prevent That Or Bring To Our Attention? Yes, If They Were To Come Up In The Future, We Will Bring It Back.

But At This Point Since They Vice President Fully Started The Representation, This Is A Good Opportunity To Put You On Notice.

Comm. Hall: You're Not Asking Us To Vote To Wave Compensation.

That Would Be The Clearest Way To Approach It At This Moment, Ask For A Motion To Waive Any Conflict That You See At This Point.

Comm. Janes: I Don't See Any Conflict.

I Don't See Any Conflict, No, Sir, But This The Kind What You're Getting Into.

Chairman Judah: Entertain A Motion.

Comm. Janes: So Moved To Wave Any Conflict A Second, Second By Commissioner Mann, Objection, Discussion Commissioner Bigelow.

Comm. Bigelow: I'm Sorry, My Fault.

Let Me Labor This A Little Bit More.

This Action Then Allows You To Work With A Firm That Has A Conflict Of Interest.

Not Actually Working For The Port Authority At The Moment.

I Suppose You Will Say They Were On Call.

When We Have A Complex Construction Law, Questions Come Up Frequently Will Consult Them And They Hold Themselves Available For That.

Thank You.

Motion Passes.

We'll Now Adjourn As The Port Commissioners And Recon Seen As The Board Of County Commissioners.

We Go Right On To The Commissioner Items.

Commissioner Bigelow.

Comm. Bigelow: No, I Don't Have Any.

Chairman Judah: Commissioner Hall.

Comm. Hall: Yes, Mr. Chairman One Of The Things That We Didn't Discuss Earlier And I Wanted Some Clarification, There Are Still Lingered Issues, If There Have Been Any Other Violations From Staff, It's A Sport We Will Try To Give Direction To The Interim Manager.

Again Nothing Personal, But I Hit Getting My Information Out Of The News Press.

Individual Commissioners Calling For An Investigation Which Cannot Be Done Without A Full Board, So, So I Don't Have To Read About What We're Doing In The Paper.

There's Some Direction That This Board Wants To Give The I Think Calling For An In The Employee Mares Are To Be Handled By The County Manager.

Commissioner Hall, What I Would Ask In Response To That Request, That County Get Together With David Owen To A Decision With These Alleges.

It's Not Really Our Push As Evidenced By Our Charter Former Government Be It Is Up To The County Manager And County Attorney To Get Together And Further Investigate The Allegations.

Or The Material That May Be Out There That Needs To Be Investigated.

Comm. Hall: Just Want To Make It Clear, This Board Can Call For Investigation Of Anything,

But It Has To Be A Board Action.

So Again, I Don't Think My Opinion Is To Again Go In The Direction You're Saying.

I Think It's An Aggressive Move On This Board When We Take That Is A Power That The Charter Allows Us.

So, You Know We Have Confidence At Some Point If That's Ok With The Rest Of The Board.

Chairman Judah: Yeah.

Give Her Team To Figure Out What She Wants To Do With That.

Again It's A Request.

Chairman Judah: Commissioner Janes.

Comm. Janes: I Have Two Committee Appointments.

These Are Commissioner Items.

Comm. Janes: I Have Nothing.

Chairman Judah: I Have A Few.

First Of All It's My Understanding.

I'm Going To Need A Little Assistance From You, Because We Just Received Correspondence As We Typically Do With The Trim Notice, Because There's Dates That Need To Be Resolved Because Typically We Recess For July.

But Looks Like We're Going To Need A Board Check To Agree That We're Willing To Come Back The Latter Part Of July.

The I Mean The Last Two Or Three Days Quite Possibly To Have A Board Meeting In Which We Will Set Rate, But If You Want To Elaborate.

Thank You, I Have Received Communication From The Property Appraiser.

In Order To Get Their Notices Out By Their Deadline, They Need Everything From Us Including All The Documents That Are Generating After The Board Action, By August 3rd Which Is A Monday.

In Order To Make That, It's The Attention The Board Need To Late July To Set The Maximum Rate Which Is The Rate That It Appears On The Trim Notice.

We're Recommending The Board Set A Session For Purposes Of Setting The Maximum Millage Rate No My Question About That Is We're Going To Have A Budget Meeting In June.

We'll Take All This Time Awe.

Why Don't We Take Action In June.

What Information Am I Going To Get Between The Budget Workshop At The End Of July, So I Mean I Don't Know Why We Have To Delay Right Up To The Last Minute When There's Not Going To Be Anything Else That's Going To Help Me With That Decision, Other Than That June Budget Workshop.

There Is One Piece Of Information That Is Critical.

The Property Appraiser Gives Us The Preliminary Taxable Role.

Then They're Required By July 1.

So We Don Get That Firmed Up Number Until July 1.

Which Is Why Which Means That They Didn't Get The Information Until The End Of The Day On That Monday And That Created Some Issues For Them.

Comm. Mann: So What You're Saying Is It Doesn't -- Whatever.

Chairman Judah: So We'll Work On July 30th And 31st.

Coordinate With The Commissioner.

I Appreciate It.

Comm. Bigelow: Mr. Chairman, I'm Sorry, But This Is A Good Opportunity.

Last Wednesday We Decided We Were Going To Kick The Can Down The Road A Little Bit With How It Is We're Going To Pay For This Red Sox Stadium.

And Karen, I'm Still Not Sure How We're Going To Do It.

I Do Understand Though Have It Of That Meeting That I Was Not Given Information From The Bond Council That The Others Had.

The Spreadsheets You Had Two Bun Of Them.

I Didn't Get It.

Health Care They Were Sent Electricity To Us.

Comm. Bigelow: Well Not Electricity To Me.

I Didn't Have The Benefit Of That Information Going Into That Meeting And I Left The Meeting Scratching My Head, As I've Been Sense Day One As To How We're Going To Pay For This Stadium, Because It's Property Tax Dollars, And Cool We Discuss And Meet.

You've Asked To Sit Down In A Winning Group.

We're Now Getting To The Point Where And That's Fine.

The Whole Prompt Can Probably Sit In.

With One Of The Financial Advisers Of Boston Red Sock.

And That's Fine.

I Thought That Perhaps We Were Going To Threat Working Group Sort Things Out And Get Back To This Board, But We Can All As Individual Commissioners Publicly Advertize And Being On That Workshop.

Here's What I Was Going To Say In Addition.

I Would Like To Perhaps Have The You Want The To Revisit That Issue.

Chairman Judah: I Don't Think So.

Comm. Bigelow: I Can Request It, And If There's No Second From The Majority On That.

Chairman Judah: You Can't Request It.

Comm. Bigelow: To Reconsider.

Chairman Judah: No, You're On The Short End Of The Vote.

No I Voted With Majority, It Was 4-1, And I Felt As Though I Was Uninformed.

Chairman Judah: Shocking.

Comm. Bigelow: You Have To Look At The Other End.

Chairman Judah: You Can Request It I Guess, I'll Have To Go Back To The Record To See If You Were On That 4-1 Vote.

Be In Any Event, The Action Has Already Been Taken When They So Choose.

Here's The Point, It's Looking To Me As If We Are Kind Of Backing Ourselves Into A Corner Here, So We're Spending Property Tax Dollars Without A Real Way To Pay It With Tax Dollars.

Chairman Judah: That's Not True.

Comm. Bigelow: But Even Then We Can Forgive The Property Tax Loan We Made To Ourselves And So In The Final Analysis We May Have To Say Told You In The Beginning, But Turns Out We Don't Have A Choice, We Spend It And Now.

Chairman Judah: Again That's Not True.

Comm. Bigelow: I'm Concerned With It, Mr. Chairman.

As One Commissioner.

And I'm Trying To Tell You I'm But Thing Yourself As Well As The Other County Manager, Budget Director, I Need More Information And I Was Not Provided That Information.

And The Friday Before That Meeting, I Met With Don Stilwell And They Did Not Have That Information With Them To Discussion And I Was Not Given A Briefing.

I'm Telling You, I'm Troubled.

Chairman Judah: We Hear This A Lot About You Not Receiving Information.

I Wonder If I Will Have To Have Administrative Send It To You Certified Mail.

I'm Not Sure Which Documents You Think Were Being Discussed At That Meeting On Wednesday, But The Documents I Understand Were Being Discussed Were Two Spreadsheets.

You Did Have Them, As I Remember You Had Them In Your Hand When I Met With You.

Comm. Bigelow: I Did Not Have -- Let's Not Discuss It Here.

I Didn't Have The Two Spreadsheet Groupings.

You Had Two Spreadsheets That The Bond Council Had Generating, Showing Its Scenarios Where The Bed Tax Dollars Can't Get To Anything More Than Like \$30, \$35 Million.

There Was No Spreadsheet That Showed That.

Comm. Bigelow: There Was.

I Got It From Commissioner Mann Health Care This Is Not A Commissioner Item.

Chairman Judah: Do We Now Have An Understanding That This Working Group, Which Is Going To Meet In August Will Include The Entire Board.

Comm. Hall: Why Are They Waiting Until August To Meet? Is The Bigger Question That I Have.

They're Not Going To Meet Between Now And August? Chairman Judah: In Term Of Setting Up The Time, Dinah.

We Sent You The E-Mail To Ask For Any Other Names That Should Be On That Working Group.

We're Plan On Setting Up Sessions Of The Working Group Right Away And Report Back To This Board As Everyone Asked To Do.

We Were Talking About The August M.M.P., Because We Wouldn't Be Ready For The June M.M.P. And If This Board Is Not Having A July Session.

Comm. Hall: I Have No Problem With You Reporting To Us Until August.

We Will Be Setting Up Meetings Right Away.

Chairman Judah: But Those Meetings You're Setting Up, I Need To Understand Will The Full Board Be Involved In Those Meetings? Because I'm Get Requests From A Couple Commissioners That Want To Be Involved In A Group Meeting.

Comm. Bigelow: There's A Dollar Shoo Here.

If You Put Together A Working Group Let The Five Commercials Either Sit On Them Or Appoint Somebody To Participate On Our Behalf.

I Think Again It Goes To Our Bigger Complaint.

Let's Have A Work Group With All Five Commissioners, I Don't Know, If You Can.

I'm Going To Tell You, If We Want To Get Into This Now, I Certainly Wasn't Anticipating, I've Spent The Last Six Months Trying To Peel Back The Onion Because As Chair, The T.C. And Preparing For Our Budget.

When You Boned Me The Chair In January, I Got Full Bore On This Because We're Trying To Term How A Budget Is Going To Go Forward.

We Have To Explain Ourselves To A Bed Tax Collectors And Every Month At A Meeting, We Look For That Input, And That's Why I Got Engaged In This, And In Doing So, As I Stated At The Meeting, I Raised Some Questions As To What Was Being Presented To Us And How It Was Being Presented, And The Timing Of How It Was Being Presented To Us.

I'm Not Trying To Muddy The Water And Create, So I Would Say If We're Not Going To Point A Commissioner, Let's Let These People Get On And I Will Beg The Time As Needed After Eat Meeting To Get Briefed.

Commissioner Bigelow Can Do The Same, Because I Don't Think It's Productive To Try To Have Public Meetings As We Go Over Financial.

The Purpose Of My Request Was Because I'm The Liaison, And It Directly Backs The Bed Tack.

We Wanted To Make Sure We Can Be Accountable To Our Collector, So But I Didn't Mean The Open The Pandora's Box To Now Have Pig Public -- Big Public Meetings, I've Taken An Enormous Amount Of Time Of Dinah, Mr. Stilwell From January To This Point To Try To

Understand How We're Doing This And What The Mechanisms Were.

Chairman Judah: I Fully Reason The Request And Certainly Your Social On Your Shoulders.

I Was Just Trying To Accommodate The Request That We're Being Asked, And How Do We Go From Here.

I'm Ok Whether We Have It As A Full Board With The Working Group, Or Somewhere The Working Group Have Their Workshops And Then Make Their Provide Briefings After Each Workshop To Each Member Of The Board.

Which Ever Way You Will Like To Proceed.

Comm. Bigelow: Yesterday At Our M.M.P. I Was Relating With Commissioner Hall's Angst.

She's Having A Difficult Time As I Recall Getting Information.

And Without Information, I Might As Well Not Be Sitting Here, And The Quality Of Information Is Altogether Paramount.

And Not Getting Information, And What I'm Getting, I Feel Like I'm In The Dark Like A Mushroom Being Fed.

I'm Trouble By It.

Chairman Judah: I Think The Best Step Is To Have A Meeting For The Board And The Individuals In The Working Group.

I Don't Know Any Other Way To Handle It.

I Want To Make Sure Everyone Is Fully Restored.

If We Choose Not To At 10, Would That Be All Right.

Chairman Judah: Absolutely.

Comm. Janes: I Was Hoping If We Attend That We Attend It More As Observers, Because Then Why Have A Briefing After Each Meeting And Why Have An M.M.P. Discussion If We've All Been At The Meetings.

Comm. Mann: Some Of That Work Group Will Be Intimidated.

They're Going To Say Why Are We Here? Comm. Janes: Whichever Way You All Want To Handle It.

Comm. Hall: Again, We're Not The Day-To-Day Operator.

We're Policy Makers As A Board.

That's What We Are.

We Take On Every Year For Each Commissioner To Be More Engaged Than Not.

If I Start Being Dinah's Assistant I Should Become An Employee.

So I'm Not Trying To Tie Their Hands And Have Their Feelings.

Yes I'm Frustrated In How I Get Information And Try To That Will Give Me The Information The Way I Need It, The Way I Can Understand It.

Would Laboring The Whole Board And Putting You Through My Pain, And Maybe My Lack Of Being Able To Read The Forms And The Formats I'm Getting Them In.

When I Feel That After All That Effort, I'm Still Not Getting It, I Bring To It The Board's Attention.

What I Feel Like Right Now Is That We're Getting Things Very Late.

We Don't Have Enough Time To Digest And Be Able To Go To Staff Before Meetings To Understand What It Is We're Receiving.

So, That's Mai Frustration.

When Weed That Meeting On Wednesday, I Didn't Get The Sheets Until Monday Late And I Had A Hard Time Getting Geared Up For Wednesday.

I Didn't Have Any Time To Meet With Staff To Go Over There And Understand Them Or Talk To Dunlap And That's Why I Requested If That There Was A Workshop On Their Part.

Do I Not Think It Would Be In This Format Where We Sit Here And They Sit Over There And We On Serve Or Anything Else.

If There Needs To Be A Motion In That Effect I'll Make It.

I Sometimes Wonder, I Was Told That's Ok, Commercials Can Walk Into Any Meeting There Is.

What Happens If Two Show Up At The Same Time.

I'm Not Trying To Create Chaos Here.

I Think If They're Going To Meet Between Now We Can Get An Update In August.

I Think The Expectation Give Us The Information In Plenty Of Time So We Can Be Briefed.

I Was Shocked That I Did Not Is A Briefing Before When's Meeting, So I Did Call Don And Said Are You Going To Brief Me? Am I Going To Go To That And I Requested That Meeting On Monday Or That Wouldn't Have Happened.

That's What Upset Me And I Also Set Up My Own Meets After Those Meets So I Could Get An Understanding For What's Going On.

Comm. Bigelow: I've Listened To Myself And Listened To Commissioner Hall.

I Think We're Both Saying The Same Things.

She Wants To Interpret It In A Different Way, But That's Fine.

Here's The Problem, Karen.

When I First Got Here We Her About How All This Money That We've Been Hoarding Was Programmed And It Was Designated For Projects That Just Had We're Waiting For The Day That We Would Fit Shovel In The Ground.

Some Time Goes By, Then We've Got This Idea We Will, Then We Have All The Property Tax Dollars.

Right? So It Shifted The.

Chairman Judah: You're Talking And Apples And Oranges With All Due Respect.

Comm. Bigelow: The Position We Were Taking As A County Speaking To Our Residents, Tax Payers And Told Them Something Much Different, And Totally Inconsistent From What We Were Telling Them Before.

Then We Started Talking About The Red Sox Stadium And Said We Would Pay For It With Bed Tax Dollars, But Lo And Behold We Found Out Last Sense, That We Don't Have Enough To Get Anywhere Near What It's Going To Cost Us.

So We're Back To Spending These Reserve Dollars That We Told The Citizens That Was There Waiting For Capitol Improvement Projects And Other Expenditures.

I Don't Want To Be In Your Position.

The Gig Is Up And I've Got To Get Information That's Accurate So I Can Speak To People.

I'm Going To Play It Straight And I Want To Let Them Know That I've Looked At This And Looked At It Carefully, So When I'm Out There Talking To Them, That They Will Know I'm Being Honest With Them.

Not Giving Them Smoking Mirrors Or Shell Games.

So I'm Asking You Please Be Sure The Information Flows Freely So I Can See It And Digest It And Understand It Because It's Not Been Happening.

Chairman Judah: What We Talked About Was \$1.3 Billion Designated For Projects.

From Youths To Roads To Parks To Libraries.

Not The General Fund.

Yes, We Do Have A Bed Tax Dollars To Pay For The Money We're Borrowing Internally.

You Will Get Into That Discussion In August.

I Got One Other Issue And In Fact It Has To Do With You Commissioner Bigelow.

Because I Can't Just Let This Action Go Unanswered.

I Know We've Got A Chart Of Former Government.

We As Members Of The Board Is Not Use The Influence In Our Position To Create Undue Duress, Coercion Or Intimidating County Employees.

It's My Understands You Had Discussions With Some Of The Assistant County Managers You Would Like Them To Resign.

We Cannot Do That As Members Of The Board Intimidating County Employees.

All I'm Going To Ask Is That Either The County Attorney We Look Into It Or We Hire An Independent Investigator Because This Kind Of Action Cannot Happen Where An Individual Commissioners Intimidate County Employees -- I Leave It Up To The Board How You Want To Handle It, But I Can't Let It Go.

Commissioner Bigelow.

Comm. Bigelow: Thank You, Mr. Chairman Yesterday I Went To Bill Hammond And I Was Unable To Speak To Pete.

And I Asked Them That Would They Please Consider Not Attending This Meeting.

Every Week The County Management The Executive Branch Of The Government Puts Forward A Replete Of Items That They Wish For Us To Consider.

And They Give Their Recommendation For How It Is They Would Like To See Action Taken On A Particular Item.

They Ask Us To Consider Something, They Consider Which Is To Have The Matter Move Forward Yesterday I Asked, I Tried To Ask Each Of The Three Of Them, But Only Able To Talk To Two In Person, If They Would Please Consider The Interest Of This County At Large, Because County Manager Who Has Now Gone, Has Put Them In That Position And They Too Have Some Of The Same Problems That The County Manager Carried And Was Responsible For.

If I Would Please Not Attend The Meet, Then The Interim County Manager Could Choose To Bring Them Back Or Not.

It Was Not That I Said You Must Or That You Should Or That I Was Giving Any Direction.

I Said Directly This Is No Way A Request To You To Take Certain Action It's How It Might Help Us With The Healing Process.

No Different Than They Had Come To My Office And I Asked Two Of Three People To Leave So I Could Have A Discussion With The Third.

It Was Just The Meeting That I Feel Is Problematic.

Because As We've Talked About Earlier Today, There's Problems Still At The Apex Of The County Management.

It's Still The Elephant In The Middle Of The Living Room.

I'm Struggling With How To Try To Help Us Start The Healing Process.

I Believe They Have To Weigh Their Own Choices Before Them As Individuals, Whether They Continue Or Not.

That's Wholly Up To Them.

I Never Asked For Anyone To Resign.

Please Consider The County's Interest At And Whether It Is Helpful Or Hurtful Because We Still Have Problems.

Commissioner Hall Shares Some Of This Concern Because She's Brought Up Under Commissioner Items Today, How It Is That The Interim Is Going To Deal With The Problem That Still Exists Or Still Lingers.

Yesterday We Talked About Whether To Recoup The Contract Some Of Their Employees Were Sending E-Mails That Were Very Demeaning, Derogatory.

You Know This Thing Has Tentacle.

I Don't Know How It Is That We Will Be Able To Clean This Up.

Chairman Judah: We Have A Charter Former Government.

County Commissioners Are Not Supposed To Be Involved In Personnel Matters.

And I Will Ask The Attorney To Look Into Thing As Taken, Because We Do Have A Certain Amount Of Authority And In Our Position And Certainly The Eyes Of Employees That Retreat.

Again I'll Live It Up To Our Attorney To Look Into Whether Or Not There Was Any Violation Of Charter Government.

Comm. Janes: I Support Your Position.

We Cannot Have Individual Commissioners Running Around Telling County Employees They Ought To Do This And That.

That's Not What We're Supposed To Do And I Resent Anybody Attempting To Do That, Without Any Prior Clearance Or Approval By The Board Itself.

And That Is Highly Improbable And Must Be Looked At We Should Not Have That.

It Needs To Be Looked At And Del With Quickly.

Comm. Hall: Concerns That I Have I Bring Back To This Board And How We Want To Handle It.

If I Have Them, I've Read The Charter And I Know What My Scope Of Work Is.

And I Know That Asking Someone Not To Attend A Meeting.

I Don't Know What Message That Sends.

And I Don't Understand -- Again It's Very Clear As To What Our Role Is As County Commissioner And What Happens To The Three We've Had.

It's Very Difficult When You Don't Have A County Manager There's A Week Of Limbo.

We've Had Two Mechanisms Of Board Members To Follow Up Now On The Other Issues That We Have.

Call For Official Investigation Or Make A Request Because That's All It Is.

It's A Can Request And After We Get Back, And I Recognize She Said Yes, The, I'm Not Going To Judge When I Don't Have All Of The Facts.

I Don't Know What The Extent It.

Oil Not Going To Making A Decision Or Giving Direction To Employees When It's Not Within My Realm.

Why I Share Your Concern Commissioner Bigelow, The Way I Execute That Concern Is Different Than You, And I Don't Agree With Any Of Us Swim Employees, This Is Probably An Extreme Case, But I Would Hope That The Interim County Manager And Our New County Manager Enforces That Charter, Because Are There Cases Of Commissioner Giving Specific Direction To Employees.

There Is County Management Going Over And There's Employees Carrying Water Of Specific Items That Commissioners Have And The Question We've Been Very Liberal And It's Gotten Very Loose, And I Think It's Time To Tighten Things Back Up.

It's Time To Have A Protocol Fold And If This Is Going To Be The Impetus To Do That I Because You Can't Have Intimidation Of Employees.

And Everyone Is Very Sensitive Right Now.

And Jones We Need To Overreact.

We Need To Act Appropriately, And As Painful As It Is, It's Going To Take A Little Time Based On A Her Rowing Looking At What Is Happening.

I'm Not Going To Do What I Did Last Week.

An Later And There Is A Whole Bunch More.

So I'm Comfortable Letting The Entertainment Manager Do Her Job And I'm Comfortable With David Looking Into What's Considered And Trying To Clarify That.

Comm. Bigelow: Whatever It Is She Seems To Be Looking At There, I Suppose You Will Forward That On To Me, Am I Correct.

You Want To Know About Lee County.

Comm. Bigelow: One More Time.

Let Me Say This About The Problem That's Before Us, In My Up Humble Opinion, Not Solved.

And That Is That We've Got We've Got Some Employees That Are Still At The Apex Of The County Management Branch Of This Government.

That Have Some Problems That The County Manager Who We've Just Now Let Go Had.

And That Is Not Going To Just Go Away Because A Day Goes By.

It's Not Going To Heal It.

It's Only Going To Heal It And Start The Long Process.

What I Was, Could Have Been Three, To Consider Was How They Could Help In The Healing Process By Not Attending A Meeting.

Or That If Don Were Here, We Dealt With The Matter Early, That They Would Leave With Him.

And If That Would Show, That Would Be An Image That The Public Would See.

Picture Is Worth A Thousand Words.

That They Could Then See As A Way Obvious Some Solid Concrete Way.

A Little Bit To The Point, I Don't Know How It Is, For Instance, That We're Going To Keep One Of These Employee Names On A County Facility Knowing What We Know.

Chairman Judah: You're Right, But You Know What, .

You're The Judge, Jury And Executioner All In One.

Comm. Janes: With No Specificity.

Comm. Bigelow: You Have Shot Across.

Chairman Judah: Absolutely, In Response To Yours.

Comm. Janes: Absolutely.

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Comm. Bigelow: The Chairman Has Shot Across My Battle.

And I'm Telling You, We've Got To Go The Extra Mile To Clean This Up.

We Are Not Done.

I'm Trying To Tell You What I Did Yesterday Was To Try To Appeal To Them To Keep The County's Interest In Mind And Help Us To Move On.

Chairman Judah: Never Mine Their Legal Rights Or The Fact That We're Trying To Form A Government.

Comm. Bigelow: Has Nothing To Do With The Violation.

Comm. Janes: I'm Going To Ask The Attorney To Investigate.

Comm. Bigelow: That's Fine.

Comm. Mann: You Can Ask The Attorney To Do It, You're Going To Distract This How Terribly Painfully.

I Think We've Had A Good Airing Here.

Commissioner Bigelow, I Think You Overstepped Your Boundaries, Best I Understand Just By Listening To What I'm Hearing Here Today.

We Have Directed The New County Manager To We'll Do This Specific Issue.

Why Don't We Let Her Do That.

And Let's Not Get Into A He Said-She Said, What Was The Intent And What Were The Circumstances Under It Which It Happened.

We Have Come So Close To Putting This Painful Issue Behind Us Today, And Now We're Doing Everything Possible To Shoot Ourselves In The Foot, The Head And Mouth And Everywhere Else.

Can't We Just Adjourn Here Today And Let Her Do Her Work, And Not Make It More Difficult For Her? That's All I'm Asking.

I Don't Know What Good County Attorney's Investigation Is Going To Do.

Comm. Janes: I Just Feel Very Strongly That What We Need To Do, We Have Gone Over Board In Trying To Accommodate These Runoffs That One Commissioner Seems To Be Having.

It Does No Good.

It Continues.

He's The One That Raises The Issues, And We've Got To Call For Help For This.

Because It Is Not Productive.

I Couldn't Agree With You More.

It Is Not Productive.

And Obviously There's Many Ways In Which This Is An Administrative Solution Calls For.

He Speaks From Somebody Who Has No Administrative Experience.

He Has Never Supervised A Large Working Group And Knows Nothing About It.

Except The Old Fashioned Way Of Coming In And Threatening People.

And You Do It By Not Only That, But He Does It By Innuendos, And Avoiding Naming Specific Faults.

We Cannot Have That.

And He Has To Learn.

He Has To Learn That Hopefully This Is An Experience For Him.

This Is A Big Government.

We've Got 2800 Employees, I Think.

And By Golly, We Run That Differently Than A Ma And Pa Operation.

Comm. Janes: I Appreciate What You're Saying But You Can't Have One Commissioner Threatening Or Intimidating County Employees.

Comm. Mann: Well, Mr. Chairman, All Of Us Have Come Close To That Line.

And Perhaps Even Pass.

Not A Week Goes By That I'm Not Talking To Somebody Saying Can't We Do This A Little Faster Or Can We Put This As A Priority? My Code Enforcement People, We're All In A First Name Basis.

Believe Me Because You Have To Talk With These Folks.

You Can't Run Everything From The County Administrator.

We All Talk To Staff Constantly.

I Think Where We Go Is When We Start Telling Them How To Behave In The Text Day's County Commission Meeting.

That Was Way Over The Line.

Mr. Chairman I Pray That We Can Adjourn Here Today, Take His Committee Appointments And Let's Get Out Of Here.

Let Her Do Her Job And I Bet Calm Will Start To Come.

Chairman Judah: Again We Still Need To Have Our Attorney Investigate The Matter And Move On.

Comm. Mann: Well You Three Vote For That.

Chairman Judah: A Motion.

Comm. Janes: So Moved, Is There A Second.

Comm. Hall: Second By Commissioner Hall.

Discussion? Objection, Motion Passes.

Health Care I Think Each Of Us Will Have An Opportunity To Share Specific Concerns With The County Manager That We Have And Have Some Discussion And Why We Don't State That Here.

I Think Karen Has Very Clearly I Understand The Concerns We Have.

Hence Why We Didn't Call For A Formal Investigation.

Out Not Like You Don Get A Chance To Talk To Our County Manager Before Tuesday, And If There's Some Concern That's Being Shared There, You Can Bring It Back To This Board And Get Direction, If She Knees To Or Do Her Job.

Chairman Judah: One Last Item I Want To Thank The County Attorney's Office.

There Was A Lawsuit She Had Sustained Damage By Driving Her Car Into A Lee County, That Truck Happened On The Parked On The Back Of A Breakdown Lane.

She Had Demand \$85,000.

She Hit The Truck, It Was Parked.

She Claimed The Truck Was Coming Out Of The Lane And Got In Her Way.

With Ended Up With An Offer Judgment Of \$400,000, The Young Favored Zero Dollars, Lee County.

I Want To Thank Lee County And The Attorney For The People.

Now I Want To Go To Committee Appointments, Commissioner Mann.

Comm. Mann: If I Had Any, I Wouldn't Gem To You.

Comm. Janes: Two, Both Real The One Is Helen Lodey.

I Imagine Everybody Will.

Roxy To The T.T.C.

You Know Roxie Wants To Be Appointed The Next Day.

Chairman Judah: Hearing No Objection, Motion Passes.

Comm. Bigelow: Let He Take This Opportunity To Say If I Thought This Was A Chance To Get This Board.

Chairman Judah: The County Commission Items Have Already Been Concluded.

I'm Going To Committee Appointments, Do You Have Any Committee Appointments.

I Have A Few Committee Appointments.

Robert Eugene Bruce To The Community Action Agency.

And To The Community Action.

Comm. Janes: So Moved.

Second By Commissioner Hall, Motion Passes.

We Are Again Through With These County Commission Items At This Time.

Interim County Manager Karen Haas.

Any Comments At This Time? Welcome Aboard.

County Attorney David Owen.

We Adjourned.