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ON LEE GOVERNMENT ROBIN POLLACK

County officials argue over use of surplus funds

Lee County commissioners have cited "bureaucratic" reasons they're asked to spend county cash — hundreds of times the opportunity to spend \$5.75 million to buy historic Pineda beach.

Meanwhile, almost \$250,000 sits unused in the county's insurance budget. That cash probably won't be used for insurance this year, thanks to the county's decision to join a newly formed government insurance pool.

The surplus could help pay for projects commissioners want the county can't afford: demolishing obsolete buildings, providing more law officers and helping a Cape Coral senior center meet its needs, some officials say.

When Lee County came under the umbrella of the Southwest Florida Intergovernmental Risk Management Association last year, it was able to save \$145,807 that would have been spent if the county didn't join the pool.

Chris Charvak, director of the county's Office of Budget and Management, recommends that the superior court remain in the county's insurance budget. He's concerned that the pool could limit the county's ability to spend more for insurance than expected.

But Sheriff Frank Waska, who's fighting for more money from commissioners, says the cash should be freed up and placed in the county's contingency fund for emergencies.

Insurance pool manager Jim Micka told Waska that the pool doesn't intend the \$248,687 when the sheriff asked him last week about the surplus.

"When money is sitting in a fund and not being used, it's not being very useful," says Waska. Waska said the money could be used to help local agencies affected by budget cuts this year.

Waska said it's foolish for the county to hoard the additional cash because the insurance pool might need it.

"Take an insurance on an estate," Waska said. "It doesn't go up with your insurance premium ever. If I am to die, the customer doesn't pay the bill until reworking the insurance, he said.

Motives questioned

Were commissioners — three of whom are up for reelection this year — keeping their own best interests in mind when they refused to let voters cast ballots in March on a single-member district system?

When commissioners rejected pleas last week for such a referendum, they cited fears of having to face voters in their districts' behalf — instead of going where the heart of the county is — if the present at-large system is changed.

"I believe I am a better county commissioner because I serve the county as a whole," Commissioner Porter Gann said during last week's commission meeting.

Hogwash, residents said.

Refusing to ask voters whether they'd like to change the present system is "an elite make power play — the 'We know what's best for you' syndrome," said Peter Hare, spokesman for the grand committee for Representative Government. He told commissioners that changing over the referendum "just because you don't like the idea is a political ploy."

"What are you afraid of?" Fort Myers Councilwoman Ann Knight asked commissioners. She said the single-member system has created "more progress than ever in the city of Fort Myers." The system, adopted in 1981, has enabled blacks to elect two black City Council members.

A change to single-member districts could affect Commissioners Don Stuker and Mary Ann Wallace, whose terms expire this year. Gann's term also will expire this year, but right now he is planning to run for Congress.

In the meantime, a petition drive is being conducted to give over commissioners' heads and trigger a referendum March 8, anyway.

And a likely offshoot of the single-member district controversy will be the subject of redistricting: changing the boundaries of the current five commission districts to reflect population changes.

Officials believe that District 1 has close to 20,000 more residents than District 5. Redrawing district lines — and maybe adding more commission seats — may be a good solution, some say.

"That would solve the representation problem, I can assure you," says Stephen Maxwell of the Unincorporated Homeowners of Lee County Inc.

Robin Pollack is a News-Press staff writer who covers Lee County government.

Local/State B

Developers to discuss ideas to save Bokeelia buildings

Developers planning a condominium project that would wreck five turn-of-the-century buildings on Pine Island will try to work out a compromise to let progress and history stand side by side.

Members of the Lee County Historic Preservation Commission voted unanimously Monday to direct county staff members to work with developers of Seagull Bay. They will try to figure out how the five waterfront buildings in Bokeelia can exist with the a proposed 75-to-80-unit condominium.

Steve Bartlett, an attorney representing the developers, said they are willing to discuss with county planners ideas to save the buildings, which are in need of repair.

"At this point in time, Seagull properties doesn't have any plans to incorporate the historic buildings (in development plans), or not to incorporate the historic buildings, that are in this area," Bartlett said.

While there is no designated historic district in Bokeelia, the area where the old buildings are located is basically what the people of Bokeelia consider their historic district, county planner Gloria Kugan said.

Proposed site plans for the 15-acre Seagull Bay project show developers plan a complete removal of all the historic buildings, Kugan said.

"We're very distressed because we feel this area qualifies for a National Historic Register," Kugan said.

Even state planners say the buildings — the Captain's House, Turner Mansion, two smaller houses and a shed that overlook picturesque Charlotte Harbor — have historical value and should be saved. Tavia McCann, executive director of the Florida Trust for Historic Preservation, wrote to county officials asking them to save the buildings from demolition.

"I urge you to consider directing the developer to incorporate the historic buildings into the project," McCann wrote in a Jan. 19 letter to the Historic Preservation Commission. "Florida loses so much of its historic resources to the developmental pressures each year. This project could be creating a harmony between the old and new."

Historic commission member Eugene Schmitt agreed with McCann.

"I have a negative reaction to your site plan," he told developers, but through compromise, Schmitt said, "it could very well be a situation in which everybody wins."



Braving the elements Karen Guinette and her 'Yorkshire Terrier' Abbey, take the lead during a daily bike ride. Her husband, Robert Guinette, brings up the rear as the Port Charlotte couple pedal against a stiff wind during the dog days of winter on Harbor Boulevard in Port Charlotte.

Testimony links dealer in drugs to Pikuritz death

A drug dealer hooked up on a night out, not Bradley Scott, may have turned Linda Pikuritz to death nine years ago, according to testimony presented Monday in Circuit Court Judge William McVey.

While jurors weren't allowed to hear the testimony about a jailhouse conversation in which someone other than Scott was implicated in the murder, they may get to listen to that testimony today.

After listening to conflicting statements from former inmates at the Southwest County Jail, McVey said he wanted time to review various court filings to determine whether the jury should hear the testimony. He is to announce his decision this morning.

On Monday witnesses in the trial in Punta Gorda included Scott's mother, Teresa, of Clearwater.

Scott's two-week-long trial for the 1976 murder is to be completed today — a day after the defense begins presenting its case.

See DEALER, page 2B



Teresa Scott of Clearwater, mother of accused murderer Bradley Scott, testified at her son's trial Monday.

Four children hurt in school-bus wreck

Four children suffered minor injuries in a Monday morning head-on collision involving a school bus and two cars on a rural road in Santa Springs, Florida, Highway Patrol officials said.

The bus driver was cited for causing the 8.36 a.m. accident.

Techia Hamilton, 10, Tim Wilson, 11, and Frank Diner, 11, all of Santa Springs, were passengers in the school bus driven by Wesley G. Lennon, 45, of 4835 Wingfoot Drive, Fort Myers.

They were transported to Naples Community Hospital with minor injuries, according to the Highway Patrol. Each was treated and released, but the nature of their injuries wasn't available, a hospital official said Monday night.

James Gaidinger, 31, a passenger in a 1987 Chevy driven by Linda T. Gaidinger, 35, of 2877 Sherwood Lane, Bonita Springs, also was transported to Naples Community Hospital. She, too, was treated and released.

Lennon was charged with failure to use due care in the accident on Old U.S. 90 near Imperial Harbor Estates, 2 1/2 miles south of Fort Myers.

The FBI gave the following account of the accident:

A 1987 Chevy driven by Emily M. Carlson, 48, of 2621 Queen Mary Lane, Bonita Springs, stopped to make a left turn on Old U.S. 90, where it crosses the highway.

Lennon, driving a 1986 International school bus, was southbound behind Gaidinger but failed to slow and struck the rear of her car with the front of the bus, pushing it onto the shoulder.

The front of the bus then struck the rear of the Chevy driven by Carlson and Gaidinger's car struck a tree along the side of the road.

Lee still hopes aging fish shacks can stay put

The shacks portray a slice of old-fashioned Florida living, and reflect the area's deep roots in the fishing industry.

Members of Lee County's Historic Preservation Commission decided Monday that state departments of Natural Resources officials should seek alternatives to tearing down the shacks. But county planners still seem to hold out much hope.

"The DNR is not going to back off," commissioner Cindy Cook said. "They don't want anybody using state-owned land for purposes."

The state considers itself owner of all submerged lands.

The shacks face no immediate threat of destruction, Cook said, because their owners have filed lawsuits seeking to keep the shacks intact.

Michael Haminger of the Southwest Florida Archaeological Society said county officials should ask local legislators to try to save the fish shacks.

"The DNR has a tendency to listen to the legislators because they're that budget — we don't," Haminger told preservation commission members.

The shacks possibly could be saved by joining them to private non-profit groups — an alternative that DNR officials have said they would consider, Cook said. But such groups usually cannot afford the liability insurance required for the shacks. The state would own part of the shacks' liability if the buildings are leased, she said.

A Vote to ask national historic status for Buckingham School. The school, near State Road 89 between Fort Myers and Alico, was built in 1895. The building is a relatively good shape, and commission members want to have it included on the National Registry of Historic Sites.

A Vote to consider setting up a historic district in Estero. County planners already are drafting an ordinance that would allow historic sites to be designated throughout the county.

Proposal would exempt downtown from tree law

Fort Myers may not get a place downtown under a proposal discussed Monday at a Fort Myers City Council workshop, according to critics.

Making the downtown exempt from the tree ordinance "would be a big mistake," said John Kelly, recreation, parks and land beautification committee chairman.

The present ordinance requires developers to use a percentage of property for tree canopy depending on the zoning in the area, ranging from 10 percent in industrial zones to 25 percent in single-family neighborhoods.

A bonus package by developers would make a section roughly bordered by the Calabash River, Lee Street, Second Street and Monroe Street exempt from the ordinance. Most of downtown Fort Myers requires 15 percent tree canopy.

Don Pugh, Downtown Redevelopment board director, said the ordinance discourages new construction and rejuvenation of present buildings. If a building takes up an entire piece of property and is under repair or rehabilitation more than half of it, the ordinance would force a developer to tear down part of the structure and plant trees.

But without the ordinance, downtown would be an attractive place, critics say.

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Teen caught by man arrested in purse theft

A juvenile was charged Monday in the purse theft case that resulted in last week's arrest of the citizen who chased the teen-ager and held him for police.

The 15-year-old was arrested and charged with stealing a purse from an 80-year-old woman in Higher Horizons Day Care in Cape Coral Wednesday, according to Frank Finelli, public information officer for Cape Coral police.

A 15-year-old male was arrested Friday and charged with auto burglary.

James Hagan, 34, was driving in his pickup truck when the theft occurred Wednesday. He chased the boys and caught the 16-year-old after pursuing him through parklands.

Police said Hagan stopped the boy, tied his hands with tape and put him in the back of his truck while threatening him with a gun. Hagan was arrested and charged with aggravated assault and battery.

The 16-year-old boy, however, wasn't charged at the time because of lack of cooperation by witnesses.

PENSACOLA THEATER DIRECTOR TAKES OVER AT MANN HALL/5B