

**November 2, 2010**

Chairman Hall: Good Morning.

Welcome To Today's Board Of County Commissioners Meeting.

I Would Like To Start With An Invocation By Pastor Walter Still Of Peace Lutheran Church.

Let Us Pray.

Lord, We Begin This Day With A Thank-Filled Heart.

We Were Blessed Overnight With Rain That Has Refreshed Your Parched Earth.

We Have So Much To Do As Your People.

There Are Many Decisions To Be Made In Our Country About Our Elected Leaders.

We Ask Your Blessings On The Decisions People Will Be Making On This Day As They Vote For The Greatest Good Of This Society.

Help Us To Be A People United To The Greatest Good.

Help Us Find Ways To Create Jobs, Care For The Down Trodden, Dejected And Serve All People.

Bless The Leaders Of This County And The Board Of County Commissioners And All We Do Today.

In God's Name We Pray.

Amen.

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

Chairman Hall: Please Be Seated.

On Our Recap Agenda Carryover Item One Is Asked To Be Deferred Indefinitely And One Week For Carryover Two.

Could I Have A Motion?

I Have A Motion By Commissioner Manning.

Further Discussion?

Commissioner Manning: Did You Say Indefinitely? One Week For Carryover Two.

Commissioner Mann: Can Someone Now Or Later Explain That Lehigh Item? I'm Curious About It.

Is Now The Time? If This Gets Involved, I'll Have Them Meet Me Later.

Good Morning, Commissioners, Paul Winguard.

It Has To Do With A Bike Path On Homestead Road We're Work Funded Through The Department Of Energy Grant.

Yes, We Have Asked For It To Be Deferred Indefinitely.

It May Be As Early As Next Week Or The Week After That.

We Just Have A Couple Of Things We Have To Work Out.

Chairman Hall: One Of Those Wonderful Federal Grants.  
Further Discussion?  
All In Favor?  
Opposed?  
The Motion Carries.  
We'll Come Back To The Walk-On Item At The End Of The Meeting.  
Public Comment On Anything On The Consent Administrative Were Or Walk-On Item?  
I Have No Blue Cards. Anyone From The Public Who Wishes To Address The Board On Any  
Of These Items?  
Seeing No One, I Close Public Comment And Go To The Consent Agenda.  
Commissioner Bigelow?  
Commissioner Bigelow: No.  
Chairman Hall: Commissioner Judah.

7-A.  
Chairman Hall: Commissioner Manning?  
Commissioner Manning: None.  
Chairman Hall: Commissioner Mann.

Commissioner Mann: No.

Chairman Hall: I Have A Motion And A Second.  
Further Discussion?  
All In Favor?  
Opposed? The Motion Carries Unanimous Ly.  
Commission Judah, 7-A.

Commissioner Judah: The Reason I Would Like To Pull 7-A Is Out Of Respect To Staff On  
The Whole.  
Many Don't Understand A Particular Revision With Regards To Holiday Pay.  
What I Would Ask If This Could Be Deferred One Week.  
Only For The Purposes Of Being Able To Ensure That All Staff Clearly Understand What The  
Proposed Amendment To The Administrative Code Entails.

Chairman Hall: I Don't Have A Problem With That.  
County Manager, Are You Ok With That?  
Ok.  
I Have A Motion By Commissioner Judah To Defer 7-A.  
Pete, A Comment? Commissioners, The Manager Is Well-Aware Of That -- They Are Not,  
And That's Why I Asked.  
Thank You.

Chairman Hall: Let's Let People Finish Their Sentences And Come Back And Have A  
Dialogue.  
If There's A Misunderstanding That The Commission Does Not Feel All The Departments  
Have Been Informed.  
I Have A Motion By Commissioner Judah To Defer For A Week. A Second? Second By  
Commissioner Mann? Commissioner Mann: I Just Want To Know What Would Be Your

Suggestion To Overcome The Issue Here? Commissioner Judah: Improved Communication.

Commissioner Mann: I'm In Favor Of That.

Chairman Hall: We Want To Make Sure All The Departments Understand What This Code Is. We Received Some E-Mails Specifically Out Of D.O.T., Commissioner Judah? Commissioner Judah: And Also Other Departments.

Chairman Hall: We Want To Make Sure Everyone Understands What's Happening. All Right.

Further Discussion?

All In Favor?

Opposed?

The Motion Carries Unanimously.

Commissioner Judah: Thank You, Madam Chair.

Chairman Hall: Absolutely.

Nothing On The Administrative Agenda.

Clicking Right Along.

We Do Have A Walk-On Item.

This Is To Authorize And Approve The Director Of Lee County Animals Services With The Doggy Dash Licensing Agreement Between Lee County And Miramar Management.

A Motion By Commissioner Judah.

Second By Commissioner Mann.

Further Discussion.

All In Favor?

The Motion Carries Unanimously.

Next, Commissioner Manning? Commissioner Manning: Madam Chair, I Sent Each Of You A Brief Memo Regarding An L.D.C. Amendment I Would Like To Return In A Boca Grande Land Development Package.

Should I Explain It? Commissioner Judah: Second.

Chairman Hall: I Have A Motion To Push This Forward To Staff For Review.

Did You Get A Copy Of That?

All In Favor?

Opposed?

The Motion Carries.

Commissioner Mann? Commissioner Mann: I Have One Little Issue Here.

I Would Like The Commission's Thoughts On It.

I Don't Have A Major Concern Here.

I'm Speaking Of The Replacement For David Owens' Position And The Names Have Come To Us.

All Of Which I Have No Problem With.

I Recognize, I Think As Most Of You To Three Of The Four Names.

My Question Is This -- There Was, It Was Brought To My Attention And This Was Not A

Thundering Herd, But By People Whose Position I Respect That Perhaps We Didn't Leave

This On The Street, So To Speak, Long Enough To Get Other Qualified Applicants' Attention

And Response.  
Did Anybody Else Hear That Same Thing.

Chairman Hall: I Did Also.

Commissioner Mann: Are We Ok Going Like We Are?  
I Wanted To Touch Base On The Issue Before We Start Interviews.  
If Anybody Has Any Thoughts.

Chairman Hall: I Was Concerned We Missed Out On The Florida Bar Publication Advertising.  
I Know We Have Been Trying To Fast Track This But I Share The Same Concern.  
We Only Had 17 Applicants In This Market For This Particular Position.

Commissioner Mann: And Of The 17, 10 Were Immediately Disqualified Technically.

Chairman Hall: Right.

Commissioner Mann: So A Position Of This Significance Got Down To Only Seven Applicants.  
I Mean No Disrespect To The Four We Have Before Us.  
They Are All Competent People.  
I Just Don't Know What Would Have Happened Had We Had The Bar Pressure, The State Bar, That Advertising Didn't Happen.  
I'm, I Don't Know If I'm Suggesting This But One Option Would Be For Us To Re-Advertise, Even Though It Would Certainly Run Us Into A Time When Mr. Owens' Retirement Is Upon Us, But We Have A Very Competent Assistant.  
I Don't Have Any Doubt About The Functioning Of That Office If We Were To Do That.  
I'm Just Asking For Other Thoughts On It.

Chairman Hall: I Agree.  
I Think That This Is A Position That's, You Know, Top Next To The County Manager.  
I Would Have Liked To Have Seen More Advertising Done, Maybe A Little Longer.  
So I Would Like To Keep These Four Candidates Qualified Without Putting Them Back Through The Process, Include Them In Whatever We Do But Go Back Out And See If There Are Other Applicants There And Do Another Wave.

Commissioner Mann: I Agree With You Wholeheartedly And Names We Have Before Us.  
Madam Chairman Let Me Make A Motion And See Where It Goes.  
I Move We Re-Advertise And Make Certain That The Bar Journal Is A Part Of This.  
And Whatever Else Might Commissioner Manning: And Keep The Four.

Commissioner Mann: Keep The Four Here As Qualified To Be Part Of Whatever Recommendation Ultimately Comes To Us.

Chairman Hall: A Motion By Commissioner Mann To Go Back Out And Re-Advertise Keeping The Prequalified Republic Captain We Have.  
Further Discussion? Commissioner Judah: I Don't Like The Way We Are Deviating From The Process.  
They Are To Come To Our Board For A Chance To Interview.

We Have Four Excellent Candidates, Quite Frankly And I'm Not Prepared To Steve Yeah, It From The Process.

Chairman Hall: Commissioner Manning? Commissioner Manning: I Agree To A Certain Extent The Only Way I Would Agree Is Keeping The Four Short Listed In The Game. I Was Concerned About The Bar Advertisement, As Well. That's My Only Concern.

I Don't Want To Do A National Search Per Se But Certainly A Florida Search Would Be Good.

One Of The Applicants I Believe She Was From Indian River At Least On Paper Looked Good To Me.

I Know You Went Through A Series Of Interviews With The Selection Committee So I Wasn't Involved In That But I Can Support The Motion If Those Four People Are Still In.

Chairman Hall: Commissioner Bigelow?

I Think We're Missing -- I Don't Want To Fast-Track This.

I Agree Commissioner Judah, We Have Four Good Folks But Because We Didn't Go Through Our Normal Process We Usually Do On A Position Of This Caliber, I Want To Make Sure That We Gave It Enough Time To Make Sure That We Have A Good Pool To Choose From And We Haven't Missed Anything.

I Was A Little Concerned That The Florida Bar That We Missed The Publication A Date For That.

I'm Going To Support The Motion.

With No Further Discussion All In Favor?

Opposed?

The Motion Carries 3-2.

Commissioner Judah And Commissioner Bigelow Dissenting.

Before We Leave This Item So There Is Clarity.

Chris, If You Could Come Up And Talk To Us About With That Motion Going What Your Recommendation Would Be For Time Frame So We Can Let Our Four Applicants Know.

If You Can Let Us Know Or If You Want To Come Back Next Week And Tell Us, That's Fine Too.

Good Morning. For The Record Christine Brady, Human Resources.

I Do For The Record Want To Put Down That It Was Advertised With The Florida Bar But It Was Only Advertised Electronically Through Their Website And Career Center.

So That Information Was There.

As Far As Electronically And Website As Well As An E-Mail Blast That Went Out To Florida Bar Members Within Our District.

That Information Did Go Out.

In Order For Us To Make A Publication Date For The Florida Bar, Actual Publication That's A Month And A Half Out.

We Would Have To Take A Look At Where We Are In The Process Right Now.

I Would Need To Come Back To This Board To Let You Know What The Publication Time Lines Would Be In Order For Us To Make The Deadline For The Next Publication.

When You Say District, What Does That Mean? An E-Mail Blast Went Out To The Members In The 20th Circuit.

Commissioner Judah: That Was The Extent Of It? I Believe That Was The Extent Of The Blast That Went Out, All Members Of The Florida Bar Within The 20th Judicial District.

Chairman Hall: Why Didn't Do You An E-Mail Blast For The Full State.

We Worked With The Florida Bar Association.  
Because It Was Really An Effort Through Their Website.  
We Don't Have Those E-Mails.  
So That Was An Effort That They Coordinated With Us, That They Did On Our Behalf To Get That Information Out.

Chairman Hall: They Wouldn't Go Further Beyond The 20th Circuit Or Did We Ask?  
That's Just Glade, Hendry, Charlotte, That's Not Very Big.  
Don't Get To Tampa.  
Broward.

Dillon Drake, Human Resources.  
The Question About The E-Mail Blast That Went Out From The Florida Bar.  
About A Week After The Recruitment Had Begun, I Contacted The Lee County Bar Association And They Sent Out An E-Mail On Their Behalf.  
She Got Me In Touch With The Person At The Florida Bar To See What They Could Do As Far As An E-Mail Blast For Us.  
They Offered Up The E-Mail Addresses For Those Attorneys In The Middle District.  
No, I Did Not Ask For The Full State E-Mail List.

Commissioner Mann: Can We Do That?  
That Will Save Some Time Maybe.  
I Would Be Satisfied With That, Madam Chair.

Rather Than Waiting A Month And A Half For The Publication You Are Asking For The Florida Bar To Do An E-Mail Blast Out To The Entire Bar Of The State.

Commissioner Judah: I Don't Think It's Necessary To Lose Another Month And A Half.  
Surely There's Communication Means A Available To Us.

Chairman Hall: Would You Give Us An Update On Tuesday, Christine, As To What The Status Is And That You Have Done That Or It Can Be Done?  
Sure.

Chairman Hall: What Kind Of Time Frame To You Want To Close This? Commissioner Judah: The Sooner The Better.

Chairman Hall: In Their E-Mail They'll Need To Say What The Deadline Is In Responding To Request For Interest.

Commissioner Judah: I Would Say 30 Days Would Be Adequate For Response.  
I Don't Want To Drag It Out Beyond That.

Chairman Hall: So You Want This To Come Back The First Week Of December.

Commissioner Judah: That Would Be Good.

Thank You.

Chairman Hall: Thank You.

Anything Else Commissioner Mann? Commissioner Mann: No Other Than I Wish My Three Colleagues The Best On This Election Day.

I Look Forward To Seeing All Of Us Here In A Couple Weeks.

Commissioner Manning: They're Sweeping Up Acorns Out There.

Chairman Hall: Pete, This Is An E-Mail You Sent To Further Cut Costs About Wiring The Diocese To Hook Up To The Internet, So We Could Access Agendas Versus Hard Copies.

Yes, Commissioners.

We Thought We Would Meet With Each Of To You Go Into Further Detail.

I Know There's A Lot Of Questions About This.

Chairman Hall: I'll Let You Do That.

We'll Set Up Meetings Individually.

Chairman Hall: The Last Item.

This Month's The Florida Symphony Is Setting Up Portraits In My Office, Symphony Principle Musicians And Artwork By Them.

It's On Display To December 3.

I Would Like To Thank Mary Larkin For Sharing The Artistic Talents With Us.

There Are Beautiful Images Obviously Of The Quite Talented Musicians That We Have Playing In Our Local Symphony.

Commissioner Bigelow?

Commissioner Judah.

Commissioner Manning? A Motion By Commissioner Manning, Second By Commissioner Mann. Future Discussion?

It Carries Unanimously.

I Have One, Jerry Toronto To The Construction Board At Large.

Motion. Second. Further Discussion.

All In Favor?

Opposed? Motion Carries Unanimous Ly.

County Manager Items.

Good Morning, Commissioners.

In December In Years Past We Have Had The Last Two Weeks In December Which Would Be Beginning Monday, December 20 And December 27, Which We Usually Cancel The Board Meetings And Any Other Meetings During That Week.

Is That -- Do You Want To Continue To Do That? Commissioner Judah: So Moved.

Commissioner Mann: Motion By Commissioner Judah, Seconded By Commissioner Mann.  
Commissioner Bigelow? Commissioner Bigelow: Could I Hear The Dates Again?  
This Is The First I Heard The Dates.

The Dates Again Are December 20 And December 27th Week.

Chairman Hall: All Meetings Canceled.

Commissioner Bigelow: That's Typically How It's Done?  
This Is Typical?  
Nothing Out Of The Ordinary.  
Ok.  
Thanks.

Chairman Hall: Further Discussion.  
All In Favor?  
Opposed?  
The Motion Carries Unanimously.  
Anything Else?  
County Attorney Items.

Commissioner Bigelow: Before We Move On, You Can Keep Me Off Your List Of Meeting  
Rounds.  
I'm Good To Go.

Commissioner Judah: I'm Good To Go Too, Pete.  
Nothing On The County Attorney.  
Ok Then We Were Adjourned.  
Good Look.  
I Hope You All Vote.  
We'll See You.  
[Proceeding Adjourned At 9:49 A.M.]