

EAST CHARLOTTE DRAINAGE DISTRICT
BOARD OF SUPERVISORS'
QUARTERLY MEETING AGENDA FOR
OCTOBER 18, 2017, at 9:00 a.m.
MEETINGS ARE HELD AT THE CHARLOTTE HARBOR EVENT
AND CONFERENCE CENTER
75 TAYLOR STREET, PUNTA GORDA, FLORIDA
THESE MEETINGS ARE OPEN TO THE PUBLIC
District's website: districtsapecial.org/ecdd

BOARD OF SUPERVISORS

Mr. Jerry Newlin, President
Mr. Zachary Varner, Supervisor
Mr. Lenny Lempenau, Supervisor

FIELD SUPERINTENDENT

Mr. James Shattles

MANAGER

Ms. Dana Clement

1) **PRESIDENT, CALL MEETING TO ORDER**

2) **PLEDGE OF ALLEGIANCE**

3) **OLD BUSINESS**

- a) Approve the minutes of the annual/monthly meeting held on July 5, 2017.
- b) Condition of Graham Road.
- c) Other.

4) **SECRETARY/TREASURER'S REPORT**

- a) Financial reports for the period of July 6, 2017 through September 30, 2017, and October 1, 2017 through October 18, 2017.
- b) Acreage in the District reduced by .13 acres, Williams Farms, Section 16, blocks 49 & 50, Total acreage was 3359.84, now 3359.71.
- c) Ratify insurance coverage for 2017/2018, Egis Insurance & Risk Advisors.
- d) Other.

5) **FIELD REPORT**

- a) Field report for July, August, and September 2017.
- b) Hurricane Irma damage.
- c) Other.

ECDD QUARTERLY MEETING
BOARD OF SUPERVISORS'
QUARTERLY MEETING AGENDA
OCTOBER 18, 2017

6) **ENGINEER'S REPORT**

- a) Other.

7) **ATTORNEY'S REPORT**

- a) Other.

8) **NEW BUSINESS**

- a) Request from Ms. Holly Vanselow, Section 26, NW corner, to access roadway in Section 27.
- b) Other.

9) **CALL FOR PUBLIC COMMENTS**

10) **PUBLIC NOTIFICATION**

“Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the District with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.”

11) **ADJOURNMENT**

EAST CHARLOTTE DRAINAGE DISTRICT
BOARD OF SUPERVISORS
ANNUAL LANDOWNERS' MEETING AND QUARTERLY MEETING MINUTES
FOR THE MEETINGS HELD ON
JULY 5, 2017, 9:00 A.M.
Website: districtsarespecial.org/ecdd

BOARD OF SUPERVISORS

Mr. Jerry Newlin, President
Mr. Zachary Varner, Supervisor
Mr. Leonard Lempenau, Supervisor

DISTRICT MANAGER/SEC./TREAS.

Ms. Dana Clement

FIELD OPERATIONS SUPERINTENDENT

Mr. James Shattles

OTHERS PRESENT

Mr. Steve Varner, Landowner

1) **PRESIDENT, CALLS ANNUAL LANDOWNERS' MEETING TO ORDER**

Mr. Newlin called the July 5, 2017, East Charlotte Drainage District (ECDD) annual landowners' meeting to order at 9:00 a.m.

ECDD meetings are held in the Charlotte Harbor Event & Conference Center located at 75 Taylor Street, Punta Gorda, Florida, and are open to the public.

2) **PLEDGE OF ALEGIANCE**

3) **MEETING ANNOUNCEMENT**

a) **SECRETARY READS NOTICE**

Ms. Clement stated that notification of the annual meeting was advertised in the Charlotte Sun Newspaper, per Florida Statutes, on June 20, 2017, and Tuesday, June 27, 2017, and is also noticed on the District's website.

Mr. Lempenau made a motion to waive the reading of the notice. Mr. Z. Varner seconded the motion and the motion passed unanimously.

4) **ELECTION OF A CHAIRPERSON AND SECRETARY TO CONDUCT MEETING**

a) **LANDOWNERS ELECT A CHAIRPERSON AND A SECRETARY**

Mr. Lempenau made a motion to elect Mr. Newlin as chairperson and Ms. Clement as Secretary. Mr. Z. Varner seconded the motion and the motion passed unanimously.

5) **CALL FOR PROXIES**

a) **TABULATE – ANNOUNCE RESULTS**

Mr. Clement said that Section 298.11 of the Florida Statutes states that quorums for landowners' meetings are the acreage present, voting in person or by proxy.

b) **CHAIRPERSON DECLARES A QUORUM**

Mr. Newlin declared a quorum.

6) **ELECTION OF A SUPERVISOR**

a) **TERM EXPIRATION MR. LENNY LEMPENAU**

Ms. Clement stated that Mr. Lempenau's term as supervisor, has expired.

b) **ELECTION OF A SUPERVISOR**

Mr. S. Varner made a motion to nominate Mr. Lempenau as a supervisor of ECDD to serve for a three year term (2017-2020). There were no other nominations. Mr. Newlin seconded the motion and the motion passed unanimously. Mr. Lempenau was elected by acclamation.

c) **OATH OF OFFICE**

Ms. Clement administered the oath of office to Mr. Lempenau.

Mr. Lempenau executed the oath of office which was submitted to the Secretary for the District's records.

7) **ADJOURN ANNUAL LANDOWNERS' MEETING**

Mr. Lempenau made a motion to adjourn the annual landowners' meeting. Mr. Varner seconded the motion and the motion passed unanimously. The meeting adjourned at 9:05 a.m.

8) **PRESIDENT CALLS THE QUARTERLY MEETING TO ORDER**

a) **PRESIDENT CALLS THE QUARTERLY MEETING TO ORDER**

Mr. Newlin called the quarterly meeting to order at 9:05 a.m.

b) **ELECTION OF A NEW PRESIDENT FOR THE 2017/2018 FISCAL YEAR**

Mr. Lempenau made a motion to nominate Mr. Newlin to serve as President for fiscal year 2017/2018. Mr. Z. Varner seconded the motion and the motion passed unanimously. There were no other nominations.

Mr. Newlin was elected to serve as president for fiscal year 2017/2018.

c) **COMMENTS BY NEW PRESIDENT**

None.

9) **OLD BUSINESS**

a) **APPROVE THE MINUTES OF THE QUARTERLY MEETING HELD ON APRIL 19, 2017**

Ms. Clement submitted the minutes of the quarterly meeting held on April 19, 2017, for the supervisor's approval.

Mr. Lempenau made a motion to approve the minutes as submitted. Mr. Z. Varner seconded the motion and the motion passed unanimously.

b) **RATIFY THE CANCELLATION OF SPECIAL MEETING SCHEDULED TO BE HELD ON JUNE 21, 2017**

Mr. Newlin said that the June 21, 2017, special meeting was cancelled due to a lack of forum.

Mr. Lempenau made a motion to ratify the cancellation of the meeting. Mr. Z. Varner seconded the motion and the motion passed unanimously.

c) **SPEED BUMPS ON GRAHAM ROAD**

Ms. Clement said that at the last meeting, the Board directed her to speak with the District's attorney, Mr. Lewis, to see if speed bumps were allowed to be installed within the District. Ms. Clement said that she did email Mr. Lewis and his response is as follows: "I think the answer is yes. As to liability, that would appear to be a "planning" function for which sovereign immunity applies. Liability attaches when a local government fails to maintain something such as a road and someone is injured or killed because the facility is not in good repair."

Ms. Clement said, at the last meeting, there was discussion on the necessity of repairs to Graham Road. Mr. Newlin said that ECDD had performed some road repairs and fixed the pot holes.

After discussion, there was a consensus that Mr. Newlin and Mr. Shattles would meet and determine which areas on Graham Road, require repairs first, and where the speed bumps are to be installed. Mr. Newlin said that the District can repair the worst areas first, and then make repairs to the remaining areas as the budget allows. Mr. Newlin said that a paving company representative should be consulted to

give the District's its options and the cost estimate for repairs. Mr. Newlin said that the District needs to have a planning process in place.

Mr. Newlin asked Mr. Shattles to look into the options and costs for speed bumps.

10) **SECRETARY/ TRESURER'S REPORT**

a) **FINANCIAL REPORT FOR APRIL 19, 2017 THROUGH JULY 5, 2017**

Ms. Clement submitted the financial report for the supervisors' review/comments.

Mr. Lempenau made a motion to approve the financial reports for April 19, 2017 through July 5, 2017, as submitted. Mr. Z. Varner seconded the motion and the motion passed unanimously.

b) **EXECUTION OF THE ANNUAL LETTER AGREEMENT FOR ADMINISTRATION SERVICES TO BE PERFORMED BY JOSHUA WATER CONTROL DISTRICT (JWCD) FOR THE 2017/2018 FISCAL YEAR**

Mr. Lempenau made a motion to approve the execution of the annual Letter Agreement for the administrative services to be performed by JWCD for ECDD, in the amount of \$24,000.00, for the 2017/2018 fiscal year. Mr. Z. Varner seconded the motion and the motion passed unanimously.

The agreement was executed by Mr. Newlin.

c) **APPROVAL AND EXECUTION OF THE CREDIT LINE LOAN DOCUMENTS FEES FOR 2017/2018**

Ms. Clement said that the credit line loan is due to be renewed with First State Bank. Ms. Clement said that the amount is \$100,000.00, fixed rate of interest is 4.25%, and there is a preparation fee of \$150.00. Ms. Clement said that no interest is charged on the loan unless a draw is made.

Mr. Lempenau made a motion to approve the line of credit with First State Bank for the 2017-2018 year. Mr. Z. Varner seconded the motion and the motion passed unanimously.

The supervisors executed the documents.

11) **FIELD REPORT**

a) **FIELD REPORT APRIL, MAY, AND JUNE 2017**

Mr. Newlin said that Mr. Crivellaro came and sprayed the submerged weeds in the West Perimeter Canal, but he needs to return and treat the surface weeds. Mr. Shattles said that there are some lateral canals which also need sprayed. Mr. Shattles said that he will make the arrangements.

Mr. Newlin said that he will call Mr. Bickett's representative, Mr. Clay Cecil to see if he will herbicide or clean the lateral canal.

Mr. Lempenau made a motion to approve the field report as submitted. Mr. Z. Varner seconded the motion and the motion passed unanimously.

12) **ENGINEER'S REPORT**

a) **ANNUAL ENGINEER'S REPORT**

Mr. Lempenau made a motion to approve the annual engineer's report as submitted. Mr. Z. Varner seconded the motion and the motion passed unanimously.

13) **ATTORNEY'S REPORT**

None.

14) **BUDGET 2017/2018**

a) **DISCUSSION/APPROVAL OF THE DRAFT BUDGET FOR 2017/2018 FISCAL YEAR**

Mr. Lempenau made a motion to approve the draft 2017-2018 budget which has a total budget amount of \$194,013.92, as submitted. Mr. Z. Varner seconded the motion and the motion passed unanimously.

b) **2017/2018 ASSESSMENT RATES**

Ms. Clement stated that the 2017/2018 assessment rates are as follows: Maintenance Unit: \$27.92 per acre, Capital Unit 1: \$20.58 per acre, Capital Unit 2: \$19.98 per acre, and Shell Roads Maintenance Unit: \$2.65 per acre.

Mr. Lempenau made a motion to approve the assessment rates as stated for the 2017/2018 fiscal year. Mr. Z. Varner seconded the motion and the motion passed unanimously.

c) **EXECUTE 2017/2018 ASSESSMENT RESOLUTION**

Mr. Lempenau made a motion to approve the execution of the Assessment Resolution which indicates to the authorities what the assessments rates are for the next year. Mr. Z. Varner seconded the motion and the motion passed unanimously.

Mr. Newlin executed the Assessment Resolution.

15) **CALL FOR NEW OR OTHER BUSINESS**

a) **APPOINT SECRETARY/TREASURER, LEGAL FIRM AND ENGINEERING FIRM FOR FISCAL YEAR 2017/2018**

Mr. Z. Varner made a motion to appoint Ms. Clement as the District's secretary/treasurer, Lewis Longman & Walker, P.A. as legal counsel, Progressive Water Resources as the engineering firm, and Baggett, Reutiman & Associate as the auditing firm for the 2017/2018 fiscal year. Mr. Lempenau seconded the motion and the motion passed unanimously.

b) **EXECUTION OF THE RESOLUTION FOR THE LEVY & COLLECTION OF NON-AD VALOREM ASSESSMENTS**

Mr. Lempenau made a motion to approve the execution of the Resolution for the Levy and Collection of Non-Ad Valorem Assessments. Mr. Z. Varner seconded the motion and the motion passed unanimously.

Mr. Newlin executed the document.

c) **SCHEDULE MEETING DATES/LOCATION FOR FISCAL 2017/2018**

Mr. Lempenau made a motion to approve the quarterly meeting dates for ECDD to be held on the following dates: October 18, 2017, January 17, 2018, April 18, 2018, and the Annual Landowners'/Quarterly Meeting held on Monday, July 2, 2018. All meetings to be held at 9:00 a.m. (unless otherwise indicated) in the Charlotte Harbor Event & Conference Center located at 75 Taylor Road, Punta Gorda, Florida. Mr. Z. Varner seconded the motion and the motion passed unanimously.

16) **CALL FOR PUBLIC COMMENTS**

Mr. Newlin asked if there were any public comments. There were none.

17) **PUBLIC NOTIFICATION**

"Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the District with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

18) **ADJOURNMENT**

Mr. Newlin made a motion to adjourn the meeting. Mr. Lempenau seconded the motion and the motion passed unanimously. The meeting adjourned at 9:46 a.m.

East Charlotte Drainage District
Annual Landowners' and Quarterly Meetings
July 5, 2017

Respectfully Submitted,

Dana Clement
Secretary/Treasurer
East Charlotte Drainage District

EAST CHARLOTTE DRAINAGE DISTRICT
MONTHLY SUPPLEMENTAL FINANCIAL REPORT
DATE OF REPORT: SEPTEMBER 27, 2017

2016-2017																	
ACCOUNT TITLES			OCTOBER RECEIVED	NOVEMBER RECEIVED	DECEMBER RECEIVED	JANUARY RECEIVED	FEBRUARY RECEIVED	MARCH RECEIVED	APRIL RECEIVED	MAY RECEIVED	JUNE RECEIVED	JULY RECEIVED	AUGUST RECEIVED	SEPTEMBER RECEIVED			
CHECKING ACCOUNT-SEACOAST NATIONAL BANK			61,709.89	51,828.70	50,607.12	128,414.71	206,360.42	199,767.45	186,340.64	179,541.67	168,562.29	165,620.43	164,239.93	133,661.36			
		BALANCES	61,709.89	51,828.70	50,607.12	128,414.71	206,360.42	199,767.45	186,340.64	179,541.67	168,562.29	165,620.43	164,239.93	133,661.36			
2016/2017 BUDGET																	FUNDS RECEIVED
TAX REVENUES		195,783.06	2,444.79	5,751.20	91,672.31	75,471.68	0.00	1,637.85	13,565.20	1,609.27	3,554.00	2,487.82	0.00	0.00			198,484.12
BANK INTEREST - SEACOAST NATIONAL BANK		0.00	4.93	3.53	4.89	15.02	15.61	16.45	16.06	14.82	13.50	13.27	12.33	0.00			129.71
MISCELLANEOUS INCOME		32,464.00	0.00	4,000.00	0.00	28,255.75	1,284.51	0.00	0.00	0.00	0.00	5,040.00	0.00	0.00			36,680.26
LOAN PROCEEDS		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00
EST. CARRY-OVER		64,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00
TOTAL		292,247.06	64,169.61	61,683.73	142,284.32	227,157.16	207,660.54	201,421.75	200,310.90	181,065.76	172,129.79	163,161.52	164,262.26	133,661.36			235,194.09
EXPENDITURES			ACTUAL OCTOBER EXPENSES	ACTUAL NOVEMBER EXPENSES	ACTUAL DECEMBER EXPENSES	ACTUAL JANUARY EXPENSES	ACTUAL FEBRUARY EXPENSES	ACTUAL MARCH EXPENSES	ACTUAL APRIL EXPENSES	ACTUAL MAY EXPENSES	ACTUAL JUNE EXPENSES	ACTUAL JULY EXPENSES	ACTUAL AUGUST EXPENSES	ACTUAL SEPTEMBER EXPENSES	ACTUAL FUNDS EXPENDED	TOTAL FUNDS REMAINING	
CONTRACTUAL SERVICES		32,400.00	0.00	0.00	0.00	8,100.00	0.00	0.00	8,100.00	0.00	8,100.00	0.00	0.00	8,100.00	32,400.00	0.00	
WEED CONTROL		29,000.00	0.00	2,839.95	3,548.01	0.00	0.00	0.00	4,039.00	3,734.18	250.00	0.00	4,886.98	0.00	19,238.12	9,701.88	
MECHANICAL CLEANING		12,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12,000.00	
ROAD'S MAINTENANCE		34,750.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	93.00	697.54	690.64	34,059.46	
CONTROL STRUCTURES		16,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7,814.00	0.00	7,814.00	7,186.00	
WATER ANALYSES		240.00	0.00	0.00	0.00	36.00	0.00	12.00	0.00	38.00	0.00	0.00	0.00	0.00	84.00	156.00	
LEGAL SERVICES		10,000.00	0.00	0.00	98.00	246.20	0.00	0.00	0.00	122.50	0.00	0.00	0.00	0.00	466.70	9,533.30	
ENGINEERING SERVICES		8,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	620.00	0.00	0.00	620.00	7,380.00	
AUDIT Y/E, SEPTEMBER 2018		12,900.00	0.00	0.00	0.00	0.00	0.00	7,220.00	0.00	711.00	0.00	0.00	0.00	0.00	7,931.00	4,969.00	
TAX COLLECTOR FEE 2%		3,694.02	0.00	110.42	1,760.09	1,450.43	0.00	32.42	279.01	30.17	71.08	49.76	0.00	0.00	3,783.38	-89.36	
TAX REVENUES DISCOUNTS		7,388.04	0.00	230.02	3,666.90	2,951.72	0.00	16.39	5.18	0.00	0.00	0.00	0.00	0.00	6,870.21	617.83	
TAX ROLL PREPARATION FEE		250.00	137.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	137.50	112.50	
OFFICE EXPENSE		1,750.00	50.76	53.77	54.16	259.94	50.64	57.85	603.69	52.17	262.53	58.31	54.47	252.09	1,820.38	-70.38	
MEETINGS AND MEMBERSHIP DUES		1,200.00	976.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00	0.00	0.00	0.00	0.00	1,050.00	150.00	
MISCELLANEOUS EXPENSES		800.00	38.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	63.20	450.00	0.00	0.00	568.40	231.60	
INSURANCE		4,400.00	3,390.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,490.00	910.00	
DISCHARGE PUMP, SECTION 16		500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00	
INTEREST ON LINE OF CREDIT (LOC)		276.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.07	0.00	0.00	1.07	273.93	
ROAD'S PAVING LOAN - PRINCIPAL, (payoff 4-2021)		73,000.00	6,466.92	6,448.34	6,508.37	6,489.36	6,611.39	6,850.50	6,656.11	6,615.93	6,600.35	6,659.38	6,645.90	6,668.48	78,817.52	-5,817.52	
ROAD'S PAVING LOAN - INTEREST		21,700.00	1,276.53	1,297.11	1,234.08	1,263.10	1,231.06	1,091.95	1,186.34	1,126.52	1,141.60	1,083.07	1,096.55	1,073.97	14,091.88	7,608.12	
RESERVE		23,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23,000.00	
TOTAL BUDGET		292,247.06	12,330.91	10,976.61	16,865.61	20,796.74	7,893.09	16,081.11	20,769.23	12,603.47	16,609.38	8,921.59	20,590.90	16,692.08	179,934.70	112,312.36	
CURRENT CASH STATUS			61,828.70	60,607.12	128,414.71	206,360.42	199,767.45	186,340.64	179,541.67	168,562.29	165,620.43	164,239.93	133,661.36	116,969.28			

EAST CHARLOTTE DRAINAGE DISTRICT
QUARTERLY FIELD REPORT
FOR THE MONTHS OF JULY, AUGUST AND SEPTEMBER 2017

1) **MAJOR PURCHASES/EXPENDITURES**

Costal Air Services, \$2,456.87, (aerial spraying), Crop Production, \$1,080.00, (herbicides), Metal Culverts, \$7,814.00, (annual culverts).

2) **PROJECTS PENDING**

Installation of signs and posts.

3) **PROJECTS COMPLETED**

Joshua Water Control District's field personnel installed 3 bags of black top patch on Neal Road and 43 bags of black top patch on Graham Road, August 10, 2017.

4) **CANAL'S MAINTENANCE**

None.

5) **WEED CONTROL**

- a) On August 15, 2017, Costal Air completed the aerial application of 32.50 acres utilizing Aqua neat, Clipper and Element -3A.
- b) On August 4, 2017, Mr. Dean Civellaro, of Ecological Control and Management Inc., sprayed on the West Perimeter Canal utilizing the application of Round-Up and Habitat.
- c) Met with Mr. Dean Civellaro, field consultant on June 28, 2017 and August 3, 2017.

6) **ROAD'S MAINTENANCE**

None.

7) **CULVERTS**

Culverts were delivered on July 31, 2017 and August 1, 2017. Three - 36" x 30", one - 36" x 40" and one - 48" x 30'.

EAST CHARLOTTE DRAINAGE DISTRICT
QUARTERLY FIELD REPORT
FOR THE MONTHS OF JULY, AUGUST AND SEPTEMBER 2017

8) **WELLS**

Read the meters each month pursuant to WUP condition.

9) **REMARKS**

- 1) The ditch that runs on the west side of Section 17 from the Neal Road Ditch to the North Outfall Canal, is in fair condition.
- 2) The Neal Road Ditch in Sections 15, 16 and 17, is in bad condition.

10) **HURRICANE IRMA DAMAGES, SEPTEMBER 10, 2017**

- 1) Section 34, block 17, heavy washout and damages.
- 2) Section 27, block 32, east perimeter, major washout.
- 4) Numerous washouts on lateral culverts.