

**MINUTES OF MEETING  
SUNSHINE WATER CONTROL DISTRICT**

The regular meeting of the Board of Supervisors of the Sunshine Water Control District was held on Wednesday, November 8, 2006 at 6:30 p.m. at the Commission Chambers, Coral Springs City Hall, 9551 West Sample Road, Coral Springs, Florida.

Present and constituting a quorum were:

Russell Parks	President
Mary Macomber	Vice President
Phillip J. Sobers	Secretary

Also present were:

John Petty	Manager
Bruce Cranmer	Attorney
John McKune	Engineer
Cedo DaSilva	CH2M-Hill
Mona Slaughter	Severn Trent Services
Janice Moen Larned	Severn Trent Services
Several Residents	

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Petty called the meeting to order and called the roll.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the October 11, 2006 Meeting**

Mr. Petty stated each Board member received a copy of the October 11, 2006 minutes and requested any additions, corrections or deletions.

There not being any,

On MOTION by Ms. Macomber seconded by Mr. Sobers with all in favor the minutes of the October 11, 2006 meeting were approved.
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**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**C. Superintendent – Discussion of Tree Program**

Mr. Petty stated we have some residents here who are interested in the tree program. At this time, I request we move this item up the agenda. At the last meeting, we had a great deal of public comment and discussion on the Phase 2 program for removal of trees within the District's

ROW in preparation for the next hurricane and addressing what happened during Hurricane Wilma. Most of the comments were constructive and as a result, we came back with a proposed alternative, which was for the removal of nuisance trees only from the top of bank. Australian Pines and Holly Trees will be removed entirely within the ROW but other nuisance trees will also be removed from the top of bank down.

We are currently working with the City of Coral Springs on the mitigation of ornamental trees and a replacement program. In the current program, if you remove an eight to ten inch diameter tree, you will replace saplings equaling the diameter. Therefore, you may have to replace eight or ten trees for one. If you are a utility under the program, you replace one tree for one. In this case, a sapling will replace a mature tree. We are a utility and should be listed as such. We are working with the city to see how we can accomplish this. There are no additional changes or considerations for the Board's attention on this matter. We received a great deal of positive comment from the residents and constructive criticism directing us to modify our approach for the removal of trees for future hurricane preparedness. The extremely tolerant Australian Pines or Hollies represent our greatest risk. This is what we will target.

We do not expect to come back to the Board for consideration of a contract or program until December at the earliest.

Ms. Macomber stated we also spoke about creating a policy because we had a great deal of rapport back and forth with our homeowners. We will give them notice when we are ready to consider such a policy so they can comment. We received letters in the mail about the residents concerns about not receiving any door hangers or notice of this meeting. The reason was because we are not ready to present the policy. We are still working on it. This matter will not be discussed this evening. As soon as we are ready, we will let you know. In the meantime, we are not doing anything. We appreciate all of you coming out tonight and know you are interested.

Mr. Petty stated I suggest we ask for any public comments on additional items relating to the tree issue. Even though we are not taking action, they may have something else to bring to our attention.

Mr. Sobers stated I received a copy of a letter from Mr. Gary Runge.

Ms. Macomber stated we all received the same letter.

Mr. John Rochester asked is it still your intention to have an appeal process once notices are sent out to try to save our trees?

Mr. Petty responded the current policy we were discussing was a CSID policy, which gave the superintendent and me the ability to make an exception to the rule. This will require the resident to ask for an exception. If the tree did not pose a threat to flood control, an exception could be granted if the tree can be planted away from the water's edge so the root ball can be properly placed. In CSID, I gave exceptions as long as it was not for an Australian Pine. I only exempted one Australian Pine in CSID and this one was on a lake. In this case, even if the water level went down, it was not going to clog up anything. We gave exemptions to Bishofias and Northfolk Pines, which are on the nuisance species list. I do not know why because they do not seem to be evasive but they are considered to be a nuisance.

Mr. Rochester asked is an appeal process in place?

Mr. Petty responded yes.

Mr. Rochester stated I have a 30 year old South American Azalea.

Mr. Dennis Poore stated I live in Coral Springs Country Club. Can you set up a Citizens Committee to work with you on the policy?

Ms. Macomber responded we have a committee with all the residents who have been coming in to talk with us.

Mr. Poore asked who is creating the policy?

Ms. Macomber responded there will be a recommendation from staff. Based on the interest, I do not want to deny the people who are here the opportunity to participate. We had a good turnout at the last meeting with good input.

Mr. Poore asked will you ask for input at a public meeting?

Ms. Macomber responded absolutely.

Mr. Poore stated not after you formed your policy.

Mr. Petty stated the first draft will be based on resident input. We look at this from a flood control issue in response to Hurricane Wilma. We decided resident input is extremely valuable in this regard. If the residents of Coral Springs wish to live with some trees on top of bank, the cost to maintain from the water is something we can handle as long as they are willing to settle for it. We talked about notifying everyone who lives on a canal where these trees may be affected. We will have door hangers, similar to the ones we placed when we were removing

the debris from the hurricane. It will tell the resident about the meeting and the location and where they can obtain a copy of the proposal. A draft proposal will be discussed at the meeting depending on the public comment. It will tell this Board whether or not they have a consensus to bring it to a vote that night or continue it for further comments. We received very diverse public comment. While the suggestion of a committee is sound, we are getting such good comments from the residents, which has been as much as 50 people. The Board asked us to continue this process.

Ms. Macomber stated thank you for your comments.

Mr. Sobers stated perhaps a draft of the proposal can be made available on the website.

Mr. Greg Michael stated I live on 3964 NW 73<sup>rd</sup> Way. How can we request an exception to have our property viewed?

Mr. Petty responded we have not determined the exact process because it will be part of the proposal. The way it works for CSID is once the notices go on the door, anyone who has a concern about a tree removal, should contact my office. My phone number is listed on the door hanger.

Mr. Michael asked is there a fee?

Mr. Petty responded no.

Mr. Michael asked is the tagging of trees going to be in the policy?

Mr. Petty responded there is a procedure being considered by staff on how we will do this. In the past, we worked with the contractor in supplying an Arborist to identify the trees. This current proposal is considering other ways of identifying the trees, whether by a tape, tag or notice. Each tree we intend to remove will be identified so the homeowner will have less shock value of the removal process and will be able to decide their options in due diligence and not be rushed.

Mr. Michael stated I planted 305' feet on the easement. It was too tempting to not plant on it. However, I did not plant anything to grow over 6' tall. I was just trying to have a buffer. I took a photo of criminal activity taking place on my land when someone drove a truck through there. Am I am going to lose the buffer?

Mr. Petty responded not under the current policy. I do not see any nuisance trees planted. I only see palms.

Mr. Michael stated the canal has beer bottles floating in there. You thought I was being sarcastic when I called it a ditch.

Mr. Petty stated you took a good picture of a bad canal. When you show this photo to the field workers, they will tell you they spend 95% of their time filling up their boats with trash and branches. I appreciate you bringing this to our attention. Within our budget we have funds for public service announcements to educate the residents on how they should not abuse the canals in this manner and how we should all keep them as clean as possible.

Mr. Michael stated when they cut down the Florida Holly/Brazilian Pepper Trees it opened up the area to a horrific view. My property is on the market for \$676,000. This is why I am concerned.

Mr. Petty stated the area you are speaking to and the box cut canals and the issue of proper vegetation and cleaning it up is something we are working with the city on. We have a two year old program where we have guys walking with machetes and saws clearing this dense undergrowth. A box cut canal is not amenable to planting because there is no slope.

Mr. Michael stated I rescued a dog that could not get out. It is all about my property. I mean no disrespect.

Mr. Petty stated we would be happy to take suggestions. So far neither we nor the city has come up with a good answer. We are just trying to do the best we can. If anyone can think of a suggestion such as having a grant tree program so people have the ability to plant trees after we clear it, we will be happy to think about it.

Ms. Macomber stated we made a promise to listen to the residents. We heard your comments. We are in this together and look forward to your input when we have something for you to look at. I want to personally thank you for coming out here tonight and for your interest.

A resident asked what is the best way to be informed as to when these meetings are going to take place? There always seems to be confusion on the location.

Mr. Petty responded there is no substitute for contacting my office.

Ms. Macomber stated we have a set schedule for meetings.

Mr. Petty stated occasionally we vary. We had to cancel a meeting due to an emergency situation by a supervisor who could not attend and we lost the quorum. Those things happen. Please feel free to call my office.

The resident asked when is the next meeting?

Mr. Petty responded January 10, 2007. Everyone should anticipate seeing the draft at this meeting.

Ms. Juanita Lowe stated I live on NW 29<sup>th</sup> Street.

Ms. Macomber stated you have a beautiful Bottlebrush Tree.

Ms. Lowe stated I was pleased to hear there will be some exceptions. Were the individuals spraying the banks notified about the last time the spraying was done? They did not come as far up my bank as I thought they had but they sprayed my Bottlebrush Tree on one side. It is still living. Where the vegetation died from the spray, the bank is soft and slanting forward. I am hoping they do not spray there anymore.

Mr. Petty stated this is a good assumption and one we discussed at the last meeting. The berm is supposed to be approximately 6" from the top of the water line when we are going after aquatic plants. It should not be any higher. A nice resident invited us over and showed us what was going on and it led to this. We witnessed some spraying greater than 6" above the water line. A very low ground cover had been planted on the entire slope. We hope to include in the policy for the ROW to be maintained by the resident down to the water's edge. However, this does not necessarily mean sod. The ground cover is certainly acceptable for erosion control of a bank. Our guys sprayed 2 to 3' thinking there was something other than sod. I asked our aquatic applicators not to go after those plants because we are considering a policy whereby, "As long as the resident is maintaining that area, it may be acceptable". In the past this meant sod.

Ms. Lowe asked did they know about your rules?

Mr. Petty responded this is a new consideration.

Ms. Lowe stated where they sprayed was not ground cover. It was grass. We keep it mowed to the water's edge and fertilize when necessary. The only thing stopping erosion is vegetation. This is what worries me. Do you have someone studying the erosion problem?

Mr. Petty responded we have over 30 years experience in the business of handling the drainage and erosion issues and are familiar with erosion control of the banks. We handle this issue all the time. The trees are new. They were cautioned against overspraying and we are looking at new spray techniques so they are closer to the bank and the spray is more downward.

Ms. Lowe stated I appreciate it.

Ms. Macomber stated thank you for coming out.

**THIRD ORDER OF BUSINESS**

**Consideration of Permit Requests**

**A. Munson Design and Consulting for Fordan Trace Townhomes for Surface Water Management System Construction of Discharge Pipe to Canal V**

Mr. Petty stated we have a recommendation from the engineer for approval.

On MOTION by Ms. Macomber seconded by Mr. Sobers with all in favor the permit request from Munson Design and Consulting for Fordan Trace Townhomes for surface water management system construction of discharge pipe to Canal V was approved, subject to the stipulations provided by the engineer.

**B. Paul Brewer and Associates for Coral Springs Research and Development PLC; Addition IV for Drainage Outfall Connection to Existing Canal**

Mr. Petty stated we have a recommendation from the engineer for approval.

On MOTION by Ms. Macomber seconded by Mr. Sobers with all in favor the permit request from Paul Brewer and Associates for Coral Springs Research and Development PLC; Addition IV for drainage outfall connection to existing canal was approved, subject to the stipulations provided by the engineer.

**C. Paul Brewer and Associates for Seibold Building, Parcel A Coral Springs Corporate Park for Drainage Outfall Connection to Existing Canal**

Mr. Petty stated we have a recommendation from the engineer for approval.

On MOTION by Ms. Macomber seconded by Mr. Sobers with all in favor the permit request from Paul Brewer and Associates for Seibold Building, Parcel A Coral Springs Corporate Park for drainage outfall connection to existing canal was approved, subject to the stipulations provided by the engineer.

**D. Rhon Ernest-Jones for Duke Limited Partnership – Sawgrass Bend Commerce Center for Onsite Drainage System to Include the Installation of a Drainage Outfall to SWCD Canal RR**

Mr. Petty stated we have a recommendation from the engineer for approval.

On MOTION by Ms. Macomber seconded by Mr. Sobers with all in favor the permit request from Rhon Ernest-Jones for Duke Limited Partnership – Sawgrass Bend Commerce Center for onsite drainage system to include the installation of a drainage outfall to SWCD Canal RR was approved, subject to the stipulations provided by the engineer.

**FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2007-3  
Amending the Debt Service Budget for Fiscal  
Year 2005**

Mr. Petty stated an attachment to this resolution was provided to the Board prior to the meeting. Under Revenue we have the loan proceeds used to remove the debris after the hurricane in the amount of \$965,000. I am proud to report we received reimbursement from NRCS. Our engineer, Mr. McKune from CH2M-Hill reported we received \$2,815,953.

Ms. Macomber stated congratulations! Way to go!

Mr. Petty stated attorney fees increased slightly because mid-year we adjusted his pay after the last 20 years of service to us. The engineering fees are reflective of the work performed on the removal of trees in Phase 2, which are not covered under NRCS and the survey work performed. Special Consulting Services is our Lobbyist, which did well for us. We have printing and binding because of the extra meetings. We exceeded our normal budget. The same with Legal Advertising, Other Current Charges and other Miscellaneous and Office Supplies. Under Debt Service, we have principle and interest. This was the problem with the calculations in our program under last year's budget. Even though this item was in the budget, it was not in the calculation. We request you to consider this as a budget amendment.

The next page is a change in Workers Compensation, which occurs from time to time. There is a deduction in Field Operation Services. We had someone from Severnt Trent who had field operation experience who came out from time to time to help Mr. Selchen. However, I have this experience. The Hurricane Wilma expense is self explanatory. The Reserve for Future Debris and Canal Restoration are the funds available to us at this point in time from NRCS and from loan proceeds not expended yet. These are available to us under the capital projects list we discussed in your budget.

Ms. Macomber stated we asked you to do this for us so we can see where we are. Thank you very much.

Mr. Petty stated we are doing this to make our budget good and clean by the end of the year under the time limit constraints. Staff recommends approval.

Ms. Macomber asked do we do this by Resolution 2007-3?

Mr. Petty responded yes.

On MOTION by Ms. Macomber seconded by Mr. Sobers with all in favor Resolution 2007-3 Amending the General Fund Budget for Fiscal Year 2005-2006 was adopted.

Ms. Macomber stated it is nice to see all of this information.

**FIFTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Cranmer stated we discussed at an earlier meeting about a general District-wide permit for the cable company. If you fax me contact information tomorrow, I will prepare a document for adoption. Apparently, we do not mind them disturbing our lands as they do not create much damage.

Ms. Macomber asked will this document contain the language where they will put everything back into place?

Mr. Cranmer responded yes. It holds us harmless.

Mr. Petty stated the cable company is already in our right-of-way as we caught them. It turns out only SWCD has this particular issue. We were replacing a line and saw them out there. When we asked them what they were doing, they said "We are in our easement". We told them they were not in the easement but in our right-of-way. Since we are looking for public service announcements to go out during prime time, we talked with Advanced Cable, which is a family owned operation and they were amenable. We said, "If you get a permit from us, you can do this legally but we request you allow us to put our public service broadcasts in a timely feature." This seems like a workable situation to us.

Ms. Macomber stated well done.

Mr. Petty stated we asked Mr. Cranmer to look at drafting such an agreement.

Ms. Macomber stated go for it.

**B. Engineer**

There not being any, the next item followed.

**C. Superintendent – Discussion of Tree Program**

Mr. Petty stated we already discussed the tree program. I request the Board's consideration of an engagement letter with Goldstein, Zugman, Weinstein & Poole to perform the audit for fiscal year 2006. These are the same auditors you have had for the past several

years. We find them to be very efficient and recommend you consider approval of the engagement letter.

On MOTION by Ms. Macomber seconded by Mr. Sobers with all in favor the engagement letter with Goldstein, Zugman, Weinstein & Poole to perform the audit for fiscal year 2006 was approved.

**SIXTH ORDER OF BUSINESS**                      **Supervisor Requests and Audience Comments**

Mr. Sobers asked what is the timeline for the proposals?

Mr. Petty responded I hope to provide them to you a week before the meeting. Staff will not ask you for a decision at the next meeting. However, if you find it to be in harmony with the residents to the point where you wish to consider it, of course we can do so. Our timetable is more in line with getting it approved at the March meeting so we can have the construction completed before the next hurricane season. We have the luxury of time.

Mr. Sobers stated in other words, we will review and work from there. Putting door hangers on each door is time consuming. Have we considered an alternative?

Mr. Petty responded yes. The City of Coral Springs permitted us to post notices on their website. We have a shared website with our sister districts but Sunshine does not have much of a presence because we have not had many announcements in the past. While we can post it on there, I do not expect a great number of people to find it. This is what we are considering along with the public notices in the newspaper.

**SEVENTH ORDER OF BUSINESS**                      **Approval of Financials and Warrants 8891-8916**


On MOTION by Ms. Macomber seconded by Mr. Sobers with all in favor the financials and warrants 8891-8916 dated November 8, 2006 in the amount of \$161,826.20 were approved.

**EIGHTH ORDER OF BUSINESS**                      **Adjournment**

Ms. Macomber stated I wish everyone a happy holiday. We would like to thank Ms. Rugg for all the work she has done. We appreciate what you have done and wish you the best of luck in your new position. You will be missed!

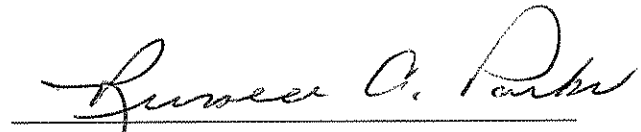
There being no further business,

On MOTION by Ms. Macomber seconded by Mr. Sobers with all in favor the meeting was adjourned.



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Philip Sobers  
Secretary



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Russell Parks  
President