

BOARD OF SUPERVISORS OF
THE SAN CARLOS ESTATES WATER CONTROL DISTRICT
TUESDAY, JULY 17, 2018

6:00 P.M.

TRIANON BONITA BAY, 3401 BAY COMMONS DRIVE, BONITA SPRINGS, FL 34134

- 1. Call Meeting to Order:** Judy Tapply (Judy) called the Meeting to Order at 6:00.
- 2. Roll call of the Board of Officers:** Present are Supervisors Judy and John Nickerson (John), Attorney Richard Pringle; Engineer Stephen VerVaecke, Sec/Treas Julia Roberts (Julia) and 1 guest.
- 3. Receive Engineer's Report on District Works:**
 - **Maintenance Report;** Maintenance Report sent to Supervisors 7/13/18. Morris Depew is actively working to clear all permits submitted prior to November 2017.
 - **Driveway on Waterfall (BSU):** No response from BSU.
 - **Status of Water Monitoring:** Report in process for compliance with FDEP NPDES Cycle 4 (2018).
 - **Slope Fail on Moriah Canal – Thrasher Site Development** submitted a bid that was within the District approval criteria. Julia contacted Thrasher and the repair is scheduled but not yet completed.
 - **Driveways without Permits:** three driveways have been installed without a District permit. Morris Depew has sent a notice of violation to each property owner with a 14-day deadline to respond. If there is no response Morris Depew will contact the City's Code Enforcement. Mr. Pringle informed the Board that if the new Permit Process is adopted as an Ordinance instead of a Resolution there is more enforcement possibility. Judy asked Mr. Pringle to proceed with the Ordinance process.
 - **Certificate of Occupancy without Permit Approval:** 24166 Roger Dodger was issued a Certificate of Occupancy by the City without a District approval and there are problems with this culvert and swale. There is no explanation from the City for this action. Stephen explained that although the address is unsightly and does require minor repair the water is flowing. Morris Depew has requested the property owner make the necessary repairs.
 - **June 21, 2018 SFWM Meeting –** Bill attended the meeting and will give update at August meeting.
- 4. Chairs Report:**
 - Judy is concerned about the cameras ability to detect all license plates entering the District. Julia reported that the cameras are situated at the best possible position but if the Board is not happy with the camera operation we can look into upgrades. Judy would like to continue to monitor at this time.
- 5. Receive Treasurer's Report:**
 - Julia presented the Board with a proposed budget with comparison to previous years (attached). The Board accepted this budget and it will be prepared for approval at the August Meeting. The semi-annual Bank of America Phase 1 and 2 payments are due on 8/1/2018. We expect to make a prepayment of \$113,000 and \$15,000 respectively.
 - Julia presented the completed Annual Financial Report from Boy, Miller and Swindle, PA. The report has been sent to the State of Florida and Bank of America and is posted on the District website (scewcd.blogspot.com).
- 6. Received Attorney's Report:**
 - No report given
- 7. Comment from Guests:**
 - Coleman a representative and employee of Clear Choice Services addressed the Board about the the mowing within the District. He understands that the mowing has gotten behind during this rainy season but they are working to get caught up.
- 8. Old, new and unfinished Business:**

- Melanie Cul De Sac – Mr. Pringle conferred with Stephen Janen at LCDOT. Mr. Jansen informed Mr. Pringle that the County will not assist the District in any way to find a solution to the continuing damage. Mr. Jansen confirmed that the County would not object to the District placing boulders or planting a hedge.
 - Kozak Litigation – Mr. Pringle has spoken to Ms. Kozak’s attorney and will confer privately with each Supervisor.
 - The property owner at 24000 Claire regarding the boulders on the Bonita Bill berm - to date the boulders at this location have not been moved
 - Fence damage due to Hurricane Irma – Julia filed liability claim thru FMIT for the damage to the Bonita Lakes fence which occurred during Irma. FMIT has denied the claim. (Copy attached.)
 - Status of Mowing – Judy is concerned about the mowing process and that the mowing is constantly behind. She stated that for the money allocated for mowing the grass should be cut more frequently. Judy would like to put the mowing contract out to bid again with some additional requests for the mowers. John agreed that the mowing was not up to standards.
 - Next meeting date August 21, 2018.
 - Judy asked for any public input.
 - No public input.
 - A Motion was made by Judy and 2nd by John to approve the Boy, Miller and Swindle, PA Annual Financial Report. Motion passed 2-0.
 - A Motion was made by Judy and 2nd by John to proceed with a request to bid for the right of way mowing. Motion passed 2-0.
- 9. Approve Bank Statement and Payment of Bills:**
- A Motion was made by John and 2nd by Judy to approve the May and June 2018 bank statements. Motion passed 2-0.
- 10. Approval of Minutes:**
- A Motion was made by John and 2nd by Judy to approve the 5/15/18 Monthly Meeting Minutes. Motion passed 2-0.
- 11. Adjournment (By Motion, Second and Vote of the Supervisors.)**
- A Motion was made by John and 2nd by Judy to adjourn the Meeting. Motion passed 2-0.
 - Meeting adjourned at 7:38 pm.

2018-2019 Budget Worksheet

	2012-2013	2013-2014	2014-2015	2016-2017	2017-2018 BUDGET	2017-18 YTD	2017-2018 EST	2018-2019 EST	NOTES
DRAINAGE	86,315	104,966	112,634	104,196	115,000	108,054	142,500	115,000	
ROADS	5,650	9,582	14,384	2,235	6,000	4,836	5,000	6,000	
GATE			42,193	2,200	4,000	9,703	10,000	4,000	
SWALE	100,000	100,000	100,000	100,000	100,000	75,000	100,000	100,000	
ENGINEER	77,227	69,800	77,471	108,709	80,000	51,444	72,000	80,000	
LEGAL	37,546	28,347	18,315	28,345	40,000	17,568	40,000	40,000	
ADMIN	64,791	66,735	67,286	69,090	70,000	52,763	70,000	70,000	
AUDITOR	6,150	4,500	4,500	4,500	4,500	0	4,500	4,500	
PROP APPR	5,614	5,615	7,164	6,050	6,000	5,010	5,010	5,500	
INSURANCE	8,060	8,185	9,031	9,650	8,000	10,086	10,100	10,200	
MISC	9,791	9,530	10,630	15,121	11,500	5,500	7,000	9,800	
OTHER FEES	19,000	19,000							
	420,144	426,260	463,608	450,096	445,000		466,110	445,000	

DRAINAGE AND GATE OVER ESTIMATE DUE TO IRMA

Drainage over budget - Irma

Gate over bu Irma damage plus upgrade



July 11, 2018

Bonita Lakes
Attention: Ron Grimming
23404 Sanabria Loop.
Bonita Springs, FL 34135

☐ **Administration**

Member: San Carlos Estates Water Control District
Claim Number: GC2018091095
Date of Loss: 09/11/2017

☐ **Trust Services**

☐ **Financial Services/
Underwriting**

Post Office Box 530065
Orlando, FL 32853-0065

Dear Mr. Grimming:

We are the claims administrators for the San Carlos Estates Water Control District and we wish to inform you that we have completed our investigation of the above referenced claim for damages that occurred to a fence as a result of a tree which fell onto the Bonita Lakes property during Hurricane Irma.

☐ **Health Claims**

Post Office Box 538140
Orlando, FL 32853-8140

Although it is sometimes difficult to understand the concept of liability, it is our contention that the Member did not breach any of the duties owed to you.

☐ **Workers' Compensation Claims**

For liability to exist and payment be made for damages, it is required that there be some determination of negligence. This determination applies a reasonable performance standard against which the Member's actions are measured. This same negligence standard is applied to the activities of every public or private entity and citizen.

☒ **Property & Liability Claims**

Post Office Box 538135
Orlando, FL 32853-8135

It has been confirmed through written records that the canal area in which the tree that fell was located is maintained Bi-Annually by the Water Control District with the last inspection taking place on 08/17/17.

I (800) 445-6248
(407) 425-9142
Fax: (407) 425-9378

As this loss occurred during an extreme weather event the resulting damages would be an act of nature and not negligence on the part of our member. Because it was an act of nature we unfortunately will not be able to assist with your damages. Should you have any documentation as to the contrary, please forward for further review and reply.

www.flcities.com



Please contact us if you have any questions on this determination.

Respectfully,

Aaron Prideaux
Claims Representative II
Florida League of Cities
Phone: 407.367.1774

