

COW SLOUGH WATER CONTROL DISTRICT
BOARD OF SUPERVISORS
MONTHLY MEETING MINUTES FOR THE MEETING HELD ON
FEBRUARY 23, 2017, AT 3:00 P.M.
In the County Extension Office in LaBelle, Florida
Website: districtsapecial.org

BOARD OF SUPERVISORS

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

SECRETARY-TREASURER, ADMINISTRATOR

Dana Clement

OTHERS PRESENT

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

1) **PRESIDENT CALL MEETING TO ORDER**

Mr. Sherrod called the February 23, 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) **UPDATE ON THE STATUS OF THE CONDEMNATION PROCESS**

Mr. Townsend said that he hired Agri-Property Consultants, who performed the initial appraisal, and told Mr. Bowen, appraiser, to do the entire fee based on the whole place and consider the location of the well. The cost is to be \$2,500.00. Mr. Townsend said that the District should receive the appraisal within the next week or so.

Mr. Diffenderfer said that the District is going to need to adopt a new Resolution reflecting the authorization of the appraisal at the March meeting.

Mr. Diffenderfer said that he will write a formal Resolution and it will reflect the well.

Ms. Foster passed out an updated sketch for all present to review. Ms. Foster said that the sketch identifies the well, and it is the same description as before, however; there is an arrow pointing to the well. Mr. Diffenderfer requested a copy of the sketch.

Mr. Diffenderfer said that he is going to involve an additional attorney, Ms. Amy Petrick, at LLW, who has performed a lot of imminent domain work. Mr. Diffenderfer said, that at this point, the district has to wait for the appraisal, and once it is received, if the District makes a full value offer to the Lewis' it is an incentive to not litigate.

b) **MS. FOSTER TO PREPARE A LEGAL DESCRIPTION & SKETCH FOR LEWIS EASEMENT**

Sketch already presented.

c) **MR. TOWNSEND, REVISED APPRAISAL**

Discussed earlier.

d) **HOURLY INCREASE, LEGAL SERVICES FOR 2017**

Ms. Clement said that the 2016 current hourly rate for legal services was \$295.00 per hour for 2016. Ms. Clement said that the January 2017 invoice reflects an hourly rate of \$305.00 per hour. Ms. Clement asked for the supervisors to approve the increase.

Mr. Townsend made a motion to approve an hourly attorney rate of \$305.00 per hour for legal services at Lewis Longman & Walker for 2017. Mr. Giddens seconded the motion and the motion passed unanimously.

e) **OTHER**

3) **OLD BUSINESS**

a) **APPROVE THE DRAFT MINUTES OF THE MONTHLY MEETING HELD ON JANUARY 26, 2017**

Ms. Clement submitted the draft minutes of the monthly meeting held on January 26, 2017, for the Supervisors' approval.

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

b) **MR. TOWNSEND CONTACT D.O.T. ENGINEER, RE: PLANS ON TAPPING INTO THE LATERAL L-2E CANAL**

Mr. Townsend said that he did speak with an engineer and the engineer said that the plans are still in the design stage, and they are evaluating whatever options are available for highway water disposal.

c) **MR. TOWNSEND SECURE QUOTES FROM CONTRACTOR, RE: INSTALL CULVERTS IN THE L3 CANAL, BUILD FENCE AND GATE**

Mr. Townsend asked Ms. Foster if she has sized the culverts for the project. Ms. Foster said that she has not, but will do so.

d) **MR. TOWNSEND CONTACT MR. MARK WHITE, SFWMD, RE: FYE POND**

Mr. Townsend said that he has not contacted Mr. White, but he will do so.

Mr. Sherrod said that he did go into Fye Pond with a tractor and applied some herbicide. Ms. Foster said that it is fine to herbicide and burn the area, but you are not allowed to place any equipment in the wetlands area. Ms. Foster said that the canal coming into Fye Pond and the vegetation on the outskirts, can be cleaned, however; nothing can be cleaned within the wetlands.

Mr. Sherrod said that he has contacted the Forestry Department to perform a burn, but to date, no one has returned his phone call. Mr. Sherrod said that he will continue to try and reach someone at the Forestry Department because it will then be their responsibility for the burn, as the District does not want that kind of liability. The other supervisors concurred.

4) **ADMINISTRATOR'S REPORT**

a) **APPROVE THE FINANCIAL REPORTS FOR JANUARY 27, 2017 THROUGH FEBRUARY 23, 2017**

Ms. Clement submitted the financial reports for the period of January 27, 2017 through February 23, 2017.

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

b) **NEXT MEETING**

Ms. Clement said that the next scheduled meeting is to be held on March 23, 2017.

5) **ENGINEER'S REPORT**

a) **REVISED LEGAL DESCRIPTION AND SKETCH FOR LEWIS EASEMENT**

Ms. Foster said that she already handed out a sketch of the easement, however; as soon as the appraisal is received, she will do another sketch.

b) **REVIEW OF FYE POND**

Previously discussed.

c) **CULVERTS INSTALLATION, TOWNSEND CROSSING**

Ms. Foster handed out a sketch for the 2-60" x 60' culverts, which are to be installed by Consolidated Citrus in the Townsend Canal. Mr. Townsend said that Ms. Foster needs to make sure that the culverts, when installed, are staggered for a straight across, crossing.

Ms. Foster said that she is going to work with Mr. Paul B on the delivery of the culverts.

d) Mr. Sherrod said that he had met with Mr. Barrie Kee, Barron Collier representative and that Mr. Kee has given his approval to install the gate in Barron Collier's fence. Mr. Sherrod said that it was a good visit.

Mr. Townsend made a motion authorizing Ms. Foster to size the two culverts for the Townsend Crossing and also for the intersection (between Sherrod's Heritage and Barron Collier properties) at the Lateral 3 canal, to then notify Ms. Clement of the specifications of the culverts to be ordered for both projects, and for Ms. Clement to then order the culverts. In addition, Ms. Foster is to develop a job specification to secure quotes from contractors and to then hire the qualified contractor to install the culverts in the Lateral 3. Mr. Giddens seconded the motion and the motion passed unanimously.

Mr. Townsend said that for the Lateral 3 project, there should be 24 feet of top cover and enough sod for top and slope extending to the water line, on each end of the culverts.

Ms. Foster said that once she prepares the specification sheet for the Lateral 3 project, she will forward it to Mr. Sherrod for his review/comments before soliciting contractors. Ms. Foster said that she will go to the area and review. It was determined that two pallets of sod should be sufficient.

Ms. Foster said that she will secure contact information for the Consolidated project and will list Mr. Sherrod's mobile phone number as the contact person for the Lateral 3 project.

There was a discussion on the contractor hired, being able to be there at the time of delivery for the culverts. Ms. Foster said that she will look into that suggestion.

c) **SIZE THE CULVERTS FOR THE LATERAL 3 CANAL**

Previously discussed.

6) **NEW BUSINESS**

a) None.

7) **SUPERVISORS' COMMENTS**

a) None.

8) **PUBLIC COMMENTS**

Mr. Sherrod called for any comments from the public.

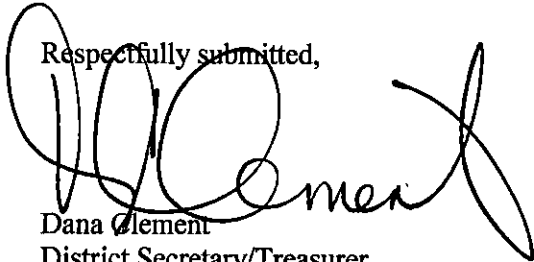
9) **PUBLIC NOTIFICATION**

"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 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 testimony and evidence upon which the appeal is to be based."

10) **ADJOURNMENT**

Mr. Townsend made a motion to adjourn the meeting at 4:00 p.m. and Mr. Giddens seconded the motion. The motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dana Clement', written over the printed name below.

Dana Clement
District Secretary/Treasurer
Cow Slough Water Control District