

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

A Regular Meeting of the Sunshine Water Control District's Board of Supervisors was held on **Wednesday, August 10, 2011, at 6:30 p.m.**, in the **Commission Chambers, Coral Springs City Hall, 9551 West Sample Road, Coral Springs, Florida 33065.**

Present at the meeting were:

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|------------------------------|----------------|
| David Hulett (via telephone) | President |
| Joe Morera | Vice President |
| Emily Heafy | Secretary |

Also present were:

| | |
|-------------------|----------------------------------|
| Craig Wrathell | District Manager |
| Matt Kozak | Wrathell, Hunt & Associates, LLC |
| Doug Paton | Wrathell, Hunt & Associates, LLC |
| Terry Lewis | District Counsel |
| Cory Selchan | Field Superintendent |
| Tom Donahue | District Engineer |
| Rhon Ernest-Jones | District Engineer |
| John McKune | McKune and Associates |

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Morera called the meeting to order at 6:30 p.m. Mr. Wrathell indicated, for the record, that Mr. Morera and Ms. Heafy were present, in person. Mr. Hulett was attending by telephone.

SECOND ORDER OF BUSINESS

Citizens' Requests

There being no citizens present, the next item followed.

THIRD ORDER OF BUSINESS

**Report: On-Site Guided Tour of Canals
AA & BB and Board Workshop**

- **Discussion: Draft Notice of Correction Letter to Property Owners** (*to be provided at meeting or under separate cover*)

Mr. Ernest-Jones reported on the guided tour of Canals AA and BB and presented the draft notice of correction letter to be sent to property owners. He indicated the letter will be customized for each property owner, outlining the issues to be corrected. An aerial photograph will be included with each letter.

Mr. Hulett felt the initial notice letter should include all of the found violations.

Regarding the tree mitigation issue, Mr. Hulett indicated he reviewed Mr. Capko's April 13, 2011 memorandum of what the District can and cannot do. Mr. Hulett feels the memo indicates the District has a very strong position to do what it needs to do. Mr. Lewis agreed the District has the right to clear obstructions from the right-of-ways; however, in order for the District to be able to have the discretion to decide where there are obstructions that are a threat to public safety, they will need to discuss the issue with the City of Coral Springs. Mr. Lewis felt continued discussions with the city's forester will do no good and he doubted whether the city manager will want to take a strong stance on the issue.

Ms. Heafy asked if the letter should be sent. Mr. Lewis felt that the letter accomplishes what the District wants and should be sent.

The Board discussed providing courtesy copies of the letter to the city manager and city attorney. Ms. Heafy suggested also sending a copy to the mayor. Mr. Ernest-Jones was not in support of sending it to the mayor, as the District is not asking permission. Mr. Hulett referred to Mr. John Hearn's letter to District Counsel and voiced his feeling that Mr. Hearn is giving the District wide latitude because he says:

"The city agrees and understands that trees creating public safety issues along the canal banks need to be removed. The city recognizes that trees impose a public safety hazard because they will block the District's ability to safely and effectively access their canals for maintenance and emergency response are a public safety issue. These trees, once properly identified and reviewed by the city can be removed without mitigation."

Mr. Ernest-Jones distributed a comprehensive list of all properties identified as having an encroachment. He noted there are 50 properties.

Mr. Selchan provided the Board with a sample door hanger.

Discussion ensued regarding billing or assessing noncompliant property owners for the District's costs for removal of encroachments.

On MOTION by Ms. Heafy and seconded by Mr. Hulett, with all in favor, authorizing Notice of Correction Letter, along with individual maps, to be mailed to residents of Canals AA and BB, was approved.

The Board discussed the need to be prepared for citizen response, at the next meeting. Mr. Morera suggested Mr. Ernest-Jones be prepared with a PowerPoint presentation.

The Board discussed whether to have an alternate plan or option for property owners who do not want to remove the obstructions.

FOURTH ORDER OF BUSINESS

Letter to Marty Shank, CSID President, Regarding Possible Meeting of All Special Districts (for informational purposes)

Mr. Hulett reviewed the letter he sent to Mr. Marty Shank, Coral Springs Improvement District (CSID) President, regarding the possibility of a meeting for the boards of Special Districts serving Coral Springs. He thought, at their last meeting, CSID agreed to participate. He indicated the idea has not been formally presented to the North Springs Improvement District (NSID) or the Pine Tree District boards. Mr. Wrathell felt it would be more powerful to have Mr. Hulett and Mr. Shank attend the NSID and Pine Tree Districts' next meetings and present the idea. In response to Mr. Wrathell's question, Mr. Lewis indicated there should not be a Sunshine Law issue, in the event of a meeting of the board presidents, as long as only one (1) board member from each district is in attendance.

*****Mr. Hulett left the meeting at 7:05.*****

FIFTH ORDER OF BUSINESS

**Status/Update: FEMA Appeal
Determination PW #3806**

- **Correspondence from Representative Allen West**
- **Correspondence from Senator Bill Nelson**

Mr. Paton presented the responses received from Representative Allen West and Senator Bill Nelson. He noted Senator Nelson's letter indicates he contacted FEMA. Mr. Lewis indicated the next thing the District hears will probably be receipt of a copy of FEMA's response to Mr. West and Mr. Nelson.

Mr. Paton indicated FEMA has up to six (6) months to respond to the District's most recent appeal, which was submitted in June.

SIXTH ORDER OF BUSINESS

Approval of July 13, 2011 Regular Meeting Minutes

Mr. Wrathell presented the July 13, 2011 Regular Meeting Minutes and asked for any additions, deletions or corrections. The following change was made:

Line 417: Insert "south" after "hall"

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, the July 13, 2011 Regular Meeting Minutes, as amended, were approved.

SEVENTH ORDER OF BUSINESS

Supervisors' Requests

Ms. Heafy requested informational signs for the pump station locations regarding the bond issue, CIP and construction start date. Mr. Ernest-Jones indicated he is working on it. Mr. Morera asked if both pump stations will be worked on at the same time. Mr. Ernest-Jones indicated one is behind the other by about three (3) weeks.

Mr. Morera asked if the webmaster has changed or if Management took on the responsibility of maintaining and updating website information. Mr. Wrathell indicated the website is currently set up to contain the agendas, budgets, etc., and is serviced by the same webmaster. Mr. Morera spoke of the benefit of including pictures of completed work and/or work-in-progress. Mr. Morera asked for an analysis of the savings realized by working with South Florida Water Management District (SFWMD). Mr. Ernest-Jones reported savings of nearly \$37,000. Mr. Morera felt this type of information, along with pictures, should be included on the District website. Mr. Wrathell indicated that District Management Staff will work with the District Engineer to upload pictures and a description of recent CIP and C-14 Culvert work.

Mr. Morera questioned Mr. Selchan about the University of Florida invoice for study materials for pesticide applicator exams. Mr. Selchan indicated all employees attend these classes to keep their aquatic spray license intact; the invoiced costs are for study manuals for two (2) different tests they are required to pass. Mr. Selchan explained that these were for the new

employees who must pass the tests; once licensed, the employees only need to attend the local seminar, to remain licensed.

Mr. Morera noted chemicals are being purchased and used to spray the canals and asked if there are other chemicals that will accomplish the same thing but be less harsh on the environment. Mr. Selchan estimated that 90% of the chemicals the District uses, on a daily basis, have no water restrictions, meaning they are relatively safe.

Mr. Morera asked Mr. Selchan if he tries to focus on the more publicly visible areas, when determining which canals to spray, etc. Mr. Selchan replied no, the canals are addressed by area, in a uniform manner. Mr. Selchan indicated trash is different; the crews spend a lot of time cleaning up high traffic areas.

Mr. Morera distributed flyers for the International Club's upcoming dinner dance.

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There being nothing additional to report, the next item followed.

B. Engineer

Mr. Ernest-Jones asked Mr. Lewis to comment on the status of the EPA numeric water quality criteria for nutrients. Mr. Lewis indicated he reported to the Florida Chamber of Commerce regarding this issue. Mr. Lewis estimated they have 100+ stakeholders engaged against the EPA and are preparing to take this matter to federal court. Mr. Lewis provided a brief update of the current events surrounding this matter. Mr. Lewis reported that he received an email from Mr. Drew Bartlett, of the Florida Department of Environmental Protection (FDEP), who is in charge of Florida's effort to develop nutrient standards. The state's position has been to develop their own set of standards and present them to the EPA for acceptance, with the hope the EPA would accept them and go away. Discussion ensued between Mr. Lewis and Mr. Ernest-Jones regarding participating in a meeting with Mr. Bartlett and various water control districts. Discussion ensued regarding development of future treatment options, depending on the outcome, with the EPA criteria.

i. Permit Application Log

Mr. Ernest-Jones reviewed the permit application log.

ii. Monthly Engineer's Report – 07/05/11 to 08/02/11

- **Consideration of Special Inspection Services Proposal for Pump Station Construction**

Mr. Ernest-Jones and Mr. Donahue presented the monthly engineer's report, giving updates on the Cumber Professional Plaza permit application request, Pump Stations 1 and 2, C-14 canal culvert, the canal/culvert program, bank repairs at 7541 NW 44 Court, site visit to Mr. Phil Hylander's property at 8965-8985 NW 38th Drive, the canal right-of-way encroachment project, the east-west basin interconnect and permits. Mr. Ernest-Jones recommended the Board contact Mr. Donahue to schedule a tour of the pump station construction sites.

Regarding Pump Stations 1 and 2, Mr. Ernest-Jones indicated the City of Coral Springs is requiring engagement of a special inspector for the inspection and approval of the construction of key concrete and masonry components. He noted the requirement is because this construction project is out of the norm for the city's inspectors. He presented a proposal from Dunkelberger Engineering & Testing, Inc., for \$12,460, for special inspection services related to the inspection of the pump station construction, at both pump stations. Mr. Ernest-Jones detailed the purpose of the special inspector and what they would inspect.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, the Dunkelberger Engineering & Testing, Inc., proposal, as is, for special inspection services related to the inspection of the pump station construction, at both pump stations, in a not-to-exceed amount of \$12,460, was approved.

C. Field Supervisor

Mr. Selchan presented a spreadsheet detailing the District's rainfall statistics, noting rainfall is below average, for the year. He also presented options for different uniform shirts, for the Board's consideration.

Mr. Selchan asked the Board if they want his crews to give highly visible areas more priority. Ms. Heafy replied no, she feels the homeowners should receive first preference. Mr. Morera noted there is a lot of attention on the aesthetics of the city and his concern that some highly visible canals might appear to not be thoroughly maintained. Mr. Morera assured Mr. Selchan his intent, in bringing this up, was not to disrupt the District's normal workflow.

D. Manager

i. Unaudited Financial Statements as of June 30, 2011

Mr. Wrathell reviewed the Unaudited Financial Statements as of June 30, 2011. He distributed copies of the unreconciled cash balances. Mr. Wrathell reported that assessment collection was at 96% and suspected this reflects a decent number of June tax certificate sales; he expects those revenues to appear on the July financials.

Mr. Morera noted receipt of Mr. Wrathell's investment of district funds memo. Mr. Morera asked that a discussion of investment options, for the District's funds, be included on the next agenda.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, the Unaudited Financial Statements as of June 30, 2011 were approved.

ii. Check Detail, June 2011

Mr. Wrathell presented the June Check Detail for the Board's review.

iii. Invoices, June 2011

Mr. Wrathell presented the June invoices for the Board's review.

iv. Resident Inquiry Log

This item was included for the Board's information.

v. NEXT MEETING DATE: September 14, 2011 at 6:30 P.M.

Mr. Wrathell indicated the next meeting is September 14, 2011 at 6:30 p.m., at this location. He noted the budget public hearing will take place during the same meeting.

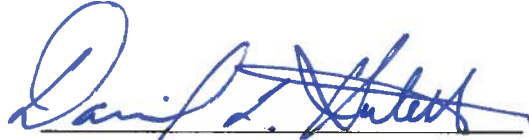
NINTH ORDER OF BUSINESS

Adjournment

The meeting adjourned at 8:12 p.m.



Secretary/Assistant Secretary



President/Vice President