

NOVEMBER 29, 2011

The [Regular Meeting](#) of the [Board of Lee County Commissioners](#) was held on this date with the following Commissioners present:

John Manning, Chairman
A. Brian Bigelow, Vice-Chairman
Ray Judah
Tammara Hall
Frank B. Mann

The Chairman called the meeting to order at 9:32 a.m. The Invocation was given by Pastor A. J. Neugebauer, of the Beautiful Savior Lutheran Church, followed by the Pledge of Allegiance.

PRESENTATIONS

Commissioner Judah read and presented a Ceremonial Resolution recognizing Dr. Thomas Powell, Contract Veterinarian for Lee County Domestic Animal Services, for his dedication to the citizens of Lee County and his dedication to the citizens of Lee County and for his contributions in reducing the pet population in Lee County. Dr. Powell accepted the recognition and expressed gratitude to the Board for the recognition and additionally for approval of funding for a new facility. ([#20110981-Ceremonial Presentation](#))

ANNOUNCEMENTS

Referring to the [Agenda Recap Sheet dated November 29, 2011](#), the Chairman announced that Ceremonial Presentation No. 2 had been deferred to a later date.

9:30 A.M. AGENDA ITEM – Public Comment on Agenda Items Consent (C) and Administrative (A)

The Chairman called for public input and the following speaker came forward:

C14B - [Jack Meeker](#)

The following are the Consent Agenda items that each Board member wished to have discussed:

Commissioner Hall – 14B
Commissioner Mann- 5A
Commissioner Judah- None
Commissioner Bigelow - 3A
Commissioner Manning – None

CONSENT AGENDA

1. COUNTY ADMINISTRATION

A) ACTION REQUESTED/PURPOSE:

Request Board of County Commissioners authorize the approval of [Draw Certificates and Draw Requests](#) that will allow up to \$577,117 in draws against the Fifth Third Bank Short Term Line of Credit for improvements in the Airport Woods MSBU and approve budget amendments. ([#20110957-COUNTY ADMINISTRATION](#))

FUNDING SOURCE:

Fifth Third Bank Short Term Line of Credit.

WHAT ACTION ACCOMPLISHES:

Provides short term debt financing for MSBU projects that can be later funded by a long term debt financing program for MSBU Projects.

MANAGEMENT RECOMMENDATION:

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.
[RESOLUTION NO.11-11-27](#)

2. COMMUNITY DEVELOPMENT

- A) ACTION REQUESTED/PURPOSE:**
Initiate a proposed amendment to the County's comprehensive plan to evaluate establishment of an overlay zone, or other planning technique, for development in the County's Research and Enterprise Diamond area.
[\(#20110934-COMMUNITY DEVELOPMENT\)](#)
- FUNDING SOURCE:**
N/A.
- WHAT ACTION ACCOMPLISHES:**
Implements Research and Enterprise Diamond concept in comprehensive plan without waiting for the Evaluation and Appraisal Report based comprehensive plan amendments.
- MANAGEMENT RECOMMENDATION:**
Approve.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

3. CONSTRUCTION AND DESIGN

- A) ACTION REQUESTED/PURPOSE:**
A) Procurement Management is requesting Board authority – under Project No. N-120062 – to team with Construction and Design to negotiate with the following vendors but not limited to: Office Furniture and Design Concepts and Hussey Seating Co. for the purchase of furniture for the Red Sox Jet Blue Park.
B) Approve a not to exceed amount of \$200,000.
[\(#20110960-CONSTRUCTION AND DESIGN\)](#)
- FUNDING SOURCE:**
Funding Source is: Fund – Tourist Development Tax Revenue Bonds Series 2010B; Program – Capital Project; Project – Red Sox Stadium.
- WHAT ACTION ACCOMPLISHES:**
Allows for the purchase of furniture at the most competitive pricing available.
- MANAGEMENT RECOMMENDATION:**
Approve.

PULLED FOR DISCUSSION

Procurement Management Purchasing Manager Bob Franceschini responded to a question from Commissioner Bigelow regarding the competitive bidding and method for selection of vendors for stadium furnishings. Commissioner Bigelow moved for approval, seconded by Commissioner Judah, called and carried.

4. COUNTY COMMISSIONERS

No requests received.

5. COUNTY LANDS

- A) ACTION REQUESTED/PURPOSE:**
A) Authorize the Division of County Lands to make a binding offer to property owner in the amount of \$42,800 for acquisition of a 16,707 sq. ft. parcel and a 13,437 sq. ft. drainage easement located at 1970 Ortiz Avenue/identified as Parcels 156 and 156-DE, Ortiz Avenue Widening Project No. 4072;
B) Authorize the Chair on behalf of the Board to execute the Purchase Agreement;
C) Authorize the payment of necessary costs and fees to close;
D) Authorize County Lands Staff to execute and accept all documentation necessary to complete this transaction. [\(#20110956-COUNTY LANDS\)](#)
- FUNDING SOURCE:**
Fund: Road Impact Fee – Central District; Program: Capital Project; Project: Ortiz Ave – MLK Blvd to Luckett Rd.
- WHAT ACTION ACCOMPLISHES:**
Authorizes binding offer to property owner.
- MANAGEMENT RECOMMENDATION:** Approve.

PULLED FOR DISCUSSION

In response to a question from Commissioner Mann, County Lands Director Karen Maguire explained that a condemnation proceeding commences after no response from the property owner. Commissioner Mann moved approval, seconded by Commissioner Judah, called and carried.

6. HUMAN SERVICES

A) ACTION REQUESTED/PURPOSE:

1. Accept State of Florida Department of Children and Families Challenge Grant as awarded and authorize board of County Commissioners to execute [grant agreement](#) with State of Florida Department of Children and Families in the amount of \$63,397, [sub-recipient agreements](#) and necessary future amendments once completed.
2. Authorize Department of Human Services Director to sign [required grant reports](#).
3. Approve budget resolution for State of Florida FY 2012 Challenge Grants in the amount of \$63,397 for the County fiscal year 2011-2012 ([#20110914-HUMAN SERVICES](#))

FUNDING SOURCE:

State of Florida, Department of Children and Families.

WHAT ACTION ACCOMPLISHES:

Allows the Department to accept a contract from the State of Florida, proceed with program activities, execute and manage sub-recipient contracts, and prepare monthly reports.

MANAGEMENT RECOMMENDATION:

Staff recommends approval.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

[RESOLUTION NO. 11-11-28](#)

7. INDEPENDENT

A) ACTION REQUESTED/PURPOSE:

Approve the Lee County Library System Annual Plan of Service for FY 2011/2012; and, Authorize submittal of the approved Plan of Service to the Florida Department of State, Division of Library and Information Services to complete the Lee County application for the State Aid to Libraries Grant Program.

[\(#20110940-LIBRARY\)](#)

FUNDING SOURCE:

No Lee County Funding required.

WHAT ACTION ACCOMPLISHES:

Completes the Board approved application for the State Aid to Libraries Grant Program and makes Lee County eligible for an estimated \$590,000 in grant funds for FY 2011/2012.

MANAGEMENT RECOMMENDATION:

Approval.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

B) ACTION REQUESTED/PURPOSE:

A) Award B-11-31 AIRPORT WOODS SANITARY SEWER IMPROVEMENTS, subject to approval of Blue Sheet No. 20110957 (Item C.1.A. of this agenda) which establishes a funding source, to the lowest responsive, responsible bidder meeting all bid requirements, [Christo, Inc.](#), (a local Contractor), for the not to exceed amount of \$488,150.00, with a project completion time of 180 calendar days.

B) Authorize Chair to execute contract on behalf of the Board upon receipt.

[\(#20110967-PUBLIC RESOURCES\)](#)

FUNDING SOURCE:

The recently approved Fifth Third Bank Line of Credit will pay 80% of the costs and the MSBU Contribution Fund from the County will pay for 20%. Property owners will be assessed the 80% upon completion of the improvements and those who finance their portion will use the new Term Loan Assessment Program. Repayment will be made with their assessment placed on the property tax bill.

WHAT ACTION ACCOMPLISHES:

Provides a contractor to install sewer and pumping system/line and connect to the City of

Fort Myers main on Treeline Avenue.
MANAGEMENT RECOMMENDATION: Approve.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

8. NATURAL RESOURCES/SOLID WASTE

No requests received.

9. PARKS AND RECREATION

A) ACTION REQUESTED/PURPOSE:

Approve the [Third Amendment to the Memorandum of Understanding \(MOU\)](#) between the Lee County Board of County Commissioners and the University of Florida for funding and payments related to services provided to the County through the Florida Cooperative Extension Service, a division of the Institute of Food and Agriculture Sciences, University of Florida. This amendment is to extend the existing MOU through June 30, 2012. ([#20110946-PARKS AND RECREATION](#))

FUNDING SOURCE:

Fund - General; Program - Extension Services; Project – MOU.

WHAT ACTION ACCOMPLISHES:

Allows for the extension of the existing MOU through June 30, 2012.

MANAGEMENT RECOMMENDATION:

Approve.

Commissioner Hall moved approval, seconded by Commissioner Hall, called and carried.

10. PUBLIC SAFETY

No requests received.

11. PUBLIC WORKS ADMINISTRATION

No requests received.

12. TRANSPORTATION

No requests received.

13. UTILITIES

A) ACTION REQUESTED/PURPOSE:

Developer Contributed Asset - Village Shoppes at HealthPark (BS 20110943/20450, THO/SDG): Approve final acceptance, by Resolution and recording of [one \(1\) utility easement](#), as a donation of a water distribution system, two 4" diameter fire lines, and three 6" diameter fire lines to provide potable water service and fire protection to 'VILLAGE SHOPPES AT HEALTHPARK', an existing commercial development. This is a Developer contributed asset project located on the northeast corner of Summerlin and Bass Roads. ([#20110943-UTILITIES](#))

FUNDING SOURCE:

No funds required.

WHAT ACTION ACCOMPLISHES:

Conveys ownership of the water system to Lee County Utilities provides adequate utility infrastructure to continue the supply of adequate water service to the existing Shopping Center and complies with the Lee County Utilities Design Manual.

MANAGEMENT RECOMMENDATION:

Approval.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

[RESOLUTION NO. 11-11-29](#)

B) ACTION REQUESTED/PURPOSE:

Developer Contributed Asset -Shoppes at Del Prado (BS 20110945/20452, MMM/SDG): Approve construction of a water distribution system serving 'SHOPPES AT DEL PRADO', to provide potable water service and fire protection to this proposed commercial development. This is a Developer contributed asset project located at the southeast corner of US 41 North and Del Prado Boulevard North.

[\(#20110945-UTILITIES\)](#)

FUNDING SOURCE:

No funds required.

WHAT ACTION ACCOMPLISHES:

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Design Manual.

MANAGEMENT RECOMMENDATION:

Approval.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

C) ACTION REQUESTED/PURPOSE:

GPIWA Rates (BS 20110962/20469, CBA/SDG): Accept petition from Greater Pine Island Water Association, Inc. (GPIWA) to increase the water system rate structure & capital charge per unit and authorize staff to advertise and schedule a public hearing for December 13, 2011 at 9:30 a.m. to adopt a resolution approving rate adjustments up to 5% (up from 3%) per calendar year for the next 5 years (2012-2016.) GPIWA will evaluate rate levels each budget year to account for changes in the plan.

[\(#20110962-UTILITIES\)](#)

FUNDING SOURCE:

No funds required.

WHAT ACTION ACCOMPLISHES:

A public hearing is required for the purpose of adopting a resolution to increase franchise water system rates, capital charges per new unit and service charges. Advertising and conducting a public hearing will allow consideration of increasing water system rates and charges by providing necessary revenue as recommended in the October 10, 2011 Water Rate Study performed by PRMG, Inc.

MANAGEMENT RECOMMENDATION:

Approval.

Commissioner Hall moved approval, seconded by Commissioner Hall, called and carried.

14. COUNTY ATTORNEY

A) ACTION REQUESTED/PURPOSE:

Approve settlement in remaining tax overbid cases consolidated in Excess Proceeds Services, LLC v. Lee County, Case No. 09CA-771. [\(#20110895-COUNTY ATTORNEY\)](#)

FUNDING SOURCE:

General Fund - Non-Departmental.

WHAT ACTION ACCOMPLISHES:

Settles all claims of disputed application for overbid funds resulting from delinquent tax sales of real property.

MANAGEMENT RECOMMENDATION:

Approve.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

B) ACTION REQUESTED/PURPOSE:

Adopt a Resolution extending the commencement, phase, build out and expiration dates for [the Brooks of Bonita Springs DRI](#) by four years. [\(#20110947-COUNTY ATTORNEY\)](#)

FUNDING SOURCE:

N/A.

WHAT ACTION ACCOMPLISHES:

Extends the commencement, phase, build out and expiration dates in accordance with Chapter 2011-139, Laws of Florida (HB 7207) adopted June 2, 2011.

MANAGEMENT RECOMMENDATION:

Adopt Resolutions approving Development Order Amendments for each DRI

PULLED FOR DISCUSSION

At the request of Commissioners Hall and Bigelow, Chief Assistant County Attorney Donna Marie Collins provided clarification regarding the item. Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried.

RESOLUTION NO. 11-11-30

15. HEARING EXAMINER

No requests received.

16. CONSTITUTIONAL OFFICERS

A) ACTION REQUESTED/PURPOSE:

Approve disbursement of excess funds resulting from the sale of tax deed certificates to a claimant verified and certified under Florida Statutes 197.582.:

Tax Deed Number	Payee	Amount
2007-001526	Judith Kauffman	\$1,446.08
2008-003326	Jupiter Asset Recovery, LLC d/b/a US Asset Recovery	\$5,721.16
2009-004819	Evelyn Katz	\$15,498.61
2010-000708	Halex Corporation	\$1,062.11
2010-001657	Presidential Mortgage, Inc. c/o John L. Penson, Esquire, PA	\$36,199.10
2010-001658	Presidential Mortgage, Inc. c/o John L. Penson, Esquire, PA	\$41,573.98
2010-002292	The Tosto Family Trust, u/a/d January 20, 2004 c/o Joanne Tosto and Domenic Tosto, Trustees	\$901.26
2010-003175	City of Cape Coral	\$21.00
2011-000251	Juan Perez	\$581.94
2011-000279	Sharon Melinda Whitt	\$993.70
2011-000285	Pamela Radicella	\$1,386.03

(#20110974-DELINQUENT TAX)

FUNDING SOURCE:

Proceeds from a tax deed sale in excess of the taxes and/or liens owed are being held by the Board for disbursements in accord with Florida Statutes, Chapter 197.

WHAT ACTION ACCOMPLISHES:

Provides for disbursement of excess tax deed proceeds to an appropriate claimant in compliance with statutory rules and requirements.

MANAGEMENT RECOMMENDATION:

Approve disbursement to identified claimant.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

B) ACTION REQUESTED/PURPOSE:

Approve disbursement of excess funds resulting from the sale of tax deed certificates to a claimant verified and certified under Florida Statutes 197.582.:

Tax Deed Number	Payee	Amount
2010-000715	M&I Marshall & Ilsley Bank	\$23,368.37

(#20110975-DELINQUENT TAX)

FUNDING SOURCE:

Proceeds from a tax deed sale in excess of the taxes and/or liens owed are being held by the Board for disbursements in accord with Florida Statutes, Chapter 197.

WHAT ACTION ACCOMPLISHES:

Provides for disbursement of excess tax deed proceeds to an appropriate claimant in compliance with statutory rules and requirements.

MANAGEMENT RECOMMENDATION:

Approve disbursement to identified claimant.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

C) ACTION REQUESTED/PURPOSE:

Approve the Minutes for the following meetings of the Board of County Commissioners held during the week of November 7 through November 11, 2011:

November 8, 2011 (Regular)

[\(#20110977-MINUTES\)](#)

FUNDING SOURCE:

N/A.

WHAT ACTION ACCOMPLISHES:

Approval of the Board Minutes, pursuant to Florida Statute 286.011.

MANAGEMENT RECOMMENDATION:

Approve.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

D) ACTION REQUESTED/PURPOSE:

Approve the Minutes for the following meetings of the Board of County Commissioners held during the week of November 14 through November 18, 2011:

November 14, 2011 (Special BoCC at Port)

November 15, 2011 (Regular)

[\(#20110978-MINUTES\)](#)

FUNDING SOURCE:

N/A.

WHAT ACTION ACCOMPLISHES:

Approval of the Board Minutes, pursuant to Florida Statute 286.011.

MANAGEMENT RECOMMENDATION:

Approve.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

E) ACTION REQUESTED/PURPOSE:

Request Board approves [disbursements](#). The check and wire registers can now be viewed on the Clerk's Website at WWW.LEECLERK.ORG by accessing the BOCC Minutes and Documents link.

[\(#20110979-FINANCE\)](#)

FUNDING SOURCE:

N/A.

WHAT ACTION ACCOMPLISHES:

Florida Statute Chapter 136.06 (1) requires that all County disbursements be recorded in the Minutes of the Board.

MANAGEMENT RECOMMENDATION:

Compliance with the requirements of FS 136.06 (1).

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

F) ACTION REQUESTED/PURPOSE:

Present for information purposes interim reporting on selected financial activity and provide an update on the economic changes in today's market (see background information). ([#20110980-FINANCE](#))

FUNDING SOURCE:

N/A.

WHAT ACTION ACCOMPLISHES:

To provide interim reporting on selected funds, revenues, and expenditures of the Lee County Board of County Commissioners. Included in this report in compliance with Chapter 218.415, Florida Statutes, Local Investment Policies, is the stated and fair market value of the investments managed by the Clerk’s Office. To include the Lee County Ordinance 02-28 activity for the Driver’s Education Safety Trust Fund.

MANAGEMENT RECOMMENDATION:

The purpose of this report is to convey to you the financial status of selected significant funds of the Lee County Board of County Commissioners, the status of specific revenues and expenditures as of the stated dates, and the market value of investments managed by the Clerk’s Office on behalf of the Board.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

17. PORT AUTHORITY AND OTHER GOVERNING BOARDS

ADMINISTRATIVE AGENDA

1. COUNTY ADMINISTRATION

A) ACTION REQUESTED/PURPOSE:

Direct to public hearing an ordinance that will repeal the following two ordinances: a) 91-30, as amended by 94-18 (Black Affairs Advisory Board); and, b) 91-31, as amended by 98-01(Hispanic Affairs Advisory Board). Requested hearing date is December 13, 2011 at 9:30 A.M. or as soon thereafter as may be heard. ([#20110971-COUNTY MANAGER](#))

FUNDING SOURCE:

N/A.

WHAT ACTION ACCOMPLISHES:

Establishes public hearing date and authorizes staff to publish notice of the hearing. This is the first step in two step process that will replace the ordinances governing the advisory boards with an administrative code.

Assistant County Manager Pete Winton addressed questions from Commissioner Mann, and explained that discussions have been held with the Black and Hispanic Affairs Advisory Boards and mutual understanding and agreement to the process has been attained. He further notified that all members of the two Boards had been notified. County Manager Karen B. Hawes informed that staff is assisting currently active advisory committees in reviewing ordinances and setting future objectives, and that an update would be provided in February 2012. Commissioner Judah moved approval, seconded by Commissioner Mann, called and carried.

2. COMMUNITY DEVELOPMENT

No requests received.

3. CONSTRUCTION AND DESIGN

No requests received.

4. COUNTY COMMISSIONERS

No requests received.

5. COUNTY LANDS

No requests received.

6. HUMAN SERVICES

No requests received.

7. INDEPENDENT

No requests received.

8. NATURAL RESOURCES/SOLID WASTE

No requests received.

9. PARKS AND RECREATION

No requests received.

10. PUBLIC SAFETY

No requests received.

11. PUBLIC WORKS ADMINISTRATION

No requests received.

12. TRANSPORTATION

A) ACTION REQUESTED/PURPOSE:

- 1) Approve [Change Order No. 3](#) to project B-09-35 MATLACHA BRIDGE REPLACEMENT, Archer Western, Contract No. 5028, in the amount of \$550,345.36.
- 2) Authorize Chair to execute Change Order on behalf of the Board.
- 3) Approve a [budget transfer](#) from the Transportation Capital Improvement Reserves #30700 in the amount of \$560,000 and amend the FY 2011/12-2015/16 CIP accordingly. [\(#20110926-TRANSPORTATION\)](#)

FUNDING SOURCE:

Fund – Transportation Capital Improvement; Program – Capital Projects; Project – Matlacha Bridge Replacement.

WHAT ACTION ACCOMPLISHES:

Increases contract amount to compensate contractor for additional work to add an additional crosswalk, repair the existing bridge deck, additional erosion control and maintenance of traffic devices and resolve unforeseen conditions at bridge abutments.

MANAGEMENT RECOMMENDATION:

Approve.

Commissioner Judah moved approval, seconded by Commissioner Mann. Transportation Department Director Dave Loveland and Construction Manager Randy Cerchie provided clarification of the item and projected a November 2012 completion date. The Commissioners requested that they be provided with financial breakdowns of each project upon completion. The motion was called and carried.

13. UTILITIES

No requests received.

14. COUNTY ATTORNEY

A) ACTION REQUESTED/PURPOSE:

Approve Offer of Judgment in the eminent domain action of Lee County v. Handy Food Stores, Inc., et al., Case No. 11CA-476, parcel 118, Ortiz Avenue Widening Project, in the amount of \$440,000 for land value and \$110,000 for trade fixtures for a total of \$550,000. [\(#20110917-COUNTY ATTORNEY\)](#)

FUNDING SOURCE:

Fund: Impact Fees-Central District; Program: Capital Improvement Projects; Project: Ortiz Avenue Widening.

WHAT ACTION ACCOMPLISHES:

Make Offer of Judgment in an effort to limit court costs incurred by Lee County when this action is concluded.

MANAGEMENT RECOMMENDATION:

Approve.

Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

B) ACTION REQUESTED/PURPOSE:

Approve settlement in Lee County v. Hermes Investment Company, Inc., Case No. 07CA-14175, Parcel 100, for the Fiesta Village Sewer Collection System, a Utilities Department Project.

[\(#20110954-COUNTY ATTORNEY\)](#)

FUNDING SOURCE:

Fund: Utilities Capital Improvement; Program: Capital Improvement Project; Project: Wastewater Treatment Plant Improvements.

WHAT ACTION ACCOMPLISHES:

Settles all claims for condemnation of Parcel 100.

MANAGEMENT RECOMMENDATION:

Approve

Commissioner Hall moved approval, seconded by Commissioner Bigelow, called and carried.

15. HEARING EXAMINER

No requests received.

16. CONSTITUTIONAL OFFICERS

No requests received.

17. PORT AUTHORITY

No requests received.

COMMISSIONER ITEMS

CLARIFICATION OF LIAISON ASSIGNMENTS-Commissioner Hall requested clarification of her appointment as Board Liaison to the Florida and National Associations of Counties (NACO). After discussion, it was the decision of the Commissioners that a designated liaison to the organizations was unnecessary, as participation from the entire Board is invited. Commissioner Mann recommended that when a Board member attends or interacts with either organization, it would be helpful to share pertinent information with other Commissioners.

FERTILIZER ISSUES- Commissioner Judah moved approval for the Chairman to send a letter to Senator Charles Dean, Representative Jim Smith and Lee County’s Legislative Delegation urging opposition to recently proposed bills exempting licensed professionals from adherence to local fertilizer ordinances, seconded by Commissioner Hall, called and carried.

ALGENOL BIOFUELS, INC- SUCCESS - Commenting on the success and growth of Algenol, currently the frontrunner of the biofuel industry, Commissioner Judah referenced a recent request from CEO & President Paul Woods, regarding the possibility of placing a sign or very large, simple lettering on the roof of the Algenol Building which could be easily viewed by passengers on incoming flights to Southwest Florida International Airport. The Board requested Assistant County Attorney Michael Jacob to meet with Community Development Planning Review Officer Bob Stewart and Chief Port Attorney Greg Hagen to review and determine if such a sign would create problems with the Aviation Administration.

CRIMESTOPPERS OF SOUTHWEST FLORIDA- Commissioner Manning requested Board approval to send a [letter to Florida Attorney General Pam Bondi](#) for authorization to appoint Southwest Florida Crime Stoppers, Inc. to act as permanent agent for the purpose of applying for and receiving monies from the Crime Stoppers Trust Fund. Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried.

OFFSHORE DRILLING -Commissioner Manning requested Board approval to send a letter to President Obama and the U.S. Department of Interior, with copies to the Florida Congressional Delegation, in

opposition to a proposed five-year offshore drilling/leasing program 150 miles off shore in the Gulf of Mexico, and noted the TDC is preparing a resolution in opposition. Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried.

BUS DONATION UPDATE-Commissioner Manning reviewed a request from Cape Coral City Councilman Kevin McGrail for donation of a retired Lee Transit Bus to house a Veterans Memorabilia Museum. He informed that if the bus is valued at less than \$5,000.00 at the auction to be held on 12/10/2011 it could be considered as a donation. Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

GREEN GALLON BIODIESEL-Commissioner Hall announced the recent grand opening of Green Gallon Biodiesel Co. which moved into an existing structure for its new location, and reported that the company had already produced and sold two million gallons of ethanol. The new business is expected to attract international investors.

GRATITUDE- Commissioner Hall extended gratitude to the local hoteliers, resort and attraction partners hosting a visit from the Scandinavian/United Kingdom Tour Representative along with other tour operators, recently held at the Pink Shell Resort, and noted the excellent opportunity for international marketing of direct flights to the area.

VALUE ADJUSTMENT BOARD- Commissioner Hall moved to appoint Commissioner Bigelow as Chairman and Commissioner Manning as Vice-Chairman of the Value Adjustment Board, seconded by Commissioner Mann, called and carried.

COMMITTEE APPOINTMENTS

Commissioner Bigelow moved to appoint Dana Pierce to the **AFFORDABLE HOUSING COMMITTEE, ESSENTIAL SVCS. PERSONNEL POSITION 11**, seconded by Commissioner Hall, called and carried. **RESOLUTION NO. 11-11-31**

Commissioner Judah moved to reappoint Carie Call to the **CONSERVATION LAND ACQUISITION & STEWARDSHIP COMMITTEE**, seconded by Commissioner Hall, called and carried.

Commissioner Hall moved to appoint Don Plunkett to the **DAUGHTREYS CREEK MSTBU, DISTRICT 4**, and for the reappointment of Donald Mayne to the **BICYCLE/PEDESTRIAN COMMITTEE, DISTRICT 4**, and the reappointment of Wayne Kirkwood to the **CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS**, seconded by Commissioner Mann, called and carried.

COUNTY MANAGER ITEMS

County Manager Karen B. Hawes had no items for discussion.

COUNTY ATTORNEY ITEMS

County Attorney Michael Hunt had no items for discussion.

The Chairman adjourned the meeting at 10:43 a.m.

ATTEST:
CHARLIE GREEN, CLERK

Deputy Clerk

Chairman Lee County Commission