

April 9, 2013

Please Join Us For Prayer. Then We'll Have The Pledge Of Allegiance.

Let Us Pray, Almighty God, We Come To Honor You This Day In This Lee County Commission Meeting. You Are The Only One Who Can Rightly Lead And Guide This Community. Lord, We Lift Up Prayer For Our Community. We Ask That You Would Bless All Our Community Leaders With Your Wisdom, Your Love And Your Compassion. Bless All Who Work And Provide, Those Who Struggle To Survive. May We Be A People Who Are Pursuing You And Your Plans For Us Individually, Corporately. Lord, We Lift Up Prayer For These County Commissioners. Lord, We Ask For Blessings For Our Commissioners. May These Servants Who Are In Positions Of Authority Take That Responsibility Seriously And Do Their Very Best Each Day. May They Realize Their Need For You, And For Your Direction. May They Hear Your Voice As They Make Their Decisions And May They Follow Your Guidance. May They Have A Passion For People, For Truth And For Righteousness. Amen.

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

We Have A Couple Ceremonials. Commissioner Mann Would You Like To Go First?

It Would Be My Pleasure. Mr. Jay Anderson Here. Thank You For Coming Back And Keeping Us Alert. This Resolution Says Where As The National Observance Of April -- Past The U.S. House Of Representatives On March 23rd, 2010 And Where As Stay Alive Just Drive Has Been Actively And Aggressively Educating The Visitors And Residents Of Florida Since 2006. And Where As Sends Or Receiving A Text Take The Driver's Eye Off The Road For An Average Of 4.6 Seconds. The Equivalent After 55 Miles Per Hour After Driving The Length Of An Entire Football Field Blind. And Where As The Transportation Safety Board Recommended States Pass Laws Prohibiting Driver's Use Of Mobile Devices Including Both Hand Held And Hands Free Cell Phone Use. And Where They Continue The Effort To Make Our Roads Safer

By Reminding Everyone, When You Drive Distracted We Are All Impacted. Where As The Board And County Commissioners Encourages To Adopt A No-Texting Policy.

Thank You For The Good Work That You Guys Are Doing And Let's Have A Picture Taken.

Thank You. Good Morning, Commissioners. I'm Ann Pierce. A Companionation Advocating For Safe Access All County Roads For All Users. We Strongly Support The Recognition Of April As Distracted Driving Awareness Month. Florida And Lee County Are Once Again On Their Way To The Top Spots In The List Of Those With The Most Dangerous And Most Deadly Road Ways. Think A Minute About All The Things That Each Of Us Allows As A Common Every Day Occurrence Now To Distract Us From Driving. This Is An Epidemic. It's An Epidemic As Deadly As Any Caused By A Pathogen. With The Same Loss Of Life And Harm. It's An Epidemic That's Illustrated -- Particularly That Of Human Life. We Now Accept As Routine That Pedestrians Will Be Hit And Killed As If It Were Some Inherent And Unavoidable Fluke In The System Of High Speed Automotive Mobility. It's A System That We Created To Serve Human Needs. And Now That System Puts Human Life Secondary To Moving Cars. Consider That Walking, The Most Fundamental Of Human Characteristics, A Milestone In Childhood Development Has Now Been Officially Relegated As An Alternative Mode. The Pursuit Of Eliminating Congestion With Overbuilt High Speed Road Ways That Maximize Engineering Efficiencies -- Lee County's Complete Street Policies Has Taken Very Significant First Steps Towards Changing Our Infrastructure And They've Been Recognized For Their Leadership. Just Recently Been Asked To Present The Lee County Complete Streets Policies And Programs. At A Conference This Thursday Attended By Usdot Transportation Secretary Ray -- Recently Presented The Same To Broward County Officials. On The Part Of Officials, Staff And Citizens That These Policies Have Been Produced. And We're Very Proud Of Them. But It's Now Time To Change The Entire Driving Culture. It Has To Change From The Top Down As We Join Fdot And Their Campaign For Safety In Lee County. Law Enforcement, Elected Officials, Educational Programs And The Media Must All Be Alignment In Conveying A Zero Tolerance For The Disregard Of Human Life. As A Body Corporate, We Need To Embrace And Convey A Vision Zero. No Loss Of Life Is Acceptable. And Let's Have No More Letters To The Editors Like The One This April 6th A Few Days Ago Penned By A

Departing Visitor Expressing His Disgust That Our Words Are, "The Most Dangerous Ever Experienced." Thank You.

Thank You.

And Thank You All. Thank You, Mr. Chairman. This Is Out Of Order, Perhaps. Just As A Casual Suggestion, Would You Maybe Send Me Or All Of Us A Memo Stating What It Would Take. I Don't Know If We Have An Official County Policy On County Operated Vehicles That Would Express The Intent That We Put Our Money Where Our Mouth Is.

We Have One Already In Place.

We Have One Of The Most Comprehensive Policies In The State.

I'm Glad I Brought That Up.

But What We Are Honored To Use It As A Model.

We Did Put Our Money Where Our Mouth Is.

We Absolutely Have.

Thank You Very Much. See You Next Year.

Thank You. Next Ceremonial. I Have Jill Turner And Amy Director Of Communications. Come Forward, Please. Thank You For Joining Us.

Thank You For Having Us.

We Have Two Resolutions For Both Groups Here. They Read, Last Year More Than 5,000 Children Received Services Related To Some Form Of Abuse Or Neglect In Southwest Florida. And Where As The Children Center Of Southwest Florida Mission Is To Improve The Lives Of Children And Their Families Through Coordinated Response To Child Abuse And Neglect. Assessments, Medical Exams, Counseling,

Parenting Educate And Developmental Programs. Include Fear, Anxiety, Depression, Anger, Poor Self Esteem, Inappropriate Sexual Behavior And Difficulty Establishing And Maintaining Close Relationships. Whereas, Through A National Effort Lee County Citizens Encourages To Join The Children's Advocacy Center Of Southwest Florida To Raise Awareness And Help Prevent Child Abuse And Neglect. Give Abused And Neglected Children In Our Community And Across The Country A Chance For A Safe Future. The Month Of April 2013 As Child Abuse Prevention Month In Lee County. We're Gonna Have Two Different Resolutions To Present To You Here. This One's For Jill, And This One's For Amy.

Almost More Than Half Of Your Children In This County. And I Think It Speaks To The Testament To Have Jill And Our Programs Working Together. All Of Us Together, We Can Only Accomplish Better Things. Through Our Program, We're Seeing About 200 Or So Children Coming Through Every Month. We Now Have Programs In Place To Catch That Family Before That Second Call Comes In. I Think It's Working. So I Want To Thank You For Your Time. I Truly Appreciate Being Here. It's An Honor To Have The County Recognize It. I Will Give The Mic To Jill Who's Been Doing This A Lot Longer Than I Have.

Thank You All So Much For The Proclamation And The Support Of The Child Abuse Prevention Issue. I Think Our County Is Very Fortunate. We Just Got Our Numbers For 2012. And Our Children's Advocacy Center Provided Services To 5,900 Children.

We'll Move To Public Comment On Assent Agenda. We Have One Card For The Agenda Items, Jeremy France. Come On, Jeremy. You Have Three Minutes.

Good Morning, My Name Is Jeremy France Representing The Conservancy Of Southwest Florida. Just Here To Support The Resolution For The Creation Of A Special Advisory Committee For The Restore Act. We're Glad To See That Lee County Is Moving Forward With The Process So That When Those Funds Are Dispersed That We'll Be Ready With A Multiyear Implementation Plan Required By The Restore Act. We're Also Glad To See That The Environmental Community Is Considered For One Of Those Seats On The Committee. We Think That We Have A Really Strong And Really Passionate Environmental Community In Lee County. We'll Have A Lot To Offer And Glad To See That In The Executive Summary. The Only

Other Thing That I Might Add Is That When You Do Get To The Point Of Creating Criteria For Projects And When The Process Has Begun That Utilize The Work That's Been Done By Some Of The Other Counties And Agencies To Create Those Processes And Not Try To Create Something From Scratch And Get Mired In The Weeds. Thank You.

Thank You, Sir.

Any Other Speakers On The Administrator Agenda? Seeing None, We'll Move To Consent Agenda. Commissioner Mann?

1a.

Commissioner Hall Makes A Motion, Commissioner Manning Makes Second To Move. Commissioner Mann?

He Tried To Explain This To Us Here Not Long Ago. This Is Something We Have To Do To Get It From One Year To The Next While We Have Ongoing Projects. Is That What I'm Understanding?

Commissioners, This Action Is Required Because The Audit Is Complete. So Any Adjustments Required By The Auditors We're Making Through This Final Blue Sheet. We Do Some Preliminary Adjustments In December And Once The Audit Is Complete, We Do Final Ones. It's Just Adjusting The Books To Match What The Clerk And The Auditors Have.

This Is My Suggestion. I Don't Want To Prolong This. But There's Five Pages Here Of Teeny Print Involving Millions Of Dollars. I Don't Know Whether It's Possible But I Would Ask The Staff To Give A Little Thought To Some Type Of Executive Summary Or A Departmental Presentation Of These So We'd Make Sense Of It. This Is Just Five Pages, Hundreds Of Items On Here. It's Too Much To Absorb And Really Make Sense Out Of. But We're Expected To Approve It. And We Have Year After Year. But If There's Any Way You Could Make This More Readable And User Friendly, That's My Hope And My Prayer. I Will Move It, Mr. Chairman.

I'll Second. I Just Have One Comment. Pete, Every Year I Go Back To Our Investments And Reserves And Things Like That And Always Recommend That At Some Point Even The Clerk Or Whoever Is Our Budget Director And The Clerk Come In And Really Go Over That. Even Though Some Of Us Have Been Here Longer, It's Easy To Forget Why Certain Balances Are The Way They Are And Why That Happens. Not So Much For A Budgetary Purpose But Also To Communicate To The Public Where We're At. Especially After We're Processing The Books And We Kind Of Bring It Home For A Landing. For As Much Time As I Spent Looking At These Numbers, It Still Is Confusing. And I Think Also Engaging The Clerk Who Is Our Investment Person Also Helped Show That We're On The Same Page With Our Other Constitutional Officer. Maybe That Would Be Helpful.

We Do Work Closely With The Clerk. In Fact, We've Got Meetings Set Up To Discuss Reserves In A Way That's Understandable For Everybody.

It's Probably Worth The Hour Conversation. Thank You.

Thank You. Any Other Discussions? Any Objections? No Objection, Motion Carries. Move On To The Administrative Agenda. Commissioner Mann For 1a. Commissioner Hall?

How Are We Getting Out The Call To Action So We Can Get Names Submitted? And What's Our Time Frame That We'd Like To Have All Of The Names In So That The Appointments Can Officially Be Made?

Good Morning, Commissioners. Commissioner Hall, The Way The Resolution Is Structured, The Cities Would Be Required To Make Their Appointments Within 30 Days Of Adoption. Your Appointments To Follow. We Don't Have A Strict Timeline Set, We Do Anticipate Soliciting -- We'd Like To See Who The Cities Appoint So That We Can Structure That Committee And Bring Some Nominations Forward To You That Round It Out In Terms Of The Expertise That You're Gonna Need To Sift Through These Projects. I Would Anticipate Mid Summer For Coming -- Either Immediately Preceding Your Recess Or More Likely After Your Recess Coming Back With A Slate Of Nominations For You.

How Are You Communicating To The Cities, Though, This Process And Asking Them To Have Their Nominations To You By May 9th?

We Have Communicated With Them About The Agenda And Told Them How It Was Going To Work. They've All Asked That I Rewrite To Them The Outcome Of Today's Vote And They'll Get Started On Their Process.

And So They Understand That We're Looking For Those Expertise As Well?

Yes.

I'm Sure They're Looking For People That Live In Their Cities. But They're Looking For That Representation. Ok. I'm Assuming That They Can, If They Choose To Have One Of Their Resource Staff Or One Of Their Economic Development Staff Members That We're Not Opposed To Them Employing A Staff Member.

We Kind Of Think That's Where Most Of Them Are Headed.

Which Is Fine. I Just Want To Make Sure This Board Is Ok With That As Well.

This Resolution Does Give The Board Chair The Opportunity To Appoint An Interim Person For The City If For Some Reason Their Appointment Falls Off And Takes A While To Fill. We Just Want To Make Sure We're Complying With The Act.

Thank You For That. Any Discussion For The Board? No Discussion, Any Objection? No Objection, Motion Carries. I'll Second For Discussion. Any Other Discussion?

Yes.

Commissioner Hall?

I Want To Tell You Thank You. It's A Good Contract. I Appreciate The Cleaning Up Of Our Agreements. I Don't Think There's Any Grey Area Where Someone Is Gonna Be Concerned As To What They're Doing. I Do Have Concern Where We're Asking For The Reporting Process. I See We're Asking The Company To Report To Us

Quarterly. But We're Kind Of Vague On How We Want That. We're Basically Going Back To The Same Rules, Which Is A Certified We Want Someone To Certify That These Are The Jobs We May Ask For. I Really Am Not Comfortable With The Maze. I Really Want To Know How We're Asking These People To Report. Whether We Give Them A Form, But This Fact That We Have Everyone Doing Their Own Thing Is Concerning To Me. And I Think That's Where We're Double In The Detail. Someone Can Just Type Out On A Word Document, I Have 238 Positions. Here's What They Are. There You Go, That's All I'm Asking Them. I May Ask Them For More, But I Don't Know What That Means. And Then Do I Get Into A Stand Off Because What They May Want To Give Us And What We May Ask Is Not Coming Together. I'm Still Uncomfortable With The Process That We're Asking Them To Report In.

I Think, Commissioner That It Allows Us To Get More Detail Probably Than Less. But We're Also Looking At The Requirements That We Have In Every Single Contract Going Forward. And Hopefully We'll Be Able To Amend That.

Well, I'm Reading It, Andrea And I'm Not Comfortable Letting It Go. Because I Let It Go Last Time And I'm Still Dealing With That Reporting Process And People Not Wanting To Report And Me Not Being Able To Invoke A Proper Reporting Process. I Spent Hours Talking To You All About Let's Get Down To A Standardized Reporting System. What Is It Gonna Be That Quantifies? If Someone's Certifying It, How Do I Know? What Am I Requiring To Confirm Then Other Than Just Someone Saying Trust Me, That's What They Are. If That's What You're Telling Me, Then It's For Me To Make That Decision. Secondly, You're Telling Me In Here That All Employment Information They're Gonna Give Us Is Gonna Remain Confidential And We Will Not Provide It To Any Third Party. So I'm Trying To Figure Out, Under Public Records Request I Understand That On Any Human Services Including Our Own, We Don't Have To Give Certain Information Out. Nowhere In Here Do You Identify What Is Gonna Be A Public Record Request. That's A Default In This Agreement. We Still Are Subject To Some Form Of Public Record Request If The Media Or Anybody Asks For It.

That Is Correct, Commissioners.

It's Not Addressed In Here And That Makes Me Very Uncomfortable That It's Not

Addressed. I Think The Company Has A Right To Know Right Up Front, In Writing, If We Get A Request What We Have To Provide.

I Think What We Can Do In That Case Is Definitely Nail That Down So That In The Agreement They Understand We Are Required To Give This Out. We Will Go Back To The Company And Advise Them Of That. And If They Have Any Objection, It's Unfortunate But We Have To Do That. We Will Also Go Back To The Company And With The Assistance Of George, Nail Down What We Want Them To Give Us.

Mr. Chairman, With Those Things Still Being Outstanding, I'm Not Comfortable Supporting This Agreement. I'm Comfortable With The Intent Of The Agreement. I'm Comfortable With Where We're Going With This, But I'm Uncomfortable Approving This Agreement Not Having It Complete. There's Major Things Missing Here And Until Those Things Come Together, I'm Not Gonna Support A Partially Done Agreement.

We'd Ask That It Be Deferred For About Two Weeks For Us To Be Able To Get With The Companies So All These Issues Are Hammered Out.

I Personally Agree With That. Any Other Discussions?

I'll Remove My Motion For Approval.

Defer The Item For Two Weeks?

Thank You, Commissioner Hall. Commissioner Manning Seconds. All In Favor? No Objection? Ok, Will Be Deferred For Two Weeks. Next Item Is 14-A.

Thank You Mr. Chairman, Members Of The Commission. Mark Levitt. You Have A Blue Sheet And You Have A Copy Of The Settlement Agreement. We Do Recommend That It's In The County's Best Interest That It Does Contain Admissions Clause. We're Not Admitting We've Done Anything Wrong But Do Think It's In The Interest To Move Forward Without Further Cost Of Litigation To Resolve This Case. If There's Any Questions, I'd Be Glad To Answer Them.

Any Questions Or Discussion?

What's Our Total Excess Of Medicaid Funds?

About \$1 Million Excess And Appropriations This Year, Commissioners. And This Will Use The Rest Of That Million. We Used About \$500,000 For The Other Side Of This Case And A Couple Hundred Thousand Of It For The Pay Out. This Uses It All Up.

Here I'm Gonna Go Back To The Blue Sheet. The Blue Sheet Doesn't Lay Out What I'm Expending. It Doesn't Tell Me What I Have Left, What I'm Using And What Our Total Pay Out Is So That I Have An Understanding Of Totally What This Case Has Cost. So If I Want To Go Back, I Have To Go Find Bits And Pieces. So, Again, We've Asked Over And Over That The Financial Portion Of These Requests Really Needs To Be Tightened Up So That Anyone And Everyone Can Understand What It Is We're Doing Because We've Had To Take This In Bits And Pieces. And It's Really Hard To Go Back. If This Is Our Final Action, Let's Capsulate On This Blue Sheet.

Any Other Discussion From The Board?

When We Put Out A Record, What Is Our Total Number That We Settled For? Just So We Have It On The Record.

\$792,000.

That's Been Our Total Budget For This Case. You Weren't Working For Free, Were You?

No.

Ok, I Didn't Think So. [Laughter]

What's Been Our Total Budget For This Particular Case?

I'm Not Sure I Know What Our Fees Amount To.

At Some Point, Andrea, If You Could Just Brief Us On What It Totally Was And Where All The Dollars Came From. Just An E-Mail To Us All.

Yes, Commissioner.

Thank You.

I Thought There Was A Motion Already. I'm Sorry. Well, I'm Gonna Motion That We Approve The Settlement Agreement.

Commissioner Hall Makes A Motion. I Will Second For Discussion.

I Don't Like It. But I Recognize The Reality Of Where We're At.

All Of This Happened Way Before My Time. It's Unfortunate That This Occurred With Staff. I Know It's Been Corrected. But Hopefully This Won't Occur Again With Staff. We Have Measures In Place To Keep This From Happening In The Future.

Mr. Chairman, Just Let Me Say That I Think Commissioner Hall And Yourself Speak For All Of Us. Nobody's Happy About This Settlement. But We Need To Get This Issue Behind Us.

I Think What's Important, Because We've Taken A While To Get Here. This Deals With Supervisors And Managers. I'd Like Somehow -- If We Don't Make The Change In That Leadership, Then I'd Like Somewhere To Understand That These Things Are Not Occurring Again And How We're Dealing With That. And I Think That Each Of Us Needs To Be Briefed Over A Period Of Time To Make Sure That There Is Good Communication Happening And That Those Individuals, If They Have Not Been Demoted Or Moved To A Different Department But They're Still There Acting In That Same Capacity, That Whatever Training We Give Them Is Effective. And That The Employees Feel That There Is No Longer A Hostile Environment But An Environment Of Team Work And Communication Going On. I'd Appreciate An Update On That.

Thank You. I Would Call For A Vote. Any Objections? No Objection, Motion Carries. Thank You. Commissioner Items, Commissioner Manning?

Thank You, Mr. Chairman. I Sent A Memo To Each One Of You I've Been Requested By The City To Set Up A System Where We Will Contribute Towards A County Wide Effort To Educate Folks On The Proper Use Of Fertilizer. This Dove Tails With Representative's Action To Create A Task Force On The State Side. It Also Has Local Preemption Rules That Will Effect Counties Throughout The State Of Florida. The Cities Of Cape Coral, Fort Myers Beach, As Well As Bonita Beach Have All Joined In This Effort. I Don't Know What The Final Figure Will Be. I Know That Staff Has Been Mulling Over And Discussing This Internally. And I Would Ask That It Comes Back On A Formal Blue Sheet With A Figure That We Could Contribute To This Effort. The City Is Willing To Front 50% Of What We Put Into The Pot. And The Education Program Will Be Decided From That Point On. I Don't Need A Real Decision Today. But If You'll Give Me Permission To At Least Bring An Agenda Item Back, I Would Appreciate It.

Mr. Chairman?

Commissioner Hall?

You Don't Have A Good Ordinance Unless You Communicate It. Being A Growing Community, We Have New People Coming Here Every Day. I Appreciate You Coordinating With Everyone To Do That. I Was Pretty Adamant That I Wouldn't Support An Ordinance Without Supporting An Implementation. So I Look Forward To You Collectively Pulling Everyone Together So See What We All Can Contribute To Continue To Make The Fertilizer Ordinance Effective And Letting People Know What It Is We're Doing And Why We're Doing It. I Think That Goes A Long Way Into Having People Perform Appropriately. It's An Honor System. So Thank You.

Thank You.

Commissioner Kiker? Commissioner Items?

Yes, I Have A Few Items. I Was Requested By A Committee I'm -- Regarding Fgcu. Whether Or Not They're Going To Pay Their Portion That They Have Been Paying In The Past For Route 60. And Also The Presentation Included A Possible

Recommendation From Staff To Halt The Service In September Of This Year Completely. The Discussion Was There Was A Belief That There Was A Development Agreement Originally For A Certainly Level Of Required Services, Including This Transportation Facility. And That There May Be A Non-Compliance Issue. So The Request Is If We Can Have Legal Look Into The Agreement, The Way It Is Written. And That Perhaps That They Could Lead A Discussion With This Board In An Upcoming Meeting.

No One Is No Longer Legally Obligated To Pay Their Proportion Share. Let's Go Ahead And Have Legal Do It Again And Decide If We're Going To Continue To Contribute. Because At The End Of The Day, Who Is Overseeing That Organization In Conjunction With What We're Doing Already As Lee County Government. So I Don't Have A Problem Looking At It. I Didn't Support Paying For It Again The Last Time It Came Up Because I Felt It Was A Duplication Because We're Already Subsidizing.

It's \$2500. Maybe I'm Wrong. Let's Go Ahead And Have Legal Look At It. I Appreciate Your Request.

I'm Pretty Sure The Number Is In The Half A Million Range.

Let's Have Staff Look At It.

I Appreciate That. They Suspect That There's No Expiration Date. I Do Appreciate That.

Let's Have Staff Do That Because It's Gonna Come Up As A Budget Issue Any Way. So It's Best To Know Now.

Thank You. The Second Item I Had, I Was Asking For An Update On The County Attorney Hiring Process. I Didn't Want To Get Behind The Ball Like We Did With The County Manager. It Appears That I Don't Know If There's Someone Here That Would Like To Explain Where We Are With That Process.

Come On Down, Christine.

Good Morning, Commissioners. Christine Brady For The Record. The Recruiter Provided An Additional Timeline For The County Attorney Recruitment. We Have A Revised Service Provider Agreement That Should Be Coming Back To Our Office Fedex. We Anticipate Having That Service Provider Agreement In Our Hands Today. Spoke With Renee From Bob Murray Associates, She Would Like To Meet With All Of You Via The Phone Instead Of Having Her Come Back. That Will Help Reduce Her Expenses And Will Actually Help Expedite Putting Together The Profile. She'll Be Able To Put Together The Profile For Your Review And Hopefully Have That In Your Hands By April 22nd. Looking To Be Able To Place The Ad By April 24th. As Far As The County Manager Recruitment, That Position Went Live On Bob Murray's Site As Of Yesterday Evening. The Brochure Adds Are Set And Ready To Be Printed Today.

I Also Had A Couple Requests From Some Attorneys That Said That They Would Be Interested In Presenting To The Board Whether Or Not We Would Consider An Individual. An Attorney Would Come In And Take Over The Whole Legal Process.

I'm Not Interested In That. I'm One Commissioner, You've Got Two Commissioners Not Interested. I Guess We're Looking For A Third?

You're Talking About Like Sub Work Out? Or The Actual Position?

I Don't Think It's As Uncommon As You Might Think. Interested In Replacing An Attorney, We Replaced It With A Company. And It Actually Worked Out Really Well.

I'm Very Familiar With It. But I Think A County Of Our Size Needs A County Attorney. And I Think That We Can Out Source Areas That We Don't Have Expertise. But I'm Not Comfortable With The Firm Being The County Attorney. It's Supportive For Having An Adequate County Attorney's Office Here. But I Want The Person To Be An Employee Working Here On A Day-To-Day Basis. I'm Not Comfortable Having A Firm Be Our County Attorney.

Well, I Was Asked To Bring It To The Attention To The Board. So I'm Doing So. We've Got Two Folks That Says No. I'm Looking At Whether That's Something That You Would Consider.

My Thoughts On That Would Be It's A Subject, Like A Lot Of Subjects, We Have Never Discussed. We're Pretty Far Down The Road Now And We Were Delayed By My Interest And Perhaps Considering Our Own Attorney To Continue In A Permanent Role.

I Was Pleased How She's Handled Herself With Trimming Down And Running A Leaner, Meaner Shop Up There. Once We Have The New Person In House, I Would Welcome That Discussion At That Time. For Now, No Don't Put Me On Your List.

I've Done My Job. I'm The Messenger. So I Appreciate That. Thank You Very Much. The Next Thing Is That We Did Conduct A Meeting This Past Week. They Now Have That In Front Of Them. They Need To Go Back To The Municipalities And See How They're Gonna Handle It. The Second Thing Was Communication. Probably More In Line With The Blue Sheets And The Heads Up With Things That Are Specific Or Particular To Their Municipalities. How Can They Get Ahead Of That. I Have That As An Action Item To Get Back To Them. Just A Brief Reminder -- Today The B.C.B. Will Be Recognizing Our Tourism Ambassadors This Afternoon. We'll Look Forward To That. Thank You, Mr. Chair.

They're Prioritizing Funding For What? I Just Want To Clarify What Pot Of Money We're Working From. We Have Lots Of Projects We Fund. So The Beach And Shoreline, Thank You.

Right. That's All I Have, Mr. Chairman.

Thank You. Commissioner Hall?

First Of All, I Want To Thank Commissioner Manning. Commissioner Pendergrass And I Were Honored By The Governor To Receive One Of Three Medals. I Wanted To Say Thank You. It Was Quite An Honor To Stand Amongst Our Peers And Be Recognized As A County Who's Doing A Great Job At Creating New Jobs. We Must Be Doing Something Right. There's 67 Counties, So I Was Proud To Stand There With My Colleagues On Behalf Of This Board. Secondly, The Restore Meeting Was Held On Friday. Things Are Plugging Along. We Have An Agreement With The

Governor Now. I'll Be Sending Out Written Documents. All Of You Can See That. Just To Let You Know That We're Kind Of Smoothing Things Out. To Have 23 Counties Sitting Around A Table And For The Meeting To Only Last An Hour And A Half. I Was Extremely Proud Of My Colleagues. Seems Like We're Getting A Rhythm Now. Our Next Meeting Will Be In May. It's Never Easy Having 23 Commissioners With 23 Interests Sitting Around A Table. So I Was Really Proud Of The Way The Meeting Went In Tallahassee. And I Hope That It's Reflective In The Governor's Support Of Us And Working With Us. So You'll Get A Written Update, But It Went Very Well. And Lastly, Commissioner Pendergrass And I Had The Privilege Of Attending The Life Session Last Evening At 7:00 O'clock. Where We Were Asked To Support And Are Now On Human Services In Coordinating Efforts To Support Children's Mental Health And An Increase In Services. Anne Was Asked To Make Specific Commitments. I Was A Little Concerned About A 20% Increase. Anne Articulated Very Clearly Our Board's Position On That. While We're Not Committed To Any Funding, We Are Committed To Some Sweat Equity. With That Commitment, I'd Like To Have An Outline From Anne And What Her Time Frame Is So That We Can, All Five Of Us, Can Stay In The Loop As To What She Now Feels Is The Next Step. And How She Feels That's Going So That We Can Track Those Benchmarks And We're Not Kind Of Caught Off Guard. We Made A Commitment To Almost 500 People Last Evening.

Close To A Thousand.

Yeah, It Was A Large Group, To Say The Least. With That Kind Of A Commitment, I Want To Be Proactive In Responding Back And Not Wait To Be Asked. I Certainly Don't Want To Be Scrambling Around For Answers When My Phone Rings. I Want To Be Very Proactive And Get On Top Of That Right Away. As Most Of You Know, We Really Are Dealing With One Service Provider. So It Shouldn't Be That Difficult. But Again, Commissioner Pendergrass, Thank You For Joining Me On Stage Last Night. [Laughter]

It Was A Very Inspiring Meeting To Say The Least. And Obviously Children's Issues Are A Big Issue For These Many Congregations And Many Residents In Our Community. So I Appreciate You Being There With Me.

Thank You. Commissioner Mann?

Mr. Chairman, I Need To Tag On Commissioner Hall's Comments. I Think We've All Met With Representatives Of The Life Group. And I Will Tell You, I Was Fairly Candid With The Group Addressing My Remarks To Staff Too. And That Budget Wise, This Was Almost An Impossible Task They Were Asking Of Us. Because There Was Kind Of Like A Blank Check. Nobody Had An Understanding Of What This Might Ultimately Cost. 20% Of The Kids In The School System Who Need Mental Help Of Some Type. I Don't Know How They Came Up With 20%. But Even If You Assume That To Be Somewhere Close, Several Questions Immediately Come. Is It The School Systems Or Is It The Congress Or Who Is It. But We Have Never Been Told This In The Direct Healthcare Provider Business. Mental Health Or Physical Health. And It's Such A Huge Discussion. I Said I'm Gonna Have To Be Very Careful On What You Hear From Me As Far As Commitment. I'm Not Certain What You Guys Feel Like You Committed To Last Night. I Know You Didn't Commission The Commission To Anything. I Appreciate Her Care In The Selection Of Her Words Last Night If I Can Read What I Read In The Paper. She Seemed To Be Reflecting What I'm Saying Right Now. That It's Such A Huge Issue. And We Just Don't Know What Role We Can Play. The Positive Mental Health Of Our Kids, Who Could Be Opposed To That? But Just Specifically What Is Our Role, I'm Just Saying I Don't Know What It Is Yet. And Before I'm One Of 3 That Have Made A Commitment That Might Find Itself Turning It Into A Fiscal Obligation, I'm Just Saying I'm Not On Board Yet Other Than Philosophically. Of Course, We All Care About Our Children. Particularly All The Horrible Things That Have Been Going On In Our Schools. Often Involving Mentally Disturbed Children As Well As The Adults. I Just Needed To Put That On The Record. I Have Not Telegraphed This Through An Earlier Message. It Relates To Some Things I Want To Provide Everybody. It Relates To What You Were Talking About, Impactees. One Of The Things I Appreciate Commissioner Manning Continuing To Push For Is A Review At The End Of The Year As To Where We Stand. In That Regard And Moving Toward That, When I See Things That Are Related To The Impact Either Locally Or Nationally Or Statewide, I Just Want To Share With My Colleagues. We Were Tied For Number Two With Palm Beach County In Job Creation Last Year Without That Reduction As Well. I'll Throw On To Your Pile. I Do Get Where You're Going With This. But I Hope That All The Tools In The Tool Box, I Think We're Using Well. And I'm Hoping That At The End Of This Year We Can At

Least Start To Bring That Back To Maybe Not 100% Reinforcement, But Maybe Bring It Back To 50% As We Start To See More And More Job Creation.

I Appreciate Those Comments. This Is Information. When We're Armed With Good Information, We Make Better Decisions. I Look Forward To Nine Months From Now When We Take Things Up Seriously. One Last Little Thing, This Is More Of A Downer Than An Upper. Every Time We Think We're Doing Something Pretty Good Up Here, We Feel We're Pretty Special. I Just Think It's Good To Point Out That This Is April 7th Sunday Letters To The Editor. I Know A Lot Of You Don't Read That Particular Periodical. But I Find It Some What Humorous From Time To Time And Occasionally Informative. This Fella Says -- I Won't Read His Name. He's Referring To The Lee County Commission. "I Have Been Here For 30 Years And Never Have I Seen Such A Bunch Of Ninny's Running This Show." That's My Little Effort At Humility This Morning. There's Somebody Out There That We Are Yet To Convince That We're Doing That We Were Elected To Do.

Well, Hopefully Someone Will Write A Letter Complimenting Us.

I Wish They Would Write One Letter Saying They're Not All Ninnies.

Are We Done? [Laughter]

You're Hoping I Don't Have Anything Else, Right?

To Touch On What Commissioner Hall Has Said, Lee County Was Presented With The Governors Ambassadors Business Award. I'm Looking Forward To Doing That. I Spoke Last Night To A Woman's Club Last Night. A Lot Of The Women There Really Appreciate It. [Laughter]

That's What I Heard.

They Thank The Board For Their Impact. And They Thank The Board For Taking The County In That Direction. I'd Like To Enter An Agreement With The Appointment Of Andrea For The County Attorney. My Mistake, County Attorney For Andrea Fraiser. Consensus With Board To Sign That Agreement With Andrea?

Yes.

I Consent. Is That At The Level Mr. Hunt Was Being Paid? Substantially Less? Let's Put It On The Record.

I'll Pass This Around To The Board.

I Want To Make Sure, Because We Normally Don't Deal With Budgetary Items. For A Record, Commissioner Items Are Usually Not Put Into The Record. So If We're Signing An Agreement Or A Pay Increase, We Should Probably Formalize It With A Vote And Not Just A Consensus. Don't You Agree? I Don't Think It's Just Up Or Down. I Don't Mind Making An Exception Under These Terms. But We Try Not To Impact Budget With Commissioner Items Because The Public Has A Right To Comment On Those Items.

Administrative Agenda For Next Week.

But Also, I Want To Be Fair With The Job. We're Paying Someone Fairly. So I Hope That We're Looking At That, That She's Taking All The Full Responsibility And Job And We Have A Job Out There That We're Advertising. And She Is The Acting County Attorney. So I Would Like To Be Fair With Her In Taking On Those Responsibilities. She's Doing A Great Job, She's Working A Lot Of Hours. We're Mean And Lean In That Office Right Now. So I Want To Make Sure That Our Compensation Isn't Just A Back Hand Saying This Is A Professional Position That We're Advertising. I Don't Want To Belittle It By This Person We Have Serving As Interim. We Didn't Do That With The County Manager. And I Certainly Don't Want To Reflect That With The County Attorney's Office Either. I Guess I Throw That To You As To How We're Dealing With Our Intern Folks.

Thank You. Can You Come Forward, Please? These Past Few Weeks, Myself And Other Commissioners And Glen And Staff Have Been In Tallahassee Working With Our Delegation. And I Will Tell You, First Of All It's Been An Hour To Represent Lee County In Tallahassee. Everywhere I Go In The Hall Ways In Tallahassee, I Hear Good Things About Lee County And Lee County Staff. Thank You, Glen For All Your

Work That You're Doing There. We're Really Respected In Tallahassee. It's A Good Thing. I Think It Also Helps Us As A County To Get The Funding That We Need And Support We Need. Commissioner Manning Has Been Involved. He's Still Involved, Of Course Commissioner Hall -- Trying To Get One Item For \$250,000. There's A Couple Other Things. Hardly Any Opposition There.

Glen, Do You Have An Update On That?

Thank You, Mr. Chairman. As Of Late Yesterday, Speaker Designate Accepted Some Language That Would Strictly Grandfather Us During The Study Period. So Full Enforcement Could Proceed. He Also Agreed To Extend The Study Period Until 2016. The Reason For That Is There's A Water Quality Study Going On In Tampa Bay, The Results Of Which We Want To Incorporate Into The Research. Because Obviously You're Aware Of The Studies That Are Out There. We Need Some Water Quality Studies Too. But The Work On Trying To Balance Their Agenda And Their Committee Make Up Is Ongoing. The Task Force Would Be Charged With Reviewing The Existing Research On The Issue And In General Coming Up With Recommendations For Changing The Model Ordinance, Perhaps Coming Up With A Uniform.

We Have Until 2016.

Our Government Is Very Good At Doing Big Studies. This Looks Like We're Headed For Another Big Study.

This Thing We Have To Be Careful About On This One Is The Make Up Of The Committee Is Business Oriented.

It's 16 Committee Members, Right?

13.

I Think We're At 13 Now. No Bill Has Been Final.

That's What We're Concerned About Is The Committee Make-Up. It's All

Agricultural, Business.

Fertilizer.

At Least This Year They're Not Talking About Doing Away With Our Local Ordinance. That's A Great Leap Forward.

The Call Share Bill On The Committee Next Week. Do You Have Any Updates On That?

We Do Expect That To Be A Committee Bill, Probably Introduced Next Week.

As Of Right Now, We See It Being A Dead Issue. I'm Not Seeing That Moving Further. Do You Have Anything Else For The Board?

Glen, I'd Like You -- That's Moving And Glen And I Did Have A Clans -- Chance To Meet With The Chief Of Staff. We Do Not To Follow Back Up A Little Bit. Do You Want To Give A Brief Overview?

Sure. Thank You, Commissioner Hall They Did Apologize. Nonetheless, It Was Already Introduced And Passed In It's First Committee Of Reference. It Would Dissolve The Non-Profit Management Entity Some Of The Concerns We're Hearing Is Does The Focus Come -- Versus Conservation Concerns. Is There Going To Be Meaningful Opportunity For Public Input In The Management Plan Going Forward. This Amendment Would Also Create A New Advisory Group. All Of The Appointments For Which Would Be From The Commissioner Of Agriculture. So The Stake Holders Don't Have Any Appointments On The Advisory Board As It's Currently Proposed.

There's Also A Clause There Where We Have A Small Portion Of Land Up Against The State Conservation. They Have That Clause Where Lee County Can Opt To Join The State In A Continuous Operation Of The Bob James Preserve. Or We Can Break Off And Do Our Own Thing. That's Also Part Of The Language That's There. Glen And I Are Concerned About The Fact That None Of The Stake Holders Have An Appointment. And That We Want To Make Sure That Conservation, As Well As

Making -- We Bought This With The Understanding That The 70,000 Acres Would Try To Pay For Itself As Much As Possible. But With The Protection Of Why We Purchased These Properties. The State Purchased These Properties. There Is A Little Concern. We Have This Secretary. But You Don't Know Who Comes In Behind That.

The Subject Of A Lot Of Wailing And Gnashing Of Teeth And Careful Balance Between Agriculture Interest And Environmental Interest When The Property Was Bought Originally By The Kipson Team. That's 6-8 Years Ago. Now A Lot Has Happened. But That Bill Was So Crafted At The Insistence Of Mr. Kipson And A Lot Of Players. This Is Something I'd Like To Know Weekly What's Going On, If Not Daily. These Things Have A Way, Late In The Session Like This, To Come From Nowhere And Be A Committee Bill That Has Already Passed Because Nobody In The Rest Of This State And The Legislature Knows Anything About This Issue Expect Us Right Here. So It May Be A General Bill. But It Applies Only To Us. So We Need To Watch This One, Mr. Chairman. You Can't Monitor Something That Comes Out Of Nowhere, Comes Out Of A Cave And Suddenly It's Moving Swiftly.

I Will Share With You That The Charlotte County Commission, I Did Have A Chance To Talk To A Couple Members And They Were Very Familiar With It. And A Part Of The Concern Was, I Think, The Way This Started Was The Team Was Looking To The State To Extend Their Management Because They Had Concerns. And So I Do Know That Over This Last 8-6 Months There's Been That Dialogue. And I Think This Is Where It Came Out Of The Secretary's Office As An Alternative. Unfortunately, Because Most Of This Was In Charlotte County, Lee County Was Left Out Of That Conversation. Charlotte Has Been Kind Of On Board For A Much Longer Period Of Time Than Lee County Was. Glen The On Top Of It. If You Can Give Us An Update, Or If There's Something Changing, Contact Via E-Mail All The Commissioners So That We Can Do What We Need To Do. If Our Conversation Doesn't Go Well This Week.

Understood. Will Do.

Mr. Chairman, Please Those Comments Compel Me To Say One More Time What I've Said Many, Many Times. That Charlotte County, Yes, Is Where The Action Is Happening. The Impact Of What Happens Up There Is In Lee County. And It Grates

On Me That I'm Assuming What You're Saying Is Based On Good Information That Charlotte Would Be Involved In Something In The Legislature That's Gonna Effect Me And My Citizens In Lee County. And Particularly The District I Represent. So Again, You And I Are Gonna Have A Daily Relationship As This Bill Moves Forward. Thank You Very Much.

Thank You, Glen.

Thank You.

Committee Appointments. Commissioner Manning?

None.

Commissioner Kiker?

None.

Commissioner Mann?

None.

Commissioner Hall?

None.

We're Suggesting A Summer Recess Between Wednesday June 26th And July 28th?

I Would Suggest We Make It That Tuesday And Come Back On July 30th.

I Wasn't Sure If There Was A Meeting On Monday. There's None Right Now.

I'd Like To Make A Motion That We Break From Wednesday June 26th To Tuesday, July 30th. We Return On Tuesday The 30th.

Ok By Me.

Is That A Second?

That Would Be A Second.

Commissioner Kiker Seconds. Any Objection? No Objection, Motion Carries.

Commissioners, I Want To Note Something Real Quick. Florida Department Of Environmental Protection Just Came Out With Their Rankings On County And Recycling Rating. Lee County Is Number Two Out Of The 67 Counties With The 45% Recycling Rate.

I Think That's Fantastic.

Any Other Discussion?

I Just Want To Say, I Was Looking Back Over Through Some Of Her Comments With Sustainability. And Again Briefing Some Of The New Commissioners About Sustainability From A Federal Perspective Of What We're Doing Here Locally. It's Helpful For Us On An Annual Basis.

County Attorney Items? At This Time, We Open Up The Public Comment For Public Presentation On Matters Of Concerned Citizens. We Have A Few Cards Today. First Speaker Is Fred.

Good Morning, Sir. You Have Three Minutes.

Why Does This County Not Promote Within It's Departments? It Seems That We Have Our Best Talent Come From With Inside Our Departments. We're Out Recruiting For People. So What Would Anybody In The County Management Office Have To Look Forward To Become County Manager Some Day. I've Called All Your Offices Recently. It Is Like Pulling Teeth To Get Somebody To Call Me Back. This Is A Representative Commission. Frank, You're My Commissioner. I've Called The

Office About Certain Things And I'm Told The County Attorney's Office Has Responded. It Seems That The Discussion We Had Just After Christmas, The Three Of Us, About County Customer Service Is Hit And Miss. And I Really Hope That's Something We Work On. When Somebody From Lee County Contacts You Or You Or Whoever Else In This Building Works For The County, If Nothing Else They Should Be Responded To. Whether It's A Positive Or Negative, Doesn't Really Matter. But That Person Is Looking For A Response Back. I Also Have An Issue, Why Is It That The County Departments, Three That I'm Dealing With, Have To Go Through The County Attorney To Have Anything Done In Their Business Model? When There's A Problem That Comes Up In The Department, Why Do They Have To Go To The County Attorney's Office To Go Anything Done? These Directors Are Hired To Handle Problems, And They're Not Handling Them. Any Time There's A Problem, It Seems Like It's Shifted Off To The County Attorney's Office. I've Been Trying To Contact You Since The Early Part Of March. That Was Also True With The County Manager's Office And I Got A Response Back From A Secretary. I Got A Response Back From The County Attorney's Office. But I Didn't Get A Response Back From The Intern County Attorney, Or The Manager. And That's Wrong In This County. We're Not That Big That Somebody Can't Pick Up The Phone And Say, What's Going On. I Think That People Out Here Need To Have A Venue To Vent Their Problems, Vent Their Issues And Have Some Kind Of Response. Whether It's A Positive Or Negative, It Should Be Responded To. Thank You.

Thank You. Commissioner Chairman, I Will Only Comment That We Try Not To Involve Ourselves In A Debate Or Discussion Here When Public Comes In To Make Observations. But I Would Hasten To Say There Are Often Two Sides To Whatever Stories We Hear Around Here.

Our Net Speaker Is Larry.

Good Morning, Commissioners Basically I'm Here -- I Know I've Had An Opportunity To Address You All By E-Mail. I Wanted To Introduce Myself Personally And Let You Know That Finally -- By The Way, My Name Is Larry Aguilar. And I Represent The League Of United Latin American Citizens. I Want To Let You Know That It's Now A Legal Organization Here Serving The Community In Lee County. And I Wanted To Make Sure That You Were Aware Of That. Very Interesting To Know That It's An

Organization That's Been Around Since 1929. We Will Be Having A Convention Here Fairly Soon In The Month Of May. We're Having It At A Very Terrible Time During The Memorial Day Weekend. I Understand Most Of You Have Plans, Like I Used To Have. But At Any Rate, Just Wanted To Let You Know That We're Available To -- We're A Friend Of The Community First Of All. I'd Like To Think That We're A Friend Of The Board Of Commissioners. And I Reference That In Regards To An Article That I Saw In The Paper Where Three Individuals Just Settle With The County For A Sizable Amount Of Money Because Of Some Racial Comments Or Harassment That They Were Under. I Would Like To Just Let You Know That In Our Position, We're Not Just Here To Oppose Government. We're Here To Also Help Government. And We Would Love To Have An Opportunity To Work With You.

No Other Cards, Thank You. Meeting The Adjourned.