

June 6, 2017

Commissioner Manning: Today Is June 6th, 2017. First, Commissioner Pendergrass Won't Be Here Today Or Tomorrow, He's In Washington D.C. Attending To Duties And I Believe Seeing Congressman Rooney Regarding Local Issues. The First Item On The Agenda, The Invocation By Russel Howard From Mcgregor Baptist Church, Followed By The Pledge Of Allegiance.

Let's Pray Together, Lord Jesus We Thank You That We Live In A Land Where We Have The Privilege Of Operating Government By The People. Lord, I Pray Specifically Today For These County Commissioners, That They Would Have Perspective That Goes Beyond Their Self Interest And Even Goes Beyond Political Interest As They Look At The Things For Which They Have To Deal And That They Would Be Aware Of The Gravity Of Authority, Of Which They Are Not The Owner But In Fact The Stewards, Since All Authority Belongs To You And One Day We'll All Be Accountable To How We Have Managed The Authority You Have Given Us. Even If That Weight Settles On Them, May They Have Joy In Their Role Knowing Those Of Us Who Live In The Community Have Selected Them To Deliberate On Our Behalf. Bless This Day In Jesus Name Amen. (Pledge Of Allegiance)

Commissioner Manning: Thank You Reverend. Next Item On The Agenda, Ceremony Presentations. I'm Pleased To Present The Pet Of The Month If They're Here. Mack. Roger, Watch Out.

Good Morning Commissioners. Animal Services, One Of The Kennel Supervisors With Me. We Have Smokey This Morning And We Have Promotions There, \$30 For Cats And \$40 For Dogs, 40 Pounds And Over And June Is Adopt A Cat Month, Buy One Get One. Looking For A Cat, Come See Us.

Commissioner Mann: Buy One Get One You Say.

Commissioner Hamman: You Need A Dog. This Is Your Dog.

This Is Smokey, An Eight-Year-Old Neutered Male Shih Tzu, Been Very Sweet So Far, Great With Staff And Done Well With Other Animals And Great On The Ride Over. He's Actually Considered A Senior, His Adoption Fee Would Be \$25. Just One Of The Many Animals You Can Find At The Shelter.

Commissioner Manning: Thank You. Again, Next We Have A Presentation Recognizing Pretrial And Probation Supervision Week. Commissioner Mann.

Commissioner Mann: Thank You For Being Here With Us This Morning. We're Going To Adopt A Resolution Recognizing Pretrial And Probation Supervisors And Their Staff. We Are Lucky To Serve In A Country With The Judiciary We Do Have, We Have Seen Horror Stories Of What Goes On In Other Countries, Particularly Third World Countries But Those Who Serve Above And Beyond The Call Of Duty, We Want To Recognize You By This Resolution At This Time. It Reads As Follows... Whereas Community Corrections Is An Essential Part Of The Justice System And Whereas Pretrial Services And Probation Professionals And Folks Court Ordered With Dignity While Recognizing The Right Of

The Public To Be Safeguarded From Criminal Activity And Whereas Pretrial Services And Probation Professionals Are Responsible For Supervising Adults And Youth. Trained Specialists Who Provide Referrals For Detectives And Whereas They Work In Partnership With Community Agencies And Groups And Whereas Pre-Trial Services And Probation Professionals Promote Advocacy And Whereas Pretrial Services And Probation Professionals -- Too Many "P's". Provide Services And Support For Victims And Whereas One Last Time Pretrial Services And Probation Professionals Advocate Community And Restore It To Justice. Whereas Community Correction Professionals For Positive Change In The Communities, Now Therefore Be It Resolved That The Lee County Board Of Commissioners Do Proclaim Supervision Week, Executed This 6th Day Of June And Signed By Our Honorable Chair John Manning. Thank You For All You Guys Do. You Make It A Better Community. (Applause) Now, Come Get The Resolution And Stand Right Here In The Middle, We Want To --

Thank You.

Commissioner Mann: We'd Love To Hear A Word From You. You Guys Gather Around While She Says Something Important Here.

Commissioner Mann, Thank You. All Commissioners Thank You For Your Time This Morning. It Is An Exciting Day, It Is Truly My Pleasure And Distinct Honor To Be Here Today On Behalf Of My Administrator And The Criminal Division Staff. It's Just Exciting To Recognize The Staff For Their Hard Work. They're Committed To Providing The Highest Quality Of Services To The County And Citizens. I Wanted To Express My Gratitude And Thank You For Your Time And Recognition This Morning. (Applause)

Commissioner Manning: Thank You Commissioner Mann And I Have The Pleasure Of Asking Jessica Pots, The Mango Mania Queen To Come Forward, Congratulations On Your Victory Elevation. And The Resolution Reads As Follows, Whereas Mango Mania Was Started By The Greater Pine Island City Of Commerce And Held On Palm Island Since July 1995 And Whereas Establishing The Festival Was To Help Growers Sell Fruit And Plants During Harvest Time When The Location Of Pine Island Was Known By Have You Few People. And Whereas The Greater Pine Island Chamber Of Commerce Decided Not To Hold Festivals For The Next Two Years Due To The Fact Of No Suitable Site On Pine Island. The Festival Was Reinstated In 1998, Utilizing The Facilities Of The Kok Camp Ground, And Whereas The Festival Is Used As Fund-Raisers By The Greater Pine Island Chamber Of Commerce. Enabling Them To Make Contributions To The Elementary School, Scholarship Programs And Other Charities And Whereas Mango Mania Was Such A Success, By 2001 It Had Outgrown The Facilities And Since There Were No Other Suitable Locations On The Island, The Decision Was Made To Move It To The German American Club For The Growth That Saw More Than 10,000 People Last Year. Be It Resolved That The Board Of County Commissioners Of Lee County Florida Extends Best Wishes For A Successful 2017 Mango Mania Tropical Fruit Festival July 15th And 16th. Executed This 6th Day Of June. Come On Forward. Congratulations. (Applause)

Congratulations.

Commissioner Manning: Please Will You Say A Few Words?

Good Morning Commissioners And Thank You For Having Me On The Agenda. Born And Raised Here In Fort Myers, I Graduated From North Fort Myers High School And Graduated From Fsu With Sports Management Degree. Right Now I'm The Marketing Director In The Family Owned Business, We Have Been There For Over 30 Years, Professional Service For Local Boaters. Since Leaving Lee County, Previous Sports And Nonprofits Took Me All Around And Nine Years In 2009 I Moved Back Home Permanently. Pine Island Is A Special Place To Me And I'm Proud To Call It My Home. My Husband And I Are Heavily Involved In The Community And Support A Lot Of Local Events And Fund-Raisers. We Shop And Dine And Do All Of Our Business On The Island. We're A Small But Strong Community Where Businesses Support One Another And Our Neighbors Are Our Friends. The Community Support All Over The Island Is Amazing. It's 18 Miles Long, We're Surrounded By Fruit Groves, Tropical Plant Groves, And Our Waters Have Some Of The Best Fishing In Florida. We Are Known As Florida's Creative Coast With Our Fine Art Galleries, Shopping And Special Shops. We Celebrate The Harvest Of Fruit. We Will Have Over 140 Venders This Year And A Contest For All Ages, Largest Mango, Pie Eating Contest. Mangos Will Be Ready To Eat In About Three Days. And Again, Mango Mania, We Hope To See You There. I'm Proud To Represent Our Island This Year. (Applause)

Commissioner Manning: That's All I Have For The Presentations This Morning. Next, The Recap And Item C-20 Consensus Item Number 20 Is Deferred Indefinitely. Is There Any Public Who Wishes To Speak On The Issue. Seeing None, I'll Go To The Board --

Commissioner Hamman: Do We Have Appropriate Services To Fill This? Obviously There Is A Need For Burial, That Will Still Be Taken Care Of In The Meantime While We Review This?

Good Morning. Yes, We Have Services In Place Until Reviewing This Particular Item Before Bringing Something Back To The Board.

Commissioner Manning: Seeing No Further Questions By The Board, Is There A Motion And A Second On The Floor. Discussion, Objection, Motion Carriers. C-27 Is Revisions And Corrections, What The Action Accomplishes In The Blue Sheet Is Renew The Medicaid Provider Agreement For Five Years Versus 10 Years. I'll Include That In A Motion Later On. And Agenda Items To Be Pulled For Discussion By The Board. No Items Submitted. Walk-On And Carry Over, No Items And Commissioner Kiker, You Have Two Commissioner Items We'll Take Up Later On In The Agenda. The Consent Agenda, 34 Items, None Have Been Pulled, Does Any Member Of The Public Wish To Speak? Seeing None, Going Back To The Board For Motion Or Discussion.

Commissioner Mann: You Want The Motion On The C-27. So Move.

Commissioner Manning: That Is Included. Motion To Approve And Change The Wording On Consent Item 27. Seconded By Commissioner Hamman. Discussion? Objection? Motion Carriers. Next, We Have The Administrative Agenda, I Have Four Cards On Items Number Four I Believe. There Are No Items To Be Pulled. Is There A Motion For The Balance After I Ask For The Public To

Speak? Any Members Of The General Public -- I'll Get You Guys Later On Any Item On The Administrative Agenda?

If We Could Take Two And Three Separately. I Need To Address You On Both Of Those Independently.

Commissioner Manning: Under Administrative Item Four, I Have Margaret Warsley Followed By Jim Burke.

Good Morning Commissioners. I'm The Executive Director Of The Southwest Regional Planning Council. I Received An E-Mail That You Have A Resolution Today You're Going To Vote On In Order To Pull Out Of The Regional Planning Council. After Watching The Workshop, Staff Has Put Together And I Believe You Have A Copy In Front Of You, Of All Of The Projects That The Regional Planning Council Has Done For Lee County Or Communities Within Lee County Over The Last Several Years. And I Just Want To Point Out That There Are Over 29 Grant Funded Study Projects And Training Done For Lee County And Many Other Studies That Have Been Done That Lee County Has Benefitted By, And I Would Ask That Before You Take Your Vote, That You At Least Take The Time To Look Through These Items We Have Done For The County. And Also, I Would Ask That You Wait Until We Receive Our Response From The Attorney General On Some Of The Questions We Have About The Legalities Of Pulling Out And Not Being A Voting Member Of The Council. If You Have Questions, I'm Happy To Answer Them.

Commissioner Manning: Thank You. Jim Burke. Followed By Tom Parry.

Thank You Commissioner Manning And Chairman Of The Rpc, The Regional Planning Council And Former Mayor Of Cape Coral. I Have A Degree In Metro Science And Double In English, Etc Cetera. Many Of The Things I Have Done, Give Me The Information To Say Please Review. We Have The City Of Sarasota And Cape Coral Represented. From Cape Coral, You All Know How I Feel About Cape Coral And Know That Cape Coral Doesn't Benefit More Or Less Than Most Everybody Else Involved In The Rpc. I Think The Importance Of The Rpc Goes Far Beyond Lee And Cape Coral. It Goes To Sarasota. I Have Said It Before, At The Very Least Allowing All The Cities And Counties To Get Together And Talk About The Regional Efforts. We Still Have To Figure Out What We're Doing With The Pending, I Would Urge You To Do The Same Thing Margaret Has Asked You To Do And Tell You That We All Would, To The People That Put Us In Office, To Try To Represent Them Regionally As Best We Can, We Have To Think About The Large World And We Have Been Elected To Do So. I Would Urge All Of You To At Least Review The Information That You Have Been Given So You Understand What The Rpc Does. And Then Make A Decision After That. I Would Also Urge You To Wait For The Attorney General's Opinion To Come Down.

Commissioner Manning: Tom Parry, Followed By Willy Shaw. That's The Last Card I Have.

I'm The Chairman For The Planning Council.

Commissioner Manning: You Can Lift That Up If You Want.

I Apologize. I Want To Say That The Regional Planning Council Primary Mission Is To Look At Development And Growth And Make Sure There's Not Cross Border Or Cross County Impacts. And The Regional Council Does A Good Job Of That. It's Not Perfect In What It Does, I Don't Think There's A Perfect Out Come In The Zoning And Growth Issues. Beyond That, The Regional Planning Council Is A Mechanism Where Adjoining Counties Learn Each Other's Personalities And Needs And Priorities. Just Like Any Other Organization You Get Out What You Put Into It And For The Regional Planning Council To Work, There Has To Be Funding And Participation. I Will Say Lee County Participates Strongly, Commissioners Are Faithful In Attending And Active When They Do Attend. I Believe That Attendance And That Working Together Has Led To Many Cooperative Efforts Between The County And Finding Many Ways For The Councils To Work Together Especially Relating Back To My County. So I Encourage You To Continue To Be An Active Participating Member In The Regional Planning Council And I Would Encourage You To Pause For A Minute While We Work Through Some Of The Issues Of The Funding Between The Counties. Thank You.

Commissioner Manning: Willy Shaw.

Commissioner Mann: I Like Your Bowtie.

Thank You. Thank You For Allowing Me To Be Here. Former Mayor Of Sarasota, I'm The Treasurer Of The Southwest Regional Planning Council. I Found This Regional Planning Council To Be One Of The Most Positive Pieces Of Work That The Six Counties We Represent Come Together And Do. Our Work Is More Than Just Regional Planning, It Is Bigger. It's About Quality Of Life. It Is So Much That We Have Working Together As Communities Both City And County That Borders Each Of Our Lives. The Quality Of Life Here As We Challenge The Opioid Epidemic, I Survive Being Black In America, Cancer And Crack. Crack Started Here In This Area 35 Years Ago. We Started Seeing This Epidemic Move. We're Now At The Same Place With The Opioid Epidemic. If We're Able To Communicate Between Ourselves And Meet The Challenge Of The I-75 Corridor That Travels Up In Between All Of Our Counties, We Can Overcome These Regional Barriers. I Would Ask That You Please Take The Time, Take A Deep Breath, Take A Pause And Let Us Wait Upon The Determination Of The Attorney General As We Go Forward With This Regional Planning Council. And Believe Me, It Is Worth Every Bit Of The Monies That We Spend, I Think Sarasota And Lee Are Probably The Biggest Contributors To The Regional Planning Council. Without You, We Just Don't Get The Job Done. Thank You So Much And I Will Entertain Any Conversation Or Questions You May Have. If You Don't Want To Do It Here, I'll Be Outside Waiting On You.

Commissioner Manning: Thank You. Anybody Else Who Wishes To Speak On The Item. Going Back To The Board For Discussion And Or A Motion.

Commissioner Kiker: If I May, On A-4 I Have Tremendous Respect For Each Speaker Who Spoke Today And The Work They Do Individually And Part Of The Council. Mr. Chairman, I Also Had An Opportunity For One Year To Sit On The Regional Planning Council And My Disappointment With The Time I Spent On There, I Don't Feel The Regional Planning Council Lived Up To What A Commission Was, Making Sure There Were No Regional Impacts Or At Least -- Not Making Sure

There Were No Impacts But Working Through The Regional Impacts Of The Developments That Happen Close To Bordering Counties. They Took It In Other Areas I Didn't Believe Was Part Of The Mission And I Don't Believe They Needed To Be Discussed At That Particular Forum. And So, I Know That A Lot Of The Comments Today Centered Around Waiting Until We Hear More Information About The Attorney General's Opinion. Today We're Not Pulling Out Today, This Is Giving A 12-Month Notice Today. I Think Giving A 12-Month Notice Provides Time To Understand More And I Would Support Making The 12-Month Notice.

Commissioner Kiker: There's Been A Lot Of Dialogue On This Subject In My Role And I Wish We Could Have Gotten This Before The Meeting So We Had A Chance To Look At It. When You Hand Something In A Meeting And Ask Us To Read It And It's A Little Awkward. We Do Have Forums By Elected Officials Where Other Counties Get Together. We Have Instituted A Regional Summit That Includes Six Counties Where We Do Have Discussions On A Regular Basis. In Those Discussions Rpc Came Up In Respect, The Past Mayor, Eluding Into The Counties, As I Understand, They Have Removed Their Funding Already And Some Of The Smaller Counties Also Were Not In Favor Of Keeping Rpc Going. My Question Is Much Like Mr. Hamman's, The Legal Concerns, Is That Something We Need To Know About Or Is That Something We Can Wait For In This Process If We Do Indeed Pass This Today?

The Request To The Attorney General's Office And I Have Not Had The Opportunity To Review The Specific Nature Of The Request, However, The Mere Fact That The Request Has Been Made As An Opinion Would Not Serve As A Bar To Any Action That The Board Might Take Today. What The Commissioners Pointed Out, What You're Being Asked To Perform This Morning Is Provide A 12-Month Notice Of Withdraw Consistent With What Sarasota County Did Previously. Any Action You Take Today Would Not Have Immediate Funding Of The Rpc. Lee County Would Still Have To Make The Payments That Establishes The Requirement To Make The Payments. Whether The Attorney General's Office Will Render An Opinion On The Issue Is Likewise Open For Some Debate But That Debate Need Not Take Place Here Today.

Commissioner Manning: Commissioner Mann.

Commissioner Mann: I'll Take A Few Moments On This Issue. It's Been My Good Fortune To Have Had A Previous Political Life That Involved Being In The Legislature When They Were Created, They Were Created After Florida Had Experienced Tremendous Growth, Not Unlike What We Have Seen Absent To The Recession But Before And After. But It Was Throughout The State And We Saw What A Lack Of Planning The Impact That Had, The Negative Impact On The Individual Communities And Adjacent Communities. And The Legislature At That Time Said We Need To Take A Look At This And Not Make All The Rules For Local Communities, But We Did Insist Back Then That The Counties Adopt Planning, A Comprehensive Plan For Your Own Community And We Established Regional Planning Council Shortly Thereafter So If There Was A Big Development In One County That Was Going To Affect The Roadways, The Water Run-Off, Wild Life, That Sort Of Thing, We Had To Take It Into Consideration So What We Did In Lee County Wouldn't Have A Negative Impact On Other Counties. We Are Paying Still Millions Of Dollars Annually, I'll Use An Example, Cape Coral And

Lehigh Acres Because Where We Just Cut Roads Or Canals Through. We Didn't Make Room For Schools Or Fire Stations Or Police Stations Or Plan For Industrial Zoning Or Residential Zoning And All Put Back In The Legislation In The Mid 70s Dealt With The Issues And Asked The Counties To At Least Think Before You Act And Kind Of Plan For These Things Until We Can Avoid Those Extensive Mistakes That Were So Much A Part Of The Past, Particularly During The 60s And Early 70s. There Was A Reason For Planning. One Of The Main Reasons Is It's So Much Less Expensive When You Think Through These Things In Advance, Opposed To Letting The Development Proceed. That All Came To Pass And Now Fast Forward 40 Years And I'm Looking At It Starting To Come Unravelling And I'm Saying To Myself, Wait A Minute, The Benefits That We Have Enjoyed Through Proper Planning And Management Of This Fantastic Growth Economically Which Is Such A Benefit To Us, But As Far As The Quality Of Life, We Can Kill The Golden Goose By Returning To The Days When We Did Not Plan Or Think Ahead And Create The Negative Impacts We've Had. Commissioner Hamman, I'm Sorry You Didn't Have An Opportunity To Stay Longer On The Rpc, And I Think You Would Have Been Exposed By Osmosis To Some Of The Work The Staff Does. A Lot Of What They Do We Don't See -- I've Been On The Rpc For About 10 Years. We Don't See What They Do When A Developer Comes In And There's A Lot Of Give And Take And A Lot Of Thinking. We Only Put Our Final Stamp Of Approval Put On It. There's An Awful Lot Of Work For Good Management And Planning That Goes On. The Road Impact, When The County Builds A Road Here And Another County Builds A Road Here, Regional Planning Councils Make Sense Because They Bring The Roads Closer Together. If We're Going To Wreck Water Run-Off It's Important To Know What's Happening In Other Counties. Everything That Has To Do With Run-Off In Charlotte County, They've Had To Prepare So It Doesn't Have A Negative Impact On Lee County And It Connects Four Separate Creeks. Without The Planning I Don't Know What Would Happen But It Wouldn't Be Good And We Have The Evidence Of The 70s, The 60s And 70s That Show How Easily Mistakes Were Made. I Think We're Being Premature. I'm Sorry It Has Come To This Point And We Have Lacked Confidence In The Planning Process That Was So Desperately Needed Regionally And Locally. From My Perspective And Experience, I See It As Premature And Frankly A Mistake For Us Not To Remain Committed To Planning Process. It's Not Just Good For Now, It's Good For Future Generations And I Think It's A Mistake. Thank You.

Commissioner Manning: Back To The Board For Further Discussion And Or A Motion On Administrative Item Number 4 And Then Take Up The Balance Of The Agenda. Motion To Approve By Commissioner Kiker And Seconded By Commissioner Hamman. Discussion? Objection? It Carriers 3-1 With Commissioner Mann Abstaining. Move Every Item But Two And Three. And There Is A Seconded By Commissioner Mann. The Motion By Commissioner Kiker. Discussion? Objection? Motion Carriers. County Attorney.

Thank You Mr. Chairman. If I May, I Will Be Filing Form 8-B Which Is A Memorandum Of A Conflict Based Upon Private Gain Or Loss, Which Reimburses Attorney Fees That Occurred With Me And An Ethics Charge Which No Probable Cause Was Found. I Will Remove My Presence From The Chambers For The Duration Of This Topic. Thank You.

Commissioner Manning: We Could Be Doing This For An Hour. Okay. Richard.

Item A-2, A Request By Our Office To Approve Funding In The Amount Over \$4,000, This Matter Started Out With A Series Of Public Record Requests And Then Went Into An Ethics Charge. Fortunately The Amount Requested Here Is Relatively Small With Respect To The Office's Ethics Charge. It Came Out With A Finding Of No Probable Cause But I Would Venture To Say Locally We Probably Have 30-40 Hours Minimum In The Defence Of This Matter. We Respectfully Request A Pull Of Item A-2.

Commissioner Manning: Motion On The Floor? Second? Motion Carriers. Richard, Item 3.

He Was Very Concerned We Wouldn't Come Get Him Again.

Commissioner Kiker: Don't Tell Him The Outcome. Make Him Read The Minutes.

Mr. Chairman. Commissioners, Item Number Three Is Request Of Our Office To Schedule An Attorney Client Session With You In A Matter Of Style Estero Group Ltd Versus Lee County, We Are Specifically Requesting The Opportunity To Meet With You To Discuss Settlement Strategy And Litigation Strategy Resulting Or In Reference To The Above Referenced Case. Set For June 20th, 2017, At 8:30 A.M. Those In Attendance, Commissioners Manning, Pendergrass, Kiker, Hamman And Man. Attorneys Jeffrey Hines, Jay Bartlett, Roger Desjarlais And A Court Reporter. We Believe This Matter Should Take Approximately 30 Minutes And We Respectfully Request Approval.

Commissioner Manning: Any Discussion? Motion By Commissioner Mann, Seconded By Commissioner Hamman. Public Input? Motion Carriers, Thank You Richard. That's It For The Administrative Agenda. Commissioner Items. Commissioner Kiker You Have Two. Go Ahead.

Commissioner Kiker: This Is The Second Time This Discussion Has Come About. First Time We Did Give The Chairman The Authority To Sign A Letter, A Letter To Governor Scott, This Is No Financial Interest To Lee County But It's In Support For The Funding Of The State Park. I Want To Get Consensus If We Could To Sign This Letter.

Commissioner Manning: Further Discussion? Seeing None, A Motion? Motion To Approve By Commissioner Kiker And Seconded By Commissioner Mann. Motion Carriers. Next, Bay Oaks.

Commissioner Kiker: On Fort Myers Beach Proper, I'm Seeking Direction From This Board For Staff. The Situation There Is That In Years Past And I'm Going To Go Back To The Days I Was The Mayor, When The County Said That --

Commissioner Manning: That Was A Long Time Ago Wasn't It?

Commissioner Kiker: That Was A Long Time Ago. It Feels Like A Long Time Ago Sometimes. It Was A Regional Park And It Was Determined By A Couple Of Folks That It Should Not Be Anymore Even Though The Participation Was Over 50% Of The People Who Went There Were Not From Fort Myers Beach, They Were From Other Places. Since Then, There's Been A Couple Of Things That Have

Happened And Most Recently If You Read About The House In Boca, They're Donating It To A Preserve On Lee County Facility For Educational Purposes And There's A Developer There With Two More Buildings In Progress In Terms Of Making That An Education Center. In All Due Respect, This Is Now Become Truly A Regional Situation There. And What I Would Ask The Board To Do Is Ask For Staff To Take A Look At That Situation, And Talk With The Town, Discuss It With The Town. And Then Come Back To The Board And Make Recommendations In Terms Of What We Should Do With The Facility.

Commissioner Manning: Do We Need A Motion Mr. County Attorney? Discussion? Motion To Approve The Item By Commissioner Kiker. Is There A Second?

Commissioner Mann: I Don't Think I Understand Yet What You're Asking Staff To Do.

Commissioner Kiker: Right Now It's Town Of Fort Myers Beach Property. Counties In Years Past Came Back, In The Days There Were Issues With The Budget And They Decided For It To Not Be A County Facility, But A Town Owned Facility. It Was You're Going To Take It Or We're Going To Close It. And It Is The Heart Of The Community, It Was An Example I Think Of Something That Probably Should Not Have Happened Four Or Five Years Ago. The Town Has Willingly Run That Facility, But Under Most Recently, We Still Own Property There On That Grounds, The Preserve Is One Of Them And An Education Center That Is Open To The Public. There's Going To Be Two Or Three Other Buildings To Accommodate Even More Regional Education. So I'm Asking If The Staff Can Take A Look At That Situation And Decide If It Qualifies For Regional Facility Or Not And Make Recommendations Based On That For Future Action From This Board.

Commissioner Mann: So Reversing The Previous Action If What Your General Discussion Comes To Fruition, If That's The Recommendation, Managed And Owned By The County.

Commissioner Kiker: Including Enhancements Of Additional Education For Regional Purposes.

Commissioner Mann: Okay. I'll Second That With These Comments. I Would Hope That The Motion Would Include The Spirit Of A Sort Of General Review Of Regional Versus Neighborhood Facilities As Well. We Talked About This At A Workshop About The Need For An Additional Park Of Some Type In Lehigh Where Crime Statistics Would Say These Young People Of Particular Need Some Help And We Have Been Looking For A Parcel. We Haven't Found It Yet, But We Locked Ourselves Into X-Number Of Regional And We Have Been Locked In There Because Of The Tendency To Grow Inefficiently. I Just Want To Take And Have This Motion Include A General View Of The Status Of The Neighborhoods Versus Regional Parks In General While We Look At It Specifically. Get A Discussion By Then And Perhaps Bring It Back To The Workshop.

Commissioner Kiker: Actually I Think That's A Great Idea. This Subject Came Up When The Village Of Estero Came To Be. It Was Declared As An Asset Rather Than A Liability, Although All The Same Functionality Exists There, And I Can Even See That When We Look In North Fort Myers As An Example, With An Express Need For This Type Of Situation. I Think It Would Be Good To Take A Broader Look At The County.

Commissioner Manning: Maker Of The Motion Agrees Then.

Commissioner Kiker: I Will Do That.

Commissioner Manning: Further Discussion?

Commissioner Hamman: I Want To Fully Support Your Comments Commissioner Mann. I Think It's Appropriate To Take A Look At The Overall Placement Of Regional Parks. I Remember Looking At The Regional Parks Map Recently And Noting There Were No Regional Parks Within The Borders Of Cape Coral And I Would Be Interested To Understand If We Have Regional Parks Within The Boundaries Of Other Incorporated Areas. I Know The Village Of Estero, They Have The Rec Center We Previously Built In The Park, But We Would Like To Know If There's A Possibility For An Equity Problem Here, One Area Gets A Regional Park. Certainly In Cape Coral, We Have A Great Need For Parks And As Commissioner Mann Highlighted, All The Problems We Had When They Developed Cape Coral, They Did Not Set Aside Enough Space For Schools And Fire Stations And Such. We Could Use The Help Over There.

Commissioner Manning: Further Discussion On The Amended Motion? Seeing None, Any Objection? Motion Passes Unanimously. And I Think -- Go Ahead.

I Just Have One Item, Separate And Apart From This. Thank You. Commissioners I'm Pleased To Present To You The Final Judgment In The Case Lee County Versus Vr Labs Incorporated, We Received The Signed Order From Circuit Judge Court On May 30th In The Amount Of \$4 Million With The Rate Of Interest Since January 24th. All The Counter Claims Have Been Dismissed And We Will Commence Discovery To Determine If There Are Assets To In The Inquiry.

Commissioner Mann: One Question, The Interest When It Was Working Against Us Previously Was Very Expensive. Does It Work The Same Way In Reverse Now?

Yes, Sir, At The Legal Rate Of Interest Which Varies By Year But It Is Well In Excess Of The Investment Rate We See On Some Of Our Investments. I Would Venture To Say 4-6% Or So. I Could Double Check It.

Commissioner Mann: The Buckingham Case Went From 4 Million To 8 Million Practically Overnight. Look Into That And Give Me A Call On It.

Commissioner Manning: Further Discussion. Thank You Richard. Do You Have Anymore County Attorney Items? We've Taken These A Bit Out Of Order.

Nothing More.

Commissioner Manning: Commissioner Appointments.

Commissioner Mann: I Have A Couple. Julie Hinesworth.

Commissioner Manning: Motion, Discussion, Objection, Motion Carriers.

Commissioner Hamman: I Have Reappointment Of Michael Myers To The Eagle Committee And Dr. Carry Tucker, David Neuland. Richard Leon To The Council And Reappointment Of Christina Monkford.

Commissioner Manning: Motion Carriers. Commissioner Kiker.

Commissioner Kiker: Thank You. I Have One Appointment, Mary Nigh To Construction. Motion Carriers. I Have None. We'll Go To County Manager Items.

Nothing Today Mr. Chair, Thank You.

Commissioner Manning: We'll Go To Public Presentations Of Matters By Citizens. I Do Not Have Cards. Anyone In The Public Wish To Speak On Any Item? Except Baseball Of Course. Seeing None, We'll Go To Roger And Get A Work Session Update.

Thank You Mr. Chair. This Afternoon At 1:30 We'll Present The First Draft Of The Lee County Operating Budget And Ask For Your Input So That We Can Come Back After The Break With A Second Version For You.

Commissioner Manning: Questions? Seeing None, We're Adjourned.