

February 2, 2016

Today Is February 2nd, 2016. Our First Item Of Business Is Invocation By Russell Howard.

Thank You Gentlemen, It's Our Obligation To Pray Silently. We Pray For You And Thank You For The Institution Of Human Governance, The Means Where By We Are Ordered And Lord We Ask That The Folks That Govern Here, That They Be Guided Against The Wind Of Populism And They Would Govern From Principle, That There Is A Higher Law Which We Will Be Held Accountable And Beyond That, A Deeper Grace Available For All Who Call In The Name Of Jesus. In Whose Name I Pray And For His Sake, Amen.

Amen.

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

Thank You Pastor.

God Bless Y'all.

Colleagues, If You Have No Objection, I Will Take A Couple Of Things Out Of Order. The Second Presentation Is Being Omitted Today. If You Want To Take That Up Now, We Can Do So, If Not, We Can Take That Up During The Recap. It's Up To You.

As Long As I Still Get Plenty Of Time To Speak Mr. Chairman.

You'll Have Half An Hour At Least. [Laughter].

Okay, So We Have Ceremonial Presentations, We're Down To Two Of Them This Morning, And I'll Open It Up To Commissioner Pendergrass.

We Have A Special Guest Today And He Had A Red Ribbon On. He Still Has The Red Ribbon, If You Can Come Forward And Tell Us About Buster.

Good Morning, This Is Buster. He's A 3 Year Old Pit Bull Terrier. He Does Great At The Shelter, In Our Play Groups, We Taken Him To Off Site Events. He Was Greeting Kids From A Tour Group, So He's A Wonderful Dog. We Like To Highlight

Him Today And Hope He Can Get A Good Home. You Can Adopt Him For Just \$40, And Any Of The Dogs 40 Pounds And Over Is Just \$40.

Thank You.

Thank You.

Buster Has A Cool Sock, His White Paw Looks Like He Has A Glove On One Hand. There You Go.

I Don't Know, This Could Be It. He Came Over To You Right Away.

Buster, We Hope You Find A Good Home, Buddy.

Commissioner Pendergrass, Thank You Very Much. Secondly Is Commissioner Kiker I Believe.

Thank You Mr. Chairman, I Would Like To Invite Brent And Wes To The Podium Please.

Thank You Mr. Chairman, And It's My Honor To Present A Resolution From The Board Of County Commissioners, Where As Engineers Help To Design And Maintain The Private Infrastructure And Facilities That Contribute To The Quality Of Life For All The Residents Of Lee County And During Periods Of Substantial Growth In These Uncertain Economic Times Depend On Engineer Developing Highly Efficient Solutions To A Myriad Of Technical Problems And Above All Else, In Their Practice They Hold Paramount The Safety And Welfare Of All Persons And We're Asked To The Celebration Of Engineer's Week, That The Society Is Dedicated To Developing And Sustaining A Dynamic Engineering Profession By Ensuring A Workforce And Raising The Understanding Of The Engineering Contributions To Our Society. Where As This Board Wishes To Recognize And Honor All Engineers That Live And Work In Lee County And Practice Engineering In A Responsible Competent Matter And No Student Who Chosen To Be Educated In The Field Of Engineering. So That The Board Of County Commissioners Of Lee County, Florida, Extend Greetings And Best Wishes To All Obviousing Engineering Week. This Is Dually Executed The Second Day Of February By Our Board Of County Commissioners Chairman Frank Mann. Thank You. [Applause].

I Won't Take Up Too Much Of Your Time. My Name Is Brent Anderson, And We're Made Up Of Lee Collier, Glades, And Charlotte County. We Enjoy Giving Back To The Community Which We Love And Work In. I Like To Thank The Board Of County Commissioners On Behalf To The Florida Engineering Society For This Proclamation. Engineers Week Is Coming Up Soon And It Was Established To Call Attention To

The Contribution To Society That Engineers Have Made Everyday. We Hope This Proclamation Makes You Think Of The Attention To Detail Of What You Have To Help Drive To This Meeting Safely. Have A Good Day And Thank You For Your Time.

Thank You. [Applause].

We Appreciate That. And We Understand The Shortage In The Workforce In Your Industry, But I Think Particularly The Work You're Doing With Students So Our Future Continues. Thank You For That Work As Well.

Thank You Very Much.

Just As A Note To The Record, Commissioner Mann Is Absent Today, He's In Tallahassee On Legislative Assignment, So He Said. [Laughter]

Okay, Next Is The Recap. We Have Two Items To Be Deferred. One Is Going To Be Omitted. Commissioner Pendergrass, That You Will Be Cancelling Presentation Number Two At The Site. Is That Correct?

Yes.

So I Need A Motion To Defer Item Number Two, And Item Number 22, Motion By Commissioner Hamman, And Seconded By Commissioner Kiker. Motion Carried. Under Revision, No Agendas To Be Pulled, And We Have Several Commissioner Items And One County Manager Item. Are There Any Items To Be Pulled For Discussion By The Board? Commissioner Pendergrass.

None.

Commissioner Hamman.

None.

Commissioner Kiker.

None For Me.

Now Any Items On The Agenda That Will Be Coming Back? Seeing None. A Motion To Approve The Items On The Agenda, Is There Any Discussion?

Mr. Chairman, They Have A Question From Staff.

Yes, A Clarification On Item Number 14.

Okay.

Good Morning Commissioners, A Quick Clarification On Number 14, We're Asking For An Approval On The Facility. Just A Quick Note On Page 4 Of The Agreement, Second Paragraph, The Pre Constructed Services, 30 Days Following Full Execution Of This Agreement, And \$3,030 Each 30 Days There After For An Additional, That Should Be 9 Months. I Wanted To Get That On The Record So We Make The Change To The Agreement That You Guys Have Approved.

Just A Matter Of Clarification, You Might Want To Define What It Is We're Talking About.

This Is Item Number 14 On The Agenda, It's Approval Of The Construction Management Risk Agreement Lee Trans Beach Park.

Of The Services Sanibel Is That Where This One Is Located?

It's At Summerland Square For Fort Myers Beach.

Further Discussion By The Board? The Motion Will Be Amended To Include The Language. Is There Any Further Discussion? Objection, Motion Carries. Okay, Public Comment On Any Items On Our Agenda This Morning. If Not, We'll Go To Public Hearings, And We Have One Vacation.

Good Morning Commissioners, Assistant County Attorney. This Is For Your Only Public Hearing Today, Which Is The Vacation Of A Golf Course Located At 14420 Golf Course Drive. I Reviewed The Application And I'll Enter That Into The Record Now. If You Have Any Questions Of Staff, We're Happy To Answer Them.

Questions? Seeing None, Is There Any Public To Be Heard On This Item? Seeing None, Back To The Board, Is There A Motion?

Move Item.

Discussion? Objection? Motion Carries, Thank You. Okay, Next We Have Walk Ones And Carry Overs.

I Just Wanted To Make You Aware That There Is Going To Be A 16 County Washington D.C. Fly In Coming Up On February 24th, That I Plan To Take Part Of. You Know, The Group From 16 Different Counties Is Going To Go To Washington To Try And Ask The Lawmakers Up There To Honor Their Commitments That They Made Towards Cleaning Up The Water, Especially That Coming Out Of The Lake Okeechobee. I Think We Can Show The Impacts That Are Happening Right Now From The Lake Okeechobee Discharges. The Number One Concern Is Strengthening The Dike. Then They Can Hold More Water On The Lake And Not

Discharge As Frequently, So That's Something I Will Be Up There Lobbying For And Hoping To Move Washington In The Right Direction.

Thank You Very Much. Commissioner Kiker, You Had Two.

Yes, Actually As A Follow Up To What Commissioner Hamman Was Just Talking About, A Couple Years Ago, I Was Able To Go To Washington D.C., When The Wrda Act Had Been Talked About. I Went Up There With Rohland, Is He Here Today? I Think It's Timely That's You Know, With The Information Coming Out On The News, There's A Lot Of Activity In Terms Of The Releases, And The Water Coloration, And The Impact Of That. So What I Really Wanted To Do Is Just An Update From Our Staff Of What The County's Position Is And What We're Doing, And What People Might Expect.

Mr. Chair.

Thank You.

Rohland.

And Good Luck To You In Washington Too.

Thanks Commissioner.

A Wear Some High Heels, Because You're Going To Wear Them Out. There's A Lot Of Walking.

Yes, We Had A Lot Of Rainfall In January, It's Over Basin Wide. It's Nearly 400% Above Normal For January, So This System That We Have In Place, We're Never Going To Be Able To Flood Proof Or Drought Proof, But There's Actions We Need To Continue To Push For Immediately, Short Term, Our Communication As The Water Management District Is Occurring Daily. Of Course There's Another Periodic Scientist Call To Go Over The Conditions Out There, And Make Sure They're Sending As Much Water South As They Possibly Can, They're Storing Water Where They Can Before Releasing Even Further In Our Direction, But As You Mentioned Before, The Dike, Regulation Scheduled Right Now Calls For Releases Up To 6,500 Cubic Feet Per Second From Lake Okeechobee To We Will Continue To Push To Look For If There's Physical Constraints South. The Water Conservation South Of Lake Okeechobee Is Full, And We Need To Make Sure We're At The Point Of Sharing The Burden Or The Adversity To Make Sure People Are All Taking Part Of This Effort. Long Term Certainly Going Into The D.C. And Our State, To Continue To Support Funding For The Restoration Projects. We Need Authorization For The Glades Planning Product, And It Will Help Us In The Long Term From They're Multi

Billion Dollars Projects, And These Things Will Help With The Weather We're Dealing With.

You Know, I Think What Might Be Interesting To Point Out Is While We Were In Washington, We Lobbied For \$1.3 Billion And It Was Approved In Both Houses, But It's Still Going Through Appropriations In Some Form Or Matter And Our State Has Stepped Up To Funding Some Pieces Of The C 43, Which Was Store The Water That Might Offset What We're Seeing Right Now, Is That Correct?

Well, The C 43 Reservoir Is Designed To Hold 180,000 Acre Feet, So It's To Provide Relief When We Need It In The Dry Season. It Has Some Benefit, But Not Huge In Terms Of Reducing The High Discharge. To That Point, We Need Additional Storage In The Basin And We Need To Find Ways To Move Water South Too.

So The Fear Is That The Capacity In Lake O, It Cannot Hold The Amount Of Water And Katrina Plays Into This, The Fear Of Something Like That.

Yes, They Have Areas That Are Still Very Vulnerable To High Water Levels In The Lake. They're Looking At The Risk Assessment Now. Potentially, There's Been A Lot Of Improvements That Have Been Completed Today, And Possibly Relax Some Of The Schedule, But We're Still A Lot Of Projects Away Before They Can Actively Use All The Water In The Lake.

Can I Ask A Couple Of Questions. Can You Tell Me, What Makes The Water Brown Rohland? Is It The Nitrogen And The Phosphorus?

A Lot Of It Is Tannin. It's Not Necessarily Indicative Of A Pollutant, In A Lot Of Cases It's The Natural Of The Watershed And It's Releasing That Tannin Into The Water.

So That Could Be Present In The Basin Run Off?

Yes, It Can Be. We Want To Make Sure In A Large Volume, Springs Nutrients To It And It Adds To Our Allergy Bloom Issue. So That Has The Potential To Cause Issues Later On, Or If It's A Milky Color, Then You're Bringing Erosion.

Is It Possible You Can Remove The Nutrients From The Water And Still Have Brown Water?

Yes, There Will Still Be Some Color.

And We're Use To Seeing This Later In The Year, But Virtue Of 20 Inches Versus 2 Inches In January, We're Seeing A Lot Of Things Early This Year, So I Think That's The Surprise.

You know, and I'll take a little bit of a risk here and hope I don't fall on my face. I seen the media compare this to Flint, Michigan, is that a fair comparison?

I don't think so, this is a managed system. You know, it's not the metals that they're looking at, this is a totally different animal.

Thanks.

Any other questions and staff?

I don't have anymore. Thank you, even two years ago for the work you have been doing with both the state and in Washington. You done a great job.

Commissioner Kiker, you have one more.

I do, thank you very much. And I'm going to take everybody back when we had a joint meeting with the Fort Myers Beach Town Council in regards to the Grand Resorts development that was talked about so much. And then back, I think it was about a month ago, there was a walk on agenda item that I asked, and you were able to move that item out another month because we attended a meeting the public went to, and the reaction of the people that lived there, it was concerning. So with the permission of the board, we move this out for a month plus, and at the same time, we directed staff to work on what I tried to describe on a chart that would talk about the different processes that this developer, or any other developer would have to follow in order to accomplish a project. What was happening was that everybody was not on the same page. They were talking about implementation, and in this case, they haven't even applied yet. So with that, I'm asking staff, because I think it's timely now of where we are on that project and what we might expect.

Mr. Chair, thank you commissioner.

The timeline should be ready perhaps this afternoon, tomorrow morning, we gave Loveland and staff who have been working on it, and I think it paints a good picture on what a developer has to get from Lee County to do particular kinds of projects. In this case, the timeline that most people are thinking about, really is indigenous to the beach, and because this entire project really acquires an application for development order from the town of Fort Myers Beach, versus Lee County, we don't have much of a role to play until the beach town council makes a decision on the project. So there's really nothing to report to you other than we have the timeline in place and we don't react to anything until

There's A Former Request From The Beach, Or If Their Developer Were To Make A Request To This Board Otherwise, Which We Don't Anticipate.

I Think Part Of The Point, If I May, Is That There Are So Many Different Agencies That Are Involved In This Before It Even Get To The County, And That Would Require Federal Permission For Like The Seawall They Keep Talking About, Just To Begin, And Then There's Some Road Projects, And Alterations That Are Being Discussed, That Are Going To Have To Be Approved By The F.D.O.T., So The State Is The One That Makes The Decision On That One. I Believe In This Case, We Have Two Roles And The First One Is To Explain What Those Processes Are, Identify Them, And Explain Them, And We'll Come Up With The Correct Venue, And I'm Certain After You All Get A Meeting With Roger, To See What We're Talking About, And The Second One Is To Follow The Lead Of The Town. That Is At The End Of The Day, They're The Decision Makers On This, And Based Upon Their Approval And Their Recommendations, Then We'll Be Coming Back To The Board If Required. So I Just Want To Make Sure That Everybody Is On The Same Page On That, Is There Anything Else I'm Missing?

Just One Final Point, Please, The Developers Had Multiple Meetings With The Public And Has Made Power Point Presentations, And On More Than One Occasion, Suggested One Form Or Another Public Funding On Portions Of The Projects, And That's The Developer And His Expert Speaking That Is Not Anything That We Participated In, And In Fact, It's Told That The Developer, When We Met For Informational Purposes, That We're Not Prepared To Recommend To This Board, Public Funding On This Project, And Unlikely This Board Would Approve Public Funding. I Just Want To Be Clear About That Because There's All Kinds Of Rumors Out There.

Yes, We Are Chasing A Few Rumors On This One, And You Know, One Of The Things That, If I Might Point Out, Is This Is Unusual For Developers To Go Out And Solicit. It's Even More Unusual That Developers Buy Property Without Settling Their Entitlement First. This Thing Is So Strange And So Different, So I Appreciate The Staff Helping Us Identify What Those Processes Are, And Help Educate Everyone On What Needs To Happen. That's All I Have On That.

Thank You Commissioner Kiker, I Have Two Other Requests Of Commissioner Mann. The First Is To Select Commissioner Pendergrass And Commissioner Hamman.

Moved.

Seconded, Thanks A Lot.

A Painful Second By Commissioner Hamman. The Second One, Gentlemen, You Received A Memo Regarding Amendment 1, It's Self Explanatory, Any Discussion On This Item?

I Just Wanted To Point Out Earlier This Week, Commissioner Pendergrass And I Had A Chance To Go To Tallahassee. This Is An Outstanding Piece Of Legislation For Us. It Gives Us The Reoccurring Dollars We Need To Clean Up The Everglades And A Lot To Clean Up Our Water Quality. I Like To Thank Representative Matt Coldwell For His Work. They're Tuned Into Our Work At The State Level.

I'll Move The Item.

Second. And I Have A Comment That Might Effect The Motion, I Don't Know. I Think What Is Missing Here Is That We Already Established A Resolution To Support Amendment 1 When It Went Through, There Is No Reference To That In Here, So I Don't Know If We Would Instruct Commissioner Mann To Make Sure He Takes That With Him, Or This Is The Second Time We're Supporting This Effort.

What I Can Do Commissioner If You Have No Objection Is Communicate With The District 5 Office And Add That To This Resolution.

Then I'm Good.

Further Discussion, Objection, Motion Carries. That's All The Items I Have, And Next We Have Committee Appointments. Commissioner Pendergrass.

None.

Commissioner Hamman.

None.

Commissioner Kiker.

Appointments, I Have Two. I Have Sandy With Partners For Results, And Kenneth For Old Public Bay.

Motion. Is There A Second? Seconded By Commissioner Hamman, Motion Carries. I Have Two, One At The Request Of Commissioner Mann. Carried To The Lee High Street Lighting Unit. If I Could Have That Motion Please. Motion By Commissioner Kiker, And Seconded By Commissioner Pendergrass. Motion Carries. Kathleen To The Coastal Advisory Council. Moved By Commissioner Pendergrass, Seconded By Commissioner Hamman. Motion Carries, And I Have A Reappointment For The Partnering For Result Review Panel Committee.

Move The Item.

Objection, Motion Carries. County Manager Items, Roger.

Thank You Mr. Chair. I Like To Give You A Quick Legislative Update This Morning, Starting With A Bill That Will Once And For All, Well, Until The Legislature Changes Their Mind, On The Cost For The County And I Like Glen To Take You Through That And See If We Can Get A Sense Of How You Feel About It.

Good Morning Commissioners, We Do Have Three Specific Items We Wanted To Update You On This Morning, Starting With The Juvenile Justice Issue That The County Manager Just Described. If You Recall, During The Last Meeting, You Formally Support The Decision To Take Us A Cost Share Arrangement, Making It An Even Split Between The County And The State And Putting Us On A Billing Basis. What That Requires Us To Do Is Give Up Any Claims On Past Overpayments. So We Would Forego That, But Frankly That's As Good As It's Going To Get And We All Recommended That We Go Forward. You Voted To Do That, The Senate Has Responded By Saying That The County Puts An Indication Of Their Willingness To Drop Pending Lawsuits Surrounding That Repayment Issue, In Order To Proceed. So What We're Asking Is Will The Board Be Willing To Send A Letter To The Primary Sponsor Of The Legislation Indicating That The County Would Indeed Drop Their Lawsuit If This Bill Was Signed Into Law And The County Attorney May Want To Jump In. In A Nutshell, That's What They're Asking Of Us.

I Have A Quick Question. The 50/50 Is A Strangle Hold On Lee County Enough. It Should Be 37/53 Or What The Number Is. My Question Is What Is The Response Of Giving Up The Lawsuit?

So The Florida Association Of Counties Has Been Polling Litigants, Meaning The Counties That Have Suing To Find Out Where They Stand And Thus Far, It Looks As Though The Majority Of Those Counties Are Willing To Drop Their Lawsuit, Should This Become Law.

Okay, Questions By The Board?

Mr. Chairman, I Would Offer A Motion That We Send The Letter Letting Him Know That We Are Willing To Drop This Lawsuit If This Is Signed Into Law.

And If I Could Amend That Motion To Include The 50/50 Cost Shift.

Amended.

There's A Motion On The Floor And Seconded By Commissioner Pendergrass. Is There Further Discussion? Objection? Okay. [Laughter]

Mr. Chair. Thank You, The Second Issue That We Want To Make You Aware Of Is The Houses Proposed Tax Package Which Will Be Taken Up Tomorrow. It Does Include Some Provisions That Would Pretty Dramatically Change The Way Tourist Development Taxes Can Be Used, So This Is Fast Evolving, It Had Included Many Changes To The Definition Of Allowable Uses That Would Have Impacted The Way We Do Business. Those Appear To Now Have Been Removed, But There Are Still Some New Things Like Allowing Counties To Decide Whether Or Not They Want To Use 10% Of Tourist Development Taxes For Public Safety. Now When You Have An Out Sized Impact That Is Caused By Tourism, You Can Dedicate Money For The M.S. And Sheriff Expenditures.

But That Doesn't Include Lee County, Correct?

It's An Opt In For Coastal Counties, So It Could Include Us.

If This Board Agrees That That Should Be The Case, Which I Would Oppose.

No, As It Stands Right Now, You Have To Opt Into That.

It's A Local Option.

I Believe Lee County Tourist Development Council Is Opposed To That As Well.

I Have A Question, Is That Only Specific To Counties Less Than 250,000 With 9 Or More Municipalities?

There's A Stand Alone Bill That Reflects On What You Just Stated, And Then There's This Proposed Tax Packet Which The Draft Language Makes It A Local Language For All Coastal Counties. And There Are Some Other Provisions As Well, For Instance, It Would Allow Any Remitter Of The Tourist Development Tax To Challenge A Proposed Expenditure In Court, So There Are Things We Are Really Watching. Like I Said, It's Developing Fast And Will Be Heard For The First Time As A Proposed Committee Bill Tomorrow.

We Have Had A Good Relationship The Council And The Volunteers On That Committee. I'm Not Going To Embrace These, Both Bills, So I Leave It Up To You.

Actually, My Question Is I Think You Have Two Things That Are Going On, One That Commissioner Hamman Talked About And Your First One. Would It Be Appropriate If We Were To Just Establish A Position That We're Not In Favor Of Any Of That? In Any Circumstance, Going Forward.

If You're Ready To Do That, I Just Got An E Mail From Tamara From Direct Marketing Organization, They Indicated They're Working With Representative

Gates, Who Chairs Financing Tax And They're Not Actually Calling On Their Member Organizations To Make Calls Or Do Anything Yet. So It Might Be Appropriate To Garner Some More Information, And We Can Bring It Back To You At The Next Meeting.

Why Don't We Do That? Is That Okay With Everybody?

I Just Wanted To Make Sure We're Moving Forward With A Response When It's Appropriate.

You Have One More Item.

Yes, The Last Thing Is The Draft House And Senate Budget Is Out. They Don't Have A Lot Of Detail Yet. I Do Want To Let You Know That The House Budget Includes Enough Money For Projects That C 43 Would Be Funded For The Tune Of \$40 Million. They're Withholding A Lot Of Money For Negotiations, For The Tune Of \$150 Million. There's Still Hope That C 43 Could Get Under Way In A Big Fashion. Water Projects, Local Water Projects Are Funded At \$50 Million In Both Budgets State Wide, There's Not As Much Money For Those Projects As There Was Last Year. I Would Just Mention That The Road Project Was Funded At \$1 Million In The Senate Budget, Nothing Yet In The House. We Asked For A Little Over \$5 Million As A Cost Share For That Project, And That's The Update. Thank You.

Should We Send A Letter To Our Senators Urging Them On The C 43 Funding, To Take Up That Cause? I Know They're Well Aware Of It. They Have Been Champions For It. Would That Help In Any Way?

I Think Commissioner, We Respond To Their You Know, We Take Their Direction As To What Would Be Most Helpful There. As You Stated, They're On This.

Okay.

Is That It?

Yes, Thank You Mr. Chair, That's All Today.

Okay, County Attorney Items.

Nothing Mr. Chairman, Thank You.

Roger, Why Don't You Go Into Your Work Session Update That We Have This Afternoon And Then I'll Go To Public Presentations.

Thank You Mr. Chair, At 1:30, It's About World Priorities, As You Recall, Workshops Last Month Or So, Priority Criteria For Establishing The Road C.I.P. For The Coming

Years, The Next Cycle, So We'll Present Those Priorities For You This Afternoon For Discussion.

Is There Public Comment On The Work Session This Afternoon? Seeing None, We'll Go To Public Presentations. I Have Four Cards.

When You See The Red Light, You Must Be Quiet.

Good Morning, How Are You?

Good Morning.

I Apologize, But I'm Not Able To Hear A Word You're Saying. I Appreciate It.

Thank You Very Much For That, I Appreciate It. I Haven't Started Yet. Can We Go Back?

I'll Be Quick.

Keep Going, We'll Give You A Little Time.

Good Morning, I'm An Animal Welfare Consultant And A Certified Legal Animal Cruelty Investigator. There's A Case That Was Brought To My Attention On October The 4th. I Received A Call From A Concerned Citizen In Reference To Two Dogs That Were Apprehended By Lee County Animal Services Unlawfully. I Say Unlawfully Because These Two Dogs Were Owner Surrounded Under Duress. Michelle Westman Was Forced To Sign Dogs She Didn't Have The Legal Right To Sign Over. She Had To Sign Over Her Partner's Dog, Diamond. She Did Not Have Legal Ownership Of It. She Told The Officer, She Did Not Have Legal Ownership Of It And The Other Dog Titan Was A Foster. She Did Not Have Legal Ownership Of That Dog. This Information Was Given To Officer Pete Santana And He Said You Must Sign These Papers Because They Were Involved In A Bite Incident. We Have Laws That Protect People And Pets, Our Dangerous Dog Ordinance Calls For A Hearing Administration That Would Be Able To Give All The Mitigating Circumstances For These Dogs, For The Owners, For Everybody Involved, To Have Their Day In Court. That's Called Due Process. They Did Not Receive Due Process. Due Process Of Fundamental Constitutional Guarantee That All Legal Precedence Will Be Fair And An Opportunity To Be Heard Before The Government Takes One's Life, Liberty, Or Property. That Was Not Done By Lee County Animal Services. Commissioners, We Ask That You Allow Titan, The Remaining Dog, Diamond Died In Her Cell, The Only Time The Owners Were Able To See Their Dog Was When It Was Euthanized. That's Not The Compassionate Lee County I Know. Others Counties Allow Them To Be Seen. It's Not Unusual, But They Were Given No Information On

How Their Pets Were, They Were Told Their Pets Were Fine Consistently. Obviously, Diamond Was Not Fine And They Were Only Allowed To See Her, To Take Her To Be Euthanized. Something Happened, And When I Asked Brandon, And Mac How The Dogs Are Doing, The Answer Is Fine. They're Not Fine, And She Didn't Get In This Condition Overnight.

You Need To Wrap It Up.

The Reason I'm Coming To You Today Commissioners Is Because When I Receive A Call About This, And I'm Receiving More Calls About The Death Of Diamond, What Do We Do? The Boll Was Dropped And This Animal Control Officer Did Not Follow Proper Procedures. Titans Is Able To Be Saved, We're Asking You Commissioners If You Would Please Move Titan To Another Facility, There's Nothing Binding For Not Transferring Him To A Boarding Facility That Can Care For Him. He Was A Very Bad Injured Foster Dog. He Had A Broken Back. He Needs To Have The Medical Attention. He's Languishing, And We Don't Want Him To Die As Well. Please Show Some Compassion To These Owners And Our County. We Really Need A Good Reputation And I Don't Want That To Happen To Lee County. I Really Don't. Please, Can You Please Have Him Transferred. Thank You.

I'll Let You Say Your Last Name, Followed By Brandy. State Your Name For The Record Please. In The Mic Please.

Good Morning, Carry. Good Morning, I Am The President Of The Pit Bull Advocacy Group And I Run The Lost And Found Pets Page For Lee County, Which Constantly Encourages That The Public Follow The Protocols For Stray And Lost Animals, And I Fight That Battle Everyday, On Behalf Of Animal Services So People That Lose Their Pets Can Be Reunited With Them. I'm Also An Advocate For The Animals And Their Owners. I Want To Touch A Little Bit On Titan. He's In The Back Kennel At Animal Services. These Owners Have Attempted To Make Several Compromises In Terms Of Visitation, Move The Dog To Boarding, Have An Outside Vet Assess Him, Because They've Been Able To Do Nothing But Call And Ask Simply If The Dogs Are Still Alive. As Far As I Know, There's Nothing That Would Prevent An Owner Being Allowed By Animal Services To Be Able To Visit With Their Pets Under These Circumstances. I'm Not Really Sure Why It's Up To Them, Why They Push Back On Every Single Thing That's Being Offered As Far As Compromise. The Dog Has Chronic Kidney Disease, And Animal Services Provided No Proof That He's Getting His Medication. They Denied The Affidavit, They Didn't Look At It. We Have No Reason To Believe That This Dog Is Getting His Medication For Three Different Major Illnesses And The Injury Of A Dislocated Hip. So We're Asking That This Dog Be Moved To A Boarding Facility That Has Been Trusted With Animal Services Before At Academy Kennels. They Do A Lot With Rescues, And They Agreed To

House Him, So He Can Be Assessed By The Vet Of Their Choice For The Owners, And Get His Medication And Be Properly Cared For. We Don't Want To Lose Another Dog. This Family Has Lost Enough. So We're Begging You To Allow Some Kind Of Compromise Between Both Parties To Save This Animal's Life Because He Will Die If He's Left Untreated.

Thank You.

One To The Clerk Please. Thank You.

Good Morning Commissioners, I've Been Animal Advocate. Two Weeks Ago, I Came Across A Facebook Post For A Stray Dog That The Finder Was Not Willing To Turn Over To Animal Services Per The County Statute. That Day Myself And Lisa Were Able To Get The Dog To Animal Services. She Refused To Turn The Dog Over To Me And I Started To Get Concerned. She Said She Was Going To Hide The Dog And Not Turn It Over Until The Original Owner Was Found By Her Personally. It Comes To Our Attention She No Longer Has The Dog In Her Care. I Made Contact With Brandon At Animal Services Numerous Time Regarding This Woman's Illegal Action And Her Posing As A Rescue To Use These Animals For Bait And Animal Flipping, Which Is Also Illegal. He Directed Me To The Sheriff's Department. When I Spoke With Them, They Redirected Me To Animal Services. This Was On Going For Years. Her Boyfriend Has A Lengthy Arrest Record And Her Children Were Moved Due To Unsanitary Living Conditions. I Provided You To Information I Have Obtained. I Offer It To Brandon, His Response Was No, I Don't Need That. As A Person In A Position Of Power, I Am Very Discouraged That That Was His Response. I Am Hoping You Will Be Able To Ensure That Animal Services Does Their Job In This Situation. A Career Is Chosen Due To The Compassion And Passion That Person Feels In That Field. When An Animal's Welfare Is In Jeopardy, And You Spend Numerous Man Dollars Fighting Unnecessary Court Cases, Such As The Diamond And Titan Case, I Feel That It's Something That Needs To Be Addressed. I Believe If Donna Ward Were In Office, Then She Would Investigate The Activity And Not Investigate The Two Dogs, One In Animal Services Care.

Thank You, Janice Clay, That's The Last Card I Have.

Good Morning, I'm Janice Clay. I'm Here To Talk About Diamond And Titan As Well. I Have Some Points That I Think Are Germane As Diamond And Titan Were Kept Diamond Until She Died In December, Due To The Lack Of Care From Lee County Animal Services, And Titan, Took Up Space That Could Be Used By Other Dogs. The Family Was Will Be To Pay For Boarding Of These Dogs To Ensure They Got Proper Care And They Did Not Where They Are. Titan Is Still Not Getting Proper Care, The Family Is Still Willing To Pay For Boarding. This Is A Compromise That

Will Work For Everybody And Free Up Space For Another Dog That May Be Euthanized Due To Lack Of Space. Diamond Died Under The Care, And Do We Want Another Dog Dying On Lee County, For No Reason. They're Suppose To Be Public Servants, But They're Not Serving The Public In This Case. Would This Happen If Diamond Was Not A Pit Bull? Would This Happen If Diamond Was Your Dog? That's All I Have, Thank You.

Is There Anyone Else In The Public That Wishes To Speak On Any Item. If Not, We'll Go Back To The Board. Okay, Seeing None, We Are Adjourned. Thank You.