

COW SLOUGH WATER CONTROL DISTRICT
BOARD OF SUPERVISORS
MEETING MINUTES FOR
JANUARY 25, 2018, AT 3:00 P.M.
In the County Extension Office in LaBelle, Florida
Website: districtsapecial.org/cswcd

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. John Hoffman, Barron Collier Representative

1) **PRESIDENT CALL MEETING TO ORDER**

Mr. Sherrod called the January 25, 2018, 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) **EASEMENT ISSUE**

Mr. Diffenderfer said that the easement from the Townsend property for the little bit of a lateral canal that still needs to run up there, that he and Mr. Townsend, in coordination with Mr. Tom Boardman, an attorney for the estate of one of the property owners, have finally obtained some agreed language on an easement. Mr. Diffenderfer said that all of the easements have been prepared for the six different parties who have an interest in the property, to convey an easement to the district, for purposes of construction for the lateral. Mr. Diffenderfer said that the easements will be to the District, for the benefit of the properties which abut the north side where the canal is located, and it contemplates where DOT, in the future, may want to come through.

Mr. Diffenderfer said, that with these provisions being finalized, he is going to get the original easements to Mr. Townsend so that he can get them executed. Mr. Diffenderfer said, that within the next couple of weeks, the District should have an easement interest across there, to do what it needs to do in order to complete the Plan of Reclamation.

Mr. Townsend asked if Mr. Diffenderfer has the Kozack easement taken care of. It was discussed that the Kozack agreement had been written, but not executed by the Kozacks. Mr. Townsend said that he did speak with Ms. Kozack last week, and told her that the District would like the easement executed as quickly as possible, and then CSWCD will move forward to install the culverts as agreed upon. Mr. Townsend said that he will phone Ms. Kozack and let her know that it is time to sign the easement.

Ms. Clement asked if there will be a Resolution. Mr. Diffenderfer said, that once all of the easements are executed, a Resolution will be presented at the next meeting, accepting those easements.

Mr. Townsend said that this project will be the last of the District's works unless something unexpected turns up.

3) **OLD BUSINESS**

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

Ms. Clement submitted the draft minutes of the monthly meeting held on October 26, 2017, for the supervisor's review/approval.

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

b) Mr. Townsend said that he did get the pictures of the Lewis' property. Mr. Townsend said that when the hurricane hit, the water washed a gulley into the canal right there where it turns to go south. Mr. Townsend said that he got to thinking about whether the District should write the Lewis' the letter as discussed at the previous meeting, the reason being, that part of the District's plan to access that other ditch, was to fill that area in there anyway.

Mr. Townsend said that a better approach is to write a letter, telling the Lewis' that CSWCD has noted a washout and that CSWCD had already planned to close it, in order to access the easement that CSWCD was getting on the north side of their property, and if the Lewis' want a formal access into the District's works, they need to submit a permit application to the District, which is granted free of charge, however; the Lewis' will have to have a culvert installed.

The supervisors agreed that a letter should be sent to the Lewis' and Mr. Townsend said that he will draft a letter for Ms. Clement to prepare. Mr. Townsend asked Ms. Clement to circulate the letter to the supervisors and Mr. Diffenderfer for review/comments. Then the letter can be delivered to the Lewis'. Mr. Sherrod said it is good to give the Lewis' notice if they want access.

4) **ADMINISTRATOR'S REPORT**

a) **APPROVE THE FINANCIAL REPORTS FOR OCTOBER 27, 2017 THROUGH JANUARY 25, 2018**

Ms. Clement submitted the financial reports for October 27, 2017 through January 25, 2018, for review, comments, and approval.

Ms. Clement commented that 94 percent of the tax revenues have been received.

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

b) **AUDIT FOR YEAR ENDING 2017**

Ms. Clement said that she had received the draft audit on January 3, 2018, from Ms. Swindel, auditor, and forwarded the document to the supervisors for their review. Ms. Clement said that the auditor, will attend the February 22, 2018, meeting to review the final audit with the supervisors.

Ms. Clement asked for a motion accepting the draft audit as presented.

Mr. Townsend made a motion to accept the draft audit for September 30, 2017, as presented. Mr. Giddens seconded the motion and the motion passed unanimously.

c) **NEXT SCHEDULED MEETING, FEBRUARY 22, 2018**

Ms. Clement said that the next meeting is to be held on February 22, 2018, at 3:00 p.m.

5) **ENGINEER'S REPORT**

a) **ELEVATION STUDY**

Ms. Foster said that she has not done much in regards to the elevation study because she has been focused on the widening of Highway 29, project. Ms. Foster said that a representative from SFWMD had contacted her and asked if she had seen the DOT application. Ms. Foster said, she had not. Ms. Foster said that she does not want to hold up the project, however; some of the information submitted by DOT, was not correct and definitely not advantageous for CSWCD.

Ms. Foster said that she did have a couple comments in a recent RAI letter, and that Mr. Gary Ward, an engineer for a CSWCD landowner, had contacted her regarding some language in the DOT application, regarding environmental issues which he is concerned about.

Ms. Foster said that one simple mistake DOT made, is that they said that CSWCD owned all of the land within the District, so she told them no, it is all by easements. Ms. Foster said that she is making sure that DOT essentially cures everyone wholly, because that is a big deal, whether it is written by easement or by land.

Ms. Foster said that another mistake, DOT had the canal, just stop at Fye Pond, and Fye Pond does not stop at the County Line, it goes further to the north. Ms. Foster said, that most importantly, she wants to make sure that the flood stages, whatever water DOT has planned to dump, will not increase the water on anyone's property, and that none of the landowners are negatively affected.

Ms. Foster said that she will continue to communicate with SFWMD, to insure that all landowners are treated fairly, and to monitor the DOT application.

Ms. Foster said that she can email the plans to anyone interested in reading them.

b) Mr. Sherrod asked Ms. Foster, in regards to Fye Pond, will there be any way to address getting water into CSWCD's Lateral 3. Ms. Foster said, that will be a construction issue, to be addressed when the contractor is in that area. Ms. Foster said, as of this date, that issue is not presented in any plans.

c) Mr. Giddens said that there is quite a bit of difference in the elevation between Fye Pond and the District's ditch, and he believes that the District needs to clean the ditch from the structure in Fye Pond and go to the west, until it levels out. Mr. Giddens said that silt has come into Lateral 3, and has filled the lateral for at least 150 feet. Mr. Giddens said that the structure is basically not there, because water has washed it away.

Mr. Townsend said, when the District gets some equipment lined up, it needs to have the contractor get on Highway 29, where the District has been permitted to clean, and get it cleaned up to the County Line. Mr. Townsend said that SFWMD has permitted CSWCD to take the vegetation down through the root zone from the end of Highway 29 to County Line. Mr. Giddens asked if the District can go where there is a culvert north of County Line, and clean out that area. Mr. Townsend said yes, CSWCD is permitted to do that.

Mr. Townsend said, if cleaning needs to be done, the District needs to do it.

b) **LETTER TO THE LEWIS FAMILY**

Previously discussed.

c) **KOZACKS, INSTALLATION OF CULVERTS**

Previously discussed.

6) **NEW BUSINESS**

a) None.

7) **SUPERVISORS' COMMENTS**

None presented.

8) **PUBLIC COMMENTS**

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

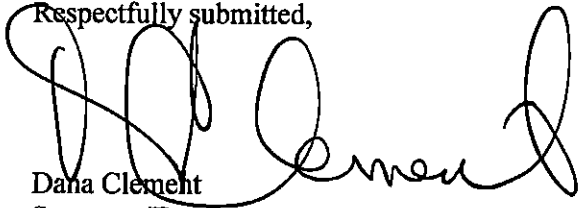
9) **PUBLIC NOTIFICATION**

"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 3:27 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 in a cursive style.

Dana Clement
Secretary/Treasurer
Cow Slough Water Control District