

April 18, 2017

Commissioner Manning: Go Ahead And Begin The Meeting. Today Is April 18th, Tuesday. This Is The Regular Meeting Of The Board. We Have Two Presentations, The First By Commissioner Mann And The First Quarter Employee Awards. We're Glad To See Everybody Here. The First Part Of The Agenda, The Invocation With Pastor Phyllis Lefort Followed By The Pledge Of Allegiance. Pastor.

Thank You. Shall We Pray. Dear God We Come To You This Morning With Grateful And Thankful Hearts. I Thank You For This Board, I Thank You For Their Willingness To Serve Our Community. I Ask That You -- You Know The Issues Before Them And The Issues On The Agenda This Morning, First, A Spirit Of Unity Here And You Grant Them Wisdom And Direction As They Make Decisions For Our Community. And We Lift Up All Those Who So Diligently Serve Our Community Day In And Day Out. Keep Them Safe. I Pray For Every Individual In The Room, You Know The Needs In Their Lives And Families, I Ask That You Would Meet Every Single One Of The Needs God, Spiritual, Emotional, Physical, Financial, That They'll Sense The Presence Of You In Their Lives. I Pray That You Bless This Board, Bless This Meeting And Everything They Do This Day, That You Grant Them Divine Wisdom. We Thank You For Hearing And Answering Our Prayer And We Pray This In The Precious Name Of Jesus. Amen. (Pledge Of Allegiance)

Commissioner Manning: Thank You. My Colleagues Will Join Me Down In Front, We Have The Employee Service Awards. And I'll Turn It Over To Roger.

Good Morning. I'm Alise Flanjack. We're Here This Morning To Present The Length Of Service Awards For The First Quarter Of 2017. These Awards Represent Collectively 985 Years Of Service With Lee County Government. For The Employees That Are Here Present, As I Call Out Your Name, Please Come Forward And Receive Your Pin From The County Manager And Greet Administration. We Ask That You Remain Off To The Side So We Can Take A Group Photo At The End Of The Presentation. As I Get Started With Five Years Of Service, I Ask The Employees To Gather In The Back And Then 10 Years And So On. So Getting Started With Five Years Of Service. Colleen Barny. Libraries. (Applause) Thomas Barns. Parks And Recreation. (Cheering) Shameka Davis, Libraries. (Applause) With The County Attorneys Office Ashley Lesterman (Cheering) Audrey Graff, County Manager's Office. Stephen Roman Utilities. (Applause) Gary Markantono Parks And Recreation. (Cheering) [Indiscernible] Austin Morris, Parks And Recreation. (Cheering) Don Sharbino, Animal Services. (Cheering) Vanessa Rossilynn, Public Safety. (Applause) Alisa Sandler, Libraries. (Applause) Danielle Striker, Animal Services. (Applause) [Indiscernible] Tracy Pelchin, Administration. (Cheering) [Indiscernible] Christine Bickerey, Animal Services. (Applause) We'll Move On To 10 Years Of Service. Transit, Ralph Vlack. Michael Brown Development Services. (Applause) Marol Clark Communities. (Applause) Kimberly Fully, Utilities. (Applause) Stacy Gardener, Libraries. (Applause) Shaun Gosselynn Utilities. (Applause) Cheryl Corerowski Libraries. (Applause) [Indiscernible] Luke Mason, Dot Traffic. (Applause) Selina McMullin, Operations.

(Applause) Roseanne Music, Human Resources. (Cheering) Julie Parker, Transit. (Applause) [Indiscernible] Public Safety. (Applause) Amanda Roesatti Public Safety. David Santiago, Public Safety. (Applause) Andrew Shirk Solid Waste. Human Resources, Pam Peter. (Cheering) [Indiscernible] Dot Tolls. (Applause) Next, 15 Years Of Service. Jamie Baker. Administration. (Cheering) Sheila Bedwell, County Lands. (Applause) And With The Libraries, Terry Crawford. (Applause) Ego Hurdis Dot Operations. (Applause) Lynn Morgan, Libraries. (Applause) [Indiscernible] Parks And Recreation. (Cheering) Trey Smith Transit. (Applause) Andy Steller, Public Safety. (Applause) And With 20 Years Of Service With Lee County... Steve Cox, Parks And Recreation. (Cheering) On To 25 Years Of Service. Robert Barner, Transit. (Cheering) Anne Kirkpatrick, Dot Engineering. (Cheering) And With 30 Years Of Service, Johnny Foster, Transit. (Cheering) Last But Not Least 30 Years Of Service With Parks And Recreation, Paul Yakabeli. (Cheering) Congratulations, Thank You All For All Your Time With The County. (Applause) (Background Noise) (Background Noise) (Applause)

Come On Up. I'll Stand Up. You Can Sit There.

Now Go Back To Work.

Keep Up The Good Work, My Man. (Background Noise)

What Famous Group You Got There Today? My Mother-In-Law Uses That Service Every Day. It's A Great Service. My Mother Should Be, But She Won't.

Commissioner Manning: Thank You. I'll Get You Next.

Commissioner Mann: I Think I'm Ready. I'll Try Not To Be Nervous.

Commissioner Pendergrass: You're A Pro, You Can Do Anything.

Commissioner Manning: Let's Begin Our Meeting. I Want To Thank All The Employees Who Were Here Today And Those Who Couldn't Make It, Thank You For Your Service To Lee County. Next A Ceremony Regarding Transit Day, Recognizing Try Transit Day, Commissioner Mann.

Commissioner Mann: Thank You Mr. Chairman. Go Ahead And Join Us And We'll Wait For Them To Close That Door Because We Want To Make Certain Everybody Hears This And The Great Program We Have Going Here. Mr. Chairman, Colleagues, Everybody Here Is Aware Of What We Do In The Transit Business Of Lee County But The Average Citizen Doesn't Know We Spend Well Over \$10 Million A Year To Keep Our Transit Program Going, That's Just The Subsidy In Edition To The Money We Collect From The Riders And What They Pay. We Have A Great Program Going On Out There And We Want For The World To Know About It. We Can Be Serving More With The Vehicles And Facilities We Have. And We Would Like To Take This Moment To Brag About The Great Job. It Says Whereas The State Of Florida's Dedicated To Improving Air Quality, Reducing Traffic Congestion, Promoting Health And Physical Fitness And Reducing Energy Consumption And Whereas, The Florida Department Of District One Through Commuter Services Program Contributes

To These Goals By Reducing Traffic Congestion And Lowering Greenhouse Gas Emissions Throughout The Region By Promoting Alternative Commute Modes And Whereas Lee County Government And Lee County Transit Are Promoting Try Transit Day On April 21st, 2017, To Raise Awareness Of Destinations And Routes In Lee County And Whereas Lee County Will Offer Free Rides On Try Transit Days On All Fixed Routes In Collaboration With Area Transit Try Transit Day To Encourage Residents And Visitors To Use Public Transit. Now, Therefore Be It Resolved That The Board Of County Commissioners Does Proclaim Friday April 21st, 2017, To Be Regional Try Transit Day. Lee County Encourages Residents And Visitors To Try All Alternative Forms Of Transit To Work, School, Shopping Or Play, Executed This 18th Day Of April By Our Chairman John Manning. Keep Up The Good Work. (Applause)

Commissioner Hamman: Commissioner Mann Talked Me Into It. (Laughter)

One, Two, Three. One, Two, Three.

Commissioner Manning: Would You Like To Say Something Steve?

Thank You Commissioners, Katie Mekely, On Behalf Of All Our Employees Of Lee Tran, We Thank You For Declaring April 21st Try Transit Day. We Hope The Citizens Of Lee County Will Come Out And Give It A Try. They Can Go To Leetran.Com. There's A Trip Planner On There If They Want To Plan A Trip Friday For Free, We Would Be Happy To Have Them Aboard Our System. Thank You Very Much.

Commissioner Mann: Thank You Steve. (Applause)

Commissioner Manning: Now, The Recap Sheet. And There Are No Items To Be Deferred Or Continued. No Agenda Items To Be Pulled For Discussion By The Board. No Walk-On And Carry-Overs And No Commissioner Items And County Manager Items. We're Zero For Nine Tonight. We Have Consent Agenda. I Have Several Cards To Be Called On The Consent Agenda. The First Is Fran Myers On Number 27.

Good Morning Commissioners. I'm Going To Read My Statement Since I Only Have Three Minutes.

Commissioner Manning: Now It's Two And A Half.

Thank You Commissioner. It Has Been A Long Time Since I Have Been Here In Front Of You. As Some Of You Probably Remember, Before We Incorporated, I Was Here Every Week Representing Fort Myers Beach. I Wish It Was Still That Way. Today I Am Here Representing Tom And I In The Red Coconut, I Know You Have A Couple Awards Giving Out Today On The Second Phase, So I Wanted To Talk About Our Historic Red Coconut In The Second Phase. We Have Been Meeting With Your Staff For Over A Year Now. Both Tom And I Feel We're Good Partners With Not Only You All But With Our Town. We Really Want To See Bike Paths And Sidewalks Built. We Have Hired Lawyers Both In Town And Out Of Town. We Have Research Back To 1919 And When I Tell You, We Have Really Researched. We've Had Several Documents That Show Not A 60-Foot Right Away In

The Area But The Right Of Way Is All Over The Road. We Have Tried To Come Up With Permits From Years Ago That Prove We Had Permits For Bath Houses, Electric Lines, Fence, Pads, But As The County Has Said, They Only Keep Records For 10 Years. We Do Not Want To Go To Court Over This. Though I Feel We Really Could Win. Your County Attorney Has Told Us If We Lose, We Would Be Responsible For County Attorneys And Any County Expenses. We Could Not Really Afford To Do That. Tom And I Have No Desire To Fight The County. We Do Not Want To Do That. We Hope You Would Go To The Middle Of The Road And Pick From Both Sides. This Could Work, But You All Have Decided To Try To Straighten Off The Curb By Our Park And Want The Right Of Way On The Beach Side Only. This Is Major For Us. It Takes Out Our Fourth Row, Most Of It. People Make Reservations A Year In Advance And It Puts A Hardship On Us This Coming Season, We Have Nowhere To Put The People Who Are Coming. In Trying To Explain The Situation To Staff, One Of The Dot Folks Said I Told You A Year And A Half Ago To Stop Making Reservations After May 1 This Year. Are You Kidding Me? We Would Be Out Of Business. We Thought We Would Lose Some Footage But Not The Entire Fourth Row. We Are The Most Effected Business On The Beach By This Project. Last Week Here At The Courthouse With Our Attorneys, Your Staff, They Said They Would Look Into It And Maybe Some Areas They Could Help Us. You Have A Strip Of Grass That's Three Foot In Between That Could Be Eliminated. We're Here Today To Ask For Relief You Can Give Us. Every Foot Is Very Important. The County Has Said We'll Work With You, Red Coconut -- I'm Almost Done. Red Coconut Has A Colorful History With Being The First Loading Booth, School, Church. Our Family Loves The Park, My Son Who Is In The Audience Who Just Moved Here And Bought A House, We Want To Keep The Park Forever. It Is One Of The Last On The Beach Front Of The Entire State Of Florida. I'm Asking You To Please Help Us To Keep It There 100 More Years. We Don't Want 150 Condos There.

Commissioner Manning: Does Anyone Else Wish To Speak On This Item Or Any Item On The Consent Agenda? Seeing None, Back To The Board For Questions Or Discussion. Discussion By The Board.

Commissioner Mann: Let Me Get The Context Here. Speaking On Item 27, Right? Will That Item Trigger The Finality Of The Issue And Then The Family Would Be Done With Their Options Or -- What Does This Commission Item Do With Respect To The Problem.

Commissioner Kiker: Segment Two Is Under Construction. The Water System, The Sewer System, The Construction Has Started In Segment Two.

Commissioner Mann: So How Does It Directly Relate -- Okay. I Understand.

Commissioner Manning: Other Questions Or Discussion By The Board. Go Ahead.

Commissioner Pendergrass: I Know There's A Lot Of Conversation About The Right Of Way And The Shape Of The Road, Are We Done With It? Is There Something We Can Do, There Should Be Something As Far As -- I Think We Should Have Grandfather Language In There, They Can Still Have The Right Of Way There To Continue To Do Business, They Have Built Structure There, Permitted -- What's The Result Of All That?

Commissioners, As Fran Said We Had A Meeting Last Week And Look At What We Could Potentially Do In The Area. We Have Been Talking About This A Year And A Half Two Years. Because Of The Way It's Designed And Because Of The Way Of Some Of The Management Of Traffic And Construction Issues, We Really Need The Full Extent Of The Right Of Way Through That Area. We Have Had This Problem Along The Right Of Way In Segment One. We Have A House That Extends Into The Right Of Way In Segment Two. That's Being Addressed. We Acknowledge This Is Disruptive For A Business Or Individual, But We're Trying To Remain Consistent All The Way Down The Boulevard To Make Sure It's Delivered As Promised.

Commissioner Pendergrass: Once The Roads Are There Forever And It's Permanent.

Mr. Chairman, If I May. Is There An Opportunity To Do More Research Here? Have We Researched Back To 1919 As Well, When The Right Of Way Was Established And When The Park Itself Was Established And Who Was There First And Answered Those Questions?

Mr. Chairman, If I Might Interject, We Have Researched The Competing Surveys That Have Been Discussed For The Better Part Of The Year And A Half, And We're Confident In The County's Position. Regrettably There Are Structures In The County Right Of Way. You Cannot Claim Adverse Possession Against A Government And Therefore The Vesting Does Not Materialize. The Issue That We Have Going Forward Is It's My Understanding That We Have Explored Every Viable Opportunity To Design Around This Encroachment But It's Not Possible. But In Direct Response To Your Question, We're Confident In Our Position There Are Structures In The Right Of Way Based On The Survey We Think Most Accurately Depicts The Historical Reference In The Area And As Indicated By The Speaker, They Have Maintained Council, This Could End Up In Litigation. I Respectfully Request That We Observe That Context.

Commissioner Kiker: What I Want To Reconfirm, And Commissioner Manning Started With This, Does It Lock In Movement That We Have In Terms Of Working With These Folks?

Commissioner, This Item, Item 27 Is For Communications. Project Communications.

Commissioner Kiker: So It's Not Directly Related. We Might Be Jumping Ahead Of Ourselves On This One. There's Been Several Things That Have Happened Along The Way. You Know, There's Been Some Talk About Why Are We Not Working In This Specific Area And It Looked Like We Leapfrogged And The Reason For That Was Simply Because I Think This Project Would Require Traffic To Go Down To One Lane And We Didn't Want To Do That During Season. There's A Lot Of Misinformation And What Have You. I Guess My Other Question And This Would Be To You Mr. Welsh. If There Is Legal Remedies They Hope To Look For, Is That Going To Slow The Project Down At All Or Will We Be Able To Continue -- What Are You Going To Do? You Can't Just Stop The Project, So What's Going To Happen Or Maybe You're Not The Right One To Answer.

In The Event That The Situation Cannot Be Adequately Resolved Without Resulting In Litigation We Have Civil Remedies Available To Us On An Emergency Basis That We'll Utilize. We Don't Anticipate It Slowing Down The Project.

Commissioner Kiker: And Then What People Need To Understand, Too, Once There's The Fact That Somebody Said We're Going To Take Legal Action Restricts How Much You Can Get Involved In A Project At That Point In Time, We're Limited On What We Can Say And Do. I Think One Of The Things That Needs To Be Pointed Out -- I Don't Think It Came Out Well, And Thank You Fran And Tom For Being Here, Is That What This Means To Them, As I Understand Is They Have All Their Utilities, They're Going To Have To Be Moved. That's Expensive. And So, It's Little Projects Like That, I Think They're Worried And Concerned About The Most. I Don't Know If There's Anything That Can Be Done. I Get It. I Know That You Have Been Out There Many, Many Times. I Know You Have Looked At All The Plans And Everything You Can, I Think There's An Appetite, What I'm Sensing In This Board To Maybe Try One More Time, Take Another Look At It And See If There's Something We Can Do That Is Separate And Apart From Number 27 Today. But I Think You're Going To Hear That. So Might As Well Go Back And Revisit One Last Time. That's What I'm Hearing.

Mr. Chair? We're Happy To Do That. I'm Not Sure What Results That Will Yield, But I Would Like To Caution Us, If We Find Relief In This Case And As A Matter Of Policy You Direct Us To Do That, Then There's An Issue Of Fairness, All Along The Roadway. There Are A Number Of Properties That Have Been Adversely Affected By The Project And More To Come. I Should Think That People Would Have Good Reason To Cry Foul If We Change Our Current Course Of Action. We're Happy To See If There's One Last Look To See If There's Anything We Can Do Legally That Doesn't Set A Precedent To Adversely Affect The Rest Of The Project, But Just Caution.

Commissioner Pendergrass: I Agree With That. We Have To Be Careful Going Forward. We Have Set Precedent If I Understand Correctly, Other Folks Have Been Affected By This. This Is A Tough One For You. I Think I Have Heard You Say Before Roger, This Is The Most Difficult Project You Have Had To Deal With. This Is A Complete Re-Do And We Look Forward To Some Right Of Way, Maybe Get To 100 Feet Where We Can Treat It Like A Road Project Rather Than Community Project That Affects All The People Who Live There And Do Business There. It's Been A Tough One. It Looks Great, What You Guys Are Doing, But This Is One That It Doesn't Cost Anything To Do Another Look. And I Think That Will Make Everybody Feel Better. At Some Point In Time We Have To Make A Decision, But This Is Not That Decision.

Commissioner Manning: Further Discussion?

Commissioner Mann: I Did Want To Confirm That We Haven't Driven The Last Nail In The Coffin As Far As More Discussion Here. I Heard Miss Myers Say They Would Like To Avoid Litigation. I Also Heard Her Say That Every Foot Is Important, I Don't Know Whether We Have Explored Making A Foot Difference. I Don't Know That. The Family Has Spoken To Every One Of Us On This. And They Have Been Agonizing Over This For A Year. One Of The Things That Makes This Issue Doubly Difficult, I Know Without Fear Of Contradiction, That Every One Of You Would Agree, If We Wanted To -- Agree With Me With, If We Wanted To Pick The 10 Best Couples In Lee County For The Last 25 Years And The Contributions To This County, It Would Be Tom And Fran. It Is Very Difficult For Us To Find Ourselves Locked Into A Position Where It Looks Like Legally We're Very Limited In Terms Of Property Ownership And What We Need To Do To Make The New Road Function Properly. This Is An Awful

Dilemma. To The Extent There's Any Wiggle Room, Before Putting The Last Nail In The Coffin. I Think I Hear Commissioner Kiker Saying Let's Try One More Time.

Our Role In This Has Been To Not Negotiate. But The Thing That Tried To Accomplish As A Representative Of The Board, Is That To Make Sure All The Right And Correct Resources That Are Available Are Brought To This Matter To Make Sure They Have A Say So In It. To Me It's A Review On That, To Make Sure We Have Looked At All The Different Resources And Then I Guess What I'm Hearing You Say And I Kind Of Agree, The Decision To Move Forward On This Has Been, You Know, It's In Place And It's Being Done, Right? So This Is A Matter Of Stopping Regular Progress, This Is Not A Matter Of Deciding Whether To Do It Or Not. I Think The Decision What I'm Hearing Is To Move Forward With It. So I Think What The Board Is Asking Is Just To Review That And Look At All The Resources. That's It. Then We Have To Move Forward On These Things.

To Commissioner Mann's Question, I Want To Make Sure There's No Misunderstanding. This Stretch Of Road Is Part Of Segment One. We Delayed It Doing Construction In That Part Of The Roadway Until We Made It Through The High Season Because Of Traffic Concerns. It's Important To Note Though, That The Design Work Is Complete. And We Are -- We're Ready To Begin Construction. We Are Happy To Review, You Know, But I Want To Make Sure That -- I Want To Make It Clear, We Talk About A Final Decision Being Made, The Design Work Is Complete And That's Pretty Final. We'll Take A Look At It.

Commissioner Kiker: This Represents More Than Just A Transition And Straightening The Road Out. This Also Is The Transition Between A 50 Foot Right Of Way To 75-100 As Well, Right? There's Several Things Involved In This. This Is Not Just A Regular Old, You Know, Decision That Based Upon What Makes -- Appears To Be Common Sense. There's No Common Sense When You Have 50 Feet Of Right A Way And You're Trying To Redo Every Infrastructure Item On The Beach At One Time. This Is A Tough One. I Know I Appreciate You Guys Wanting To Take A Look At This. I Know Tom And Fran Do. Anything Else You Want To Say?

Commissioners, Working With The Construction Manager For Segment Two, They Will Be Bringing That Agreement To The Board I Think In The Second Meeting In May. That Really Is -- That's The Point At Which We're Giving The Construction Manager The Go Ahead To Start With The Road Construction.

Commissioner Kiker: This Makes That A Timely Discussion, Until Then You Have Time To Take Another Look At It. Perfect Timing.

Commissioner Manning: The Chair Will Accept A Motion For The Consent Agenda. By Commissioner Kiker. A Second? Seconded By Commissioner Mann. Discussion Objection? Motion Carriers. We Don't Have Items For The Administrative Agenda. I'll Take A Motion -- Any Public Who Wishes To Speak? A Motion And Second, Any Public Who Wishes To Speak On Administrative Agenda.

Commissioner Hamman: Quickly, Glad To See The Projects For Water Quality Coming Up. Trying To Restore Local Waterways And Two More Great Projects We Partnered With The State On.

Commissioner Manning: Motion Carriers. Public Hearings, First One To Improve The Creation Of The Marina Coral Circle Canal Cip.

County Assistant Attorney, I'm Going To Introduce The Two Public Agendas, Affidavits Of Publication Turned Into The Clerk, They Have Been Reviewed And Legally Efficient To Proceed. The Second, Will Be Requiring Separate Votes On Each, The Second Is For The Creation Of The Side Street Road Paving Cip. Laurie From County Administration Is Here, The Acting Coordinator And Presenting A Short Introduction On Each Of These For You.

Commissioner Manning: By The Way, Any Questions By The Board Of Legal? Seeing None, Go Ahead Laurie.

The Improved Resolution To Create The Marina Coral Cip, I Received Two Letters I Need To Put Into Public Record Against. Those Have Been Forwarded To Your Office.

Commissioner Manning: Questions By The Board? Seeing None. The Only Card I Have On This One, The First Public Hearing.

Hi Commissioners. I Was The One That Went To The Neighbors And Got The Signatures. I Just Wanted To Ask For You Guys To Vote For This. We're Trying To Dredge And Put Channel Markers In. I Live The Furthest Down The Canal, The Furthest Drive In A Boat To Get Out. We Do Have A Sand Bar That Looks Like We Have Beaches That Used To Be Filled In On A Yearly Basis That The County Made Them Stop Doing That. We Don't Have A Problem With The Sand Filling In Anymore But We Have A Problem At Mid Tide It's About A Foot Deep We Have A Problem Getting Out. Many Times We Get Out But Can't Get Back In And Have To Find A Spot To Hook The Boat Up Before Getting Back Home Again. We Just Want To Be Able To Use Our Boats Freely.

Commissioner Manning: Any Other Members Of The Public Who Wish To Speak On The Item? Yes, Sir. Come Forward And State Your Name For The Record.

I'm Richard Galachi. I'm Against The Project That It's Very Costly. Up Front It's Almost \$20,000 If You Finance Through The County, \$30,000. Myself, I Only Have The Funds To Do Something Like This, My Property For About Seven Years Trying To Bring It Up To Current Hurricane And Flood Codes. And This Will End Up Being A Financial Hardship For Me. It Could Force Me To Sell. I Mean, This Is Basically Forcing Me To Pay For Other Peoples' Hobbies, Which I Don't Really Agree With. You Know, It Is What It Is. That's About It.

Commissioner Manning: Thank You. Anybody Else In The General Public? Yes, Sir, Come Forward. Please State Your Name For The Record.

I Live At 1863 Marina Circle. I Purchased My House Three Years Ago. I Was Promised The Dreams. I Got My Family A Boat, We Took The Boat Out For The First Time, Get To The End Of The Canal, My

Wife Invited All Co-Workers Over And I'm Swimming About Out Of The Canal In The Middle Of December. Just To Go Out For Lunch. It's Extremely Painful To Pay The Taxes Every Year Knowing That I Don't Have Gulf Access Lot, The County Assesses Me Accordingly. My Taxes Were \$3,700 This Year, The Year Before \$5,400. Or Two Years Ago When I Purchased. To Pay That Money And Not Have Access, That's A Financial Hardship For Myself Currently.

Commissioner Manning: Thank You. Anyone Else?

Good Morning. I'm Dr. Bill Trueaxe. Last Fall I Had My 25 Foot Boat Trying To Get Into The Canal And I Ran Aground And It Took Me Half An Hour To Get The Boat Freed Up To Get Into The Canal. 41 Years Ago I Moved To Fort Myers To Have My Boat In The Backyard And Enjoy The Water, These People Cannot Enjoy The Water Like They Should.

Commissioner Manning: Dr., I Apologize, I Have Your Card Here. Anyone Else In The General Public? Seeing None, We'll Go Back To The Board For Discussion And Or Motion.

Commissioner Hamman: I Had A Question. I Apologize, This Just Hit Me. Since Most Of The Work Is Taking Place Within The Limits Of The River, Would That Make It Eligible For West Coast Inland Funds.

I Don't Know, We Have The Originals --

Commissioner Hamman: I'm Asking The Staff, Thank You.

Good Morning Commissioners, Natural Resources. Typically Funds Are Only Used For Public Access Waterway, A Marina Or Boat Ramp, The Policy Is To Use Those Funds For Dredging For Public, Not Private Canal Access.

Commissioner Hamman: There's No Public Facility Access It Would Lead To.

No.

Commissioner Pendergrass: Fort Myers Beach And Cape Coral, They Have Dredged Canals And It's Not Public Access And It Is Typical To Do Their Own Funding For Those And Maintenance As Well. So, That's -- Being On For The Last Four Years We Haven't Looked At One Of Those.

Commissioner Manning: Further Discussion Or Questions By The Board.

Commissioner Mann: Mr. Chairman, It Would Seem To Me This Project Would Have A Positive Impact On The Value Of Every Home Along The Canal. Makes It Accessible Where It's Inaccessible And Practically Speaking Today. I'm Comfortable Supporting This.

Commissioner Manning: Further Questions. Chair Will Accept Motion. Motion To Approve Item One For Public Hearings By Commissioner Pendergrass And Seconded By Commissioner Mann. Motion Carriers. Number Two? Laurie.

This Is To Create The Cherry Street Project, The 263 Parcels, We Received Petitions In Favor 153 And Two Letters I Want To Put Into Record Against The Project.

Commissioner Manning: Questions By The Board? Seeing None. I Have One Card On This Item. It Is A Public Hearing, So Everybody Can Speak Who Wants To Speak. First Card, Joseph Butler. Joe.

Good Morning. It's Been A While.

Commissioner Mann: Welcome Back.

I'm Here To Support The Cherry Estate, We Received 59% Of The People In The Community, We Have It, We Want It And Have Followed All The Rules The County Has Asked Us To Do. We Are Working Diligently With The Construction And Design Staff, Unfortunately They Have Changed. I Just Hope We Can Continue The Work We've Done In The Positive Direction With The People We Have Left Over, Randy Harris, And Abdu With The Engineer For The County. The One Thing Is, We Put Our Ducks In A Row This Time, That's What Everybody Wants Us To Do And We Did That. And We Worked Diligently When We Got The Petitions From The County. We Got Them In January And We Had The 59% In Two Months. We Are Doing Everything We Can Do And I Hope You Gentlemen Unanimously Vote To Do The Project. It's Definitely Needed. We Have Spent Two Years Working On It. I Would Appreciate You Voting For It.

Commissioner Manning: Anybody Else In The General Public Who Wishes To Speak? Yes, Ma'am. Come Forward. Please State Your Name, Rank And Serial Number.

I'm Here Representing The Residents Who Signed The Petition, We Are Asking The Commissioners' Approval And Anxious To Get The Project Going. We Would Like To See Good Communication And Cooperation Between The County And The Community. We Know It Will Do Nothing But Increase The Values Of Our Homes And Safety Of Our Residents.

Commissioner Manning: Anybody In The Public? Back To The Board. Motion To Approve By Commissioner Hamman. Second By Commissioner Pendergrass. Larry, I Thought You Seconded The Motion. Further Discussion. Objection. Motion Carriers. Number Three, Approve Gasparilla Island Rate Increase.

I Reviewed The Affidavits On The News Press And Where Internet Is The Record Now. This Is The Hearing To Adopt The Resolution For The Gasparilla Island Rate Increases.

Commissioner Manning: Anybody In The General Public Wish To Speak On This Item? Seeing None, Back To The Board For Discussion Or Motion. Question.

Commissioner Pendergrass: How Many Is 9.5 Increase?

Commissioner, I Don't Remember Exactly. They Had Done A Rate Study To Determine What They Needed To Do Some Facility Improvements. It Seemed Like A Fairly High Increase, However The

Membership Of The Utility Which Are The Customers Had A Referendum And Voted To Approve The Increases.

Commissioner Kiker: What Was The Results Of The Amount That Voted In Favor?

90%.

Commissioner Mann: Just A Curious Question, Who Makes Up The Ciwa? How Are They Selected Or Appointed And How Many Are They? Are They Residents Of The Island? Are They Elected -- Self Appointed?

Commissioner Manning: They're The Rate Payers Of The Utility System.

I'm Not Sure Who The Board Is.

Commissioner Manning: I Don't Know Who Is On The Board.

Commissioner Mann: The Board Has Obviously Brought This Forward. Correct?

For The Record, I'm From Public Resources And I'm Here With Bonnie Pringle, The Utility Director Of The Gasparilla Island Water Utility, Board Members Are Selected By The Membership, And As You Mentioned, There Was A -- This Is The -- As The Final Part Of The Rate Approval Process On November 2nd, 2016, These Rate Recommendations Were Presented To The Gasparilla Island Water Association Board Of Directors Who Unanimously Voted To Accept The Rate Recommendations And Vote For Approval. On January 17, 2017, The Annual Membership Meeting, The Rate Recommendations Were Approved By 90% Of --

Commissioner Mann: It's All Very Good. But Gone Beyond Answering My Question.

I Apologize.

Commissioner Mann: Thank You. Don't Talk Us Out Of It.

Commissioner Manning: Other Questions. Seeing None -- Motion To Approve By Commissioner Pendergrass And Seconded By Commissioner Hamman. Motion Carriers. Our Final Public Hearing, Adopt A Moratorium For Wireless Communications For Facilities And Public Right Of Ways.

This Is Our Request For Adopting A Moratorium On Facilities Within The County Rights Of Way. Because Of The Approval, Your Authority To Regulate Will Be Preempted By The State.

Commissioner Manning: Questions By The Board? Anybody Wanting To Speak In The Public. Back To The Board For Discussion Or Motion. Motion To Approve By Commissioner Mann. Second? Seconded By Commissioner Pendergrass. Motion Carriers. That's All In Public Hearings. We Do Not Have Walk-On Or Carry-Overs. Commissioner Appointments.

Commissioner Mann: I Have A Handful Here. To The Roadway Landscape Advisory Committee, Winston Church. To The Affordable Housing Committee Matthew Basagio And Michael Polito.

Commissioner Manning: Seconded By Commissioner Hamman. Motion Carriers. Commissioner Pendergrass. Commissioner Kiker.

Commissioner Kiker: I Have Three. Roy Henry, Jordan Lee --

Commissioner Manning: Discussion? Observation? Motion Carriers. No County Attorney Items, Presentations, Public Presentations And Matters By Citizens. I Have Two Cards. Theresa Butler. As They Say In New England. Nobody Gets That, Okay.

Did You Pronounce The "R".

I Thought You Would Get Rid Of The Butlers But We're Still Here. I Want To Thank You For Approving Our Project, I Appreciate It. We Have Worked Hard On It Ask Did Everything You Recommended. We Had Several Meetings With The Past Project People And They Have Worked Out Very Well. With The Recent Staff Members Coming On Board, We Have Requested Meetings And It Hasn't Gone So Well For Us. And We Were Told That We Need You, We Can't Walk Into A Bank And Get A Half A Million Dollar Loan Which We're Aware Of. Which Is Why We're Doing The Cip. You Have To Understand The Meetings Are Very Important To Our Community. I'm Hoping To Change This Attitude A Little Bit. There's Never Been A Problem In The Past Requesting A Meeting. We Have Always Worked Well With The County On This New Cip Project. We Want To Continue In That Direction. Lee Harris Has Been A Great Help. He's Still With Us, We Hope. Mr. Ayube Is With Us As Well. The Project Is In Place. We Have Had Several Meetings That Have Worked Out Well. Open Communication, Discussions, We've Always Worked Things Out. If We Didn't Understand Something, They Explained It. Whenever We Requested A Meeting, They Have Given It To Us. We Want To Continue With This Line Of Open Communication With The County. We Want To Continue Working With Harris, He's Our Project Manager, He's Been With Us Since The Beginning And Knows How The Cip Is Working, It Might Be A Bit Different Than Other Cip's. But It's There And We Have Walked Out In The Streets With These People. They Know What Needs To Be Done. We're Requesting A Face To Face Meeting With The Staff And Two New Meetings Randy Harris, There Are Issues That Need To Be Worked Out And We Need To Make Sure We're All On The Same Page. We Have Been For The Past Several Months And Now That There's A Change Of Staff Again, We Need To Continue This Work With The County And They Need To Continue To Cooperate With Us As Well. This Is Very Important To Our Community And We Have Worked Very Hard And Had No Issues The Past Several Months. We Want To Continue With This. I Just Want To Make That Clear. And Thank You Again. We're Doing What We Need To Do.

Commissioner Manning: Thank You. Next Eric Anglehart.

Good Morning. First Things First --

Commissioner Manning: Pull That Mic Up.

I Want To Thank Cecil Pendergrass, You Have Done A Lot For Lehigh. Commissioner Mann, I Want To Thank Your Secretary, Very Good. The Project Is Needed. The Other Day We Had A Fire,

Created By Atv's. Atv's Are A Complete Problem In Our District. We Had A Confrontation Yesterday With A Man Who Was Confrontational In Our Area. The Other Thing That We're Working With, Under Deputy Sheriff And Commissioners, The Idea Of Fort Myers To Work With Their Problem, Each Community, The Problem Is Together Whether We Like It Or Not. The Biggest Thing I'm Seeing Is That The Tourists Have Gone Home, The Running Rampant Is Getting Worse. Sheriff Scott Is Doing A Good Job. Three Years Ago When I Approached You Guys, I Was Ready To Tear Him Down. Today I Think He's Going A Good Job. Commissioner Hamman, You Have Done Good Things And I Don't Have A Lot Of Communication With Commissioner Manning And Little With Commissioner Kiker. Lehigh Is The Largest Unincorporated Area In The State. The Problems Are Lehigh Acres And Fort Myers. I Am Of A Belief That Fort Myers Police Department Needs To Be Absorbed By Sheriff Scott. I Ask Commissioner Pendergrass Right Before Easter, I Believe You Need To Keep Sheriff Scott Budgeted At A High Number Right Now To Get These Things Under Control. It Is Working Guys. I Complain A Lot But You Guys Are Doing A Good Job And So Is Law Enforcement. I Appreciate It. Thank You.

Commissioner Manning: Anyone Else Who Wishes To Speak Under Public Presentation, Matters By Citizens. Seeing No Further Cards, Back To The Board. Work Session Update Roger?

This Afternoon At 1:30 We'll Begin The Work Session With A Visit From Congress Man Francis Rudy Who Will Stop In And Chat With Us For A Bit About What's Going On In Washington Right Now. And Give Us An Update. Following The Conversation We'll Discuss With You The Policies For Unrestricted Reserves. Some Of You Want To Discuss Priorities And Also We Want To Design The Work Sessions Going Forward.

Commissioner Manning: Anything Else For The Good Of The Order? Seeing None, We're Adjourned.