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Dear Mr. Van Leuven:

Please download this morning's News-Press. Mr. J.W. French has been suspended! One down and how many more to go? I'll have more to say on Monday. Now it is time for a relaxing weekend.

Very truly yours,

Alexander William Varga

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Friday June 9, 2000



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## Lee's director of public works suspended

### County manager orders action

By LEE MELSEK, The News-Press

Lee County Public Works Director J.W. French was suspended Thursday after admitting he knew of possible conflicts of interest in the county's pursuit of a \$60 million utility deal but did nothing about it.

The suspension was ordered by County Manager Don Stilwell. French's future with the county now depends on the findings of Lee County sheriff's agents and auditors for Clerk of Courts Charlie Green.

As sheriff's agents probe possible criminal conduct in county utility deals, Green has been analyzing some of the deals at Stilwell's request.

Green, who already has been critical in at least one of French's actions, is expected to complete his investigation in the next two weeks.

The suspension came on the same day The New-Press reported French knew of possible conflicts of interest by lobbyist James Garner when he let Garner negotiate a \$60 million utility deal for the county. Garner, a lobbyist with significant influence in county business, stood to make hundreds of thousands of dollars in public money helping the county buy a utility he represented.

French admitted to a reporter Wednesday he found out about Garner's representation of the utility only weeks before Garner began negotiating for the county but he failed to tell commissioners of the potential conflict.

Stilwell and French declined to be interviewed Thursday.

County officials who talked to Stilwell about the suspension said Stilwell told them French said he may have done some things wrong and should have done some things differently.

Commission Chairman John Albion said he thinks there were grounds to suspend French earlier.

"But it's Don's call, and it was appropriate," Albion said.

Stilwell said last month that taking any kind of action against



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French look guilty.

That opinion changed Thursday.

"I have suspended Public Works Director J.W. French with pay pending the outcome and resolution of the clerk of court's internal audit and sheriff's investigation of Lee County utility purchases," Stilwell said in a press release. "This was a difficult decision but one I believe that is necessary to maintain the public's confidence while the questions that recently have been raised are adequately investigated and resolved to the satisfaction of the Board of County Commissioners and myself."

Stilwell named Jim Lavender, director of construction and design, interim public works director.

French, who earns \$111,228 a year, was named public works director in 1993.

An investigation by the The New-Press in March raised questions about several dealings French has had with Garner. Some of those now are under investigation by sheriff's agents.

Garner's role in the North Fort Myers Utility deal started about two years ago when French said Garner began talking to him about the possibility of the county buying the sewer company.

At the time it wasn't for sale. But French said Garner came back to him last summer and said it might be possible for the county to buy it then.

French said he agreed to let Garner negotiate a deal, through a company called Catalina Group. The firm's two officers both work for Garner.

But on Sept. 7, French and his staff told commissioners only that Catalina should negotiate on behalf of the county. He didn't reveal that it would be Garner doing the negotiating.

Although he later told Stilwell and a reporter he had no idea Garner had been representing the utility, French admitted Wednesday he did know. He discovered it in a letter written by Garner six weeks before the commission's Sept. 7 vote to let Catalina do the negotiating.

Garner identified the utility as his client in a letter to Florida Department of Environmental Protection Secretary David Struhs and sent a copy to French.

Garner wanted Struhs' department to let French know when sewer package plants in North Fort Myers mobile home parks were not in compliance with state regulations so the county could order them closed and force them to hook into North Fort Myers Utility sewer lines.

Each time a mobile home park hooked into the company's lines the value of North Fort Myers Utility was increased, leading up to the days Garner persuaded the county to attempt to buy the company and began negotiating the deal.

Commissioners stopped the negotiations in March after The New-Press raised questions about Garner's role.

Green has criticized French's actions for Garner in a 1997 incident. At Garner's request, French wrote a letter to Windmill Village mobile home park in North Fort Myers threatening the park with county action if it didn't close its package plant and hook into North Fort Myers Utility's sewer lines.

"When he sent that letter encouraging people to hook up, that immediately increased the value of the utility, and that ain't right," Green told Stilwell during a preliminary audit report Monday.

Like Albion, other commissioners supported French's suspension Thursday.

"It was the appropriate decision to make. Given the perception of impropriety and because of the sensitivity of government being in the spotlight," Commissioner Ray Judah said.

Commissioner Doug St. Cerny said: "Don did tell me that Mr. French said he's made some mistakes. He said maybe he should have done some things differently."

— Contact Lee Melsek at [lmelsek@news-press.com](mailto:lmelsek@news-press.com) or 335-0386.

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# DIRECTOR: Interim chief named pending outcome of investigation

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STILWELL



LAVENDER