

MARCH 22, 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 E. Manning, Vice Chairman
 A. Brian Bigelow
 Ray Judah
 Tammara Hall

The Chairman called the meeting to order at 9:30 a.m. The Invocation was given by Pastor Paul deJonge, of First Presbyterian Church of Fort Myers, followed by the Pledge of Allegiance.

PRESENTATIONS

Commissioner Hall read and presented a Ceremonial Resolution, noting that the Board of County Commissioners of Lee County Florida, in conjunction with National Surveyors Week, here by proclaim the week of March 20-26, 2011 as Florida Surveyors & Mappers Week and recognize the many contributions and ongoing dedication of surveyors and mappers to the citizens of Florida and the United States. President of the Collier-Lee Chapter of the Florida Surveying & Mapping Society Keith Cramer accepted the Resolution, and thanked the Board for the recognition. (#20110214-Commissioner Hall)

ANNOUNCEMENTS

Referring to the Agenda [Recap Sheet dated March 22, 2011](#), the Chairman announced that:

The funding source of Item C1A should be changed from “General Fund” to “General Fund, Reserve for Economic Incentives (\$804,989) and Reserve for Contingencies (\$566,299).” Commissioner Manning moved approval, seconded by Commissioner Judah, called and carried.

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

The Chairman called for public comment, and the following individuals came forward to speak regarding Item A8A to request repeal of portions of the subject Ordinance.

- [Marilyn Miller](#) on behalf of Fowler White Boggs PA, representing Garden Street Iron & Metal
- [Joe D’Amico](#) of Garden Street Iron & Metal
- [Robert Weber](#) of Garden Street Iron & Metal ([handout](#))
- [Barbara Oliveira](#), Tamiami Village & RV Park Manager
- [Ian Stewart](#), on behalf of Indian Creek Park Scholarship Fund ([handout](#))
- [Kathy Claprod](#), Indian Creek RV Park Association Manager

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

- Commissioner Bigelow – 3A
- Commissioner Judah - none
- Commissioner Manning - none
- Commissioner Hall - none
- Commissioner Mann - none

CONSENT AGENDA

1. COUNTY ADMINISTRATION

- A) **ACTION REQUESTED/PURPOSE:**
 Approve [transfer of funds](#) from reserve in the amount of \$1,371,288.00 to the Economic Development Office for the Industrial Development Authority (IDA) to administer the Lee County Job Opportunity Program for companies approved to date.
 (#20110185-ECONOMIC DEVELOPMENT)
FUNDING SOURCE:
 General Fund.
WHAT ACTION ACCOMPLISHES:

Provides the IDA with funds to reimburse the companies up to the awarded amount.

MANAGEMENT RECOMMENDATION:

Approve.

DURING THE ANNOUNCEMENTS PORTION OF THE MEETING, THE CHAIRMAN ANNOUNCED THAT: The funding source for Item C1A should be changed from “General Fund” to “General Fund, Reserve for Economic Incentives (\$804,989) and Reserve for Contingencies (\$566,299).” Commissioner Manning moved approval, seconded by Commissioner Judah, called and carried.

B) ACTION REQUESTED/PURPOSE:

Accept the FY 09-10 Indirect Cost Plan, Indirect Federal Circular A-87 Cost Plan and Impact Fee Administration Cost Report as prepared by the County's indirect cost plan consultant, Maguire & Associates, and authorize the Clerk's Finance Department to process indirect cost payments based on budgeted indirect cost amounts for those departments not required to comply with Federal requirements, and process indirect cost payments based on the Plan's actuals for three entities required to comply with Federal regulations. Also, direct Clerk's Finance Department to process all charges in monthly increments, with the first increment to equal six months.

(#20110201-COUNTY MANAGER)

FUNDING SOURCE:

Various operating funds.

WHAT ACTION ACCOMPLISHES:

Approves the plans, and authorizes payments to reimburse the General Fund.

MANAGEMENT RECOMMENDATION:

Approve.

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

2. COMMUNITY DEVELOPMENT

A) ACTION REQUESTED/PURPOSE:

Adopt a Resolution recommended by the Affordable Housing Committee urging full appropriation of state and local housing trust funds for Florida's housing programs and supporting the repeal of the cap on the state housing trust fund.

(#20110181-COMMUNITY DEVELOPMENT)

FUNDING SOURCE:

N/A

WHAT ACTION ACCOMPLISHES:

Shows local support for the preservation of the state's affordable housing programs.

MANAGEMENT RECOMMENDATION:

Approve.

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

[RESOLUTION NO. 11-03-26](#)

3. CONSTRUCTION AND DESIGN

A) ACTION REQUESTED/PURPOSE:

Concur with the selection of Consultants by the Qualification Committee for RFQ-11-02 Fort Myers Beach Fishing Pier Restoration, (all local Consultants) in the below order and authorize negotiations with the number one ranked firm:

- 1) Fowler Construction and Development,
- 2) Wright Construction Group, and
- 3) Taylor-Pansing, Inc.

(#20110192-CONSTRUCTION AND DESIGN)

FUNDING SOURCE:

N/A

WHAT ACTION ACCOMPLISHES:

Provides a qualified consultant to perform the following: Wrap the existing fishing pier with fiberglass jackets and inject with epoxy from column line 14 West. Replace existing railings, restoration of the existing beams, precast planks, and bearing brackets.

MANAGEMENT RECOMMENDATION:

Approve.

PULLED FOR DISCUSSION

Commissioner Bigelow referenced his long standing concern with the make-up of Selection Committees. Commissioner Judah moved approval, seconded by Commissioner Manning, called and carried with Commissioner Bigelow voting nay.

4. COUNTY COMMISSIONERS

No requests received.

5. COUNTY LANDS

A) ACTION REQUESTED/PURPOSE:

[Accept donation of Perpetual Public Waterline Easement](#) consisting of 2,500 square feet more or less, located at 2095/2097 Eloise Circle, North Fort Myers, FL 33917 identified as Parcel No. 103, Eloise Circle Water Extension - Project No. 7094. Authorize the payment of necessary costs and fees to close in the approximate amount of \$50.00; and authorize County Lands staff to execute and accept documentation necessary to complete this transaction. ([#20110196](#)-COUNTY LANDS)

FUNDING SOURCE:

Fund: Utilities Capital Improvements; Program: Capital Projects; Project: Water System Improvements.

WHAT ACTION ACCOMPLISHES:

Provides necessary access and easement property to install waterline.

MANAGEMENT RECOMMENDATION:

Approve.

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

6. HUMAN SERVICES

No requests received.

7. INDEPENDENT

A) ACTION REQUESTED/PURPOSE:

Redefine the claims processing method in the Board of County Commissioners' Health Plan from Maintenance of Benefits (MOB) to Coordination of Benefits (COB) for those members who have secondary coverage, in compliance with Florida Statute FL FSA §627.4235, effective plan year January 1, 2011. ([#20110182](#)-HUMAN RESOURCES)

FUNDING SOURCE:

N/A

WHAT ACTION ACCOMPLISHES:

Brings our claims processing method into compliance with the referenced Florida Statute.

MANAGEMENT RECOMMENDATION:

Approve.

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

B) ACTION REQUESTED/PURPOSE:

Approve, and authorize Chair to execute, a [Lease Agreement with Greyhound Lines, Inc.](#), to lease 901 square feet of office space and bus parking located at the Rosa Parks Transportation Center effective March 1, 2011. Greyhound has agreed to lease this space from Lee County Transit for an annual amount of \$14,400.00. The lease is for a term of five (5) years, and has an option to be renewed at the same terms and conditions for an additional five (5) years. Greyhound's rent will increase annually by 2.5% on March 1. ([#20110202](#)-TRANSIT)

FUNDING SOURCE:

N/A. Revenue is budgeted.

WHAT ACTION ACCOMPLISHES:

Allows Greyhound to lease space from Lee County Transit.

MANAGEMENT RECOMMENDATION:

Approve.

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

8. NATURAL RESOURCES/ SOLID WASTE

No requests received.

9. PARKS AND RECREATION

A) ACTION REQUESTED/PURPOSE:

Approve, and authorize Chair to execute, a [Lease Agreement between Lee County and the Heights Foundation](#) for use of the Harlem Heights Recreation Center.

(#20110205-PARKS AND RECREATION)

FUNDING SOURCE:

N/A

WHAT ACTION ACCOMPLISHES:

Allows the Heights Foundation to operate programs occurring at the Recreation Center.

MANAGEMENT RECOMMENDATION:

Approve.

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

10. PUBLIC SAFETY

A) ACTION REQUESTED/PURPOSE:

Approve, and authorize Chair to execute, a [Lease Agreement](#) with Iona-McGregor Fire Protection & Rescue Service District for space in their fire stations to house Lee County Emergency Medical Services personnel and vehicles. Lease cost is \$200.00 per station per month, or a total of \$600.00 per month for three (3) years with an additional two (2) year renewal. (#20110197-PUBLIC SAFETY)

FUNDING SOURCE:

General Fund.

WHAT ACTION ACCOMPLISHES:

Fulfills an operational need for secure, protected space to house its personnel and emergency vehicles.

MANAGEMENT RECOMMENDATION:

Approve.

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

11. PUBLIC WORKS ADMINISTRATION

No requests received.

12. TRANSPORTATION

No requests received.

13. UTILITIES

A) ACTION REQUESTED/PURPOSE:

Approve CIP [Budget Transfer](#) in the amount of \$65,700.00 from the Corkscrew Road & I-75 Interchange Project, to the Olga Water Treatment Plant Improvements Project; and, amend the FY 10/11 CIP Budget accordingly. (#20110191-UTILITIES)

FUNDING SOURCE:

Funds: LCU Capital Improvements; Program: Capital Projects; Project: Olga Water Treatment Plant Improvements.

WHAT ACTION ACCOMPLISHES:

Provides funds to complete additional work.

MANAGEMENT RECOMMENDATION:

Approve.

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

B) ACTION REQUESTED/PURPOSE:

Approve award of Formal Quotation No. Q-110070 for the purchase of one (1) Sewer Televising System and one (1) Utility Box for the Lee County Utilities Division to the low quoter, meeting specifications; CUES, at a price of \$76,000.00 for Televising System and \$13,000.00 for the Utility Box for a Grand Total of \$89,000.00.

(#20110194-UTILITIES)

FUNDING SOURCE:

Fund-Lee County Utilities Operations; Program-Wastewater Collection; Project-Furniture and Equipment.

WHAT ACTION ACCOMPLISHES:

Allows the Lee County Utilities Division to maintain their inspection operations of existing sewer pipe systems.

MANAGEMENT RECOMMENDATION:

Approve.

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

14. COUNTY ATTORNEY

No requests received.

15. HEARING EXAMINER

No requests received.

16. CONSTITUTIONAL OFFICERS**A) ACTION REQUESTED/PURPOSE:**

Approve [disbursements](#). The check and wire registers may be viewed on the Clerk's Website at WWW.LEECLERK.ORG by accessing the BoCC Minutes and Documents link. (#20110210-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 Judah moved approval, seconded by Commissioner Manning, called and carried.

B) ACTION REQUESTED/PURPOSE:

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

March 7, 2011 (Zoning), March 8, 2011 (Regular).

(#20110211-MINUTES)

FUNDING SOURCE:

N/A

WHAT ACTION ACCOMPLISHES:

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

MANAGEMENT RECOMMENDATION:

Approve.

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

C) ACTION REQUESTED/PURPOSE:

Present to the Board of County Commissioners the Lee County Comprehensive Annual Financial Report (CAFR) for fiscal year 2010. The CAFR was provided in a PDF format on a CD to appropriate recipients. (#20110212-FINANCE)

FUNDING SOURCE:

N/A

WHAT ACTION ACCOMPLISHES:

Provides public notice of the availability of the audited financial statements to the citizens of Lee County.

MANAGEMENT RECOMMENDATION:

N/A

Commissioner Judah 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, and authorize the Chair or Vice Chair to sign, a delegating Resolution in an aggregate principal amount not to exceed \$107,500,000.00 for the authorization, execution and delivery of a [Bond Purchase Agreement](#) that meets specific criteria in connection with the [Water & Sewer Refunding Revenue Bonds, Series 2011](#). Also, authorize other approvals, as necessary, contained in the Resolution. ([#20110198](#)-COUNTY MANAGER)

FUNDING SOURCE:

Bond Proceeds.

WHAT ACTION ACCOMPLISHES:

Allows greater flexibility in marketing the Water & Sewer Refunding Revenue Bonds, Series 2011 by authorizing the Bond Purchase Agreement to be signed without reconvening the Board of County Commissioners.

MANAGEMENT RECOMMENDATION:

Approve.

Commissioner Judah moved approval, seconded by Commissioner Manning. Assistant County Manager Pete Winton provided an overview of the approximate \$4.1 million in savings the County would realize with the refinancing of the bonds. County staff was lauded for their efforts in this matter, and the motion was called and carried.

[RESOLUTION NO. 11-03-27](#)

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

A) ACTION REQUESTED/PURPOSE:

Provide direction to staff relative to the collection and transport of recovered materials at multi-family residential properties. If determined that changes to County Ordinances 08-

10 and 07-25 are desirable, direct staff to schedule a Public Hearing to consider amendments to such ordinances. ([#20110200](#)-SOLID WASTE)

FUNDING SOURCE:

N/A

WHAT ACTION ACCOMPLISHES:

Provides direction to staff relative to County Ordinances 08-10 and 07-25 and the utilization of exclusive franchise collection contractors to collect recoverable materials at mobile home parks and other multifamily properties.

MANAGEMENT RECOMMENDATION:

Maintain existing Ordinance requirements.

The individual Commissioners offered various options, with input from Assistant County Attorney Scott Covert and Solid Waste Division Director Lindsey Sampson. There was Board consensus to bring alternatives back for further consideration, and agreement to the request by Mr. Sampson that this matter would come back to a Public Hearing to a date certain once optional language was reviewed. Commissioner Manning moved approval to direct staff to go to Public Hearing at their first opportunity, seconded by Commissioner Hall with the caveat that the optional language would be made public prior to the hearing. Following further response to Board comments, Attorney Covert agreed to provide draft Ordinance language along with a blue sheet request to schedule a Public Hearing within the next few weeks. The maker and seconder agreed, and the motion was called and carried.

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

A) ACTION REQUESTED/PURPOSE:

Approve, and authorize Chair to execute, the [First Amendment to Interlocal Agreement](#) and corresponding [First Amendment to Municipal Land Lease Agreement](#), between the City of Fort Myers and Lee County; for the design, construction, furnishing, occupancy and long-term lease of an urban public library to be located in downtown Fort Myers. ([#20110195](#)-COUNTY ATTORNEY)

FUNDING SOURCE:

Library Fund.

WHAT ACTION ACCOMPLISHES:

Amends Interlocal Agreement and corresponding lease with the City of Fort Myers for the design and construction of a downtown library to be located on a site comprising adjacent parcels at 2400 and 2450 First Street, 1600 Royal Palm Avenue and 1651 Lee Street, Fort Myers, Florida.

MANAGEMENT RECOMMENDATION:

Approve First Amendment to Interlocal Agreement and First Amendment to Municipal Land Lease Agreement.

Commissioner Manning moved approval, seconded by Commissioner Hall. Under discussion, Commissioner Bigelow pointed out that several problem areas had been identified in conjunction with this property. County Manager Karen Hawes and Assistant County Manager Holly Schwartz updated the Board on conversations held with the City of Fort Myers and indicated the issues are being resolved jointly. The motion was called and carried.

15. HEARING EXAMINER

No requests received.

CONVENE AS BOARD OF PORT COMMISSIONERS

16. CONSTITUTIONAL OFFICERS**A) ACTION REQUESTED/PURPOSE:**

Present to the Board of County Commissioners the Lee County Port Authority's financial statements (Port Report) for fiscal year 2010. The Port Report was provided in a PDF format on a CD to the appropriate recipients. (#20110213-FINANCE)

FUNDING SOURCE:

N/A

WHAT ACTION ACCOMPLISHES:

Provides public notice of the availability of the audited financial statements to the citizens of Lee County.

MANAGEMENT RECOMMENDATION:

N/A

FOR ACTION TAKEN SEE MINUTES OF THE BOARD OF PORT COMMISSIONERS FOR THIS DATE.

RECONVENE AS BOARD OF COUNTY COMMISSIONERS

17. PORT AUTHORITY AND OTHER GOVERNING BOARDS

No requests received.

10:00 AM INFORMATIONAL PRESENTATION**1. ACTION REQUESTED/PURPOSE:**

Presentation by David Bennett, the County's Courts and Corrections Planning Consultant, on the status of efforts to efficiently manage jail population and defendants in the court system.

(#20110206-COUNTY ADMINISTRATION)

FUNDING SOURCE:

N/A

WHAT ACTION ACCOMPLISHES:

Mr. Bennett reports periodically to the Board of County Commissioners on the performance outcomes of programs the County is funding to realize efficiencies in the court and jail systems.

MANAGEMENT RECOMMENDATION:

N/A

HEARD OUT OF ORDER UNDER COUNTY MANAGER ITEMS

Following a brief introduction by County Manager Karen B. Hawes, David Bennett narrated a PowerPoint [Annual Review of Lee County Jail Statistics](#), concurred with the Board's opposition to SB 372, and responded to several Board questions.

COMMISSIONER ITEMS

CHILDREN'S HOSPITAL BENEFIT – Commissioner Hall mentioned that the non-profit North Fort Myers Orioles would be holding a Poker Run for the benefit of the Children's Hospital Summer Camp on Saturday, March 26, and invited those who wished to participate to contact Kenny Cox at the Fraternal Order of the Orioles.

SEPTIC SYSTEM DIRECTION – Commissioner Hall requested and received affirmation from the Board that specific direction was given to staff at their last Management & Planning Committee meeting to inventory and categorize the number of septic systems in the County.

LETTER TO LEGISLATORS – Commissioner Manning stated he would like approval of the draft letter he provided for signature by the Chair to Senators [Nelson](#) and [Rubio](#) with a copy to [Congressman Mack](#) regarding the Woodring Point Homestead being acquired by the Federal government as part of Ding Darling National Wildlife Refuge. Commissioner Hall moved approval, seconded by Commissioner Manning, called and carried.

SEAFARER'S VILLAGE – Commissioner Judah wished to clarify the Board's position regarding disposition of the County-owned Seafarer's Village site by letter addressed to the Mayor and Town Council of Fort Myers Beach. Discussion ensued on involvement of the Tourist Development Council, liability and timing issues, and questions raised by the Mayor in light of an upcoming Town Council meeting. Commissioner Hall moved that the Board advise the Mayor of Fort Myers Beach on the Board's position and schedule for this matter, the motion failed for lack of a second. There was consensus that the Chair sign a [letter](#) stating the Board's position to the Town and the TDC and request a list of specific suggestions and options for consideration by the Board.

COLLIER MINING OPERATION - Commissioner Judah requested that Community Development and Natural Resources staff formulate a position of concern by this Board to send to the reviewing agencies on the Lost Grove mining operation located on the Lee/Collier County line that impacts traffic on Corkscrew Road and SR 82. Following Board consensus, Assistant County Manager Holly Schwartz agreed to draft the letter.

COMMITTEE RECOMMENDATIONS - Commissioner Bigelow indicated that pursuant to his request, the Financial Advisory Committee would be providing copies of their recommendations to the Board prior to budget deliberations.

ARTS AT THE LIBRARY - Commissioner Mann referenced a recently received letter from Fort Myers Mayor Randy Henderson requesting that any unspent construction funds be directed to art issues within the new Library building, and brief discussion was held.

WWI VETERAN PASSING - Commissioner Mann noted the recent passing of the 110 year old last surviving Veteran from WWI, and pointed out the vital role that our veterans play in the American Spirit.

COMMITTEE APPOINTMENTS

Commissioner Bigelow moved to appoint Gerald Murphy to the **LAND DEVELOPMENT CODE ADVISORY COMMITTEE**, Michael McNally to the **HUMAN SERVICES COUNCIL**, and Armando Jorge to the **HUMAN SERVICES COUNCIL**, and to re-appoint Carmen Rey-Gomez and Patricia Washington to the **HUMAN SERVICES COUNCIL**, Lee R. Coleman to the **PAGE PARK STREETLIGHTING UNIT**, Dorothy Corker to the **ALABAMA GROVE AREA STREETLIGHTING UNIT**, and Eddie Felton to the **AFFORDABLE HOUSING COMMITTEE** ([RESOLUTION NO. 11-03-28](#)), seconded by Commissioner Judah, called and carried.

Commissioner Judah moved to appoint Carol Newcomb-Jones to the **LOCAL PLANNING AGENCY**, seconded by Commissioner Bigelow, called and carried.

Chairman Mann requested a motion to appoint Armando Jorge to the **HUMAN SERVICES COUNCIL** and to re-appoint Michael Elgin to the **UNIVERSITY WINDOW OVERLAY SPECIAL IMPROVEMENT UNIT**. Commissioner Bigelow moved approval, seconded by Commissioner Judah, called and carried.

Commissioner Manning moved to appoint Ileana Sissonto the **BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE**, and Maria Classon to the **CONSTRUCTION LICENSING BOARD**, and to re-appoint Tom Tomich and Roger Bradley to the **WATERWAYS ADVISORY COMMITTEE**, Georgiana Stevenson, Albert W. Lappin, Amand Mathieu and James McCulla to the **DEWBERRY LANE SPECIAL IMPROVEMENT OPERATIONS & MANAGEMENT COMMITTEE**, William G. Winterer, Bill Caldwell III and Rebecca Seale Paterson to the **BOCA GRANDE HISTORIC PRESERVATION BOARD**, and Susan M. Weir to the **CHERRY/BLUEBERRY IMPROVEMENT UNIT**, seconded by Commissioner Hall, called and carried.

COUNTY MANAGER ITEMS

County Manager Karen Hawes referenced a draft letter provided to the Board that stated its opposition to SB372 (Pre-trial Releases). Commissioner Manning moved approval to send, seconded by Commissioner Hall, called and carried.

[RESOLUTION NO. 11-03-29](#)

Following a presentation by David Bennett (see 10:00 AM Informational Presentation Item above), Assistant County Manager Pete Winton introduced KPMG Audit Partner Lori Nissen. Ms. Nissen narrated a PowerPoint presentation ([copy on file in the Minutes Office](#)) on the audit results of the County's financial statements for FYE September 30, 2010. She advised that KPMG anticipated issuing an unqualified opinion on both the County and Port Authority audits, and thanked staff for their reporting efforts. Ms. Nissen and Mr. Winton responded to brief Board questions.

COUNTY ATTORNEY ITEMS

HEARD OUT OF ORDER PRIOR TO THE 10:00 A.M. INFORMATIONAL PRESENTATION

Interim County Attorney Andrea Fraser responded to a request of Commissioner Hall for an update on recent mediation proceedings that had been continued to a date sometime in June. Discussion ensued on the role of a Board member during a mediation proceeding, and there was consensus to have an opinion rendered by the new County Attorney when he comes on board in mid-April.

COMMISSIONER MANNING LEFT THE MEETING AT 11:10 A.M AND WAS ABSENT FOR THE REMAINDER OF THE MEETING.

9:30 A.M. AGENDA ITEM

Public Presentation of Matters by Citizens

The Chairman called for presentation of matters of interest by any citizen; however, no one came forward.

The Chairman adjourned the meeting at 11:52 a.m.

ATTEST:
CHARLIE GREEN, CLERK

Deputy Clerk

Chairman, Lee County Commission