

NOVEMBER 1, 2011

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

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

The Chairman called the meeting to order at 9:30 a.m. The Invocation was given by Pastor Jim Rosemergy, Unity of Fort Myers; followed by the Pledge of Allegiance to the flag.

PRESENTATIONS

Commissioner Hall read and presented a Resolution proclaiming November 19, 2011 as AKC Responsible Dog Ownership Day. The Dog Obedience Club of Lee County Corresponding Secretary Debra Covyeau, together with Dena Martin and Judi Stratton, accepted the Resolution and thanked the Board. (#20110902-Commissioner Hall)

Commissioner Judah read and presented a Resolution recognizing Don and Debbie Cramer for their unselfish love and steadfast commitment to their family which has earned them the Ol'geta Beckworth Foundation's Grandparents of the Year Award for 2011. Yolanda Beckworth thanked the Board for the recognition and Don and Debbie Cramer accepted the Resolution and thanked the Board. (#20110898-Commissioner Judah)

Commissioner Mann read and presented a Resolution recognizing the "firsts" of the 2011 event and continues to support the recreational opportunities and environmental stewardship the Calusa Blueway harbors and commits to future support of The Calusa Blueway Paddling Festival for the visitors and residents of this great County. Lee County Parks and Recreation Waterways Coordinator Betsy Clayton accepted the Resolution and thanked the Board. (#20110899-Commissioner Mann)

ANNOUNCEMENTS

Referring to the [Revised Agenda Recap Sheet](#) dated November 1, 2011, the Chairman announced that:

Consent Agenda Item 9(a) should be deferred for one (1) week to allow for further review. Commissioner Manning moved approval, seconded by Commissioner Hall, called and carried.

The word "tentatively" should be removed from Walk-on Items 1 and 2. Commissioner Manning moved approval, seconded by Commissioner Hall, called and carried.

Four (4) Walk-on items would be heard at the appropriate time.

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

WO1 & 2 – Sanibel Fire Rescue District Assistant Chief [Matthew Scott](#)
 WO1 & 2 – San Carlos Park Fire District representative [David Cambareri](#)

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

Commissioner Mann – 6(a), 7(a), 8(a)
 Commissioner Manning - None
 Commissioner Judah - None
 Commissioner Hall - None
 Commissioner Bigelow - None

CONSENT AGENDA

1. COUNTY ADMINISTRATION

A) ACTION REQUESTED/PURPOSE:

Approve [Interlocal Agreement](#) between Lee County Board of County Commissioners and

the Lee County Industrial Development Authority (IDA) for fiscal year 11/12. The Agreement sets out the terms by which the IDA will administer the incentive program. (#20110864-ECONOMIC DEVELOPMENT)

FUNDING SOURCE:

N/A.

WHAT ACTION ACCOMPLISHES:

Provides administration of the business incentive program.

MANAGEMENT RECOMMENDATION:

Staff recommends approval.

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

B) ACTION REQUESTED/PURPOSE:

Approve, and authorize the Chairman to sign, the [Agreement](#) between the Lee County Board of County Commissioners and the School Board of Lee County for the Saturday Driver's Education Program and authorize release of \$46,729.10 from the funds collected through Lee County Ordinance #02-28 Dori Slosberg Driver Safety Education Act. (#20110871-BUDGET SERVICES)

FUNDING SOURCE:

Fund: Driver's Education Trust; Program: Driver's Ed Fee-Lee P; Project: School Board of Lee County for the Driver's Education Program.

WHAT ACTION ACCOMPLISHES:

Provides approval for the release of funds collected for use of the Driver's Education Program with the School Board of Lee County.

MANAGEMENT RECOMMENDATION:

Approve.

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

2. COMMUNITY DEVELOPMENT

No requests received.

3. CONSTRUCTION AND DESIGN

A) ACTION REQUESTED/PURPOSE:

1. Approve Addendum to the Construction Manager Agreement under project RFQ-11-05 Annual Contract for Construction Management, for the project known as Lee County DOT Traffic Operations Center, to [Stevens Construction, Inc.](#) (a local contractor), Contract No. 5696, for a Guaranteed Maximum Price (GMP) of \$768,505.46 (includes CM Fee of \$48,798.99 or 7.43%), with a project completion time of 180 calendar days, with 96% local vendors utilized.

2. Request the Board approve waiving the formal process (if needed) and authorize the use of Direct Materials Purchase Order as provided for in the CM Agreement, which allows the County to purchase directly from suppliers of equipment and/or materials as a cost/time saving measure.

3. Approve Budget Resolution and Budget Transfers in the amounts of [\\$76,000.00](#) from All Hazards Reserves and [\\$117,907.00](#) from Capital Improvement Fund Reserves to the DOT Engineering/Operations Building Renovations Project and amend FY 11/12 budget accordingly.

4. Authorize Chair to execute Addendum on behalf of the Board upon execution by the Contractor. (#20110862-CONSTRUCTION AND DESIGN)

FUNDING SOURCE:

Fund – General Fund and All Hazards; Program – Major Maintenance Project; Project – DOT Engineering/Operations Building Renovations.

WHAT ACTION ACCOMPLISHES:

Provides a Construction Manager to renovate Lee County DOT's Traffic Operations Center (TOC). Renovations include but are not limited to the mechanical and electrical systems, video wall equipment and furniture. The new TOC will be able to monitor most of the major road intersections in Lee County.

MANAGEMENT RECOMMENDATION:

Approve.

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

RESOLUTION NO. 11-11-01**4. COUNTY COMMISSIONERS**

No requests received.

5. COUNTY LANDS**A) ACTION REQUESTED/PURPOSE:**

A) Approve [Transit Station License Agreement](#) for acquisition of Parcel 132 (Phase 3, Shelter 16), a 381 square foot bus stop shelter site, located at 2523 Lee Boulevard, Lehigh Acres, for the Lee Transit Shelter Program;

B) Authorize payment of costs to close in the approximate amount of \$75.00, and the Division of County Lands to handle all documentation necessary to complete transaction. (#20110872-COUNTY LANDS)

FUNDING SOURCE:

This expenditure is budgeted in the Transit Capital Fund and will be reimbursed at 100% by the Federal Transit Administration.

WHAT ACTION ACCOMPLISHES:

Acquisition of a site for the construction and operation of bus stop shelter facilities.

MANAGEMENT RECOMMENDATION:

Approve.

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

B) ACTION REQUESTED/PURPOSE:

A) Approve Grant of [Access License Agreement](#) for a 9,424 square foot parcel located on County-owned property at 10550 Buckingham Road, Fort Myers and identified as the Lee County Solid Waste Facility;

B) Authorize the Chairman on behalf of the Board to execute the Access License Agreement;

C) Authorize County Lands Staff to execute and accept all documentation necessary to complete this transaction. (#20110886-COUNTY LANDS)

FUNDING SOURCE:

No funds required.

WHAT ACTION ACCOMPLISHES:

Grants license to utility company to install fiber optic lines for purpose of upgrading data service to a County Facility.

MANAGEMENT RECOMMENDATION:

Approve.

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

C) ACTION REQUESTED/PURPOSE:

A) Approve Grant of [Access License Agreement](#) for a 1,902 square foot parcel located on County-owned property at 1366 Colonial Boulevard, Fort Myers and identified as the LeeWay Service Center;

B) Authorize the Chairman on behalf of the Board to execute the Access License Agreement;

C) Authorize County Lands Staff to execute and accept all documentation necessary to complete this transaction. (#20110887-COUNTY LANDS)

FUNDING SOURCE:

No funds required.

WHAT ACTION ACCOMPLISHES:

Grants license to a utility company to install fiber optic lines for the purpose of upgrading data service to County Facility.

MANAGEMENT RECOMMENDATION:

Approve.

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

6. HUMAN SERVICES**A) ACTION REQUESTED/PURPOSE:**

-----APPROVED MINUTES OF 110111R-----

(1) Approve FY 2011/2012 contracts for the [Partnering for Results](#) program in the amount of \$3,386,450.00 per the Review Panel funding recommendation as proposed in Attachment I. Authorize signature of the contracts and necessary future amendments once completed by the community agencies.

(2) Authorize Human Services to negotiate adjustments in outcomes, total contract amount, unit rates and/or units purchased as necessary.

(3) Approve set aside of \$230,000.00 for FY 2011/2012 contract with Early Learning Coalition of Southwest Florida for the income eligible/working poor School Readiness Program child care match. Authorize signature of the contract and necessary future amendments once completed by the agency.

(4) Approve set aside of \$270,000.00 for implementation of priority areas indicated in the Ten Year Plan to End Homelessness by sustaining operations of the Bob Janes Triage Center/Low Demand Shelter. Authorize signatures of the contracts and necessary future amendments once completed. ([#20110834](#)-HUMAN SERVICES)

FUNDING SOURCE:

General Fund.

WHAT ACTION ACCOMPLISHES:

Provides County funding for social service programs.

MANAGEMENT RECOMMENDATION:

Approve.

PULLED FOR DISCUSSION

At the request of Commissioner Mann, Human Services Director Ann Arnall provided further clarification of the request. Commissioner Mann informed he would attend the Legislative Delegation meeting next Tuesday to speak on the adopted priorities in particular the Bob Janes Triage Center, and welcomed any Board member who wished to attend. Commissioner Judah moved approval, seconded by Commissioner Manning, called and carried.

7. INDEPENDENT

A) **ACTION REQUESTED/PURPOSE:**

Approve purchases of Maintenance, Repair and Operations (MRO) Products from Lowes under Project No. N-110499. The County will receive a 5% discount on all of our purchases. ([#20110881](#)-PROCUREMENT MANAGEMENT)

FUNDING SOURCE:

Various Departments. Purchases will be made based on available budgeted funds for the specific department. Any purchases above \$100,000.00 will be formally presented to the Board for approval.

WHAT ACTION ACCOMPLISHES:

Provides another outlet for Departments and Divisions to purchase MRO products on an as-needed basis at a reduced price.

MANAGEMENT RECOMMENDATION:

Approve as stated.

PULLED FOR DISCUSSION

Procurement Management Manager Bob Franceschini reviewed the discounts offered by Home Depot, Lowes, and other businesses, along with the benefits derived by the County. Following brief discussion, Commissioner Judah moved approval, seconded by Commissioner Manning, called and carried.

8. NATURAL RESOURCES/SOLID WASTE

A) **ACTION REQUESTED/PURPOSE:**

Execute [Joint Funding Agreement No. 12GGESMC0000109](#) with the U.S. Geological Survey for Southwest Florida Water Resource Investigations for the period October 1, 2011 through September 30, 2012. The total project cost for the Cooperative Data Collection Program is \$162,833.00. The U.S. Geological Survey is providing \$65,091.00, and Lee County's cooperative share totals \$97,742.00.

([#20110890](#)-NATURAL RESOURCES)

FUNDING SOURCE:

Fund – MSTU-Surface Water Management; Program – Surface Water Management; Project – N/A.

WHAT ACTION ACCOMPLISHES:

Continue cooperative work with U.S. Geological Survey which provides critical data for hydrologic modeling and assessment of flood conditions.

MANAGEMENT RECOMMENDATION:

Staff recommends approval.

PULLED FOR DISCUSSION

Natural Resources Director Roland Ottolini clarified the request was for the Operating Budget for Storm Water Unincorporated MSTU. Commissioner Judah moved approval, seconded by Commissioner Manning, called and carried.

9. PARKS AND RECREATION

A) ACTION REQUESTED/PURPOSE:

Approve funding from Florida Fish and Wildlife Conservation Commission for gopher tortoise habitat improvements on a portion of Pine Island Flatwoods Preserve, a Conservation 20/20 preserve, in the amount of \$10,538.00. Approve Budget Amendment in the amount of \$10,538.00. ([#20110852](#)-PARKS AND RECREATION)

FUNDING SOURCE:

Fund - Capital Improvement-Environmentally Sensitive Land; Program - Parks and Recreation Operations; Project - Conservation 20/20 Pine Island Flatwoods Preserve.

WHAT ACTION ACCOMPLISHES:

Provides for gopher tortoise habitat improvement on 181 acres on Pine Island Flatwoods Preserve, a Conservation 20/20 preserve.

MANAGEMENT RECOMMENDATION:

Approve.

DURING THE ANNOUNCEMENTS PORTION OF THE MEETING, THE CHAIRMAN ANNOUNCED THAT: Consent Agenda Item 9(a) should be deferred for one (1) week to allow for further review. Commissioner Manning 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 - Passamondi Building (BS 20110814/20317, MMM/SDG): Approve final acceptance, by Resolution, as a donation of one force main connection to provide sanitary sewer service to Passamondi Building, an existing commercial building. This is a Developer contributed asset project located on the east side of Rockefeller Circle approximately 200 feet north of Constitution Circle. ([#20110814](#)-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 Manning, called and carried.

[RESOLUTION NO. 11-11-02](#)

14. COUNTY ATTORNEY

No requests received.

15. HEARING EXAMINER

No requests received.

16. CONSTITUTIONAL OFFICERS

A) **ACTION REQUESTED/PURPOSE:**

Approve the Minutes for the following meetings of the Board of County Commissioners held during the week of October 17 through October 21, 2011:

October 18, 2011 (Regular) October 19, 2011 (Comp Plan).

(#20110894-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 Manning, called and carried.

B) **ACTION REQUESTED/PURPOSE:**

Approve [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. (#20110900-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 Manning, called and carried.

17. PORT AUTHORITY AND OTHER GOVERNING BOARDS

No requests received.

ADMINISTRATIVE AGENDA

1. COUNTY ADMINISTRATION

A) **ACTION REQUESTED/PURPOSE:**

Approve resolution that authorizes issuance of a [loan from SunTrust Bank](#) for up to \$31,000,000.00 for the Transportation Facilities Refunding Revenue Bonds, Series 2011 which refinances the Transportation Facilities Refunding Revenue Bonds, Series 2001A for savings with a bank loan and approve budget amendment resolutions and [transfers](#) of funds to reflect this transaction. (#20110884-COUNTY MANAGER)

FUNDING SOURCE:

Bank Loan Proceeds (To be repaid from Toll Revenues).

WHAT ACTION ACCOMPLISHES:

Allows for the issuance of a bank loan to refinance the Transportation Facilities Refunding Revenue Bonds, Series 2001A for savings estimated (subject to closing date) to be over \$3.6 million over six years.

MANAGEMENT RECOMMENDATION:

Approve the proposal from SunTrust Bank to provide funding for the refinancing of the Transportation Facilities Refunding Revenue Bonds, Series 2001A with a bank loan for savings.

At the request of Chairman Mann, Assistant County Manager Pete Winton and Dunlap & Associates Financial Adviser Kelly Ryman clarified the request, noted the refinancing would provide a better interest rate, and noted an estimated savings of \$3.6 million over six years. Commissioner Judah moved approval, seconded by Commissioner Mann for discussion. Following Board discussion, the motion was called and carried, with Commissioner Manning dissenting.

RESOLUTION NOS. [11-11-03](#), [11-11-04](#) AND [11-11-05](#)

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

No requests received.

13. UTILITIES

No requests received.

14. COUNTY ATTORNEY

No requests received.

15. HEARING EXAMINER

No requests received.

16. CONSTITUTIONAL OFFICERS

No requests received.

17. PORT AUTHORITY AND OTHER GOVERNING BOARDS

No requests received.

9:30 AM PUBLIC HEARING

1. ACTION REQUESTED/PURPOSE:

Conduct a public hearing to adopt by resolution the proposed redistricting of the Lee County Commission Districts in response to the year 2010 Census population data.

[\(#20110803-COMMUNITY DEVELOPMENT\)](#)

FUNDING SOURCE

N/A.

WHAT ACTION ACCOMPLISHES

Complies with Florida Constitutional requirement that the Commissioners divide the county into districts of contiguous territory as nearly equal in population as possible after each decennial census. Establishes the revised configuration of the County Commission Districts.

MANAGEMENT RECOMMENDATION

Approve.

After noting that this item was deferred from the October 11, 2011 Regular Board Meeting, Chairman Mann called for public comment and the following concerned citizens came forward:

- City of Fort Myers Councilman Johnny Streets, Jr.
- Lee County NAACP Chapter 5110 representative Steve Sherman
- Lee County NAACP President James Muwakkil
- Estero Council of Community Leaders (ECCL) representative Jane McNew
- Fort Myers resident Joe Beck
- ECCL Vice-Chair Beverly MacNellis

Board discussion ensued with Chief Assistant County Attorney Donna Marie Collins, County Attorney Michael Hunt, and Division of Planning Principal Planner Rick Burris confirming November 15, 2011 to be the last date for re-districting. Commissioner Bigelow moved to defer for two weeks to November 15 at 9:30 a.m., seconded by Commissioner Mann for discussion. The motion failed with Commissioners Hall, Judah and Manning dissenting. Commissioner Judah moved Alternative 9, seconded by Commissioner Manning. Responding to Commissioner Bigelow’s comments, Mr. Burris clarified that Alternative 9 has been included in a Memorandum to the Board dated October 26, 2011 (copy on file in the Minutes office) and was posted in the website on October 27, 2011. After Mr. Hunt clarified that Alternative 9 was sufficient and met Federal, State and Local laws, the motion was called and carried, with Commissioners Mann and Bigelow voting nay.

[RESOLUTION NO. 11-11-06](#)

WALK-ON ITEM NO. 1

1. ACTION REQUESTED/PURPOSE:

~~Tentatively~~ Approve the new [Service Agreement](#) with Motorola Inc., for the 800 MHz Trunked Radio System mobile and portable radios in the amount of \$520,272.00 annually for a period of three (3) years, effective October 1, 2011 to September 30, 2014. [\(#20110857-PUBLIC SAFETY\)](#)

FUNDING SOURCE:

Government Communications Network (GCN).

WHAT ACTION ACCOMPLISHES:

Provides the Public Safety Division continued maintenance services for the 800 MHz Trunked Radio System.

MANAGEMENT RECOMMENDATION:

Staff recommends approval.

REASON FOR WALK ON:

These are maintenance agreements covering service for the County’s Emergency Radio System. Last year’s agreements ended on September 30 2011. As a result, these agreements are time sensitive and need to be considered by the Board as soon as possible so that current user requests for maintenance service can be carried out.

DURING THE ANNOUNCEMENTS PORTION OF THE MEETING, THE CHAIRMAN ANNOUNCED THAT: The word “tentatively” should be removed from Walk-on Items 1 and 2. Commissioner Manning moved approval, seconded by Commissioner Hall, called and carried.

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

WALK-ON ITEM NO. 2

- 2. **ACTION REQUESTED/PURPOSE:**
 Tentatively Approve the new [Service Agreement](#) with Motorola Inc., for the 800 MHz Trunked Radio System mobile and portable radios in the amount of \$520,272.00 annually for a period of three (3) years, effective October 1, 2011 to September 30, 2014. ([#20110858](#)-PUBLIC SAFETY)
FUNDING SOURCE:
 Government Communications Network (GCN).
WHAT ACTION ACCOMPLISHES:
 Provides the Public Safety Division continued maintenance services for the 800 MHz Trunked Radio System.
MANAGEMENT RECOMMENDATION:
 Staff recommends approval.
REASON FOR WALK ON:
 These are maintenance agreements covering service for the County’s Emergency Radio System. Last year’s agreements ended on September 30 2011. As a result, these agreements are time sensitive and need to be considered by the Board as soon as possible so that current user requests for maintenance service can be carried out.

DURING THE ANNOUNCEMENTS PORTION OF THE MEETING, THE CHAIRMAN ANNOUNCED THAT: The word “tentatively” should be removed from Walk-on Items 1 and 2. Commissioner Manning moved approval, seconded by Commissioner Hall, called and carried.

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

WALK-ON ITEM NO. 3

- 3. **ACTION REQUESTED/PURPOSE:**
 Approve and execute: 1) Resolution and West Coast Inland Navigation District (WCIND) application requesting \$1,500,000.00 in funding from WCIND Countywide Navigation Improvement Fund; 2) [Agreement between the WCIND and Lee County](#). ([#20110918](#)-NATURAL RESOURCES)
FUNDING SOURCE:
 N/A.
WHAT ACTION ACCOMPLISHES:
 Requests funding from WCIND. Approves agreement between the West Coast Inland Navigation District and Lee County for the reefing of USCGC Mohawk as a veterans memorial reef in Lee County.
MANAGEMENT RECOMMENDATION:
 Approve.
REASON FOR WALK ON:
 Item needs to be approved by the County Commission on 11/1/11 in order to be considered by WCIND at their Board meeting of November 4, 2011. The WCIND Board does not meet again until January, 2012 which would cause an unacceptable delay and potentially jeopardize the project.

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

RESOLUTION NO. [11-11-07](#)

WALK-ON ITEM NO. 4

- 4. **ACTION REQUESTED/PURPOSE:**
 Approve an agreement with [Strategic Materials, Inc.](#), whereby Lee County (or its recycling facility operator) will deliver mixed broken glass cullet to Strategic for recycling. Additionally, as included in the agreement, authorize the Solid Waste Division to back-haul residue from Strategic’s processing facility in Sarasota and dispose such residue at the waste to energy facility. The term shall be for a period from the date of approval by the BoCC until midnight of September 30, 2019. ([#20110916](#)-SOLID WASTE)
FUNDING SOURCE:
 No additional funds required at this time.
WHAT ACTION ACCOMPLISHES:
 Provides the Solid Waste Division with an outlet for its recycled glass cullet through September 30, 2019. Allows the Division to accept and transport Strategic’s residue to the WTE facility.
MANAGEMENT RECOMMENDATION:
 Approve.
REASON FOR WALK ON:
 This item is time critical relative to receiving revenue and reducing expenses.

Commissioner Manning moved approval, seconded by Commissioner Hall. In response to questions by Commissioner Bigelow, Solid Waste Director Lindsey Sampson noted that Strategic Materials, Inc., the company contracted to provide this service, was the only company found in Florida, the motion was called and carried.

COMMISSIONER ITEMS

EARLY VOTING – Commissioner Hall reminded everyone that early voting had started for Municipal Elections, with Election Day next week.

BICYCLE SAFETY AWARENESS – Commissioner Judah acknowledged and thanked Bert Hamilton and Bicycle/Pedestrian Committee member Joe Beck for promoting a 3-footplease sticker furnished by Harvey Software, Inc.(copy on file in the Minutes office) to provide awareness of safety when passing bicycles. Commissioner Judah moved approval, seconded by Commissioner Hall, called and carried.

SOLID WASTE ADMINISTRATION – Commissioner Judah extended congratulations to the Solid Waste Administration rated by a major Bonding Company upgrading their outstanding bonds from A-minus to A.

SUSTAINABILITY CONFERENCE – Commissioner Judah noted that the Sustainability Conference would be on November 10, 2011 at 8:00 a.m. in the Lee County Election Center and stated that Community Sustainability Program Manager Tessa LeSage would be one of the presenters.

TEN-COUNTY COALITION – Commissioner Judah suggested Lee County withdraw from the 10-County Coalition. The Board concurred to bring this back to the Board at a Management & Planning meeting for discussion. At the request of Commissioner Bigelow the Board agreed to add discussion on the Liaison appointments as well.

NUCLEAR POWER PLANT – Commissioner Judah informed he held a conference last week in Orlando, and noted that legislation approved several years ago regarding early cost recovery for a power plant for Florida Power & Light (FPL) was still in effect. Following further comments regarding the costs and safety, Chairman Mann called for a motion. Commissioner Judah moved to request the Board direct Administration to review the facts and bring back an objective analysis, the motion died for the lack of a second. Commissioner Judah noted that all utility rate payers would continue to pay monthly bills to FPL for a Nuclear Power Plant that was never permitted and will retain all monies collected.

BONITA SPRINGS FIRE DISTRICT EXPANSION – Commissioner Mann reported that correspondence was received from the Bonita Fire District offering to pay one half of the Special Master Process. Deputy County Attorney Andrea Fraser noted a Bluesheet would be brought back to the Board.

COMMITTEE APPOINTMENTS

Chairman Mann requested a motion to appoint BJ Brundage to the **SOUTHWEST FLORIDA WORKFORCE DEVELOPMENT BOARD**. Commissioner Manning moved approval, seconded by Commissioner Hall, called and carried.

Commissioner Manning moved to appoint Dana Pierce to the **HUMAN SERVICES COMMITTEE**, seconded by Commissioner Hall, called and carried; and to rescind the reappointment of Jarret Eady from the **BLACK AFFAIRS ADVISORY BOARD** seconded by Commissioner Hall, called and carried.

Commissioner Bigelow moved to reappoint Walter Johns to the **CONSTRUCTION LICENSING BOARD**, appoint Bernard Lamach to the **WHISKEY CREEK MSTU**, and reappoint Vilmar Ribeiro to the **BLACK AFFAIRS ADVISORY BOARD** ([RESOLUTION NO.11-11-08](#)), seconded by Commissioner Judah, called and carried.

COUNTY MANAGER ITEMS

County Manager Karen B. Hawes had no items to be discussed.

COUNTY ATTORNEY ITEMS

County Attorney Michael D. Hunt had no items to be discussed.

The Chairwoman adjourned the meeting at 11:25 a.m.

ATTEST:
CHARLIE GREEN, CLERK

Deputy Clerk

[Chairman, Lee County Commission](#)