

October 5, 2010

Chairwoman Hall: Good Morning.

It Is Tuesday, October 5th.

And We Would Like To Start With An Invocation Bypass For Jim Rosemergy.

We Would Like To Remember Collier County Manager Who Passed Away And We Would Like To Have His Family And Friends In Our Prayers And The Former University Of Tampa Athletic Director And Coach Who Also Recently Passed Away At Age 86.

I Feel Blessed To Have Had An Evening With Sam Not Too Long Ago And We Will Miss Him Greatly.

If We Could Have The Moment Of Silence And Then With The Prayer.

Thank You.

We Will Hold Them In Our Hearts.

Let's Take A Few Moments In The Silence To Remember.

To Remember The Sacredness Of Life.

Our Jewish Friends Have Morning Greeting, It Means A Morning Of Light.

And Let That Be Our Beginning As We Turn Invert In Prayer And Let The Words I Speak Be Those Of Your Own Heart.

The Walls And Floors Of This Chamber Set Forth In The Presence Of God In Which I Live And Move And Have My Being.

This Chamber Is Filled With Light.

And I Breathe It In.

And Breathe It Out As Wise Decisions.

This Chamber Is Filled With The Presence Of Divine Love That Binds All People One To Another.

There's Only One Here.

This Chamber Is Filled With A Divine Order.

Attune To The Laws That Govern The Universe Through The Wise Decisions And Understanding Of Oneness, The Laws That Are Established Here Are For The Highest And Greatest Good Of All.

And So We Remember This Day.

It Is A Morning Of Light And For This Privilege Thank You Dear Friend And So It Is, Amen.

Chairwoman Hall: Amen.

[Pledge Of Allegiance] Chairwoman Hall: Please Be Seated.

We Have Quite A Morning Of Ceremonial Presentations And It's My Privilege And Honor To Have The First Ceremonial Presentation Which Is 4-H Week.

Is Kathy Here? Good Morning, Kathy And Samantha.

The County Counsel President And Lauren Logan, The County Counsel Vice-President.

Certainly Wonderful To See You All Here On More Pleasant Terms, If You Will.

And It's My Privilege And Honor To Read This Resolution To You All.

Whereas 4-H Is A Community Of Young People Across The America Learning Life Skills.

And The 4-H Community Program Exists To Develop Young People Age 5-18 And Served Young People In Our State Since 1909.

And Whereas The 4-H Program Molded Itself To Meet The Needs Of Our Citizens By Focussing On Developing World, Suburban And Urban Youth And Teaches Youth By Utilizing The Research And Knowledge Base By The State's Land Grant, Institution, Institute Of Food And Agricultural Sciences In The University Of Florida.

And Through Learning By Doing Experience Of Young People In The Program Practice Life Skills With The Guidance Of Caring Adult Volunteers, Mentors And Cooperative Faculty And Staff.

And It Provides Lee County Youth The Opportunity To Develop Positive Relationships And Attitudes That Will Assist Them In Their Life.

Now Therefore Being Resolved By The Board Of County Commissioners Of Lee County, Florida, We Proclaim The Week Of October 3rd Through The 9th, 2010 Should Be Known As 4-H Week In Lee County.

Dually Executed And Signed By Me The Chairman Tammy Hall.

Would You Come Forward, Would Would Like A Photograph.

[Applause] Chairwoman Hall: We Would Like A Photograph With The Three Of You And Then All Of The Kids To Come Up And Have A Photograph With Us.

And Then We Would Like You To Say A Few Words.

We Will Start With You Guys And Have You Guys Come Up.

Chairwoman Hall: And Now -- One More Photograph.

Now, If All Of You Kids Would Come Up, We Would Get To You In Size And Row And Take A Big Picture With Everybody.

We Love The Cookies.

Chairwoman Hall: We Would Like To Hear From You.

Thank You For The Cookies And Birthday Song.

This Is Great.

This Is Last Year's Picture.

You See Last Year's Picture? Comm. Judah: Thank You Very Much.

Appreciate It.

Keep Up The Good Work.

Chocolate Chip, All Right.

Chairwoman Hall: Lots Of Cookies.

I Like When They Do The Sugar Cookies.

Good Morning.

My Name Is Sammy And I Am Proud To Be President Of The Counsel.

I Represent 5,000 Lee County Youths That Benefit From Our 4-H Program.

I Attend Executive Board Meetings, I Cast Votes On Behalf Of The Youths I Represent.

4-H Is An Amazing Community Of Young People Across America Learning Leadership, Citizenship And Life Skills To Benefit Them In Their Futures.

I Would Like To Thank You The Commissioners For Funding The 4-H Program In Lee County

For Youth Like Me.

We Appreciate The Funding You Give.

I Am Lauren Logan The Vice-President For Lee County 4-H Counsel.

In Lee County This Year We Have 32 Clubs.

454 Youth Members And Organized Clubs That Meet On A Monthly Basis.

4,330 Youth, That Attend A Camp, Workshop Or Participated In A 4-H Enrichment Program.

342 Trained Volunteers.

200 Adults And 134 Youth Volunteers.

Each Club Participates In One Community Service Project Per Year, But Most Clubs Participate In Three.

In 2009, 12,109 Hours Was Given By Volunteers To Make Lee County A Strong Community.

I Would Like To Thank You For Caring About The Youth In Lee County By Investing In The 4-H Program.

Please Accept These Cookies That You've Already Received For Our Way Of Thanking You For What You Do For 4-H.

Thank You.

Thank You Very Much.

[Applause] Chairwoman Hall: It's A Pleasure To Have You With Us This Morning.

I Guess You Got Out Of School, Too.

Madam Chair, Before They Leave I Want To Thank Them.

They Were Out In Front Of The Courthouse This Morning Under Our Oak Tree And I Spoke To A Couple Leaders And Some Of The Kids And Mentioned That We Will Save Some Of The Acorns And I Am Planting Them To Preserve The 200-Year Heritage Of The Tree And They Are All Excited About Being Part Of That Program.

I Want To Thank For Being Part Of That.

You Will Enjoy That.

Chairwoman Hall: Thank You.

Next We Have Some Students From The Dominican Republican And Commissioner Judah

You Do The Honors To Recognize The Other Youth Here With Us.

Comm. Judah: We Do And Thank You Madam Chair.

What A Great Program For 4-H.

The Other Students Are From The Dominican Republican.

I Will Ask Leonardo Garcia To Bring The Students Forward To Surround You Initially, Leonardo, If You Would.

At The Podium Here.

Good Morning.

And It's Just A Real Treat To Welcome The Students From Dominican Republican.

They Need To Accompany You Leonardo.

Leonardo, This Is Not The First Time And I Just Wanted To Thank You And I Know On Behalf Of The Board Of County Commissioners For That You Have Contributed In Supporting And Promoting Goodwill With Southwest Florida And The Dominican Republican With These Exchange Programs That You Have Help Sponsor.

But Also The Way In Which You've Helped Facilitate Business Opportunities With Business Men And Women From Both The Dominican Republican And Here In Southwest Florida.

You Have For Some Time Been An Inspiration For This Community.

You Were The One Behind The Backpack Give Away For Well Over A Decade Now Serving Over 2,000 Children Before They Go To School Not Only Being Able To Receive Backpacks But School Supplies Within The Backpacks.

You Have Been The One For Years With Your New York School In Santiago Helping Many Students Not Only Learn To Speak English But To Provide The Kind Of Education Environment Where They Are Getting The Appropriate Training And Are Motivated And Inspired To Pursue Careers And Law In The Medical Field And Engineering.

We Have A Lot To Thank You For, But I Know You Being The Humble Person That You Are Recognize The Achievements Of The Students And It Is An Honor To Have Them Here Today In Our Commission Chambers.

These Are Future International Leaders And Indeed Most Are, If Not All, Are College Students Pursuing Their Academic Careers.

I Know That You Try To Immerse The Students That The Culture And I Want To Thank Chris With The Edison Four Winds Estates And She's Providing The Tickets So The Students Will Have The Opportunity To Learn More About Thomas Edison, Henry Ford And To The Other Businesses That Help Provide The Sponsor Opportunity.

And You Have Sponsor Parents Here In The Audience.

They Are Gracious In Taking The Students Into Their Homes For A Week And Taking Care Of Them.

Providing Shelter, Food And Getting Them To The Various Events.

This Is Truly A Community Effort And It's My Privilege To Read The Resolution.

Whereas A Healthy And Productive Society Is Dependent Upon The Vision Of Those Individuals That Step Forward In Leadership.

Whereas The Students Have Proven Their Leadership To Adults In The Dominican Republican, To Contributions In Their Community And Serving As Positive Role Models.

Where The Hispanic Organization Together With The American Alliance To Encourage You To Reach Your Full Leadership Potential.

Whereas The Lee County Board Of County Commissioners Is Proud To Welcome This Group To Florida.

We Hereby Welcome The Group.

I Want To Be An International Leader To Serve Others To Lee County Florida And Encourage All Citizens To Congratulate These Youths For Their Desire To Serve The Entire Community.

I Hope It Will Give You Support And Confidence.

On The 5th Day Of October, 2010, Signed By The Chair Person Of The Board Of County Commissioners, Tammy Hall.

I Would Like To Present This To You.

[Applause] Naturally When They Mention Tammy's Birthday Was Close To This Date, They Want To Sing To Her In Spanish, If You Don't Mind.

Chairwoman Hall: Of Course Not.

\M [Applause] That's A Special Gift From The Dominican Republican To You, Tammy.

Chairwoman Hall: Very Kind Of You.

These Moments Are Very Important And Significant For The Students When They Were Informed That The Commissioners Were Going To Honor Them.

They Were Look Forward To This Opportunity And Especially As We Celebrate The Hispanic Heritage Month And The United States Of America, It's Nice For Elected Officials Like You

To Honor The Leaders Of The Dominican Republican.

Commissioners, We Like To Mention That You Acknowledged The Family That Are Hosting The Students.

Your Family Is Hosting One, Too, And I Want To Thank You For It Being An Elected Official That Host Stew Done Dent -- Students From The Dominican Republican.

The Alliance Are Committed To Make Lee County A Better Place To Live, Work And Study.

We Will Live In This County And Live With U.S. Leaders Of The County And Appreciate All You Do To Keep The Economy And Everything A Good For All Citizens.

I Have A Student That Would Like To Say A Few Words.

Good Morning.

I Am A Student And I Am From The Dominican Republican.

We Are Glad To Be Here With You.

We Want To Thank You For This Recognition And We Want To Say Thank You Because Everything That You Do Here Is Something That We Really Appreciate.

We Want To Share With You Our Experience Yesterday.

We Work In A Low -- Location Feeding The Homeless And It Was An Experience And We Want To Help People For The Rest Of Our Life.

Thank You.

Thank You.

[Applause] We Served Close To 300 People At The Soup Kitchen Yesterday And Tomorrow We Will Help At The Food Bank From 1:00 To 4:00.

Thank You, Have A Wonderful Day.

[Applause] Chairwoman Hall: Next, Commissioner Mann Is Going To Present Ceremony Presentation Recognizing Family History Month.

Commissioner Mann? Comm. Mann: Thank You, Madam Chairman.

Is Carol Here? Come Forward And Bring Your Pals With You.

And Sheldon, Are You In The Back? Why Don't You Come Join Us? Chairwoman Hall: What A Treat.

Comm. Mann: Madam Chairman, More Americans Than Ever Are Discovering The Fun And

Excitement Of The Study Of Genealogy For Their Own Families And Others As Well.

That's What We Are Going To Honor.

All Of The Fun That Is Going On Here And I Want The Children To Come Forward Because Our Own Library System Is Involved To Make It Easier And Fun For The Folks To Enjoy That So We Have A Resolution For You Folks.

Whereas October Is Nationally Recognized As Family History Month And The Study Of Family History Is One Of The Most Popular Add Vocation For People Nationwide And For Lee County And The Fort Myers Lee County Library From Provide Access To The Collection To Import And Research Materials On Family History.

And Whereas The Board Of County Commissioners Has Demonstrated Its Support For The Collection And Preservation Of Genealogical And The Development Of A New Lee County Library, And Whereas The Library Will Hold A Series Of Workshops On Family History The First Four Fridays In October.

And Whereas, The Genealogical Workshop Researching Your War Patriot Ancestor Or Researcher Will Be Held On January 23rd Co--Hosted For The Genealogical Society And The Estero Island Chapter National Society Daughters Of The American Revolution.

And Whereas, The Lee County Genealogy Society Established A High School Award To Encourage Students In Grades 11 And 12 To Become Family Historians To Research Their Own Heritage.

And An Award Of \$500 Will Be Submitted Annually To A Student Whose Submitted Essay Suggests The Best Understanding Of Research And Documentation And Evidence By Accurate Supporting Evidence And Whereas Interest In Our Personal Family History Transcends All Cultural And Gives Us A Sense Of Heritage And Responsibility And Carries Out The Legacy Of Our Ancestors.

The Board Of County Commissioners Makes October 2010 As Family History Month.

Congratulations For All The Great Work You Guys Are Doing.

[Applause] Thank You So Very Much.

Thank You.

We Have A Place For It On Our Wall And It Will Go Up During The Week.

My Name Is Carol And I Am The President Of The Lee County Genealogical So Site.

With Me Is Carolyn Ford.

Carolyn Is Our Education Chair But More Importantly This Month She Is Our Family History Month Coordinator.

She Is The Person That's Been To The Various Lee County Libraries Putting Up Displays And Putting Out Information On Family History Month.

And Sheldon, We Always Like To See You Here.

He Is A Good Supporter Of The Society As Well.

As You've Heard We've Been Busy And It's Only First Few Days Of The Month Of October.

But Family History Month Is Very Important To Us.

Last Year We Heard From Commissioner Bigelow About His Family.

Commissioner Mann, We Know A Little About Your Family Background And For The Others, Wait Until Next Year.

Other Than The Things That We're Doing This Month, For The Lee County Society It Is Our 35th Anniversary This Year.

We Are Pleased To Have Been In This County For 35 Years.

There Are Two Other Societies, The Bonita Springs Genealogy Club And In Lehigh, But Lee County Has Been Leading The Way And We Hope To Continue To Lead The Way.

I'd Like To Leave You With One Last Thought.

This Is Family History Month And Coming Up Are Two Great Family Holidays, Thanksgiving And Christmas.

We Are Trying To Get Our Members To Make A Commitment To Themselves And I Would Like You To Make The Same Commitment.

When You're Gathered With Your Families, Sits Down And Talk To Them.

Show Them Pictures, Tell Them Stories Of Family Members Past And Present And Hopefully One Of The Next Generation Will Carry On.

Thank You For Your Support.

[Applause] Chairwoman Hall: Thank You Very Much.

Next We Have A Ceremonial Presentation By Commissioner Bigelow Recognizing Lee Tran Publix Food Drive.

Thank You, Madam Chair.

I Can't Do A Resolution As Much As Service As Commissioner Mann.

But This Is Equally As Important And I Would Like To Ask Matt Peyton And Joanne, Is

Joanne Here With Lee Tran? Thank You.

This Is To Commemorate Madam Chair The Work Done Throughout The County By Publix Employees, Lee Tran Employees, Other Employees In The County, Various Departments.

And Certainly Thousands And Thousands Of Unnamed Residents In Lee County.

And I Am Going To Explain It And We Will Hear From Representatives Here Today.

Whereas Lee Tran Assisted By Volunteers From Other County Departments In Community Groups Conducted A Successful Food Drive On September 19let, 2010 To Benefit The Harry Chapin Food Bank Of Southwest Florida.

And Whereas Publix Supermarkets Contributed Greatly To The Success Of The Food Drive By Collecting Donations In Advance And Allowing Food Drive Volunteers To Sort The Donations In All 33 Publix Stores On September 19, 2010.

And Whereas The Food Drive Collected 72,237 Pounds Of Food.

72,237 Pounds Of Food And \$3,043.58 In Cash Donations.

And Whereas The Harry Chapin Food Bank Of Southwest Florida Will Distribute The Food To Over 170 Agencies That Feed People In Need In Our Community.

Now Therefore Be It Resolved That The Lee County Board Of County Commissioners Does Here By Extend The Sincere Gratitude To Publix To The Citizens Of The Community To A Lot Of Folks That Did A Lot Of Good Work On That Day.

For Their Involvement In The Spirit Of Giving.

This Has Been Dually Executed This 5th Day, October 2010 Signed By The County Commissioner Chair Woman Tammy Hall.

[Applause] Would You Come Forward? Is Matt Here? That's The Manager.

And Fiddlesticks, By The Way, Led The Pack Because They Donated In Total 5,332 Pounds Of Food.

Wonderful Work, Matt.

Thank You Very Much.

You Got To Shake Our Hands.

Good Morning.

My Name Is Mike Cod, District Manager Publix Super Are Markets.

We Like To Be Involved As Responsible Citizens In The Community.

Any Time We Can Partner With Agencies To Make A Positive Impact In The Community, We Are Eager To Participate.

So I Would Like To Thank Lee Tran With Their Help With That.

Certainly Publix Associates And The Managers You See Here, But Most Importantly The Customers Because Without The Generosity Of Our Customers, This Would Not Be Possible.

So Again, We Thank You And We Are Glad That We Can Make A Positive Impact In Our Community.

[Applause] Chairwoman Hall: I Want To Thank Publix.

All Year Round You Can See The Bags To Support.

I Donated A Bunch Of Doing Food And Other Canned Goods, But All Year Round You Take Into Consideration Those That Do Not Have As Much And We Thank You For Preparing The Bags And Reminding Us How Blessed We Are In This Community And Give Back.

Thank You Very Much Publix And All Of Your Employees.

Now, We Are Going To Go On To The Recap C 13-A Is Being Asked To Defer Until October 19th And Then Administrative 1-A Is Being Asked To Defer.

Plans To Move Forward Is Put On Hold Indefinitely.

I Have A Motion By Commissioner Mann, A Second By Commissioner Manning.

All Those In Favor? The Motion Carries Unanimously.

Then We Have A Walk-On Item.

Next We Will Go To Public Comment.

I Have One Card So Far.

Debbie To Speak On Anything On The Administrative Or Consent Agenda.

Good Morning, Debbie.

Just For The Record My Name Is Debbie Stambro I Work For Dave Russell.

I Want To Bring Attention To 14-E An The Consent Agenda.

One Of The Line Items On The Blue Sheet Lists Two I.T. Members.

It Should Be Three.

We Didn't Catch That When The County Attorney Had Sent It Over For Our Approval.

It Doesn't Affect The Budget Amount At All.

It's Just An -- It's Just A Number Of Positions We Should Have Caught.

We Wanted To Make You Aware Of It And We Apologize We Didn't Catch It Before It Came Over To You.

Chairwoman Hall: Okay.

Comm. Judah: So Moved To Amend The Consent Agenda 14-E.

Chairwoman Hall: I Have A Motion By Commissioner Judah, A Second By Commissioner Manning.

Further Discussion? All Those In Favor? Opposed? The Motion Carries Unanimously.

I Have No Other Blue Cards.

Is There Anyone From The Public That Wishes To Address The Board On Consent Or Administrative Item As Soon As I Will Close Public Comment And I Will Go To The Consent Agenda.

Items To Be Pulled.

Item 8-A.

7-A.

None.

Commissioner Mann? Comm. Mann: 7-B.

Chairwoman Hall: And I Have None.

I Have A Motion By Commissioner Mann, A Second By Commissioner Manning.

Is There Further Discussion? All Those In Favor? Opposed? The Motion Carries.

Commissioner Bigelow, 8 A.

Comm. Bigelow: This Is To Concur With The Selection Of Firms By The Qualification Committee -- [Reading Agenda Item] This Is 8-A? Comm. Bigelow: Yes.

I Didn't Highlight The -- Jim Lavender Director Of Public Works, Wanda Wooten, Natural Resources.

We Have Jim Lavender, Roland, And Uned You Wanda Wooten Who Works For You.

There Were 17 Submittals.

Am I Correct? Roland, Natural Resources For The Record.

Yes, That's Correct.

Comm. Bigelow: There Were 17 Submittals Received.

Previously We've Been Taking All Of The Applicants That Meet The Minimum Qualifications And To Use An Analogy We Open Up Our Stable Door And More Recently We Allowed Any Qualified Horse To Come In Or Anybody To Bring In Their Horse And We Close The Stable Doors With This Action Here.

But In This Case One Was Unqualified Because It Didn't Meet The Minimum Qualifications For The R.F.Q., So One Of The 17 Didn't Make It Was Not Qualified Based Upon Document Criteria, Correct? It Was Basically The Work That We Offered Up And What Their Capabilities Were.

They Were A Utility Contractor.

I Wasn't Sure Why They Submitted For This Work.

It Wasn't Pertinent To The Work We Were Looking For.

Comm. Bigelow: So It's Easy To Say To Anyone, Especially The Under Ground Utilities, You Didn't Meet The Minimum Qualifications That Were Well Documented In The R.F.Q.? Okay.

That Is One Of The Five That Wasn't Allowed To Enter The Stables, If You Will.

And One Others -- Those Did Meet The Qualifications Of The R.F.Q.? Those Were Out-Of-State Firms.

Comm. Bigelow: Did They Meet The Minimum Qualifications? They Did Relatively The Same Type Of Work, Yea.

Some Of Them Were Capable Of Doing The Work.

Comm. Bigelow: So They Met The Minimum Qualifications Which Lagoria Did Not.

The Other Four Firms, Did They Know Before The Selection Committee Convened That Any Of The Out-Of-State, As That's The Reason As You Said, These Other Four Were Rejected, Right? So Is That Right? We Went With Local Firms.

We Don't Even Have Funds For This Work.

It's Only If Emergency Occurs And We Are Only Able To Get Emergency Funds.

Comm. Bigelow: Now, Asplundh, You Say They Are Out Of State.

Do They Not Have Local Offices? That's What They Listed Was Their Address Was Out Of State Or Out Of Town.

Comm. Bigelow: Okay.

Well, Yesterday We Discussed The Local Bit Of Preferences And There's An Ordinance At This Board That Defines What Local Companies Are.

I Would Move To Amend This To Include The Four That We Rejected Unless Somebody Can Provide Me Evidence That They Are Not Meeting These Minimum Qualifications Of The R.F.Q. That Were On The Record For All To See Before The Selection Committee Was Convened.

Chairwoman Hall: I Have A Motion By Commissioner Bigelow That Would Like To Amend The Continuing Contract For Emergency Debris Removal For Water Ways.

Do I Have A Second? I Will Do It So We Can Talk About It.

Chairwoman Hall: Commissioner Mann Seconded It.

Under Discussion, Commissioner Mann? Comm. Mann: They Are All Over Lee County And All Over Florida.

All Over America.

So It's Hard To Treat Them Differently.

I Understand That Point, But Also Understand On This Particular Case As He Said This Is Only For Emergency Cleanup And None -- It's Only One Or Two Of The 12 At Best That Are Ever Going To Be Called Upon To Do This Work.

I Am Not Sure That We Need To -- I Think It's A Valid Point, But I Don't Know That The Others Have The Presence Of Asplundh.

I Think I'm Okay Of Going With The Staff Recommendation That There's So Few Contracts That Will Be Led Here.

Chairwoman Hall: Further Discussion? Commissioner Bigelow? Comm. Bigelow: It's Just Not Fair To These Folks To Say Here's The Minimum Qualifications That You Must Meet To Be Considered.

And When We Convene The Selection Committee, And As I Put It On The Record Many Times Before, I Am Having A Lot Of Heartburn Over The Make-Up Of These Selection Committees When You Have A Public Works Director That Is The Boss Of The Natural Resources Director That Is The Boss Of The Natural Resource Manager, If For Instance The Public Works Director Says We Should Just Reject These Out-Of-State Contractors.

Just Says It In A Committee Meeting.

None Of The Contractors Will Then Be Rejected Had A Chance To Know Whether They Would Be Subject To That Kind Of Criteria.

And Just Set Aside When They Have Met All Of The Qualifications On Record.

It's Unfair And The Undue Influence That I Described Is A Potential.

Let Me State For The Record.

I Am Not Saying I Have Any Evidence Or Knowledge It Is Happening, But If You're Going To Allow Selection Committees To Be Made Up Of The Subordinate Supervisor Relationship, The Potential Is There.

So If Commissioner Mann Is Removing The Second, I Will Still Like To See If I Can Get A Second.

Chairwoman Hall: Mr. Mann, Are You Going To Remove Your Second? Comm. Mann: I Will Not Move For The Motion.

Chairwoman Hall: All Those In Favor Of The Amendment? I? Opposed? It Fails 4-1.

Next, I Will Go On -- Moving 8 A.

I Have A Motion By Commissioner Judah, A Second By Commissioner Manning, Further Discussion? All Those In Favor? Opposed? The Motion Carries.

Are You Supporting That, Commissioner Bigelow? It Carries 4-1 With Commissioner Bigelow Dissenting.

Commissioner Judah, 7-A.

Comm. Judah: I Will Move The Item.

Chairwoman Hall: I Have A Motion By Commissioner Judah, A Second By Commissioner Manning.

Comm. Judah: This Is No Small Donation, \$1200 To The South Lee County Regional Library To Enhance The Inventory And I Would Like To Thank Judy For The \$1200 Contribution.

Thank You.

Chairwoman Hall: Further Discussion? All Those In Favor? I Am Sorry.

You Have A Question Or Comment? Favor? Opposed? The Motion Passes Unanimously.

And Commissioner Mann, 7 B.

Comm. Mann: I Am Assuming In Order To Conform To The State Law That Allows Us To Go

From A Million To Two Million On The Amount That We Don't Have To Bid At, That That Is Permissive Rather Than Mandatory.

Correct.

This Is -- We Wanted -- Comm. Mann: This -- It Doesn't Preclude Us Underneath Doing That Process Formal Process, But It Means Above That Amount We Have To By State Law.

Comm. Mann: Right Now The Limit Is A Million.

This Will Take It To Two And There's Some Other Conditions, I Suppose.

My Concern Is, And It's Something I Had Sermons On In The Past And Maybe Touched On It At The Meeting.

I Am Hesitant To Go To \$2 Million, It Takes The Whole Process.

It's A Little Further Away, It Takes Another Million Dollars Of Authority Away From Us And Confines It Back To Staff And It's -- It's Just That Distance That We're Stretching A Little More From The Tax Payer That Concerns Me In A Very Competitive Time In Our Economics.

And I Am Reluctant To Do That.

I Don't See The Need To Do That.

And Comes To Mind What We Did At The Airport The Other Day Where We Gave The Same Firm An Extension On Their Previous Ten Years Of Service And A Million, Now Which Is Going To Be \$2 Million.

One Firm Gets 15 Years Of Preference On An A Non-Bid Circumstance Here That Will Not Be \$1 Million, But \$2 Million.

It's More Latitude Than I Think We Need In This Day And Time.

I Am Reluctant To Support That.

Chairwoman Hall: Commissioner Mann, We Can Recognize The State Statute But The Policy Can Recognize The State Statute Has Changed But Our Policy Will Not Incorporate That Latitude -- Isn't That What We're Doing, Madam Chair? Chairwoman Hall: No, I Think What We Were Doing Is Making It A Call By Staff.

If We Recognize The Statute But Stated State In The Policy We Will Continue -- Madam Chair -- I Think You Are Confident With The Attorneys, But Once We Pass It The Limit Is At \$2 Million.

Chairwoman Hall: No, We Would Acknowledge It Has Changed But The Policy Will State We Will Not Bid Over \$1 Million.

We Do Not Need To Change The Policy If We Are Going To Keep The Policy.

We Don't Need To Do What We Are Doing Today.

If You're Going To Do This, You Don't Do It And Say Just Kidding.

We're Going To Do Like We Were.

Chairwoman Hall: I Think We're Saying The Same Thing In A Different Way.

I Would Acknowledge The Law Changed, So We Respect The Change So It Didn't Look Like It Was Outdated, But -- Mr. Lavender? Just A Clarification.

Up To \$2 Million, We Would Pick Off Of The Continuing List.

That List Would Still Be Advertised Every Whatever The Term Is, Two Or Three Years, And Everything Would Be Bid By C.M. We Would Pull The C.M. Off The List Rather Than Do A Singular Advertisement For That Job.

Now Over \$2 Million We Would Do A Singular Advertisement For That Job.

That's The Only Thing Changing Here.

Chairwoman Hall: He Doesn't Want You To Pull The C.M. Off The List Above A Million Is What He's Saying.

I Think That Is What I Am Saying.

Chairwoman Hall: Other Comments Before I Go For A Motion? Janet, Did You Have Something To Add? No, I Would Say It Would Still Go Through A Process And Be Pulled From The List.

It Would Be Just Raising It From A Million To Two.

Chairwoman Hall: I Think Everyone Understands.

We've Had A Lot Of Briefings On The Process.

Commissioner Bigelow? Comm. Bigelow: I Would Point Out That Actually This Is Proposing To Increase Five Categories, Not Just The One -- Chairwoman Hall: Yes, We See That.

I Think The Others Mr. Mann Had An Issue With.

I Have A Motion By Commissioner Judah To Move Item.

Do I Have A Second? It Fails For Lack Of A Second.

It Failed For Lack Of A Second.

Chairwoman Hall: I Am Looking For Another Motion.

You Don't Need It.

Chairwoman Hall: I Will Pass The Gavel To The Vice Chair And I Will Pass A Motion.

I Would Like To Move The Item But Not Allow For Us To Go From \$1 Million To \$2 Million, But Go Ahead And Incorporate The Other Changes.

Comm. Judah: We Have A Motion By Commissioner Hall, A Second By Commissioner Manning.

Under Discussion.

Quick Question Attorney's Office.

We Were Reviewing This Procedure To Be Consistent With Present Day Statutes.

Do You See Any Inconsistency With The Motion And What We're Trying To Do With Florida Statutes? For The Record, Gregory Hagen, Assistant County Attorney, If You Drop The \$2 Million Change There Won't Be Any Problem With The State Statutes.

Comm. Judah: Okay.

A Motion To Second? Any Further Discussion? Any Objection? Motion Passes.

Chairwoman Hall: Okay.

That's It On The Consent Agenda.

And The Item On The Administrative Agenda Has Been Deferred.

So We Are Now On To The Walk-Ones.

I Have A Motion By The Commissioner Mann, A Second By Commissioner Manning.

Further Discussion, All Those In Favor? Opposed? Motion Carries.

Everyone? Okay.

Now We Will Go On To Commissioner Items.

Commissioner Bigelow.

Comm. Bigelow: Thank You, Madam Chair.

I Have Three Lawsuits That I Would Like To Know More About.

I've Asked The County Man -- County Attorney I Think Several Times In Writing, Another Time In Person For Briefings And Updates On Putting This On The Table, If You Will Today.

So Maybe I Can Get Some Help With These Lawsuit Briefings That I've Several Times Requested.

That Would Be The Popkey Lawsuit, The \$120,000 Of Federal Money That Was Apparently Spent Or There Was Some Conflict Of Interest.

Could You Say The Name Again? Popkey Is The Last Name, I Believe.

Spell It? P-O-P-K-E-Y, Former Employee Of The Human Services Department.

And Also A Briefing On The Matter On Three Oaks Parkway That Involved Posts And Contractors And Potential Illegal Dumping On The Property That Might Have Included Asbestos.

And Third, Something Commissioner Mann Has Brought Up Before, Is The Summerland Road Project Is Held Up By A Lawsuit That Commissioner Mann Has Asked For More Information On.

I Thought That If That Were To Take Place That The County Attorney Would Have Extended The Offer To The Other Offices.

I Would Like To Know More About That.

Especially The Overpass And Why That Is Being Held Up.

And If This Could Happen In Quick Order, I Would Appreciate It.

That's All.

Chairwoman Hall: Commissioner Judah? Comm. Judah: These Are Requests That Have To Come Back To The Board.

One Has To Do With The Request Of The Regional Counsel, Clean Enjoy-- Energy Legislation To Allow People To Make Improvements For Energy Conservation And To Pay For Those Upgrades With An Assessment On The Tax Roll To Make It Much More Affordable Than Putting Down A One-Month Sum.

Initially When You Have An Energy Saving Equipment Installed In Your Home, It's Being Afforded At This Point In Time And What I Am Going To Ask Is That Our Staff Coordinate With The Regional Planning Council With Regards To The Resolution So That This County Commission Can Likewise Support The Efforts By Sending A Letter To Our Delegations.

It Guaranties Local Government The Right To Assess Local Taxes.

Keep In Mind This Is Voluntary.

Chairwoman Hall: All Right.

I Have A Motion By Commissioner Judah, A Second By Commissioner Mann.

All Those In Favor? Any Discussion? Opposed? Motion Carries.

Comm. Judah: And Madam Chair, While I Do Not Want To Weigh Into The Lawsuit The Southwest Florida Conservancy Of Southwest Florida Has Filed A Lawsuit Petitioning The Southwest Florida Manage The District With The Management Flows And Lake Okeechobee.

If This Could Be Brought Back To This Board So We Have A Week To Digest What Is Being Requested From The Conservancy And Partner With Sanibel With Regard Of Supporting The Conservancy Efforts.

If That Could Be Brought Back To The Board Next Week.

Chairwoman Hall: Sure.

Anything Else? Commissioner Manning? Commissioner Mann? Comm. Mann: Nomination To The County Attorney Search Committee.

Chairwoman Hall: That's Under Appointments.

I Will Handle It Either Way.

Chairwoman Hall: We Will Take It Right Now.

There We Go.

I Will Get To My Stuff Eventually.

But Go Ahead.

There's A Motion By Commissioner Mann.

A Second By Commissioner Manning.

Further Discussion? All Those In Favor? Opposed? Motion Carries.

Well, Again, Thank You All For The Happy Birthday Wishes.

I Want To -- Comm. Judah: 39.

Chairwoman Hall: Yes, I Am Holding.

In A Holding Pattern, But Thank You All Very Much.

Under Committee Appointments? Comm. Bigelow: I Have A Replacement Appointment Of Peggy Grant.

A New Appointment To Replace Cindy.

Chairwoman Hall: Af Motion By Commissioner Bigelow, I Have A Second By Commissioner Mann.

Further Discussion? All Those In Favor? Opposed? Motion Carries Unanimously.

Comm. Judah: The County Selection Committee -- [Reading Appointment] Chairwoman Hall: I Have A Motion By Commissioner Judah, A Second By Commissioner Mann.

All Those In Favor? Motion Carries Unanimously.

Commissioner Manning? Commissioner Mann? [Reading Appointments] Chairwoman Hall: I Have A Motion By Commissioner Mann, A Second By Commissioner Judah.

All Those In Favor? Opposed? Motion Carries Unanimously.

I Want To Thank The Visitor Bureau.

Over 800 Participants Throughout The State Of Florida And Once Again Lee County Is Truly A Shining Star In How We Are Holding Our Tourism And Revenues And I Want To Thank The Whole Team Over At The Visitor Convention Bureau For Making Lee County A Proud Community In The Tourism Industry.

Keep Up The Good Work, Guys.

I Have No Appointments.

County Manager Items? [Inaudible] Just For Information, There's A Barge That Is Currently Aground Off Of The Coast Of Boca Grande.

And It's Near The 7th Street Right Of Way Access.

And We've Been Working With The Contractor To Allow Them To Cross The 7th Street Access.

The Barge Is No Longer Sea Worthy.

It Has To Be Cut Up And Unloaded And Taken Apart Right There Where It Sits.

County Attorney's Office Has Been Working On An Agreement Whereby The Contractor Will Provide A Bond For Replacing And Restoring The Vegetation At The Access.

I Spoke With The Contractors.

President Of The Contracting Company And Verbally He Said It's Probably A Three-Week Duration To Cut The Barge Up, Load It, Haul It.

There Is A Weight Restriction As We Know On The Boca Grande Bridge.

You Can Only Haul So Much Weight Across.

I Wanted To Inform You All That We Are Going To Proceed And I Believe In A Week Or So And They Intend To Be Mobilized On Site And Hauling The Barge Off.

They Have The Coast Guard Permit And Slew Of Emergency Permits Because The Fear Is This Thing Will Break Up And Cause Further Beach Erosion.

We Wanted To Get Them Going On It Quickly.

Scott Has The Details On The Contractor Agreement.

I Think The Contractor Has Been Cooperative.

We Hope Things Will Go Smoothly, But I Believe Parks And Rec Has Staff To Take Photographs As The Work Progresses.

I Wanted You To Be Aware Of It.

Hall Hal Commissioner Judah? Comm. Judah: It Would Be An Idea Of Artificial Reef.

Rather You Transport It On The Water Way And Create An Artificial Reef.

I Will Talk To Steve About It.

I Don't Know If Steve Had The Conversation With The Contractor.

I Don't Know What's On The Barge.

There Are Other Permits, But We Will Take A Look At It.

If There's An Easier Way, I Think This May Be -- Comm. Judah: The Florida Gulf Coast University And The State, That's Perfect.

We Will Look Into It.

Chairwoman Hall: Okay.

[Inaudible] Commissioners, We Had One Other County Manager Item.

We Want To Know That County Lands Is In Weekly Contact With The State Allowing The Key Purchase And They Had No Problem Working Out A Sale With The State.

They Are Working Through The Appraisal Process Now.

And There Were Questions The Mcgees Had Of The State And Will Respond To Them.

We're Keeping In Contact With Them And The Mcgees Did Say They Will Probably Move Forward With The Permits While The Process Is Going On.

Chairwoman Hall: Thank You For The Update, Pete.

Anything Else? No.

Commissioner Bigelow? Comm. Bigelow: Can I Ask The Deputy County Manager, Where Is The County Manager? Chairwoman Hall: She Has A Personal Matter That She Informed My Office Of This Morning.

I Was Not Notified.

Reporter: The County Manager Was At The Governor's Conference Attending That With Myself And Unfortunately For Very -- She Is Not Here Today And Informed My Office That And I Apologize For Not In The Beginning Of The Meeting Announcing That She Was Not Here.

But She Did Let My Office Know She Would Not Be Here.

I Like To Be Kept In The Loop.

Chairwoman Hall: I Understand.

County Attorney? Commissioner Mann? Comm. Mann: Still On This And The Possible State Purchase Of The Portion Of Mcgee's Own, Is There Any Role That Management Sees That The County Might Play As A Partner -- I Mean The State Buys Something And We Run It? Is Anything We Can Do To Help Move That Along, I Would Think We Would Be Supportive Of That And I Want That Feeling To Go If You All Are Staying In Touch With The State.

If There's Some Log Jam That Could Be Freed Up By Some Participation Here.

Chairwoman Hall: I Think It's Appraisals Right Now Money Will Do It.

Chairwoman Hall: Pete, I Think You Know The Sentiment Of The Board If There's A Role For Us To Play As Commissioner Mann Partner With The State, We Want To Be Able To Be Aware Of What That Would Be And Not Die Because We Didn't Participate And Commissioner Mann Thank You For Reminding Staff That.

It Is An Important Acquisition And One That Needs To Be Done.

Commissioner Bigelow, I Did See An Email From The County Manager To All Of The Commissioners Of Why She Was Not Going To Be Here Last Week.

I Didn't Say She Didn't Last Week.

I Didn't See Her Yesterday.

I Didn't Know.

If You Know Then I Would Like To Know.

I Thinkit's Fair.

Chairwoman Hall: I Apologize At The Beginning Of The Meeting For Not In Forming The Rest Of The Board.

I Would Think The County Management Would Let The County Board Know.

Chairwoman Hall: With That We Are Adjourned.

I Am Sorry.

I Have One More Thing.

No, I Don't.

Okay.

Thank You.

We Are Adjourned.