

COW SLOUGH WATER CONTROL DISTRICT
BOARD OF SUPERVISORS
MEETING MINUTES FOR
JUNE 22, 2017, AT 3:00 P.M.
In the County Extension Office in LaBelle, Florida
Website: districtsapecial.org/cswcd

BOARD OF SUPERVISORS

SECRETARY-TREASURER, ADMINISTRATOR

Mr. Phillip Sherrod, President
Mr. Dallas Townsend, Supervisor
Mr. John Giddens, Supervisor

Dana Clement

OTHERS PRESENT

Ms. Sommer Foster, CSWCD, Engineer, Johnson Prewitt & Assoc.
Mr. Robert Diffenderfer, Attorney for District, via phone conference
Mr. John Hoffman, Barron Collier Representative

1) **PRESIDENT CALL MEETING TO ORDER**

Mr. Sherrod called the June 22, 2017, monthly meeting to order at 3:00 p.m. and announced those in attendance.

Meetings are held in the County Extension Offices located in LaBelle, Florida and are open to the public.

2) **ATTORNEY'S REPORT**

a) **RESOLUTION RESCINDING THE DISTRICT'S OFFER TO PURCHASE THE LEWIS EASEMENT**

Mr. Diffenderfer said that the Board has been given a Resolution which needs to be executed, and added that the action to rescind purchasing the Lewis easement was taken at the last meeting so it is dated when the last meeting was held, May 25, 2017. Mr. Diffenderfer added that the Resolution is the paper record to what occurred at the annual/monthly meeting. Mr. Sherrod said that the Board intends to execute the Resolution today.

Mr. Diffenderfer said that he communicated the Board's decision to Mr. Kelly, the Lewis' attorney, and he responded by asking if that meant that CSWCD was no longer interested in taking any of the Lewis' property, and we clarified for him, yes, that is correct, CSWCD is not proceeding with the condemnation.

Mr. Diffenderfer said, that at the last meeting, there was a discussion about locating a 45' easement on the south end of the Townsend property with a corner cut over to the Kozack's property, and that Ms. Foster was going to look at this plan to assure the District that this easement will satisfy the needs of the district. Mr. Diffenderfer said, if that is the case, then the District will need forms of easements for both Townsend and Kozack, and a Resolution approving such, assuming that the engineering is satisfactory, and that the Board ultimately determines to do this.

Mr. Diffenderfer said that if the engineering report indicates that this path is an affective resolution, then LLW can bring a Resolution back to the Board at the next meeting, August 24, 2017.

Mr. Diffenderfer said that this is where the District is and the Lewis issue is done, and the supervisors need to execute the current Resolution.

Mr. Townsend made a motion to adopt Resolution No. 05252017, which rescinds the District's offer to purchase the Lewis easement. Mr. Giddens seconded the motion and the motion passed unanimously. Mr. Sherrod executed the Resolution.

3) OLD BUSINESS

a) **APPROVE THE DRAFT MINUTES OF THE LANDOWNERS'/MONTHLY MEETING HELD ON MAY 25, 2017**

Ms. Clement submitted the draft minutes of the landowners'/monthly meetings held on May 25, 2017, for the supervisor's review/approval.

Mr. Townsend made a motion to accept the minutes as presented and Mr. Giddens seconded the motion and the motion passed unanimously.

b) **FYE POND**

Mr. Townsend said that he had received a phone call from Mr. Mark White, South Florida Water Management District (SFWMD), asking when CSWCD is going to clean the ditch on Highway 29. Mr. Townsend said that he told Mr. White that CSWCD can clean it now, however; it will be messy. Mr. Townsend said that he explained to Mr. White that the District had planned on cleaning the ditch, in this month, however; there was not a plan for receiving 14 inches of rain. Mr. Townsend said, that he told Mr. White that CSWCD had sprayed for vegetation and that the ditch will be cleaned by CSWCD as soon as possible. Mr. Sherrod said that he thanks Mr. White for his concern.

Mr. Sherrod said, that due to the rainfall, nothing has been done with Fye Pond.

4) ADMINISTRATOR'S REPORT

a) **APPROVE THE FINANCIAL REPORTS FOR MAY 26, 2017 THROUGH JUNE 22, 2017**

Ms. Clement submitted the financial reports for approval.

Mr. Townsend made a motion to approve the financial reports as submitted and Mr. Giddens seconded the motion. The motion passed unanimously.

b) **NEXT SCHEDULED MEETING, AUGUST 24, 2017**

Ms. Clement said that the District does not hold a meeting in July 2017, so the next scheduled meeting is to be held on August 24, 2017.

c) **OTHER**

Mr. Townsend said that one issue that was left dangling when speaking with the attorney, and should have been discussed, is if CSWCD is going to get the easement drafted so that the Kozacks can work on it. Ms. Foster said that she has prepared the Kozack's easement and it is ready. Ms. Foster said that she did not prepare Mr. Townsend's easement.

After discussion, Ms. Foster said that she will prepare both easements and present them at the August 24, 2017, meeting. Ms. Foster said that they are independent easements.

Mr. Townsend said that he will email the easement to Mrs. Kozack, and that the Townsend easement will be drafted and sent to the Mr. and Mrs. Kozack for their execution. Ms. Foster said that she is trying to keep things moving so that all paperwork can transpire at the August meeting.

The supervisors said that they want to make sure that Mr. and Mrs. Kozack are happy. Mr. Townsend said that he had met with the Kozacks and that both are fine with the plans. Mr. Townsend said that he will phone the Kozacks and let them know, that due to the weather, it might be fall before the culverts are installed, but that CSWCD will install them.

5) **ENGINEER'S REPORT**

a) **EASEMENT FOR LATERALL2-E**

Ms. Foster said as previously stated, she has prepared the Kozack's easement, and it is really, more of a descriptive drawing, not an easement until the pins are put in the ground. Ms. Foster presented the prescriptive drawing to all present. Ms. Foster said that the drawing is based on the information that Mr. Townsend presented last month, as far as the legal description, and that she has had Mr. Franklin Shuts, Johnson Prewitt & Associates, review it. Ms. Foster said she thinks that CSWCD will install a 34 or 30 inch culvert through there, the radius being large enough for trucks.

Ms. Foster said that she will obtain Mr. Townsend's figures, proposed swale, etc. and will prepare a description drawing for him and will then send both Mr. Townsend's and the Kozack's description drawings to Mr. Diffenderfer for his review.

6) **NEW BUSINESS**

a) None presented.

7) **SUPERVISORS' COMMENTS**

None presented.

8) **PUBLIC COMMENTS**

Mr. Sherrod called for any comments from the public. None presented.

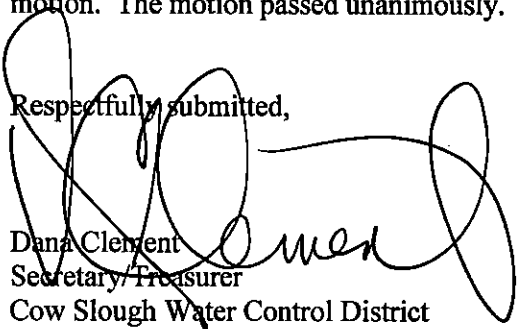
9) **PUBLIC NOTIFICATION**

“Pursuant to section 286.0105, Florida Statutes, if any person decides to appeal any decision if made by the District with respect to any matter considered at this meeting or hearing, he or she will need a recording 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 testimony and evidence upon which the appeal is to be based.”

10) **ADJOURNMENT**

Mr. Townsend made a motion to adjourn the meeting at 3:29 p.m. and Mr. Giddens seconded the motion. The motion passed unanimously.

Respectfully submitted,


Dana Clement
Secretary/Treasurer
Cow Slough Water Control District