

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
MARCH 18, 2010**

The regular meeting of the **Southwest Florida Regional Planning Council** was held on **March 18, 2010** at the Southwest Florida Regional Planning Council – 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. **Chair Mick Denham** called the meeting to order at **9:00 a.m.** **Commissioner Butch Jones** led an invocation and the Pledge of Allegiance. Senior Administrative Staff Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Councilman Don McCormick, Commissioner Tricia Duffy, Ms. Andrea Messina

Collier County: Councilman Charles Kiester, Commissioner Jim Coletta, Councilwoman Teresa Heitmann, Commissioner Frank Halas, Mr. Bob Mulhere

Glades County: Commissioner Kenneth “Butch” Jones, Dr. Edward Elkowitz

Hendry County: Commissioner Karson Turner, Mayor Paul Puletti

Lee County: Commissioner Ray Judah, Mayor Mick Denham, Councilman Forrest Banks, Mayor John Sullivan, Councilman Tom Babcock

Sarasota County: Commissioner Jon Thaxton, Councilman Ernie Zavodnyik

Ex-Officio Members: Ms. Dianne Davies – SWFWMD, Mr. Jon Iglehart – FDEP, Mr. Phil Flood – SFWMD, Mr. Johnny Limbaugh – FDOT, Ms. Tammie Nemecek – EDC of Collier County

MEMBERS ABSENT

Charlotte County: Commissioner Robert Skidmore, Mr. Alan LeBeau

Collier County: None

Glades County: Councilman Michael Brantley, Commissioner Paul Beck

Hendry County: Commissioner Tristan Chapman, Mr. Melvin Karau, Mayor Mali Chamness

Lee County: Commissioner Tammy Hall, Ms. Laura Holquist, Mr. Paul Pass, Councilman John Spear

Sarasota County: Commissioner Carolyn Mason, Mr. George Mazzarantani, Commissioner Tom Jones, Mr. David Farley

Ex-Officio Membership: None

MOMENT OF SILENCE

The Council held a moment of silence in memory of Lee County Commissioner Bob Janes who also was a former Chair and member of the Council.

Commissioner Judah announced that there will be a celebration of Commissioner Janes' life held at the Harborside Event Center on March 22nd at 4:00 pm.

Chair Denham announced that the Council will be making a \$100 contribution to the Bob Janes memorial fund.

INTRODUCTIONS

Chair Denham introduced: Ms. Diana McGee, Regional Director from US Senator Bill Nelson's Office and Mr. Dick Keen from US Congressman's Tom Rooney's Office.

AGENDA ITEM #1 AGENDA

Ms. Messina moved and Dr. Elkowitz seconded to approve the agenda as presented. The motion carried unanimously.

AGENDA ITEM #2 MINUTES OF FEBRUARY 18, 2010

Councilman Kiester moved and Ms. Messina seconded to approve the minutes of February 18, 2010 as presented. The motion carried unanimously.

Chair Denham announced that he would be pulling Consent Agenda Item #3(d) Collier County Comprehensive Plan Amendments (DCA 10-1) for discussion purposes.

AGENDA ITEM #3(d) Collier County Comprehensive Plan Amendments (DCA 10-1)

Chair Denham stated that he is particularly interested in Amendment CP 2009-1 where the comments which staff had written indicate this amendment would be very detrimental to Everglades Restoration, etc.

Mr. Crawford of staff explained that Amendment CP 2009-1 of the Collier County Comprehensive Plan is a petition to change their future land use element and their future land use map and map series to create the Dade-Collier Cypress Recreation District within the conservation designation. The site is located on the Dade-Collier County line, just north of US41. The

property is owned by Dade County and it is really to make a recreation area for a variety of uses that you would normally find in a recreational park. The most serious concern that staff had was the proposed ATV usage in the area. Collier County has been looking for an ATV park location for several years, this piece of property was decided upon and studied by Dade County as the most appropriate for that use, so Collier County is trying to amend their comprehensive plan in order to allow the ATV park in that location. Staff has concerns for basically two main reasons: there are environmental concerns when you bring ATV vehicles into that area (the Everglades); and, there is a canal on the Everglades Restoration list, which is an approved project in the Everglades Restoration (L28), that is located just to east of the property. The Everglades Restoration is proposing to fill that canal which is going to change the sheet-flow in the Glades that will go over the site, so the water will be much more significant then what it is at the present time. Staff has received comments from the SFWMD in agreement that the canal issue could cause a problem in future for the use of the park for the proposed activities on the site. Staff recommends that it is regionally significant and inconsistent with the SRPP in terms with the environmental impacts the Everglades Restoration.

Chair Denham referred to Item 7 on Pages 64 and 65 of the item. He read staff's comments on the negative impacts.

Commissioner Coletta explained that this has been a special project which he has been working on very closely with Commissioner Peppe Diaz from Miami-Dade County. He noted that when the Picayune Forest was the south block of Golden Gate Estates, everyone had access to it for ATVs and it was a tremendous recreation location for families. As time went along the State realized that they had to do something along a conservation effort than what has been done in the past, so they came to Collier County and said if you give us the roads in the proposed Picayune Forest we will give you a square mile (640 acres) for ATV recreation. Unfortunately, to this day that never happened, so Collier County has been working ever since trying to come up with something for ATV recreation. This project is a partnership with Miami-Dade County on airport land which is already disturbed land and is fenced in. The property has man-made lakes and when the airport was built they filled in the land around it. He doesn't feel that there are any environmental impacts or endangered species on the property. As it is now the property floods during the summer time so the recreation vehicles will not be able to use the property.

Commissioner Coletta noted that the preserve next to the property was created with a combined effort of the environmentalists and the access community that likes to hunt and fish on the property. He then asked the Council that if they find an issue with the amendment to continue Amendment CP 2009-1 so that a more formal presentation could be made and members of the community could be present. He noted that the Collier County BOCC passed the amendment with a 5-0 vote.

Commissioner Halas asked where Council staff received their information from. Mr. Crawford explained that as far as the L28 information is concerned it came directly from the SFWMD and the environmental information came from local knowledge.

Commissioner Halas stated that when this amendment came before the Collier County BOCC he had some questions at the time and had asked staff and he was assured that there wouldn't be any environmental impacts, but now that he has read Council staff's comments and he now has some concerns once again.

Commissioner Judah said that he applauds Council staff comments and bringing forth this sensitive issue and he also respects and appreciates the position of the Collier County BOCC in regards to the promise that was made to the ATV recreational users. He then said that this was a holy war when this jetport landing strip was built and killed during the Nixon Administration, because of its impacts to the Everglades. It absolutely has a devastating impact to the Everglades Restoration and he welcomes to hear both sides of the issue and defer the item for that purpose.

Mr. Mulhere stated that another consideration is one of the issues that has been dealt with in Collier County in the significant amount of lands that are under state and federal ownership, where almost 80% of Collier County are under state or federal ownership, was the illegal use of lands for ATVs and the damage that was occurring as a result of that use (i.e. Big Cypress and Collier-Seminole State Park). This whole process was intended to find a location where this specific type of recreation use could be properly controlled and managed, and the impacts associated with it could also be properly controlled and managed.

Mr. Mulhere moved and Commissioner Judah seconded to continue Collier County Amendment CP 2009-1 in order to have a presentation on the issue at the April Council meeting. The motion carried unanimously.

Commissioner Coletta requested to approve the remaining six amendments that are within the item.

Mr. Hutchinson of staff requested that Mr. Crawford give an overview of the DCA process.

Mr. Crawford explained that DCA has a schedule for the ORC report which Council staff has to also meet that schedule. DCA will be producing the ORC report within the next month, so what he will do is take the Council's comments from the meeting and send them to DCA.

Commissioner Thaxton asked if DCA's timeline is set by rule. Mr. Crawford replied yes. Commissioner Thaxton stated then in essence the Council would be making no comments in reference to Amendment CP 2009-1. Mr. Crawford explained that we would unless DCA decides to change it for this particular one and defer the ORC report. Commissioner Thaxton asked if DCA has the legal authority to change it and give the Council the opportunity to submit comments at a later date. Mr. Crawford replied that he has never seen it done before.

Commissioner Coletta explained that it is moving forward for transmittal and it has to come back through the process again in Collier County for adoption. Mr. Crawford stated that after it is adopted it does come back for another round of comments.

Commissioner Thaxton stated that the time to get comments into the process is not at the adoption hearing, it is during the transmittal period and that is why the process is set up the way that it is.

Commissioner Judah asked for clarification that the Council is not to move forward on the amendment. Mr. Crawford explained that he would write in the letter to DCA that Amendment CP 2009-1 would be continued and pulled from the request.

Mr. Flood asked if staff comments are sent to DCA without the Council's blessing. Mr. Crawford explained that the comments are sent to DCA as staff comments with a letter stating that they are staff comments and they will be reviewed by the Council at the Council meeting and if there are any changes to the comments, staff will provide the Council's comments to DCA.

Commissioner Judah stated that the CP 2009-1 Amendment is not being moved forward at this time, so the comments will be reserved regarding this amendment until after the April Council meeting. Mr. Crawford explained that the Council is a commenting agency and the comments will state that Amendment CP 2009-1 has been continued for one month for further review.

Mr. Mulhere stated that he doesn't believe that the Council has the authority to stop the amendment from moving forward, but Collier County could choose to withdraw this particular amendment. He does feel that it is important that the Council's comments move forward.

Commissioner Judah stated that his assumption was that Collier County would withdraw Amendment CP 2009-1 until the Council has time to review it.

Commissioner Halas stated that he has a concern with what he read in the Council's staff report and he was also surprised that it was on the consent agenda. He believes that the issue needs to be discussed further. If there are environmental and endangered species impacts and if the SFWMD has some concerns, even though they haven't met their obligations, Collier County also has to make sure they meet their obligations of their federal partner of the lands and what their intended use is and what they are planning to do with the sheet-flow. These issues weren't brought out in the board meeting about them filling in a canal, which will create additional sheet-flow.

Ms. Davies stated that Mr. Mulhere was correct in stating that Collier County could grant a continuance or extension to the petition to DCA. She then explained that it is her understanding that Amendment CP 2009-1 is the only amendment among the amendment item, which has several amendments that are being proposed, the Council doesn't want to comment on and the rest of the amendment package will go through to DCA. She noted what she has seen happen is when the remainder of the amendment package goes through and Collier County receives the ORC Report, they will be able to address those comments through their review of the ORC Report. However, she has also seen DCA come back after an ORC Report has been addressed and pull specific petitions to be entered as out of compliance within that amendment package. So Collier County could end up with a Notice of Intent for Compliance In or Out of Compliance with the one specific petition being excluded.

Mr. Mulhere explained that typically is what Collier County will do which is set it up under a separate resolution. He then said that if the Council can move the rest of the amendment package forward with pulling Amendment CP 2009-1 and either make a recommendation today or defer making a recommendation which is the concern Commissioner Thaxton had expressed.

Mr. Mulhere and Commissioner Judah withdrew their motion.

Chair Denham suggested to forward staff comments as presented, but with additional comments as the Council has noted.

Commissioner Coletta stated that he would like to hear from the opposition, not just have the Council base their decision on staff's report. He feels that what is written in staff's report is a distortion of the truth because he has been out to the site many times. He feels that it is unfair not to be able to have a presentation be made with all of the parties involved.

Dr. Elkowitz stated that he agrees with the Chair's comments but they need to be stronger. The comments that are sent to DCA needs to be stronger in the way that the Council moves forward with the exception of this particular item which the Council wants to review and have a public hearing and have a review by Collier County, Dade County, and the Council. He said to move forward with the package, excluding this particular item until further investigation.

Commissioner Judah moved and Commissioner Thaxton seconded to move forward with staff's recommendations and also include Council's comments as noted.

Commissioner Thaxton stated that the argument that was made was that there would be ample opportunity to review it at the adoption hearing. He noted that the Council meeting was a duly advertised public hearing, so there was plenty of time for those individuals who wished to pull or to prepare comments on this item to attend this meeting and make their case. On the other hand, staff is present, their comments are prepared, and are prepared to defend what they stated within the report. We hire professional staff for the very reason of getting this sort of professional input. So, he feels that if there was some other input on the issue they should have been in attendance. This is why he supports transmitting staff's recommendations and then if there is additional professional input that should be heard by the Council, we will have the opportunity to do it at the adoption phase.

Mr. Mulhere moved an amendment to the motion and Commissioner Judah seconded to include a recommendation from the Council to Collier County to voluntarily relieve the Council staff from the 30 day comment period which would allow enough time for staff to come back to the Council and make a presentation in advance of providing ORC comments.

Dr. Elkowitz stated that he feels that the Council needs to spell out to DCA exactly what it wants.

Mayor Puletti asked for clarification in what is the definition of ATV recreation for the proposed site. Does it include mud holes, family picnics, etc. Commissioner Coletta replied that includes designated trails which there are a limited amount of them and there will be some picnic grounds. There are existing lakes with fish which will be available for fishing, camping areas available for family camping, which is all during the appropriate season.

Commissioner Turner noted that some of the wildlife management areas, Spirit of the Wild is 8,000 acres, Okee Slough is 34,000 acres, Dinner Island Wildlife Management Area 24,000 acres, and currently Hendry County is 50% owned by the State of Florida and our residents have zero areas to drive an off road vehicles. He stated that he agrees with Commissioner Coletta that there needs to be places for families to go with their recreational vehicles.

The amendment motion passed with three opposed.

The main motion passed with four opposed.

AGENDA ITEM #3 CONSENT AGENDA

Commissioner Judah moved and Councilman Banks seconded to approve the consent agenda as amended: Agenda Item #3(a) Intergovernmental Coordination and Review; Agenda Item #3(b) Financial Statement for February 28, 2010; Agenda Item #3(c) Estero Bay ABM Elections, Workplan & Bylaws; Agenda Item #3(e) Lee County Red Sox Stadium DRI - Development Order Review; Agenda Item #3(f) North Port Gardens DRI - Request for Extension; and Agenda Item #3(g) Florida Gulf Coast Technology & Research Park DRI - Request for Extension. The motion carried unanimously.

AGENDA ITEM #4 HARBORVIEW SUBSTANTIAL DEVIATION DRI - STAFF ASSESSMENT

Mr. Dan Trescott of staff explained the distributed letter requesting a continuance of the DRI Staff Assessment until the Council's April meeting.

Commissioner Judah moved and Commissioner Duffy seconded to approve the continuance of the Harborview Substantial Deviation DRI Staff Assessment to the April Council Meeting.

Commissioner Judah stated that there is a issue because the proposed subject property is within the coastal high hazard area and flood way and FEMA just recently adopted changes to the FEMA floodplain regulations which doesn't allow fill in flood ways. Mr. Trescott explained that he is working on that issue with Charlotte County. He stated that he is not sure if there really is a flood way located within the subject property, there is definitely a coastal high hazard area issue which apparently the county and applicant has worked out regarding the number of units that is allowed. There is a "V" zone and in terms of their regulations they have allowed no more than one foot of fill unless the applicant is going to fill the entire site and then they can actually request a map change.

Commissioner Judah noted that Lee County's Comprehensive Plan calls for a reduction in density in coastal high hazard areas and not an increase in density. Mr. Trescott stated that the law states that you cannot increase the density within the coastal high hazard area, which is going to change pretty soon because we are working on the new storm surge maps for the coastal counties as soon as the model is completed for the hurricane center.

Commissioner Judah stated that this issue needs to be discussed at the April meeting when this item is brought back before the Council.

The motion carried unanimously.

AGENDA ITEM #5(a)
Lower West Coast Watersheds Implementation Committee

SWFRPC Resolution #2010-02 - Resolution of the Southwest Florida Regional Planning Council in Support of the Federal Law Concerning Emerging Substances of Concern - Mr. David Crawford

Mr. Crawford of staff reviewed the item as presented.

Dr. Elkowitz moved and Commissioner Judah seconded to approve SWFRPC #2010-02 - Resolution of the Southwest Florida Regional Planning Council in Support of the Federal Law Concerning Emerging Substances of Concern.

Dr. Elkowitz stated that there are five classes of chemicals that are being analyzed and he would support to move forward on the analysis of other categories of chemicals.

Councilman McCormick asked for clarification that there were 38 million chemicals that the federal government has not regulated. Mr. Crawford replied yes.

Commissioner Thaxton thanked Dr. Elkowitz for his leadership on this issue.

The motion carried unanimously.

Dr. Elkowitz stated that when the issue of waste disposal is discussed with staff he would like to have staff review the following, we are dumping material that we believe is innocuous today, but 20 years in the future when there is new technology one of those 38 million chemicals are going to come up as a problem. Therefore he believes the next issue that the Council should concentrate on is waste disposal and where it is being created, how it is being created, and what is being disposed of. He explained that in Glades County there is a waste facility on the shores of Lake Okeechobee and he believes that it is within a flood zone, but what are the impacts going to be from this facility to the lake in 20 years. He then brought up the example of Love Canal in upstate New York, when it was discovered that what was being dumped into the canal was cancerous.

Chair Denham asked Dr. Elkowitz how he proposes the Council address the waste disposal issue. Dr. Elkowitz suggested creating a committee. Chair Denham explained that the problem with creating a committee is having the staff time to support the committee.

Commissioner Butch Jones stated that there was an individual that had a sugar cane field in Glades County and he applied for a permit for a C&D landfill, Glades County opposed the landfill with a vote of 5-0, but it was approved by every governmental agency. There is a spotter that is paid to watch every truck that comes into the landfill, supposedly no gypsum board, and you can go by any

day of the week and smell rotten eggs. Even though Glades County opposed the landfill, they insisted on the 9 mil liner which none of the regulatory agencies required.

Commissioner Coletta suggested having a presentation from the different elements of the waste management industry, environmental groups, etc. in order to have more information on the issue. He believes that in a very short time there won't be any more landfills, the current landfills will be considered resources to be mined. The way things are going now we are probably going to be converting the liner gear to bio-diesel.

Commissioner Judah stated that Lee County had recognized the issue back in the early 1990's and that is why they built a waste management facility in order to compliment a very aggressive recycling program.

Commissioner Judah moved Commissioner Butch Jones seconded to have the Council request that the State Legislature impose a requirement that for construction and demolition (C&D) Class III landfills have a liner. The motion carried unanimously.

Dr. Elkowitz stated that when staff reviews comprehensive plans and DRIs staff informally reviews waste disposal, so all he is asking for is that staff formally puts down whether or not they are in compliance.

Chair Denham asked if waste disposal is part of the DRI Checklist. Mr. Trescott replied it is part of the DRI Checklist as far as where the waste is being disposed. Chair Denham asked Mr. Trescott how all of the issues relative to waste disposal are being addressed by staff. Mr. Trescott explained that staff doesn't deal with the regulation of the landfill. Staff deals with where the waste is going, how much waste is being disposed of based on the types of development, and now staff is looking at more of construction debris. Staff has been mostly looking at domestic waste, but will also be reviewing construction debris.

Chair Denham suggested working with staff on whether or not an agenda item should be at a future meeting to further discuss the issue.

Opposition to State Fertilizer Rule Preemption of Local Ordinances Letter – Mr. James Beever

Mr. Beever reviewed the item as presented.

Commissioner Thaxton stated that he had served on the State's Urban Fertilizer Task Force and that committee which had both city, county, fertilizer, agriculture, etc. representation voted that the State be okay in creating a standard state-wide rule, but that committee recommend that the State not pre-empt local governments. So we need to remind the State Legislature that their own self-appointed committee advised them not to do what they are doing.

Chair Denham stated that he agrees with Commissioner Thaxton.

Mr. Beever stated that for the water quality issues; the State has come back with a revised version of the designated uses rule and there has been some significant improvement which incorporates a number of comments that have been provided. The one problem that continues to exist is that

they have rule language and they have a hand book which goes along with the rule and the hand book is not completely consistent with the newly revised rule language. Comments are going to be received by FDEP until March 24th.

Mr. Beever stated that the Stormwater Rule is currently being revised and there is also a handbook that also goes along with the Stormwater Rule, so the committee needs to review the handbook to see how it goes with the Stormwater Rule. There will be workshops held in Fort Myers in May for people who want to see what the new version of the Stormwater Rule is like and comments are due by June 15th.

Mr. Beever explained that committee is also trying to follow the EPA's proposed Numeric Nutrient Standards Rule and the committee has compiled a draft letter based upon input that was received from the Council and committee and that it is going to be reviewed at the committee's next meeting.

Chair Denham announced that the Lower West Coast Watersheds Implementation Committee meets the first Thursday of every month at 10:00 am at the Council's offices.

AGENDA ITEM #5(b)
SWFRPC Quarterly Budget Committee Report – Ms. Laura Holquist

Chair Denham explained that since Ms. Holquist wasn't present that he would be giving the Quarterly Budget Committee Report.

Chair Denham explained that the first recommendation from the committee was to recommend to the Council that a policy is created within the next cycle where every five years the Council goes out for RFP for an Audit Team.

Commissioner Judah moved and Commissioner Thaxton seconded to have a policy created, within in the next cycle, where every five years the Council goes out for RFP for an Audit Team. The motion carried unanimously.

Chair Denham explained that the second recommendation from the committee was to have the Budget Committee approve any budget amendments for any given year prior to being presented to the full Council.

Councilman McCormick moved and Councilman Kiester seconded that the Budget Committee shall approve any budget amendments for any given year prior to being presented to the full Council.

Commissioner Judah recommended that the Budget Committee should "review and recommend" any budget amendments...

Both Councilman McCormick and Councilman Kiester agreed to Commissioner Judah's amendment. The amended motion shall read:

Councilman McCormick moved and Councilman Kiester seconded that the Budget Committee shall review and recommend approve any budget amendments for any given year prior to being presented to the full Council. The motion carried unanimously.

Chair Denham explained that the third recommendation from the committee was to compile an executive summary for each quarter and for the annual budget.

Commissioner Judah moved and Ms. Messina seconded to approve to have an executive summary for each quarter and for the annual budget. The motion carried unanimously.

Chair Denham explained that the fourth recommendation from the committee was to include a schedule within the monthly financials that shows grant activity.

Commissioner Judah moved and Councilman McCormick seconded to include a schedule within the monthly financials that shows grant activity. The motion carried unanimously.

AGENDA ITEM #6(a)

Census 2010 Presentation – Ms. Marcela Rice, U.S. Census Bureau

Ms. Rice gave a verbal presentation on the 2010 Census.

Councilwoman Heitmann asked if all ten questions are not completed will the survey still be counted. Ms. Rice replied yes, but the basic information should be put in because it is bar coded.

Councilwoman Heitmann asked if the Census is still requesting space at the Council. Ms. Rice replied that they do not need any space at the Council. Mr. Heatherington explained that the Council's office didn't have any privacy areas available for the census.

AGENDA ITEM #6(b)

Legislative Issues Update – Mr. Ken Heatherington

Mr. Heatherington reviewed the item as presented.

Commissioner Judah stated that he thought that the Bennett sponsored amendment was eliminated, but you are now saying that it is being discussed today. Mr. Heatherington said that is correct. Commissioner Judah said that the Council needs to keep track of it because SB360 was a bad bill to begin with.

Mr. Heatherington reviewed HB 1095 which deals with Dissolution of Special Districts and SB 1568 which is its companion, most local governments dislike the bills because it puts them on the hook for development districts.

Commissioner Judah moved and Commissioner Thaxton seconded to send a letter to the State Legislature opposing HB 1095 and SB 1568. The motion carried unanimously.

Commissioner Turner asked for clarification between a Bill and a Senate Joint Resolution. He then referenced Senate Joint Resolution #1206 sponsored by Senator Mike Bennett which states that if TECO, FPL or Algenol, etc. wants to build a renewable energy facility that a time certain date it will be tax exempt on the ad valorem rolls. He brings this issue up because hopefully within the near future there will be renewable energy facility in either Glades or Hendry Counties and they are going to have to pay ad valorem revenues on that facility, and he would like to see the local governments have the ability to make that decision whether they are exempt or not because we simply don't have the tax base to make them exempt.

Commissioner Turner moved and Commissioner Judah seconded to send a letter to the State Legislature stating that the Council is in opposition of having the State pre-empt the local cities and counties if they want the incentive in bringing renewable energy companies to their area and exempt ad valorem taxes, then it would be up to the local jurisdiction. The motion carried unanimously.

Commissioner Turner stated that the State of Florida is behind the times in terms of renewable energy portfolio and he wants to make sure that local rule is being considered.

Commissioner Duffy asked if anyone had any information on the On-Line Travel Bill where the on-line travel companies are paying the fed tax on net amount instead of on the gross amount. She explained that the Charlotte County BOCC discussed the issue at their last meeting that she was under the impression that bill was to have them pay on the higher amount, but when she looked into the issue the bill was written to give the travel companies more flexibility.

Councilman McCormick explained that companies like Expedia and Travelocity that do packages pay taxes on the initial fee as opposed to what the customer actually pays.

Commissioner Turner addressed the distributed Glades and Hendry Joint Transportation Disadvantaged Committee letter and asked for the Council's support.

Mr. Heatherington explained that the letter has to do with the transportation disadvantaged programs which are housed within the Council and there has been some discussion about possibly reducing the amount to the TD programs and also having the programs managed by FDOT. Mr. Gary Bryant from Goodwheels has stated that they may go away because there probably is a larger provider that is talking about district-wide transportation.

Ms. Messina explained that on behalf of the school districts, SB6 goes against the local school board authority and it puts a whole lot of things into the State Board of Education, such as having to submit our travel schedules to the State Board of Education for approval, having to submit our appraisal instruments, things that we usually work out with our local union. The unions are against SB6 because it circumvents reduction in force in the contractual union language and it also requires three things which are not going to go away even if this bill fails nationally: differentiate pay, performance pay, and national standards.

Commissioner Judah moved and Commissioner Turner seconded to have the Chair sign a letter from Glades County in support of not reducing the funds from the Transportation Disadvantaged program and also not raid the Transportation Trust Fund in order to balance the budget. The motion carried unanimously.

Mr. Heatherington explained that another issue that is passing in the committee (Wildlife HB 709) is the snake issue in the Everglades on licensing pythons, cobras, etc. Mr. Beever had mentioned that a white cobra was found in the Everglades. The issue of the impacts on the urban parks and natural parks was discussed because people are afraid to go to the parks due to the threat of the snakes.

Ms. Donley noted that the US Fish and Wildlife Service are taking comments on new federal regulation regarding exotic reptiles until May 11th.

**AGENDA ITEM #6(c)
Other Regional Issues**

Mr. Heatherington reviewed the item as presented.

**AGENDA ITEM #7
PUBLIC COMMENTS**

No public comments were made at this time.

**AGENDA ITEM #8
DIRECTOR'S COMMENTS**

Mr. Heatherington had no comments at this time.

**AGENDA ITEM #9
STATE AGENCIES COMMENTS/REPORTS**

SFWMD - Mr. Flood announced that the SFWMD Governing Board had voted to extend the contract with US Sugar to purchase those lands for environmental restoration. He also announced that April is Water Conservation Month and wanted to commend all the local governments for all of their efforts to push forward water conservation and the resolutions that have been adopted.

Chair Denham announced that the April Council meeting has been dedicated to water initiatives and the water management districts will be making presentations on their projects and programs.

SWFWMD - Ms. Davies announced that she will be giving a presentation on the SWFWMD's Regional Water Supply Plan. She also announced that the SWFWMD's 2011-2015 Strategic Plan is available on their website.

AGENDA ITEM #10
COUNCIL ATTORNEY'S COMMENTS

Ms. Donley stated that she had no comments at this time.

AGENDA ITEM #11
COUNCILMEMBERS' COMMENTS

Commissioner Coletta announced that there is a meeting being held in Collier County tonight to firm up the hunting regulations for Pepper Ranch, which is land that Collier County had purchased under the Conservation Collier. Collier County had put together a Youth Hunt at Pepper Ranch which is scheduled to take place on April 16th and there are four volunteers for every youth and the hunt is being used to control some of the wild pig population. He also announced that the Boy Scouts have been holding Jamborees at Pepper Ranch and everyone has enjoyed it.

Councilman Zavodnyik stated that he would like to comment on an observation during the Council's discussion on the Collier County Comprehensive Plan Amendment item. He explained that he is generally a big supporter of staff; however, he feels that some of the comments that were made were not supportive of staff, this is not to say you cannot disagree with staff, but the tenure that he felt from the discussion about staff's input was too one-sided, incomplete, etc. and he feels that the Council needs to refrain from those types of comments. Secondly, he feels that the Council needs to find a better way of discussing such items, that item should not have been on the consent agenda. Staff should have realized that there were going to be two positions at least on that particular amendment/item and placed it on the agenda for discussion.

Commissioner Butch Jones complemented the SFWMD for their efforts in rotating their meetings around, especially to Glades County.

Councilman Banks stated that there were great Edison Pageant festivities in Fort Myers and he believes that the Edison Parade attendance broke the record.

Ms. Messina suggested placing the regional census information up on the Council's website.

Councilman McCormick stated that he attended the SFWMD Agricultural Seminar held in Fort Myers and he then suggested that the Council may want to give future consideration to land inventory. He asked do we have an inventory of land by use in our area. Mr. Heatherington explained that staff does have a public land use map, future land use map, existing comprehensive map, etc. which are located on the Council's website.

Ms. Davies stated that the SWFWMD also has layers.

Councilman Kiester suggested to staff to put the changes for the Harborview Substantial Deviation DRI Staff Assessment into a summary instead of having to copy the whole staff assessment over again for the April meeting.

**AGENDA ITEM #12
ADJOURN**

The meeting adjourned at 10:55 a.m.



Commissioner Karson Turner, Secretary

The meeting was duly advertised in the March 5, 2010 issue of the FLORIDA ADMINISTRATIVE WEEKLY, Volume 36, Number 09.