

**EAST CHARLOTTE DRAINAGE DISTRICT
BOARD OF SUPERVISORS'
QUARTERLY MEETING AGENDA FOR
OCTOBER 15, 2019, 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: districtsarespecial.org/ecdd**

BOARD OF SUPERVISORS

Mr. Lenny Lempenau, President
Mr. Zachary Varner, Supervisor
Mr. David Kemeny, Supervisor

FIELD SUPERINTENDENT

Mr. James Shattles

GENERAL MANAGER

Ms. Dana Clement

- 1) **PRESIDENT, CALL MEETING TO ORDER**
- 2) **PLEDGE OF ALLEGIANCE**
- 3) **OLD BUSINESS**
 - a) Approve the minutes of the July 19, 2019, annual and quarterly meetings.
 - b) Other.
- 4) **SECRETARY/TREASURER'S REPORT**
 - a) Financial reports for the period of July 20, 2019 through September 30, 2019, and October 1, 2019 through October 15, 2019.
 - b) Next meeting is to be held on January 21, 2020.
 - c) Other.
- 5) **FIELD REPORT**
 - a) Field report for July through September 2019.
 - b) Update on Mr. Calvin Sill's project.
 - c) Other.
- 6) **NEW BUSINESS**
 - a) Ratify a letter modification to ECDD water use permit, RE: Alico for mining operations, Sections 26 and 27.
 - b) Other.
- 7) **CALL FOR PUBLIC COMMENTS**
- 8) **ADJOURNMENT**

EAST CHARLOTTE DRAINAGE DISTRICT (ECDD)
BOARD OF SUPERVISORS
ANNUAL LANDOWNERS' MEETING AND MONTHLY MEETING MINUTES
FOR THE MEETING HELD ON
JULY 19, 2019, 9:00 A.M.

Website: districtsarespecial.org/ecdd

BOARD OF SUPERVISORS

Mr. David Kemeny, Supervisor

Mr. Zachary Varner, Supervisor

Mr. Leonard Lempenau, Supervisor

FIELD SUPERINTENDENT

Mr. James Shattles

DISTRICT MANAGER/SEC./TREAS.

Ms. Dana Clement

OTHERS PRESENT

Ms. Melenia Watson, ECDD

1) PRESIDENT CALLS ANNUAL LANDOWNERS' MEETING TO ORDER

Mr. Lempenau called the July 19, 2019, East Charlotte Drainage District 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 ALLEGIANCE

3) MEETING ANNOUNCEMENT

Secretary reads notice

Ms. Clement stated that there was a cancellation of ECDD's first scheduled meeting, so the notification of the annual meeting was advertised again in the Charlotte Sun Newspaper, per Florida Statutes, on July 3, 2019 and July 8, 2019, and is also noticed on the District's website.

4) ELECTION OF A CHAIRPERSON AND SECRETARY TO CONDUCT MEETING

LANDOWNERS ELECT A CHAIRPERSON AND A SECRETARY

Mr. Kemeny motioned to elect Mr. Lempenau as chairperson and Mr. Varner as Secretary. Mr. Lempenau recused himself from voting. Mr. Varner seconded. Motion passed.

5) CALL FOR PROXIES

a) TABULATE – ANNOUNCE RESULTS

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

b) CHAIRPERSON DECLARES A QUORUM

Ms. Lempenau declared a quorum.

6) ELECTION OF A SUPERVISOR

a) TERM EXPIRATION MR. JEROME NEWLIN

Ms. Lempenau stated that Mr. Newlin's term as supervisor had expired.

b) ELECTION OF A SUPERVISOR

Mr. Varner motioned to nominate Mr. Kemeny as a supervisor of ECDD to serve for a three-year term (2019-2022). There were no other nominations. Mr. Lempenau seconded. Motion passed. Mr. Kemeny was elected by acclamation.

c) OATH OF OFFICE

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

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

7) ADJOURN ANNUAL LANDOWNERS' MEETING

Mr. Varner motioned to adjourn the annual landowners' meeting. Mr. Kemeny seconded. Motion passed. The meeting adjourned at 9:05 a.m.

8) PRESIDENT CALLS THE QUARTERLY MEETING TO ORDER

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

a) ELECTION OF A NEW PRESIDENT FOR THE 2019/2020 FISCAL YEAR

Mr. Kemeny motioned to nominate Mr. Lempenau to serve as President for fiscal year 2019/2020. Mr. Lempenau recused himself from voting. There were no other nominations. Mr. Varner seconded. Motion passed.

Mr. Lempenau was elected to serve as president for fiscal year 2019/2020.

b) COMMENTS BY NEW PRESIDENT

Mr. Lempenau said thank you and that he will do his best to fill Mr. Jerry Newlin's seat.

9) OLD BUSINESS

a) APPROVE THE MINUTES OF THE SPECIAL MEETING HELD ON JUNE 19, 2019

Ms. Clement submitted the minutes of the special meeting held on June 19, 2019, for the b

Mr. Lempenau motioned to approve the minutes as submitted. Mr. Varner seconded. Motion passed.

b) RATIFY THE CANCELLATION OF JULY 1, 2019, MEETING

Mr. Lempenau motioned to ratify the cancellation of the July 1, 2019, meeting. Mr. Kemeny seconded. Motion passed.

c) MR. LEMPENAU ATTENDING THE JOSHUA WATER CONTROL DISTRICT JWCD) MEETING, RE: MANAGEMENT OF DISTRICT

Mr. Lempenau said that he attended the July 9, 2019, Board meeting at JWCD, representing the Board of ECDD, because ECDD wants to continue its agreement with JWCD.

Mr. Lempenau stated that Mr. Strickland said that after the 2019-2020 year, the Letter Agreement will more than likely increase in cost, and that he will want the District's attorney to draft a new agreement indicating that JWCD's maintenance issues will always come before those of ECDD.

Mr. Lempenau said that Mr. Strickland said that more discussion will be necessary for both of the District's to draft an agreement which meets both District's requirements. Mr.

Lempenau said that he agreed and that ECDD wants to maintain a good working relationship with JWCD.

After discussion, it was determined that JWCD will continue its current Letter Agreement conditions with ECDD for the 2019-2020 fiscal year.

d) DANA CLEMENT RE: MANAGEMENT OF JWCD AND ECDD

Ms. Clement said that Mr. Buddy Strickland, Supervisor of JWCD, approached her and was speaking with her about figuring out a way for her to come back to work six months after her retirement in September 2020. Ms. Clement said that the only way this could happen is if the District could find someone who will manage JWCD and ECDD while she was out for six months, and then she could return on the seventh month.

Ms. Clement stated, that yesterday, she had a conference call with a gentleman that manages community development districts. Ms. Clement said that this was the second management company she has spoken to and she was very impressed, so, the way that it might work out is the management company comes in and manages JWCD and ECDD for the six months she is out. Ms. Clement said that the gentleman will be calling her on Monday with pricing for JWCD and ECDD, and then she would follow-up with JWCD and ECDD when she has more information.

After discussion, Mr. Lempenau said that ECDD would wait to see what JWCD does and then the Board would make a decision.

10) SECRETARY/ TRESURER'S REPORT

a) FINANCIAL REPORT FOR JUNE 20, 2019 THROUGH JULY 19, 2019

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

Mr. Lempenau motioned to approve the financial reports for June 20, 2019 through July 19, 2019, as submitted. Mr. Kemeny seconded. Motion passed.

b) EXECUTION OF THE ANNUAL LETTER AGREEMENT FOR ADMINISTRATION SERVICES TO BE PERFORMED BY JOSHUA WATER CONTROL DISTRICT (JWCD) FOR THE 2019/2020 FISCAL YEAR

Mr. Lempenau motioned 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 2019/2020 fiscal year. Mr. Kemeny seconded. Motion passed.

The agreement was executed by Mr. Lempenau.

11) FIELD REPORT

FIELD REPORT APRIL, MAY AND JUNE 2019

Mr. Shattles stated that culvert that had been installed in Section 17 on the South East corner, by Mr. Cameron Deacon, had been removed.

Mr. Shattles stated that Desoto Excavating completed the cleaning of the Mid-Outfall Canal.

Mr. Shattles stated that the annual culverts have been delivered, but not installed.

Mr. Varner motioned to approve the field report as submitted. Mr. Kemeny seconded. Motion passed.

12) ENGINEER'S REPORT

ANNUAL ENGINEER'S REPORT

Mr. Varner motioned to approve the annual engineer's report as submitted. Mr. Kemeny seconded. Motion passed.

13) ATTORNEY'S REPORT

None.

14) BUDGET 2019/2020

a) DISCUSSION/APPROVAL OF THE DRAFT BUDGET FOR 2019/2020 FISCAL YEAR

Ms. Clement submitted the draft budget for discussion. Ms. Clement said that she transposed the numbers on auditing services and the amount is \$8,510.00, not \$5,810.00. Ms. Clement said that she took \$2,700.00 from reserve, which leaves \$8,800.00 in reserve.

Mr. Lempenau motioned to approve the amendment for auditing services to the draft budget for the 2019/2020 fiscal year. Mr. Varner seconded. Motion passed.

Mr. Lempenau motioned to approve the rates for the 2019-2020 budget as drafted, and indicated that the total draft budget amount is \$188,130.64. Mr. Varner seconded. Motion passed.

b) 2019/2020 ASSESSMENT RATES

Ms. Clement said that the 2019/2020 assessment rates are as follows: Maintenance Unit: \$26.53 per acre, Capital Unit 1: \$20.21 per acre, Capital Unit 2: \$19.62 per acre, and Shell Road's Maintenance Unit: \$2.89 per acre.

Mr. Lempenau motioned to approve the assessment rates as stated for the 2019/2020 fiscal year. Mr. Varner seconded. Motion passed.

c) EXECUTE 2019/2020 ASSESSMENT RESOLUTION

Mr. Lempenau motioned to approve the execution of the Assessment Resolution which indicates to the authorities what the assessments rates are for the next year. Mr. Varner seconded. Motion passed.

Mr. Lempenau executed the Assessment Resolution.

15) CALL FOR NEW OR OTHER BUSINESS

a) APPOINT SECRETARY/TREASURER, LEGAL FIRM AND ENGINEERING FIRM FOR FISCAL YEAR 2019/2020

Mr. Lempenau motioned 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 2019/2020 fiscal year. Mr. Kemeny seconded. Motion passed.

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

Mr. Lempenau motioned to approve the execution of the Resolution for the Levy and Collection of Non-Ad Valorem Assessments which indicates to the authorities that the District will continue to collect Non-Ad Valorem assessments. Mr. Varner seconded. Motion passed. Mr. Lempenau executed the document.

c) SCHEDULE MEETING DATES/LOCATION FOR FISCAL 2019/2020

Ms. Clement asked the Board if they wanted to keep the meetings on the third Wednesday, as before. Mr. Kemeny stated that he will not be able to attend these dates due to the fact

that he had a budget meeting at the company he worked for every third Wednesday of each month.

A discussion ensued.

Mr. Lempenau motioned to approve the quarterly meeting dates for ECDD to be held on the following dates: October 15, 2019, January 21, 2020, April 21, 2020, June 16, 2020 and the Annual Landowners'/ Quarterly Meeting to be held on July 1, 2020. All meetings to be held at 9:00 a.m. (unless otherwise indicated), at the Charlotte Harbor Event & Conference Center located at 75 Taylor Road, Punta Gorda, Florida. Mr. Varner seconded. Motion passed.

d) APPROVAL AND EXECUTION OF THE CREDIT LINE LOAN DOCUMENTS FEES FOR 2019/2020

Ms. Clement said that the annual credit line loan is due to be renewed with Crews Bank & Trust. Ms. Clement said that the credit line amount is \$100,000.00, with a fixed interest rate of 5.00%, and that there is a documentation preparation fee of \$150.00. Ms. Clement said that no interest is charged on the loan unless a draw is made.

Mr. Lempenau motioned to approve the line of credit with Crews Bank and Trust for the 2019/ 2020 year, with the above stated provisions. Mr. Kemeny seconded. Motion passed

The supervisors executed the loan documents.

16) CALL FOR PUBLIC COMMENTS

Mr. Lempenau 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. Lempenau adjourned the meeting adjourned at 9:39 a.m.

Respectfully Submitted,

Dana Clement
Secretary/Treasurer
East Charlotte Drainage District

EAST CHARLOTTE DRAINAGE DISTRICT
FINANCIAL REPORT
SEPTEMBER 30, 2019

	BEGINNING BALANCES	OCTOBER RECEIVED	NOVEMBER RECEIVED	DECEMBER RECEIVED	JANUARY RECEIVED	FEBRUARY RECEIVED	MARCH RECEIVED	APRIL RECEIVED	MAY RECEIVED	JUNE RECEIVED	JULY RECEIVED	AUGUST RECEIVED	SEPTEMBER RECEIVED	FUNDS RECEIVED	TOTAL FUNDS REMAINING
BUDGET: 2018-2019															
CHECKING ACCOUNT-SEACOAST NAT'L BANK		80,798.81	70,989.08	64,817.13	67,221.65	103,155.55	113,877.24	162,972.77	151,940.75	137,813.88	120,482.20	94,310.50	86,020.67		
INCOME:															
TAX REVENUES	169,453.76	0.00	4,574.70	16,277.23	55,310.34	19,880.38	59,476.46	12,645.17	266.76	0.00	1,080.16	0.00	0.00	169,511.20	
EXCESS FEES	0.00	2,008.83	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,008.83	
BANK INTEREST - SEACOAST NATIONAL BANK	0.00	6.39	5.46	5.79	8.12	8.49	12.27	12.68	12.46	10.87	9.17	7.62	6.75	106.07	
MISCELLANEOUS INCOME	2,452.96	0.00	0.00	0.00	0.00	1,412.96	0.00	0.00	0.00	1,040.00	0.00	0.00	0.00	2,452.96	
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	79,000.00	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 BALANCES	250,906.72	82,814.03	75,569.24	81,100.15	122,540.11	124,457.38	173,365.97	175,630.62	152,219.97	138,864.75	121,571.53	94,318.12	86,027.42	174,079.06	
EXPENDITURES	AMOUNT	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	FUNDS EXPENDED	TOTAL FUNDS REMAINING
CONTRACTURAL SERVICES	32,400.00	0.00	0.00	0.00	8,100.00	0.00	0.00	8,100.00	0.00	0.00	8,100.00	0.00	8,100.00	32,400.00	0.00
WEED CONTROL	26,200.00	0.00	2,738.82	4,807.00	0.00	0.00	0	0.00	6,389.50	0.00	1,860.50	0.00	4,142.88	19,938.70	6,261.30
CANAL MAINTENANCE	14,000.00	0.00	0.00	0.00	0.00	0.00	0.00	169.24	0.00	0.00	7,022.60	0.00	1,199.65	8,391.49	5,608.51
ROAD'S MAINTENANCE	22,500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,760.22	9,760.22	12,739.78
CONTROL STRUCTURES	9,500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,766.50	0.00	0.00	0.00	9,766.50	-266.50
WATER ANALYSES	240.00	0.00	0.00	0.00	48.00	0.00	0.00	0.00	60.00	0.00	0.00	0.00	36.00	144.00	96.00
LEGAL SERVICES	7,500.00	0.00	0.00	245.40	0.00	0.00	0.00	0.00	0.00	0.00	147.00	0.00	0.00	392.40	7,107.60
ENGINEERING SERVICES	7,500.00	0.00	0.00	0.00	0.00	0.00	0.00	-400.00	0.00	0.00	1,965.00	0.00	0.00	1,565.00	5,935.00
AUDIT Y/E, SEPTEMBER 2018	8,500.00	0.00	0.00	0.00	0.00	0.00	300.00	7,341.00	0.00	816.00	0.00	0.00	0.00	8,457.00	43.00
TAX COLLECTOR FEE 2%	3,197.24	0.00	87.83	312.52	1,062.41	389.67	1,165.82	252.90	5.34	0.00	21.60	0.00	0.00	3,298.09	-100.85
TAX REVENUES DISCOUNTS	6,394.48	0.00	183.01	651.13	2,189.89	397.52	1,184.93	0.00	0.00	0.00	0.00	0.00	0.00	4,606.48	1,788.00
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	2,050.00	120.00	0.00	120.00	241.81	180.00	0.00	309.28	180.00	0.00	175.08	180.00	218.46	1,724.63	325.37
MEETINGS AND MEMBERSHIP DUES	1,200.00	675.00	0.00	0.00	0.00	0.00	0.00	75.00	0.00	0.00	0.00	375.00	0.00	1,125.00	75.00
MISCELLANEOUS EXPENSES	500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.80	57.60	226.80	0.00	32.00	345.20	154.80
INSURANCE	3,700.00	3,150.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	0.00	3,250.00	450.00
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)	275.00	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	275.00
ROAD'S PAVING LOAN - PRINCIPAL, (payoff 4-2021)	85,422.00	6,994.73	6,993.57	7,040.72	7,041.25	7,065.17	7,152.39	7,113.47	7,157.15	7,161.95	7,204.22	7,210.76	7,235.25	85,370.63	51.37
ROAD'S PAVING LOAN - INTEREST	7,578.00	747.72	748.88	701.73	701.20	677.28	590.06	628.98	585.30	580.50	538.23	531.69	507.20	7,538.77	39.23
RESERVE	11,500.00	0.00	0.00	0.00	0.00	1,870.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,870.50	9,629.50
TOTAL BUDGET	250,906.72	11,824.95	10,752.11	13,878.50	19,384.56	10,580.14	10,393.20	23,689.87	14,406.09	18,382.55	27,261.03	8,297.45	31,231.66	200,082.11	50,824.61
CURRENT CASH STATUS		70,989.08	64,817.13	67,221.65	103,155.55	113,877.24	162,972.77	151,940.75	137,813.88	120,482.20	94,310.50	86,020.67	54,795.76		

EAST CHARLOTTE DRAINAGE DISTRICT
FIELD REPORT FOR THE MONTHS OF
JULY, AUGUST AND SEPTEMBER 2019

1) MAJOR PURCHASES/EXPENDITURES

First State Bank of Arcadia, \$7,742.45, (monthly road's loan), Desoto Excavating, \$7,022.60, (cleaning of the Mid-Outfall Canal). Helena-Agri, \$1,860.50, (herbicides), Coastal Air Services, \$4,412.88, (aerial treatment), Steve Varner, \$2,321.30 (shell), Joshua Water Control District, \$8,207.96, (roads and canal's maintenance).

2) CANAL'S MAINTENANCE

Mid-Outfall Canal cleaning by DeSoto Excavating, completed.

3) ROAD'S MAINTENANCE

- a) JWCD graded 6 miles in Sections 14, 15-21, 27 and 34.
- b) JWCD spread 334 tons of shell throughout the district.
- c) Bermont Properties laid 1,200 tons of shell in Sections 21 and 24.
- d) JWCD applied 77 bags of black top patch on Graham and Neal Roads.

4) CULVERTS

None.

5) WEED CONTROL

- a) The aerial application of Round-Up Custom, Garlon 3A, and 2-4-D on 65.50 acres was completed on July 29, 2019, by Coastal Air Services.

6) PROJECTS COMPLETED

- a) JWCD read meters for SWFWMD report.
- b) JWCD pulled water samples.
- c) JWCD installed 5 stop signs within the district.
- d) JWCD pulled grass out of the culvert in Section 37, block 20, and dipped grass out of the lateral canal in Section 34, block 60.

7) PROJECTS PENDING

None.

8) REMARKS

- a) None.