

December 13, 2011

Today Is Tuesday, December 13, 2011.

This Is The Weekly Meeting Of The Board Of County Commissioners.

Our Invocation Is Done By Pass For Ryan Deaton Of The Life Church.

I Would Like To Have A Moment Of Silence For A Very Important Citizen That Passed Away December 10th.

He Was Very Active In Cape Coral Communities And Our Thoughts And Hearts Go Out To His Family.

Moment Of Silence, Please.

God, We Thank You For A Beautiful Day And Opportunity To Serve You.

We Come Before You And Ask For Wisdom To Be Given To Our County Commissioners As They Make Decisions That They Will Be Led By Your Hand.

We Pray Today As You Taught Us To Pray.

Our God In Heaven, Your Kingdom Come, Your Will To Be Done.

And We Pray For Your Will To Be Done.

We Pray That You Comfort The Family Today.

We Thank You And Honor You In Jesus' Name.

Amen.

Amen.

[Pledge Of Allegiance] Chairman Manning: Thank You, Pastor.

Next Item Is Our Recap Sheet.

We Have Two Walk-On Items We Will Get To On Our Agenda.

We Have Seven Public Hearings At 9:30.

I Would Like To Ask Permission To Take Numbers Two And Three Together.

At The End Of Those Public Hearings, The Other Ones Should Go Pretty Quickly.

If There's No Objection, That's Been Discussed With Both Sides Of The Issue.

Okay, We Have Public Comments On A Consent And Administrative Agenda.

I Have One Card On Item 8b.

Pete? Good Morning, Commissioners.

On Behalf Of The Autobahn Society.

We Have An Item About Our Water Ways.

We Will Seek To Move Forward With The Caloosahatchee.

The River Is Slowly Becoming More Saline.

The Grasses Are Under Risk.

The Fishery Is Under Risk.

We Need Support To Seek A Preservation For Water For The Caloosahatchee.

The Easy One Is A Federal Requirement In Order To Get Matching Funds To Get Water For New Projects For The Environment.

We Need To Seek Allocation Of New Water.

Water That We Put In Storage, Or Water Created For State And Local Projects And Make That Part Of The Allocation To The Caloosahatchee For Its Health And Welfare.

I Would Hope That You Would Step Forward And Support This Action And Get The Rule Making Process To Make It Happen.

Thank You Very Much.

Chairman Manning: I Have No Other Cards.

Is There Anyone Else That Has Filled Out A Card That Wishes To Speak On The Consent Or Administrative Agenda? Seeing None, I Will Go Back To The Board.

Items To Be Pulled? Commissioner Hall? None.

Commissioner Mann? No.

Commissioner Judah? Yes, 3a.

Commissioner Bigelow? Yes.

Motion To Approve The Balance? Objection? 14a.

Let Me Move The Item.

Motion To Move The Item.

I Want To Shout Out For Bill Hammond That Is Not Here Today And Also John, A Former Parks And Recreation Director And Consultant That Had Been Working Directly With The Boston Red Sox And Jim Lavender And Our Current Team Because It's Been A Smooth Transition With Those Gentlemen.

I Am Very Appreciative That At The Time The Naming Rights Of The Stadium Rights With The Red Sox Was A Deal Killer If The Red Sox Couldn't Have That Opportunity For The Revenue From The Naming Rights, But During The Discussions The Red Sox True To Their Word Said They Would Work Something Out.

They Relayed That To Assist The County In Our Efforts To Get Some Revenue To Assist In The Upkeep And Maintenance Of The New Jetblue Park.

And I Am Appreciative That The Red Sox Did Indeed Work Things Out With Jetblue To Where Lee County Would Be The Recipient Of \$150,000 A Year For Eight Years To Assist With The Management Maintenance Of Jetblue Park.

To Thank Our Administrative Team Past And Present And The Wonderful Working Relationship With The Boston Red Sox And Also Jetblue.

Thank You.

Chairman Manning: Further Discussion? Objection? Motion Carries.

Commissioner Bigelow, 3a.

Comm. Bigelow: I Would Like To Back Up And Give A Shoutout That I Thought

Commissioner Judah Might Do.

We Are Grateful To The Red Sox And Jetblue But I Want To Point Out That We Are Grateful For Library Donations -- Comm. Judah: Thank You.

Comm. Bigelow: A Total Of \$24,251.

Daniel For Lakes Regional Library, \$10 From Barbara And \$10 From Joan And Michael.

\$1,128 From The Friends Of The South County Regional Library And \$24,231 From Century Link And Level Three Communications.

All Private Donations Going To Our Library System.

So A Big Shoutout And Thank You.

And Then To My Three Items.

Mr. Chairman, In The Spirit Of Brevity.

I Plan To Vote Against These Unless -- 7a, 7f, I Won't Be Moving.

But We Could Discuss.

Comm. Hall: This Is The Issue Of \$145,000 That Is Being Paid Under The Contract Of 10-12.

Were They Part Of The Selected Team That Came Under The Engineering Contract Architectural Engineering? No They Contract With The County And Do The Material Testing -- Comm. Hall: So They Were Not One Of The Listed On The Contract? No.

I Will Move The Item.

Motion To Move 3a By Commissioner Hall? Second By Commissioner Judah.

Discussion? Objection? 7a? 7a And 7f I Will Not Move.

7a Moved By Commissioner Judah? Is There A Second? Second By Commissioner Hall? Discussion? Objection? Motion Carries.

7f? Move The Item.

Motion By Commissioner Judah, Second By Commissioner Hall.

Discussion? Objection, Show The Record 4-1 In Favor.

The Next Item Is The Administrative Agenda.

And We Will Go Right Into That.

Comm. Judah: Move The Administrative Item.

1a.

Motion To Approve 1a By Commissioner Judah.

Is There A Second? Comm. Hall: I Will Second.

Chairman Manning: The Motion Carries.

Item 5a.

Comm. Hall: Do We Have 1b? Karen, Are You Going To -- Sorry, Mr. Chairman.

Comm. Judah: Easy To Overlook.

Good Morning, For The Record.

Jeff Melke With The Lee County Sports Authority.

We've Been Around Individually And Discussed It.

You've Received The Sports Group Proposal On December 5th.

You Also Received A Memo From County Manager On December 8th Discussing All Of The Options That Staff Would Suggest To You, So Really We Are Here To Answer Questions.

Chairman Manning: Questions By The Board? Chairman Mann: Do You Want To Comment On What I Heard This Morning, Some \$10,000 To Keep The Discussion Going Another 60 Days Here? What's The Nature Of That? Comm. Hall: I Could Maybe Comment Because I Asked Them For That.

Chairman Mann: I Want Somebody To Talk About It.

I Don't Know Anything About It.

I Just Heard About It And I Don't Know Whether It's Binding Or Legally Sufficient Or What Does It Do To The Atmosphere? Comm. Hall: Mr. Chairman, If I May.

Yesterday Each Of Us Had Meetings With Paul Anton Or Phone Conferences And With My Conversation With Him Last Week That Is The Financial Coordinator, He Had Given Me The Name Of A Gentleman That He Was Working With That Would Eventually Become A Partner With Nscc.

And So They Coordinated A Conference Call.

I Shared That I Was Not Comfortable Where The Lease Agreement Was And The Way The Financing Was And In Our Dialogue Going Back And Forth And In The Room I Asked That Karen Hauss, Greg Join Any On That Conference Call.

Because It Is A New Entity And They Asked For More Time, I Said Well It's Not Good Any More And I Suggest You Give Us A Non-Refundable Deposit To Continue Because We Are Losing Revenues.

That Is As A Result Of The Request From Me.

So It's Not Binding In Any Way Other Than They Are Saying -- Again For Me, I Was Just Sharing I Was Not Comfortable With The Lease And I Would Need More Than Something Than Just Their Word.

Comm. Judah: I Appreciate The Discussion Took Place.

Was There Any Indication As To How Much? Comm. Hall: Yes, They Sent -- Comm. Judah: I Know They Indicated \$10,000.

Is That The Amount You Talked About? Comm. Hall: No, I Said Give Me Something So I Know You're Serious And We Won't End Up With Nothing.

They-- I Said I Want Something That Shows You're Serious And The Only Way To Do That Is Putting Money On The Table At This Point And Delay, Delay, And Their Response Was \$10,000.

Comm. Judah: And I Appreciate With The Edge Group Being Involved Now And Having A New Entity To Try To Negotiate And Discuss The Fb Shall-- Financial Aspects Of This Proposal, The Merit Of Providing More Time But To Provide So This Non-Refundable Deposit Be Provided.

But I Had A Few Questions.

Could I Ask Either Of Jim Or Jeff.

If You Could Stay With Jim, Some Of These Questions May Be Directed To You, Too.

I Just Wanted To Go Over Something In The Isaac Sports Group Report.

I Would Like To Stay On The \$10,000 Item For Just A Second.

Could I Get A Response From County Attorney Here On The Nature -- What Your Understanding Is Of That \$10,000 Sort Of A Mini-Contract That Becomes Part Of Our Negotiations Here In What's The Nature Of It? Have You Seen Anything In Writing? I Want To Know What We Are Obligated To If We Accept That Goodwill Gesture.

Good Morning.

I Have Not Seen The Offer Yet, But From The Discussions Yesterday I Understood It Was \$10,000 Is Essentially An Option To Keep The Discussions Going.

That It Would Be Non-Refundable.

Commissioner, Maybe I Could Help.

We Did Receive An Email At 9:19 A.M.All Of The Board Was Copied.

County Attorney's Office And County Administration.

It Reads Commissioner Hall Pursuant To Our Conference Call Of December 12th, We Will Police A Non-Refundable Deposit Of \$10,000 As Earnest Money For 60 Day Grace Period To Finalize And Execute The Lease For The City Of Palms Park.

Upon The Signing Of The Lease The Monies Should Be Credited To The First Lease Payment.

There's Also An Attachment That Was Questioned Yesterday And This Shows Page 44.

It Was -- There's Reference To An Exhibit Attached For The Lease That I Don't Believe We Had Before, But Not Positive.

And That Shows There Are Two Swimming Pools On It.

Let Me See If I Can Pull That Up.

Sorry.

That's Getting Into The Details.

I Am Still Trying To Understand.

It's -- What You Just Read, If I May Continue In My Question Here Was What Would Happen If We Executed An Agreement? And The \$10,000 Would Be Applied To The Big Agreement.

It Was Absent On -- If Negotiations Don't Go Anywhere, Does The \$10,000 Remain With The County? This Is Just Their Effort To -- Rather Than Getting The Gate Slammed On Them To Continue The Discussion 60 Days? The Discussion Yesterday Was About A Non-Refundable Deposit Of Some Kind.

Now, If You Were To Accept This Offer I Would Recommend That The \$10,000 Be Credited Against The Escrow Account That Further Discussion We Would Have To Have Since There's Been Some Backing Away Rather Than Credited To The Rent.

But We -- Okay, Wherever This Conversation Goes It Will Have To End Up Including Some Understanding Or Direction How We Deal With The \$10,000.

Thank You.

Of Course.

Jim, If I Could Trouble You For A Second.

Jim, Just A Couple Of Points I Want To Clarify.

There's Some Differing Interpretation Of How This Proposal Has Changed Its Focus.

At Least On The Surface Going From A Strictly Aquatic Center To Entertainment Complex And I Think There's Some Comment About The Two-Thirds Of The Events Would Actually Be Sports -- Excuse Me, Entertainment Events Versus Aquatic.

And It's My Understanding That Actually Two-Thirds Of The Events Would Still Be Aquatic, But Two-Thirds Of The Revenue Would Come From The Entertainment Event The.

If That's Not Correct, I Need A Clarification.

Their Projection -- The Talk Is How Many Physical Events And Will They Generate? My Calculation Is 60/40, Whatever.

Isaac Is Looking At That.

I Think It's If You Want A Mixed-Use Entertainment Center Or Whatever.

I Don't Know If It's Material In My Judgment If It's 60/40 Or Whatever It Is.

The Isaac Report Goes On To Say In Their Conversations With People Operating In The Local Market, Those That Would Use The Facility As It Relates To Swimming, Which Is Why They Evaluate The Swimming Proposal.

What They Discovered Did Not Square In The Amount Of Revenues Or Rental Rates Or What Have You By A Difference Of 40% Or 45% Of What Was Projected.

It Becomes A Mute Point.

What Will The Revenues Be And How Will It Break Down? It's An Important Point Because My Focus Has Been For An Aquatic Center.

I Understood We Could Entertain The Hybrid Version Of An Entertainment Complex But The Priority Ought To Be For Swimming.

And Two-Thirds Of The Events Would Be Swimming, But Two-Thirds Of The Revenue Would Come From Entertainment.

If I Could Stop You There And I Will Go On.

The Reason This Has Evolved To What It Is, I Think Everybody Is Of Agreement That Revenues Attendant To Swimming Will Not Support The Proposition Financially.

So They Had To Add To The Revenue Stream And They Believe The Way To Do That Is Througher Tanment Offerings At The Facility.

I Appreciate.

That's An Important Point.

On The Budget Analysis.

The National Swim Center Forecast Was \$3.4 Million In Expenses And The Isaac Was \$3.1 Million. It's Close, But What's Really Startling Is Looking At The Income Year Three On The Next Page.

16 To 17.

Where It Looks Like The Swim Center Has Come Up With A Proposal Of Revenue Coming In At \$7.8 Million And As You Indicated Being The Previous Comments It's Substantially Less.

According To Isaac It's \$4.3 Million.

Based On Their Research, Yes.

And I Don't Doubt Isaac's Research Because They've Indicated They Felt The National Swim Center Revenue Projections Were High.

But It's Interesting When You Look At The Year Three Expense Summary Of Even If You Use The Isaac Of \$3.1 Million, And The Income Actually -- Again, The Isaac Figures Of 4.3, It's An Operating Surplus Of 1.1.

Using The Isaac Figures.

Not The National Swim Center.

I Think It's Compelling That It Looks Like From A Business Standpoint It Has Legs.

Having Said That, Though.

I Am Concerned The Way In Which The Contract Is Structured, It's My Understanding That The Pool That Is Are Proposed Are In The Addendum Or Appendix Of The Contract And I Think We Would Feel More Comfortable That The Number Of Pools That Are Proposed To Be Built, Four To Five Pools Being The Body Of The Contract, Not An Appendix Or Addendum.

If The Board Is Inclined To Give Another 30-60 Days That It Is Understood It Has To Be In The Body Of The Contract So We Know We Are Getting An Aquatic Center.

We Are Not Clear -- I Am Not Clear Personally As To Exactly What The Facility Looks Like Now.

How Many Pools, How Many Diving Wells, Shape, Size, Depth, What Have You.

The -- Comm. Judah: Thank You, Jim.

If I Could Ask Jeff For A Second.

I Appreciate Your Indulgence, Mr. Chairman.

The Comparisons I Just Gave With Year Three.

Year Three Net Operating Surplus Of \$1.1 Million.

Is That The Aquatic And Entertainment Events? Yes, That's Their Estimated Business Plan With Entertainment Mixed In.

In Another Part Of The Report, It Does State -- I Think It Was In The Executive Summary That If The County So Chose To Operate The Facility Perhaps If These Folks Went Out Of Business Or Something And We Ran It Strictly As An Aquatic Center, We Could Expect To Run It At A \$550,000 Deficit By Year Three.

What Is It? \$834,000, I Think It Is? Comm. Judah: Without Them, What Would It Be In Terms Of Upkeep And Management Of The City Of Palms? I Think It's Around \$900,000 To A Million? Last Year As A Baseball -- Operating Spring Training Facility, I Believe The Number Was \$900,000, But With The Drop Of Maintenance Level We Estimate With Parks And Recreation That It Will Be About A \$700,000 -- Jeff, Let Me Ask You.

I Don't Mind Continuing This Another 30 To 60 Days, But I Want To Make Sure That We Are Not Impairing Your Ability To Provide Event Days, Baseball Or Whatever, At The City Of Palms For The Next 60 Days.

Are We Undermining Ourselves? The Biggest Hurdle Was To Get Through The Spring Break Event.

We Wanted To Make Sure As Our Parks And Rec Staff Were Programming That Event We Would Have Ample Field Space For It.

Knowing We Will Get Through March I Think It's Obvious.

We As A Sports Authority Continue To Program And Solicit As Many Baseball Tournaments As We Can Get And Then It Becomes Our Team Effort To Decide Where The Baseball Tournaments Happen.

Whether It's At City Of Palms Park.

Cherry Park.

At The New Jetblue Facility.

We've Given A Commitment To The City To Continue To Program That Facility At A Maximum Level.

So Until We Are Told Otherwise, That's What We Are Going To Do.

30 To 60 Days Wouldn't Be An Impairment To Delivering On Those Events? No.

One Last Point.

I Really Thought We Had Everything Arranged When Last Time We Talked About This The National Swim Center Was Going To Put The \$20 Million In Escrow.

Now It Appears There's Another Entity How They Want To Restructure Their Financial Commitment.

I Would Have Preferred The \$20 Million In Escrow, But I Am Not At The Point Of Disregarding What Is Being Proposed With The Edge Group.

However, Having Said That, If The Board Is Inclined To End It Now, So Be It.

I Want To Point Out Even With The Consultant Report There's A Net Operating Surplus After Three Years.

But If The Board Is Wanting To End This Now I Understand, Because I Certainly Have No Understanding Of What The Edge Group Can Bring To This Proposal And If The Board Is Not Inclined To Pursue It Even With The Non-Refundable, We Will See Where It Goes.

There Are No Other Options Out There For The Next 60 Days And No Impairment To Current Operations.

Chairman Manning: These Discussions With The Nfcc Began Before I Came Back On This Board.

I've Spent A Lot Of Time In The Private Sector And This Has Been A Frustrating Path.

I Am Not Going To Support This Process.

I See Memos With 17 Differences Of -- Between The Contract And What Has Been Stated.

I Am Extremely Worried That If There Is A Default We Spend \$830,000 In The First Year For Maintenance Costs That We Have Not Budgeted.

And By The Third Year That Goes To About \$550,000 That Is Not In Our Budget Anywhere With Any Kind Of Revenue Stream.

I Appreciate The Local Input On This.

I Also Appreciate The Various Swim Clubs Weighing In On This To The Extent That They Could.

I'm Going To Vote Against Moving Forward On This Item If There Is A Motion To Do So.

Chairman Mann: Well, Mr. Chairman, Let Me Weigh In And Mostly Think Out Loud Here Because When I Came In Here I Didn't Have Any Idea Which Direction I Was Going As Far As To Continue Negotiations Or Not.

All I Know Is I Came In Here With An Awful Lot Of Still Unanswered Questions And I Know How Frustrated Our Staff Has Become In Trying To Deal With This Issue.

The Bottom Line Here Is Money And How It Works And Comes Together.

I Have Been Troubled By The Fact That -- And I Asked Representatives Of The Swim Center A Month Or So Back My Concern About A 501 C3 Corporations That We Are Dealing With And How Do You Deal With A Charity Corporation, A Not-For-Profit Corporation? How Do You Invest Upwards Of \$20 Million Into It To A Non-Profit Corporation, How Do You Get Your Money Out? That Was A Gaping Hole In This Whole Discussion.

There Wasn't An Answer And For This To Work Financially, For The People That Are Going To Put The Money Up, There Has To Be Another Answer.

I Received An Unguarded Response.

No, There Is Going To Be A For Profit Corporation That Will Contract With The Not-For-Profit Corporation But The Not-For-Profit Will Run The Facility And Get The Meets And That Sort Of Thing.

Okay.

It Starts To Sound Good But I Took Accounting 101.

That's As Far As I Got.

You Passed? Chairman Mann: I Just Said I Took It.

I Don't Know, Counselor, Have You Had Any Discussions About Another Corporation? Do You Know How The Money Would Follow? Let Me Try To Answer That.

We Had A Phone Call Which Commissioner Hall Alluded To.

There Is A New Structure.

According To Them, Nscc-Lee Will Be The Corporation That Contracts With Lee County.

It Will Be 50/50 Owned By Nscc, The Texas Corporation.

Which Are The People That Have Been Involved In This Over Time.

And A New Corporation To Be Formed By Mr. Anton Who Is The Principal Of Edge And Two Other People.

That Entity Is Not Yet Formed.

But The Proposal Is The New Entity To Be Formed By The Peep Until The Discussion.

They Were The Money In The Deal.

Is That A For Profit Corporation? We Assume It Is For Profit.

We Have Not Seen Otherwise.

Will It Be A Corporation That Will Be The Vehicle For -- I Am Subject To Correction, But We -- The Question Surrounding The Finances Yesterday Was They Are No Longer Willing To Put Up An Escrow.

What They Propose To Do Is Do Their Due Diligence And I Believe You Saw The Memo Characterizing The Discussions I Had, Upon Completion Of Due Diligence, Permits, Obtaining A Bond And What Have You -- Excuse Me.

Was The Corporation Going To Be Capitalized And Know They Would Be Able To Go Forward And Pay For The Building? As I Understand It, The Commitment Of The New Partner Was To Arrange The Financing Which Has Not Yet Arranged And This Would Not Be Done Until They Have The Information On Cost Structure And What Have You.

Well, Let Me Just -- Thank You, Jim.

I Just Learned That We Are Trying To Count The Pools.

That's Been A Moving Target As So Much Of This Will Be A Moving Target.

I Was Told There Will Be Two Olympic-Size Pool, A Therapy Pool And A Diving Pool.

An Elevated Floor Utilized For The Other Activities Of Entertainment.

For Whatever That Means.

The Whole Concept Here Is To Take What Cost To Build And Operate And Pay A Mortgage On -- A \$30 Million Asset.

It's About To Go Dark With Limited Use And Cost Us Upwards Of A Million Dollars A Year To Run.

Try To Find Somebody That Would Come In And Take It Over, Operate It However They Could And Relieve Us Of Any Financial Obligation.

That's Why It Looked Interesting.

But What Has Frustrated Everybody, Myself Included, Is It's A Moving Target.

And How It's Going To Come Together Continues To Change.

The Financing Has Never Been Clearly Identified.

At The Very Least We Now Through An Outside Expert Consulting Group Are Told The Profitability Is Questionable.

Last Thing We Want Is A Finished Facility That Operates Three Or Four Years And The Folks That Put It Together Cannot Make A Go At It And They Give It Back To Us And We Got Something Far More Complex Than We Have Today And We Who Have Had No Experience In The Swimming Pool Business Or The Entertainment Business Will Probably Lose Far More Than The Million Or So We Are Losing Today.

And We Have To Be Absolutely Certain That The Three To Four-Year Collapse Is Not Going To Happen.

I Am Not Yet Convinced Of That.

The Problem Is -- You Didn't Like The Fact They Were Expanding From Swimming To The Other Activities.

I Felt Some Comfort In That Because I Never Believed The Swimming Pool Operation Could Be Profitable Any Way By Itself.

So When I Spoke To Mr. Anton Who Was The Entertainment Guy, I Felt Some Confidence Maybe They Are Thinking Of Something That May In Fact Work.

But There Are So Many Loose Strings That I Am Far From Confident.

My Frustration Is How Do I Make It Go Away? It Keeps Coming Back.

And Even If We Say We Are Not Going To Negotiate, There Will Be Knocks On Your Door And We Will Hear From These Folks.

But If They Are Going To Come Back And We Will Vote To Not Negotiate, I Want To

When They Sneak Back And Knock On My Door, Hear What I Said Today.

You Got A Moving Target.

You Got To Get Things Held Still Long Enough To See What In The World It Is You're Offering.

I Would Like To See Something Happen With That Facility Rather Than It Go Empty And We Bring A Bunch Of Non-Profit Activities In There.

We Will Do Something With It, But It Will Cost Us Money To Keep It That Way.

I'd Rather See Some Activity With People Coming In Buying, Filling Up Restaurants Or Filling Up The Hotels.

Healthy Activity.

Swimming.

What Is More Healthy Than That? I Still Had Hopes, But So Far There Are So Many Loose Strings, As I've Said.

And As I Said Mr. Chairman, I'm Just Thinking Out Loud.

I Would Like To See Something Happen, But We Are A Long Ways Of Being Convinced This Is A Good Thing For The County.

I Don't Care About The \$10,000.

I Think We Will Still Be Hearing From These People.

\$10,000 Or No \$10,000.

I Don't Want To Punish Our Staff Any Further.

They Are About To Commit Suicide With All Of The Efforts They've Done And All Of The Rule Changes That Keep Occurring As These Negotiations Continue.

I Am Willing Probably To Take Some -- I Mean Giving Them 15 Days And Say I Want A Final Offer From You Guys, Bottom Line, And This Is The Only Way You Can Do It.

Otherwise All Bets Are Off.

Something Like That, I Would Probably Be Amenable.

But Another 60 Days? Another 30 Days? Comm. Hall: You Know, The Last Time We Extended For 90 Days We Thought We Would Be Done.

So I Am Not Willing To Go Another 15 Days Because It's Barring Us From Entering Into Other Negotiations With Other People That Would Like To Look At Stadium.

We Have Not Been Able To Entertain Any Negotiations.

The Concern Is The Longer We Wait, It Bars Us From Having Serious Conversations With Anyone.

But I Did Receive At 9:28 A Letter From Mr. Robert Roskind Who Is The Financial Partner Of Mr. Anton.

Per Our Conference Call Allow This Letter To Memorialize Our Position.

[Reading Letter] I Wanted To Trap Down All Of The Threads Because They Keep Coming To Us.

What It Boils Down To Is This Group Hasn't Met With Any Of The Other Facilities In The Area.

When I Spoke With Them One-On-One And Said What Are Your Projections On The Entertainment Side, They Haven't Talked To Barbara, Craig Bush, Rose -- I Met With Rose To Talk To Her About The Impacts And Run This By Her And Her Comment To Me Was, Why Don't They Take Over Harbor Side If They Want An Entertainment Center.

I Share The Same Frustrations That Commissioner Mann Has.

We Want To See Something Beneficial And The People Paying For The Stadium.

We Want To See Something From An Economic Driver That Create The Business And The Opportunity To Thrive Because Taxpayer Dollars Of The County Continue To Pay For It.

I Am Not Comfortable With The Exclusivity.

If They Want To Pursue It And Get Their Act Together And Come To Us With The Completed Package, I Am Happy To Look At It.

I Am Not Comfortable Any More At This Point And Jim Moore And Greg On The Phone Conference, It Was Like Going Around In Circles.

And The Emails That I Get, How Do You Think This Has Changed? We Haven't Changed Our Position.

We Haven't Changed Our Plan.

Well, That's Not True.

And I Am Frustrated With The Inability Of This Team To See The Reality Of The -- We Say It Clearly.

This Is What We Want From You And The Accusations That We Are Not Following Up.

We Are Not Clear With What We Want.

Their Own Financial Person On The Conference Call Because Mr. Anton Was On That Call Said This Is What We Need To Be Able To Put A Financial Package Together.

And Jim Moore's Answer Is, Isn't That Funny? That's What We Have Been Asking For.

So You Know What We Need.

So At This Point I Am Going To Agree With Commissioner Manning.

I Want To Stop Where We Are.

If They Choose To Continue To Get Together And Be Able To Pull It Back Together And Come Out With A Complete Package, I Would Be Open To Considering It At That Time.

Chairman Mann: May I Ask Her A Question? Sure.

Would You Be Amenable Of Closing The Present And Going Back On The Street To Allow Anyone Else To Make Proposals To Us That Would Open It Back To The Swim Center To Come Back As Well.

But We Need To Close These Negotiations As I Understand It In Order To Allow Other Folks To Make Offers.

If Someone Comes To Us With A Proposal, We Can Consider It, Can We Not? Since You Have A Letter Of Interest As Opposed To A Formal Proposal, You Could Take An Unsolicited Proposal.

But The Cleaner Way Is To Close The Negotiations So There's No Question And Go

Forward With Reopening It For Other Interested Parties To Do So.

Chairman Manning: And Term Net The L.O.I.? Correct.

Comm. Hall: I Guess, Mr. Chairman, Putting Back Another R.P., Brings In A Whole Set Of A Lot Of Things.

We Could Revamp The Old One And Say It Goes Back Out Again And Start A Whole Another Process Where Letters Of Interest -- I Guess I Would Be More Interested In Letters Of Interest Than Short Listing Because -- I Don't Know.

The Staff Has Gone Through So Much Pain, But You're Right.

We Need To -- We Have One Letter Of Interest Already With These Negotiations, But We Should Go Back Outs For Anyone In The World To Submit A Letter Of Interest.

Chairman Mann: All I'm Doing Is Searching For A Motion Here That Would Accomplish Something.

And I Think The Motion Needs To Include Closing The Present Negotiations And Letter Of Interest.

The First Time We Went On The Street, We Were Only Out There A Couple Of Weeks.

And It Did Not Give The World That We Might Be Dealing With Much Opportunity.

So I'm Suggesting That We Do Officially Go Back Out On The Street.

Close This Present Negotiations, Go Back On The Streets And Asking For Proposals Of What People Could Do With The Facility.

Comm. Hall: Proposals Or Letters Of Interest? Chairman Manning: I'm Going To Take Two Separate Motions.

The First Is Appropriate As One Motion To Cease Negotiations And Terminate L.O.I. And The Second Is What Is Said.

Motion? Under Discussion.

Commissioner Hall, Under Curiosity With The Discussions Yesterday, What Was The Purpose Of Suggesting The Non-Refundable Deposit? The Fact That They Want Us To Give Them Another 60-90 Days.

I Said I Don't Know What Difference That Will Make Because We Continue To Give You This Time And I Said If You Are Really That Serious, Then Put Money Up Where We Are Losing Revenue Because We Are Not Able To Go Out A Year And Book.

We Could Go Short-Term Bookings, But We Can't Go Out And Guarantee That We Could Have Xyz There For A Baseball Standpoint.

Thank You.

Can I Just Say That I Support The Motion, But I Want It To Be Clear.

And In Some Respects On Behalf Of The Citizens Of Lee County I Am Flattered The National Swim Center Would Want To Partner With Us.

Unfortunately It Takes Two To Tango And After Watching County Management Dance And Dance With Them, I Am Not Interested In Dancing Any Longer.

And Would Think That If We Do Then Discuss Letters Of Interests Or Whatever It Might Be, It Will Open The Door For Them To Come Back.

We Might Want To Keep In Mind That The Advertisement Or Letters Of Interest Might Want To Be Specific As To What It Is We Are Looking To Do With The Facility If It's Not Swimming Or If It Is Swimming, That The Proposals Have To Be More Clear, Defined And Credibility That Comes In The Form Most Often In Form Of Capital Laid On The Line.

So We Get It Up Front, Not Later.

Chairman Manning: Further Discussion On The Motion? Objection? Motion Carries.

Comm. Hall: If I May, I Think What I Would Like To Do Is Let Staff Come Back To Us With How They Would Like To Move Forward With The Stadium, Whether It's An L.O.I., R.S.P. I Think It Would Give Them A Chance To Move Forward And We Are Not Giving Them Direction That Is Not Giving Them The Broadest Opportunity To Sit And Discuss.

We Instruct Staff To Bring Back The Next Round Of How We Want To Position Opportunities For The Stadium To Be Occupied -- Chairman Manning: Maybe Bring It Back On A Future M And P? We Know The Facility Is There.

We Would Not Have Three Quarter Of A Million Or A Million, Its Will Cost Us A Bunch Of Money For It To Sit There If We Use It For The Games And Things Jeff Has Done A Good Job To Get In There.

We Need Some Long-Term Plan There And I Think We Ought To Be Close -- It

Shouldn't Take Another Letter Of Interest Or Full Blown Request For Proposals.

I Think It Should Come Back Pretty Soon? We Don't Meet Until -- January Some Time? I Want To Open That Window Broader Than It Was Opened Originally And See What Is Out There.

We Don't Think There's Anybody In The Baseball Business Interested.

Let's Open The Window Wide.

We Are Dangling A Thing.

We Are Giving You A \$30 Million Facility.

Show Us How You Come In And Take Advantage.

Let The Record Reflect That We Moved To A Future M & P.

That Would Be Helpful.

It Doesn't Matter If We Take A Half Hour During A Board Meeting Or M & P.

Motion Carries.

Thank You.

Number 5a.

Administrative Agenda.

Motion To Approve 5a.

Second By Commissioner Judah.

Discussion? Chairman Mann: Yea.

Help Me Here.

A Couple Of Weeks Ago I Was Saying Until We Completely Review The 2020 Program And Do All Things We Talked About Doing In Terms Of A Review I Was Uncomfortable Moving Forward With Any Of The Purchases, Recommendations That Have Moved Up And This Is One Of Them I Pretty Well Indicated Of A Group I Was Uncomfortable Of Pursuing.

For The Record, Karen Mcguire, County Lands.

Commissioner Mann.

You Did State Clearly That You Were Not Moving Forward On Any What's Called The B-List Properties.

However, The Majority Of The Board Voted To Go Forward.

I Want To Clarify That.

And Perhaps A Follow-Up One As Well? We Have Two More Coming.

These Are Small, Yes.

Mr. Chairman -- Yep? Could I Ask That We Reverse The Order Here? Commissioner Judah That Is Involved With Crew For Decades? Motion By Commissioner Judah, Second By Commissioner Bigelow.

Discussion? Objection? Motion Carries.

4 To 1, Commissioner Mann Dissenting.

Chairman Manning: Next Item, 5b.

Motion By Commissioner Judah, Second By Commissioner Bigelow.

Discussion? Motion Carries.

Thank You.

We Have Several Public Hearings.

And Our County Attorney Asked We Take Up Items 1, 4, 5, 6 And 7 Because He Assured Me They Would Be Very Quick.

Good Morning.

Assistant County Attorney.

Public Hearing Item 1 Is To Approve Resolution Electing The Use Of Uniform Method Of Selecting Nonhad Been Ad Valorem Special Assessments.

I Find It Legally Sufficient As To Form And Content To Conduct This Public Hearing And Enter It Into The Record.

Item Number 1.

Do You Need To Put Anything Additionally On The Record? Motion To Approve By Commissioner Judah, Is There A Second? Then I Will Go To Public Hearing.

Comm. Bigelow: I Will Second It.

I Do Have A Question.

So We Have Cherry Estates Msbu, But Do We Have The Cart Before The Horse? I Understand Where You Are Coming From, But This Is To Have It Available To Use The Non-Ad Valorem Method.

Okay.

Is There Any Public That Wishes To Speak On Public Hearing Item Number 1? Seeing None, There Is A Motion And A Second.

Further Discussion On The Motion? Objection? Motion Carries.

Item Number 4.

Motion To Approve This Item By Commissioner Judah.

Is There A Second? Second By Commissioner Mann.

Is There Any Public In The Audience That Wishes To Speak On This Public Hearing Item? Seeing None, We Will Go Back To The Board.

Item 5? Motion To Move -- Second By Commissioner Hall.

Greg? Gregory Hagen, I Have The Affidavit Of Publication.

I Reviewed It.

It Was Run Twice In The Newspress And Ms. Grady Is Here If You Have Any Questions.

Chairman Manning: Is There A Motion? Comm. Judah: So Moved.

Chairman Manning: Moved By Commissioner Judah, Second By Commissioner Hall.

Is There Public To Speak On This Issue? Beverly, Do You Have Anything To Put On The Record? Back To The Board? Further Discussion? Objection? Motion Carries.

Item 6.

Motion By Commissioner Judah, Second By Commissioner Hall.

Yes, Sir.

John, Assistant County Attorney.

The Only Thing I Need To Do Is Put An Affidavit Publication On Record.

It Is Legally Sufficient To Proceed And Have Your Hearing.

Chairman Manning: Any Questions By The Board? Seeing None, We Will Go To The Public.

Is There Any Public That Wishes To Speak On This Item? Seeing None.

We Will Go Back To The Board.

Further Discussion? Objection? Motion Carries.

Motion And Second.

John? This Is With Respect To Public Hearing Item 7 This Morning.

I Have Examined The Affidavit.

It Is Legally Efficient And Indicating This Was A Series Of Ordinances That Were Adopted In That Manner, They Need To Retire Or Appeal In That Manner.

Any Questions? Out Of Curiosity, Do We Have A Name For The Minority Affairs Board That Will Remain? They Will Both Remain.

They Will Still Be The Black Affairs Advisory Board And The Hispanic Affairs Advisory Board.

This Public Hearing Is To Repeal Two Ordinances.

Both Operating Under -- Administrative Code, Both Will Have An Administrative Code.

And Multicultural Has Been -- Okay.

There's More Than Black And Hispanic Minorities In Lee County.

I Am Wondering -- Well, We Can Talk About This.

Okay.

Thank You.

Further Questions By The Board? Seeing None, We Will Go To The Public. Is There Any Public To Be Heard On This Item? Seeing None.

Motion, There Is A Second, Discussion? Objection.

Motion Carries.

And We Will Go To Items Two And Three.

Scott? Good Morning.

Assistant County Attorney.

We Are Here For Public Item Hearing Number 2.

To Consider And Approve A Resolution Creating Cherry Estates Parkway Road 57bd Item Number 3 To Conduct A Public Hearing And Adopt An Ordinance Creating The Cherry Estates Special Improvement Operations And Maintenance.

At This Point Staff Will Follow.

Chairman Manning: Questions By The Board? Denise, Just To Say That Since You Received The Documentation We Received Three Additional Petitions.

One Was For The C.I.P., Bringing It Up To 192 Petitions Which Is 62%.

And Two, For The Onm That Is Also 62%.

Questions By The Board? So Far I Have Two Cards.

Christina And Joe Butler That Is Wearing The Flag For A Tie.

Good Morning, Commissioners.

My Name Is Christina.

I Had The Pleasure Of Working With The Cherry Estates For Four Years.

This Is A Project For Them.

They Have Been Working On Establishing This For Over 10 Years.

In The Last Four Years They've Spent \$60,000 To Our Law Firm Because When Presented The Original Informal Petition There Was A Dispute With The Developer Over Ownership Right Notice The Roadway.

And The County Asked Us To Go To Court And Get A Declaration With Regard To Who Owned The Road.

We Went To Court And February 17s, 2011, The Roadway Was Dead Indicated To The Public -- Dedicated To The Public And Cherry Estates Had No Rights To The Road Than Any Other Residents.

If You Look At The Roads, They Are In A Terrible State In Need Of Repair.

If I May Turn And Ask Everybody To Stand, We Are 74 Strong Here To Ask For Your Support In Connection With These Two Msbu Projects.

This Community Is Comprised Of Retirees.

They Are On Fixed Incomes And For This Group To Stand Upwards Of \$100,000 And \$67,000 In The Last Four Years Of Their Own Money Out Of Their Own Pocket For This Msbu, It Should Be Evident How Important This Project Is For This Community.

Comm. Judah: Out Of Courtesy You Could Let Them Sit Down.

I Thought They Were Enjoying Standing For Me, Actually.

It Would Improve The Community And Allow Cherry Estates That Has Additional Property To Enhance Their Projects That Are Under Construction.

On Behalf Of My Client I Encourage You To Vote In Favor.

Thank You.

Thank You.

Joe Butler? Good Morning Commissioners.

You Have The Booklet We Handed Out.

I Want To Address One Page On It, That's Page 8.

That's A Court Judgment Dated February 16th, 2011.

I Think It Clearly States Our Case And The People That You Saw Stand States Our Case.

That We Actually Need This.

It's Not Just For Us, It's For The Developer And Future Of Cherry Estates And For The County.

We Appreciate Any Help You Could Give Us.

Thank You Very Much.

Thank You, Joe.

Last Card I Have Is For Rick.

Although I Am An Attorney I Am Not Here For Counsel For Cherry Estates.

Rather I Am A Part Owner.

In That Capacity Obviously I Represent Cherry Estates Inc. But The Future Resident That Is Will Buy 105 Lots From Us Hopefully In The Future.

So Our Primary Concern In This Process Is That It's Fair To Everybody.

And That Means In Terms Of Allocation, Burden And Other Identify Hes.

We Admit The Roads Are In Need Of Repair.

A Couple Of Years Ago We Spent \$100,000 To Shore Up One Of The Bridges.

We Attempted To Collect The Funds From The Residents And Were Unsuccessful In Doing So.

So Therefore There Wasn't A Fund Available To Perform The Necessary Road Work.

And When We Took An Aggressive Approach To Do That And Advance Funds, We Were Not Able To Get The Residents To Participate.

Although Some Did.

Some Did Actually Pay Their Share Of The \$100,000 Assessment.

However, Having Said That, It's Clear That The Existing Regime, If You Will, To

Obtain A Fund To Improve The Road Is Not Working.

Therefore, We Understand That The Mstbu Is Going To Be Passed And We Are Not In Opposition Of It.

Getting Back To The First Statement I Said, Our Main Concern Is That It Is Fair.

And I Am Not Sure Unfortunately, We're Watching Tv, I Don't Know What's Been Said So Far Because We Had To Walk Across The Street, But At One Point In Time This Project Stopped At Island Eight.

And If You Have The Schematics It Stopped Between Island Seven And Island Eight.

The Rational For It Stopping At That Point Is That One Point We Considered Constructing A Gate At That Point.

And Because An Mstbu Cannot Be Established For A Gated Property That's Where The Stopping Point Was.

Well, In Light Of The Recent Decision Of The Court -- Let Me Back Up A Little Bit.

In The Development Order That Granted The Ability To Construct The Gate, It's Clearly Stated On The Road Private.

So The County And The Developer Were Both Operating Under The Assumption That It Was A Private Road And A Gate Could Be Constructed.

Now As A Result Of The Recent Decision It Doesn't Appear That Will Be The Case.

And Even If We Wanted To It's Questionable If We Could Construct The Gate.

But Moving Further, We Are Willing To Withdrawal Any Gate Construction Concept At That Location.

We Want It To Go All The Way To The Cherry Park Entry To Island Nine.

And I Had Discussions And It Appears Everybody Is On Board And I Don't Know How It Could Be Otherwise, Because If You Are Assessing For An Access Road You Can't, In My View, You Can't Assess For Only A Portion Of The Access Road.

Getting Back To The First Statement About Fairness.

We Understand There's Two Districts Being Formed.

One Is For The Capital Improvement Project.

And We Will Be Responsible For Our Proportionate Share Of That.

In Addition There's A Separate Mstbu For Operation And Maintenance.

And Apparently That Mstbu Will Be Charged With The Responsibility Of Maintaining Not Only Cherry Parkway But All Of The Various Side Streets.

Obviously We Do Not Have An Interest In The Side Streets So We Just Want To Be On Record That We Hope To Work With The Advisory Board And Everybody Involved By Virtue Of Being Guaranteed A Place On The Advisory Board To Enable Us To Ensure That The O & M Expenses Reflect Cherry Parkway Expenses And No Other Expenses.

Another Item Is The Residents And Developer Have A Common Interest And I Don't Believe We Need To Build A Rolls Royce To Fix A Chevy.

And I'm Sure There's County Roads, County Bridges, Things Of That Nature That Are Not Up To Current Specs If You Had To Build It Today.

You Do The Best You Can.

You Maintain It, Shore It Up.

Do What Is Required, But It's Not Common For The Bridge To Be Torn Down And Started Anew.

That's Something I Would Like To Be Considered.

This Is Not The Budgetary Process, But It's An Explanation.

I Think It's In The Best Interest Of Everybody In This Room That We Try To Ensure That We Are Getting The Most Bang For Our Buck And Doing The Work Necessary.

Thanks For Letting Me Speak.

Hopefully This Will Turn A New Chapter With Our Residents.

We Have A Commonalty Of Interest Of Getting The Roads Done And Done Properly.

Is There Anyone That Wishes To Speak On This Item? Seeing None, We Will Go Back To The Board.

Questions By The Board? Chairman Mann: I Have A Question.

The Gentleman Made Reference To The Advisory Board.

How Will That Work? Yes, In The Ordinance That Creates The O & M We Have Seven Places.

Before It Was Indicated That They Would Like A Seat We Would Have One Representative From Each And One At Large So There Is Room For A Position -- Chairman Mann: I Think In Fairness And I Appreciate The Attitude Expressed By The Gentleman This Morning And In Fairness I Think He Or His Family Should Have Some Representation.

Chairman Manning: We Have Those Issues -- We Don't Have A Problem With That.

Fine, Thank You.

Chairman Manning: Questions? Comm. Bigelow: I Have A Question -- You Are Saying There's Seven Members And One Is At Large? Right.

There's Going To Be Seven Members On The Advisory Committee For The O & M.

There's No Committee For The C.I.P. The Thought Is There Would Be One Representative For Each Of The Six Streets, I Am Referring To Those As The Front And One At Large That Would Allow A Representative For The Developer.

Comm. Bigelow: But These Are All District One Appointments? Yes, That's Correct.

Thank You.

Comm. Judah: Denise, Could You Elaborate About What Was Discussed Regarding Cherry Parkway And The Local Roads? On The C.I.P. Project, There's Not One Property That Funds The C.I.P. Each Person Will Be Assessed Equally.

The O & M, Because The Developer's Properties Is Not Going To Benefit As Much As The Front Part Of The Property, We Have Reduced Greatly The Amount Of The Assessment.

So For Example, If An E.A.U. Is \$100, The Front Part Will Pay \$100 But The Developer Will Pay \$25 Or Less.

It's 25% Or Less.

We Do Not Feel The Developer Should Be Responsible For The Maintenance Of The Side Streets.

That's The Justification.

And With Regard To The Capital Improvements -- We Can't Bring It Up To County Standards Because The Easements Are Not Wide Enough.

Which Is One Of The Main Reasons We Are Creating The O & M. So Once The Road Is Brought Up To A Safe Standard Then There Is A Mechanism In Place For The Residents To Maintain This.

But It Will Not Be County-Owned.

It Will Not Be County-Maintained.

The Property Owners Are Responsible For All Of The Costs Of The Maintenance Of That Road For Here And Evermore.

Chairman Manning: Further Questions By The Board? Motion To Approve Public Hearing Item Number 2 By Commissioner Hall.

Second By Commissioner Judah.

Further Discussion? Comm. Judah: Mr. Chair, Let Me Thank Mr. Butler And All Of The Residents Today.

Thank Goodness We Have The Vehicle To Provide For An Assessment Methodology.

I Want To Applaud All Of The Residents For Showing The Responsibility.

It's Too Bad It Came To This Point, But As You Look At The Photographs Of The Dilapidated Roads Something Had To Be Done And I Applaud The Residents For Stepping Up.

Chairman Manning: Further Discussion By Board? Chairman Mann: I Want To Acknowledge -- My Understanding Of The Pain And Anguish You Guys Have Been Through For A Long Period Of Time.

And I Just Want To Say Merry Christmas.

I Hope This Is A Christmas Present That Will Finally Make A Joyful Christmas For All.

Chairman Manning: Further Discussion? Motion Carries.

Item Number 3.

Motion, Second, Discussion? Objection? Motion Carries.

Thank You Very Much.

Let's Take A Two-Minute Break And Let Them File Out Quietly.

We Will Go Back To Our Agenda.

We Have Two Walk-On Items.

Motion By Commissioner Hall To Approve Walk-On Item Number One.

Second By Commissioner Mann.

Discussion? Objection? Motion Carries.

Walk-On Item Number Two.

Motion To Approve By Commissioner Mann.

Second By Commissioner Hall.

Discussion? Objection? Motion Carries.

Commissioner Items.

Commissioner Hall? No, I Have Nothing.

Other Than I Want To Say Merry Christmas, Happy Holidays To Everyone.

I Will Look Forward To Seeing You After The First Of The Year And I Hope You Have Time To Share With Your Families, Rejuvenate.

2012 Will Be Busy And Thank You For An Incredible Year Of Service This Year.

Thank You.

Like The Tv Show The Other Day.

Ditto.

What Tv Show? What She Says Goes For Me, Too.

Commissioner Judah? Comm. Judah: What I Want To Just Suggest Is That This Board Give Me The Opportunity -- I Am Going -- Comm. Hall: Second.

I Will Request The South Water Florida Management District Adopt The Resolution So We Can Have A Reservation To Back Up Our Estuaries And The Time Is Now With The Acres Acquired By The South Florida Water Management District That Will Eliminate Agriculture Of Those Lands To Be Used For Storm Water Treatment Or Storage.

So That Water Would Be Available That Would Have Been Used.

The Lake Okeechobee Service Area With The Renewal Of The Permits That They Reduce The Amount Of Water To Be Permitted For The Agg Use.

There's A Range Of Options And We Are Asking The District To Consider Is How To Provide To Protect The River And Back Ways.

Motion By Commissioner Judah, Second By Commissioner Hall.

Discussion? Whoever Offered That Did Good Work.

I Like The Resolution.

It Was Well Done.

Chairman Manning: Further Discussion On The Motion? Objection? Motion Carries? Commissioner Bigelow? Comm. Bigelow: This Is My Charlie Brown Tie And It Will Play Oh Christmas Tree But I Don't Know If That's Politically Correct.

Commissioner Hall? Comm. Hall: I Have A Reappointment.

[Reading Reappointments] Motion? Second, Discussion? Objection? Motion Carries.

Commissioner Mann? Chairman Mann: None.

Commissioner Judah? Comm. Judah: I Do.

I Need Commissioner Bigelow To Start And I Will Follow Up.

Motion, Second, Discussion, Objection, Motion Carries.

I Would Like To Appoint Dana.

Motion Carries.

Comm. Bigelow: I Have Several More.

[Reading Appointments] Multiple Motions? Is There A Second? Multiple Motions By

Commissioner Mann.

Discussion? Objection? Motion Carries.

County Manager Items.

Yes, There Is One.

I Will Ask Mary To Come Up And Talk About -- The Budget Issue.

Good Morning.

A Couple Of Months Ago You Have Asked Us To Keep You Apprised Of Our Customer Service Level And Budget Because We Were Closing The Lobby On Fridays And Reduced The Building Inspector Hours Working Closely With The Building Industry.

We've Been Monitoring That.

We've Seen The Budget Stabilize.

A Slight Increase In Activity.

We Plan To Open The Permit Lobby On Fridays Starting In January.

We Will Continue To Monitor Our Service Levels, But We Have Worked With The Building Industry.

We Met With Them Last Thursday And After Working With Them For Several Months They Agreed Unanimously Voted To Support The Motion.

I Wanted To Catch You Earlier, But The Meeting Was Just On Thursday.

What I'm Worried That The Customer Service Level Will Suffer If We Don't Do That Soon Because Our Busy Season Starts In January.

So That Is The Plan To Bring Everybody Back To The 40-Hour Workweek Start Anything January.

But We Would Continue To Monitor The Level Closely Because If Things Don't Turn Out As We Expect Them We Would Have To Make Adjustments.

We Will Continue To Monitor And Work With The Building Industry And We May Have To Address It In Budget.

Questions By The Board? Chairman Mann: I Presume The Fee Revenues Are

Increasing To The Point That These Reestablished Positions Will Pay For Themselves? Yea, We Already Have The 40-Hour Workweek In The Budget.

So There Won't Be Any Impact To The Budget.

The Budget Has Stabilized.

We Were Losing Money And We Actually Are At The Break-Even Point.

So We Expect To Be At The Break Even Point And We Would Like To Be A Little More Than That.

Comm. Judah: Do You Want An Endorsement Or Is This Just Informational?
Chairman Manning: Karen, Anything Else? County Attorney Items? We Are Adjourned Until 5:00.