

**June 4, 2013**

We Pray Everything We Do Today Will Be For Your Honor And Your Glory. We Ask All These Things In Jesus Name. Amen.

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

Thank You. Please Be Seated. Also If I Could Ask The Members Of The Audience To Silence Your Cell Phones If You Have Any. Next Item Of Agenda, Ceremony Of Presentation. We Have One Today, Commissioner Kiker?

Thank You, Mr. Chairman. If I May, Can I Have Brandon With The Tobacco Free Lee Coalition. Katie With The Students Working Against Tobacco. That's Swat. Good Morning.

It's My Honor To Read This Resolution. Dealing With Tobacco And The Children. I Don't Know How Many Here Have Been A Smoker In The Past. Two Packs A Day Here. And I Can Tell You How Easy It Was To Get Hooked On It. And I Can Tell You How Hard It Was To Get Off Of It. We Really Do Appreciate The Work That You've Done. Throughout Lee County. And Whereas National Studies Have Found That The Vast Majority Of People Use These Flavored Tobacco Products In Adolescents Or Young Children. Thereby Reducing The Exposeure -- Commends The Tobacco Free Coalition And The Many Members Of Students Working Against Tobacco Which Consists Of Lee County High School And Middle School Students Dedicated To The Cause Of Tobacco Use Prevention. Duly Executed This Day, June 4th Signed By Our Honorable Cecil Pendergrass.

Thank You.

Good Morning, Commissioners. And Thank You So Much. This Is Something That We've Really Looked Forward To. Some Of Our Students Are Graduating This Year. And They've Been Working Very Hard For A Long, Long Time To See This Resolution Come Through. I Can Say Right In My Hand We Have Some Petitions. Students Working Against Tobacco Have Been Working Some Local Sporting Events Recently. On Tobacco Free Lee Night, The Students Were Speaking At The Many Attendees Of The Ball Game And They Garnered 450 Signatures Of Some Of Our Local Residents

Who Said That They Support Resolutions Requesting That Retailers Voluntarily Restrict The Sale Of Candy Flavored Tobacco Products. Lee County Now Joins Over 40 Counties In Florida And Well Over 100 Municipalities Who Have Such Resolutions. We Hardily Thank You. One Of The Agreements, Which You Mentioned The Resolution, The Tobacco Industry Was Not To Target Our Youth. Candy Flavored Products Do That. We're Not Speaking About Candy Products. We're Speaking About Tobacco That Is Flavored With Candy Elements. Peach, Mango, Bubble Gum. Who Would That Be Appealing To? So We Certainly Thank You. Thanks Very Much.

[Applause]

Good Morning. Basically, The Tobacco Industry Is Losing Their Customers. Because People Die From Diseases And Cancer. So Who Better To Target Next Than People To Have For A Lifetime? Good Thing That Us Kids Are Able To Realize This And We Can Work To Stop It. Like We Had The Event At The Stadium. Every Day About 4,000 Children Under The Age Of 18 Try Their First Tobacco Product Or Smoke Their First Cigarette For The First Time. A Quarter Of Them Go On To Be Daily Smokers. With Swat, We Try And Work Towards Stopping The Spread Of This Tobacco And Helping Save Lives And Health And Such. And So, Thank You.

Thank You.

Commissioners, On Behalf Of All Of The Children Who Have Been Negatively Effected By This And Who May Not Now Be Negatively Effected By This, I Want To Thank You All.

Thank You.

Good Morning, Commissioners. Just Want To Say That I Concur.

Well Said.

[Applause]

Mr. Chairman, Thank You. I Didn't Know If It Was Tobacco. Where I Come From It's Tobacca.

We Have Another Ceremony With Commissioner Hall.

Please Come To The Podium. It's My Pleasure And Honor To Read A Resolution Regarding Elder Abuse Awareness Day. Whereas Lee County Seniors Are Valued Members Of Society. And It Is Our Collective Responsibility To Insure They Live Safe Lives. And Where Abuse Of Other People Is A Tragedy Inflicted Against Vulnerable Seniors And Is An Ever Increasing Problem That Crosses All Social And Economic Boundaries In Today's Society. Help Improve The Quality Of Life For All Seniors Across The State And Will Allow Seniors To Continue To Live As Independently As Possible Adding To Their Lives Their Vibrancy. They Should Be Treated With Respect And Dignity To Enable Them To Continue To Serve As Leaders, Mentors, Volunteers And Important Active Members Of Our Society. We're All Responsible For Building Safer Communities For Florida's Seniors. And The Welfare Of Seniors Is In The Best Interest Of All Citizens And Further As The Well Being Of Our Communities. Lee Elder Abuse Prevention Partnership Is A Coalition Among Lee County Human Service Providers And Agencies To Create Community Partnerships That Effectively Promote The Awareness Of Elder Abuse, Neglect, Exploitation And Provide Services, Advocacy And Support For Elder Adults. Greetings And Best Wishes To All Observing June 4, 2013 As Elder Abuse Day. Signed By Our Honorable Cecil Pendergrass. We'd Like To Take A Photograph And Hear Some Words From You.

[Applause]

I Just Want To Thank You On Behalf Of Everyone On Our Counsel. People Are Finally Starting To Recognize That This Very Frail Somewhat Silent Majority Who Have Given So Much To Us In The Past Is Sometimes Really Suffering. And We Really Need To Reach Out And Get Them Services And Help Them To Be Safe And Unharmed.

Thank You So Much.

Yes, Thank You Very Much. Our Goal Is To Educate The Public About The Elder Abuse In Lee County. This Year We're Excited That We're Going To Be Going Out Into The Community. We're Going To Be Working With St. Michael's Lutheran Church. And They Are Going Incorporate Our Theme Into Their Vacation Bible School. Our Goal Is For Everybody At Some Point To Be Making This Aware Every June 15th. Thank You Very Much.

Thank You.

[Applause]

Thank You, Commissioner Hall. Next Item Is The Recap. We Have No Items On The Recap. Move On To The Public Comment On Consent Administrative Agenda. J. D. Miner, Please Come Forward. Please State Your Name For The Record, You Have Three Minutes.

Good Morning, My Name Is J. D. Miner, I Am The General Manager For Sanibel Marina. Currently, Our Marina Has Incurred Costs In Excess Of \$60,000 In Regards To The Jet Ski Business That We're Attempting To Operate Here In Lee County Just Inside Of San Carlos Bay. We Began The Business With The Assumption That We Were Able To Operate Through Our Marina. In The Process Of Going Through This, We Have Now Worked In Conjunction With Other Local Vendors And Coming Up With The Safe Way To Operate. We've Also Worked With Multiple Charter Captains In Developing A Route That Is Both Safe And Environmentally Friendly. And We Feel That The Route That We Have Developed Is One That Will Put Minimal Impact On The Environment, If Any Impact. And We've Also Asked And Have Worked With The Commission Staff To Have That Route Adopted Into The Amendment That We Have Proposed. We Really Feel That This Is Something That Would Help Benefit Our Area. Both From Educating Our Local Public And The Tour That Is Come To Our Area. And The History Of Our Area Plus The Environment. It Is Something With This Education That Will Also Assist In The Safety Of Helping People Operate Jet Skis In A Safe And Environmentally Friendly Manner. Thank You.

Thank You.

Anyone Else Wish So Speak On The Consent Administrative Agenda? At This Time We Will Close That. Move Over To The Consent Agenda. Commissioner Manning?

None, Mr. Chairman.

Commissioner Kiker?

None.

Commissioner Mann?

14-A.

Commissioner Hall?

None.

Move The Balance. Commissioner Mann Makes The Motion, Commissioner Hall Seconds. Any Discussion? Any Objection? No Objection, Motion Carries. Commissioner Manning You Have The Floor, 14-A.

It's The One That The Gentleman Just Spoke On, The Personal Water Craft. I've Followed This Issue And My Inclination Is To Support It. But I Wanted To Just Mention That I'm Starting To Hear From Some Individuals And Some Groups That Seem To Have Pretty Heavy Heartburn On This. So I'm Supportive Of Moving This To The Hearing. But I Just Want A Little Disclaimer Out There That I'm Gonna Give Full Attention To What The Other Side Has To Offer On This As We Move Forward. I Move The Item.

Second.

Commissioner Mann Makes The Motion, Commissioner Hall Seconds. Any Other Discussion? No Discussion, Any Objection? No Objection, Motion Carries 5-0. Move To Administrative Agenda.

Move 7-A Mr. Chairman.

Commissioner Manning Makes The Motion, Commissioner Hall Seconds. Any Discussion? No Discussion, Any Objection? No Objection, Motion Carries 5-0.

Move 12-A, Mr. Chairman.

Commissioner Manning Makes The Motion, Commissioner Hall Seconds. Any Discussion? No Discussion, Any Objections? No Objection, Motion Carries. Walk On Carry Items, We Have One Item For Special Notification Of County Lands. Do You Need To Speak On That? Commissioner Items? Commissioner Hall?

Well, I Wanted Just A Couple Good News Things To Talk About. First Of All, I Want To Congratulate The Sports Authority On The Florida High School Baseball Championships That Were Played At Jetblue Park. This Is The First Time We've Had All The Teams Here In Lee County. We Kind Of -- They've Been For Three Years. So We're Happy To Have Them Here. Generated About \$1.8 Million In Revenue. \$23,000 In Bed Tax. So Congratulations, Jeff For Another Great Event. Most Of You Know That We Had The Awards. And I Just Wanted To Announce Here Who Those Winners Were. Good Will Industries Was In Sustainability Foundation For

Lee County Public Schools For Education. The Minnesota Twins For Sports. Lee Star For Business Development. And Offshore Sailing School For Marketing. So Congratulations To All Those Business. We Know As A Port Authority, But Sometimes It Gets Lost In Transition That March Was A Banner Year At The Airport. Over A Million Visitors Passed Through Our Airport. We've Seen A Lot Of Challenges In Our Economic Times. But It Seems Like Lee County Is Holding On To Our Numbers. So Great Job, Bob And His Team. And On That Note, They Won A Public Relations Award Also. And I Want To Congratulate Them On Their Win Of A Local Image Award That Was Presented Here By The Local Public Relations Association. And Then A Note To One Of Our Larger Cities, Cape Coral. As Most Of You Know, Cape Coral -- It's Our First Starwood Property That We Have Here In Lee County. They Were Awarded The Rating For Their Property. So Congratulations To The Westin. More Importantly, To Have Such An Icon In The City Of Cape Coral. It's A Beautiful Property If You Haven't Been Out There. And Bonita Springs Was Recognized For Sustainability. They Received A Green Award. And Sanibel Was Recognized For Happiest Seaside Town. Congratulations For The City Of Sanibel. Now On A More Serious Note, Southwest Florida Most Of Us Have Met On The South Florida Water Management District. And There Seems To Be A Need For Us To Be A Little More Proactive At The Board. There's A Lot Of New Board Members. While We Have Two Southwest Florida, We Need To Start Showing Up To Put Different Items -- To Just Put Our Positions On The Record. I've Been Advised That It Would Be Helpful To Do That. I Know Commissioner Manning Is The Liaison. So John, If There's Times That You Can't Make Those Meetings, Would You Let Us Know So That One Of Us Could Try To Be Over In West Palm Beach Every Month? We're Getting A Lot Of Push Back. And I'm Gonna Head Up Next Week To Meet With The E. P. To Talk About This Visioning Process. But More Importantly Our Projects On The Basin, Our Partnership With The Water Management District On The Northern Everglade Protection Act. There's A Funding Mechanism In There That's A 3-Way Partnership. And I Want To Talk With Them About Where We're At With That. And Secondly, Continue Their Support And More Importantly C-43. I've Reached Out To Some Of The Environmental Groups And I'm Not Seeing Push Back Locally On Our, What We're Doing. But I'm Hearing That There's Some Push Back From The East Coast Environmental. So I Think We Need To Start Being There And Start Interacting With Them. So Just Let Us Know, John, When You're Not There. And We'll Try To Find Someone To Attend With Staff. Thank You.

Thank You. You Mentioned The Airport, I Have To Commend Them Also. He Commended Our Lee County Airport. The Services, The Cleanness Of The Airport. Thank You.

Commissioner Mann? Commissioner Items?

I Just Want To Add An Atta Boy To The Whole Team For The Tremendous Job With The High School Tournament Down Here. I Got An E-Mail From A Lifelong Friend Who Lives In Tallahassee Who's Grandson Participated. And He Was So Excited To Be Able To Play At Jetblue Park. And In Addition, Just Seeing Him Overwhelmed He Was So Complimentary About How They Were Treated By Their Local Host Here. So You're Right On There About How Super Job. I Don't See Him Hiding Out There Today. Pass The Word, Would You? Don't Keep All The Credit To Yourself.

[Laughter]

But This Is A Perfect Example Of What We've Had To Explain Over And Over Again. We're Gonna Be Using That Facility Year Round For These Types Of Events. We're Gonna Serve Thousands Of Visitors And It Has A Tremendous Economic Impact. Amen To Everything She Said.

I Agree. I Dropped By There The Other Day. That Park Is Being Used Daily And Nightly. Commissioner Kiker?

Sure. It Is Exciting To Be At The Stadium. I Think You And I Threw A Strike.

Actually, Commissioner Mann Through A Strike.

Oh, That's Right.

[Laughter]

I Will Not Be At Next Week's Meeting. I'm Going To Be Going With The B. C. B. To The International Pow Wow In Las Vegas. And I've Been Speaking With Them And They Have Promised To Put Me To Work. I'll Work The Booth For A Few Days. And I'm Looking Forward To That. And We'll Certainly Give You A Report On How That Goes. I Won't Be Here Next Week

Commissioner Manning?

Mr. Chairman, I Have No Good News. But I Don't Have Any Bad News. So Kind Of Neutral.

[Laughter]

Community Appointments. Commissioner Hall?

I Have None.

Commissioner Mann?

I Have None.

Commissioner Kiker?

Yes, Sir, I Have Four. For Parks And Recreation, Bob Wagner And Betty Simpson. For Community Sustainability, Stephanie Keys. And For The Water Ways, Albert Who Will Be Replacing Tom Myers Who Has Been On That Committee Since 1988.

What Committee Is That? I'm Sorry.

Water Ways.

Commissioner Wallace Was The One Who Appointed Him From The Beginning. He Is Not Retiring. We're Gonna Be Looking For Some Other Ones That He Would Be Willing To Serve On Other Committees.

Commissioner Manning Makes The Motion.

Second.

Any Other Discussion? Any Objection? No Objection, Motion Carries.

Commissioner Manning?

None.

Move To County Manager Items. County Manager?

Commissioners, You're Going To Be Actively Involved In The Interview Process With The County Manager Candidates This Afternoon And Tomorrow. So I Wanted Christine Brady To Come Up And Kind Of Go Over This Process For Your Input Or At Least Understanding How We See This Proceeding.



Again, Good Morning. What We've Done Is Prepared A Memo With Some Bullet Points And Just A Follow Up As To What The Expectations Should Be For The Next Couple Of Days In Regards To The County Manager Recruitment. We Will Be Sending Out This Memo Along With The Attachments That We Noted At The Bottom Of This Memo After The Board Meeting. And Those Attachments Include Your Individual Interview Schedules As Well As The Group Interview Schedules That Are Slated For Wednesday. Individual Interviews With Each Of The Candidates Will Start To Take Place This Afternoon Starting Approximately At 2:00 P. M. You'll Each Have 30 Minutes With Your Candidates. Group Interviews With The Entire Board Is Scheduled For Wednesday. And That Will Start At 8:30 In The Morning. Renee Will Be Here To Facilitate Those Meetings On Wednesday. Prior To The Start Of Meeting With Each Of The Individual Applicants, She Will Kind Of Give You A Briefing As To What The Expectations Are. She'll Also Be Providing You With Proposed Interview Questions And Go Over Any Questions That You Have. County Attorney's Office Will Be Represented By Andrea Fraiser. They'll Be Available On Wednesday As Well. We Will Be Recording The Interviews. But We Will Not Be Broadcasting Them Live. They Will Go Live On The Internet The Next Day On Thursday And We Will Be Putting Them On Lee Tv As Often As We Can. And That's To Help Maintain The Integrity Of The Actual Recruitment Process. As Far As The Post Interview Process Is Concerned, Once You Get Through With Your Interviews On Tuesday And Wednesday You'll Have Some Options Available To You. And After All Of The Interviews On Wednesday, You Will Be Able To Either Start Conversations At That Wednesday Meeting After You've Talked To All Of The Individuals To See If There Is A Top Candidate Or A Top Two Candidates That You Would Be Interested In Pursuing. And Then If There Is Two Candidates, We Can Discuss What The Vetting Process Would Be At That Point. And What The Board Would Like To See As Far As Direction In Talking To Those Two Individuals Further. You Can Also Just Defer The Conversation Until The Following Board Meeting On Tuesday. And Have Additional Time To Just Review The Candidate Or Candidates That You Are Interested In Pursuing. And Make A Decision At The Following Board Meeting On Tuesday. We Do Want To Make Sure That You Understand That While Preliminary Background Checks Have Taken Place, That Formal Background Checks Which Would Include Criminal, Civil, Education And Credit Checks Would Be Conducted After You've Identified Your Top One Or Top Two Candidates. At This Point, There's Only Three Weeks Remaining From The Time That This Board Is On Summer Recess. And The Timeline Is Your Timeline. If At Any Point You Want To Adjust That Timeline, That's Certainly Within Your Ability To Do So. With That, If You Have Any Questions I'll Be More Than Happy To Answer What I Can For You.

Questions From The Board?

How's Your Pain Tolerance?

[Laughter]

Mr. Chairman, I Don't Know About The Rest Of You But I'd Like To Take One Sitting To Have A Discussion At Least To Get Us Ready If We Have To Go To Tuesday. One Of The Things That We've Done In The Past Is After The Interviews We Have Ranked The Five Candidates To See If There's A Top Two. I'd Like To Kind Of Discuss That Process Now So We Don't Have To Take Time Maybe On Wednesday To Do It.

Fine With Me.

Just So We Can See Where Everyone's Falling Rather Than Have These Big Long Discussions About Everyone. And See If There's One Or Two Or Three That Are Falling Out To The Top And Get Down To Those Three And Continue The Discussion After We Kind Of Weed Through. Is That A Process That --

I Agree With That. Commissioner Kiker, Manning?

If We Can Provide Some Paper That We Can Rank Them Down With The -- I Guess We'll Have All The Resumes And Things Like That. But I'd Like To Do As Much Discussion As We Can On Wednesday Rather Than Waiting Until Tuesday The 11th. I Don't Know What We Gain Other Than A Lot Of Input From A Lot Of Folks.

[Laughter]

We May Want To Do Another Round Of Interviews If We Get Down To The Last Two. I Hope We Can Get As Much Done On Wednesday As Possible.

Do You Have A Question?

Yes, I Think We'll Have An Issue With The 11th. I Don't Think I'm Gonna Be In Town.

All The More Reason To Try To Get As Much Done On Wednesday As We Can. I Forgot, Commissioner Kiker. We'll Have To Postpone Until The Following Tuesday. Let's Just See Where We End Up And See If We Can Resolve It Then Or If We Have To Push Off.

I Agree With Everything, Mr. Chairman. But I Just Want To Make Sure I Understand The Voting Process. Are We, For Instance, Saying That We'll Have Five Candidates. Each One Of Us Would Write A Ranking Of 5, 4, 3, 2, 1?

Right. Your Top Preference Down To Your --

Or Do We Just Name All Of Them And Say, Does Anybody Have Three Votes Already As You Go Through Them?

I Think It Would Be Easier. What We Found In The Past Is It Takes A Lot Of Dialogue And It's Consuming. My First Choice Is This, In Order. See If There's A Consistency Of Three Commissioners Saying There's A Top Two Or Three. And Then From Those Then We Start The Discussion On Those. And We Get Down To Top 2 Or 3. And Then Begin Those Discussions As We Get Down To Those. But Actually Rank Them. Because Five Candidates Is A Lot To Just Start Up A Conversation.

Am I Recalling That That Actually Is The Way We Hired Mr. Hunt? We Ranked Him --

Yeah, We Did Kind Of Do That With The County Attorney.

You Did Do That With The County Attorney Search. And Thereafter, You Went To A Board. You Had A Blue Sheet. And The Blue Sheet Was To Appoint Mr. Hunt.

But We Had Made The Selection Through That Process.

Correct.

5, 4, 3, 2, 1. See How Those Numbers Fell Out. We're All Voting On The Same Process.

That's What I'm Saying, If You Put Your Top One First, Or Your Least Down At The Bottom. Whatever Way You Want To Run Those Numbers, Doesn't Matter To Me.

If I May, When We Did The County Attorney Recruitment, What Each Of You Did Was Present In No Particular Order Your Top Three Candidates. And At That Point, You Were Able To Identify If There Was Common Candidates Amongst The Five Of You That You Wanted To Pursue. And At That Point, I Believe You Narrowed It

Down To Two Candidates. And Then There Was Further Discussion On That. But You Presented Three Candidates From The Total List From Each Of You In No Particular Ranking Order, Just Who Your Top Three Candidates Were. And That Was How We Handled The County Attorney Recruitment Search.

What If The Board Cannot Come To Consensus On One Person? What's The Timeline Of Getting A New List?

We'd Have To Work With The Recruiter. What You're Asking Is A New Pool, Correct?

I'm Just Saying If The Current List Does Not Have A Consensus Of Three Votes From One Person, How Long Will It Take To Get On The List?

Takes About Three Months. So The Instructions We've Been Given, We Cannot Ask Questions About Prior Incidents Unless They're Picked. Is That True?

No.

You Said Criminal Backgrounds, You Said That's Done After The Job Is Offered.

Criminal Background Is Totally Different From Asking Experience On Your Job. Did You Have Any Difficults -- Difficulties On Your Job.

Are You Looking For The Recruiter? Help Me Understand, Are You Looking For The Recruiter To Do Public Records Request Or Are You Asking About Whether Or Not You Can Ask Candidates?

If Someone Was Terminated, Can We Ask About That Termination?

The Recruiter Is Gonna Also Do Reference Checks At The Same Time That They'll Be Doing The Criminal Background Checks As Well.

I Understand That. One Of Our Candidates Has Been Terminated. If We're Aware That There Was A Termination In That History, Can We Ask The Reason For That Termination.

You Can Talk About The Circumstances In Which Somebody Left Employment Some Place Else.

Thank You.

Any Other Questions From The Board?

I'm With Commissioner Hall Again. If We Can Get This In For A Landing Wednesday, Wonderful.

Thank You, Christine. Anything Else, Doug? Anything Else? County Attorney Items?

Just An Informational Note. Commissioner Kiker Is Part Of The Board's Representative Will Be Meeting With The Bonita Springs Fire District As Part Of The Chapter 164 Process. We Begin Those Meetings On Thursday. And We'll Be Back To The Board When He Returns, Not Next Week. But When He Returns To Give You An Update. Thank You.

That's Good.

Thank You.

Congratulations.

Thank You Very Much.

I'm Glad You Got That Job.

Meetings Adjourned.