Board of Supervisor's Meeting
Pine Tree Water Control District

Wellington City Hall
12300 Forest Hill Blvd.
Wellington, FL 33414

Monday, November 7, 2016
6:00 p.m.

AGENDA

I. Call to Order

II. Pledge of Allegiance

III. Consent Agenda

- **a. Approval of Minutes**
  - I. Board of Supervisors Meeting – August 15, 2016
  - II. Board of Supervisors Special Meeting – September 12, 2016
  - III. Board of Supervisors Special Meeting – October 10, 2016
- **b. Financial Report**
  - I. Financial Report
  - II. Warrant List
  - III. Approval of Supervisor Invoices
- **c. Operations Report**

IV. Engineer's Report

V. Attorney's Report

- **a. Notice of Termination, Interlocal Agreement**
- **b. SFWMD Update**
- **c. Certificate of Correction**

VI. Board Comments

VII. Next Meeting – Monday, February 6, 2017 at 6:00 p.m. (Optional)

VIII. Adjourn

CONSENT AGENDA

MINUTES

MINUTES

Pine Tree Water Control District
Board of Supervisor's Meeting

Wellington City Hall
12300 Forest Hill Blvd.
Wellington, FL 33414

Monday, August 15, 2016
6:00 p.m.

Pursuant to the foregoing notice, a meeting was held of the Pine Tree Water Control District Board of Supervisors on Monday, August 15, 2016 at Wellington Village Hall, 12300 Forest Hill Blvd., Wellington, FL 33414.

Board Supervisors Present: Maria Fong, Board President, Joel Arrieta, Board Supervisor and Travis Deering, Board Supervisor.

I. **Call to Order -** Ms. Fong called the meeting to order at 6:02 p.m.

II. **Pledge of Allegiance -** Ms. Fong led the Pledge of Allegiance.

III. <u>Consent Agenda</u>

a. **Approval of Minutes**
   I. Annual Landowners Meeting – June 13, 2016
   II. Board of Supervisors Meeting – June 13, 2016

b. **Financial Report**
   I. Financial Report
   II. Warrant List
   III. Approval of Supervisor Invoices

c. **Operations Report**

Ms. Quickel presented the Consent Agenda recommending approval as presented.

A motion was made by Mr. Arrieta, seconded by Mr. Deering and unanimously passed (3-0) approving the Consent Agenda as presented.

IV. <u>Public Hearing</u>

a. **RESOLUTION NO. PT2016-02:** A Resolution of the Board of Supervisors of the Pine Tree Water Control District Adopting the District's Budget and Non-Ad Valorem Assessment Roll as Provided Herein; Levying of the Non-Ad Valorem Assessments For The District and Appointing an Authorized Representative of the District For Certification of The District's Non-Ad Valorem Assessment Roll; and Providing an Effective Date.

Ms. Quickel introduced the item.

Rachel Callovi read the title of Resolution No. PT 2016-02 into the record.

Ms. Quickel recapped the proposed rates for FY 2017:
Rustic Ranches (PAM): $85
Agricultural (PBM): $25
Water Management (PCM): $17.50
FY 2017 Budget $1119,800
Ms. Quickel said that the amounts were the same as the listed rates reviewed at the June 13, 2016 meeting.

PUBLIC HEARING

Ms. Fong opened the Public Hearing.

Leland Wright, Rustic Ranches. Mr. Wright indicated the slope mowing maintenance for the swales within the entire community was included in the past budgets but the current budget does not include that service. At this point in the meeting, Mr. Wright provided pictures to the Board indicating different areas within the District of which he felt needed maintenance.

Ms. Quickel explained that, in accordance with the vegetation policy, forty-one letters were sent out to the landowners who were not maintaining their encroachments. She said to date, twenty-nine landowners have not made corrections and if those issues were not addressed soon, the Wellington's Code Enforcement Department would be notified for the next level of action. Ms. Quickel stated the issues would also be brought before the Board to discuss the options as per the approved policy in place.

Paulette Venere, 16031 Rustic Road. Ms. Venere asked if she had not received a letter if that meant she did not have any violations. Ms. Quickel replied affirmatively and explained the letter that was sent out was in regard to violations within the road swales.

Mr. Arrieta questioned if 50% of the landowners were maintaining their encroachment or swales, why then would the District pay to clean the encroachments of the remaining landowners.

Mr. Kurtz stated that Mr. Wright's statement was communicating to the Board that the source of the problem was due to the slope mowing not being done within the District three times a year as in the past years.

Ms. Quickel stated during the past year the District paid for two miles of slope mowing but there were complaints that landowners should be responsible for their own over growth. As per the policy, the Board decided that staff would work with each landowner and letters were sent to each of the indicated landowners.

Ms. Venere said her property has easements on three sides, and she has tried to mow the rear area but broke her mower because of the soil being very soft and the ditch being very deep. She felt the policy was unfair and asked the Board to review it because there were several properties that have land along the canal which was not accessible.

Ms. Quickel explained the letter that was sent out only addressed the road swale overgrowth and not the canal overgrowth.

Mr. Kurtz felt the discussion was difficult because the Board received pictures from Mr. Wright and most of the pictures were of swale areas; and swales were different from the canal areas. He suggested that the Board would need to address the twenty-nine properties that were not in compliance in accordance with the policy prior to the next meeting. When the item was placed on the agenda, the Board would then be able to review each property for compliance, identify the swale or canal issue, review the pictures and address each property individually. He noted at that time, the public would be able to follow along with the presentations provided but currently Administration's position was to follow the policy that was established and was in place.

Chris Wallace, 16330 Hollow Tree Lane. Ms. Wallace said she received a letter and indicated that her swales were clean. She questioned the reason why Wellington sent out the letters when during the past year the Board had voted against sending out the letters and having Mr. Wright visit each individual landowner that had an infraction.

Ms. Wallace asked for the deciding factor for the receipt of the letter because her lawn contractor keeps her swales clean and Wellington mows the bank.

Ms. Quickel said that she was not sure of the specific properties but staff surveyed the properties. Ms. Wallace said she has spoken to several of the landowners who received letters and they mentioned they maintain their swales clean. Ms. Quickel noted staff could have made a mistake.

Elizabeth Pigadis, Rustic Road. Ms. Pagadis said she received a letter and did not understand that letters were sent out by mistake. She felt the letter was very accusatory and never before had she been accused of doing something wrong. She noted she was not of the wording in the letter, and did not want to be represented by people that approved the letter. She mentioned that she followed the instructions on the letter and called the Public Works Department and a nice gentleman came to her house who indicated there was nothing wrong with her property. Ms. Pigadis said she called Ms. Fong who explained the issue and that the expenditure involved was brought up at a meeting but was not approved. She said Ms. Fong further explained that the Board would need to approve it before Wellington could send out the letters. Ms. Pigadis noted she wanted to have the issue resolved and a document provided to her acknowledging she was not incurring an infraction on her property.

Mr. Kurtz advised the public that the appropriate contact person for any issues or day to day operations was the District Administrator. He indicated she was available to assist with any issues occurring within the District in order to provide immediate clarity instead of a landowner having to wait until an upcoming Board meeting.

Houston Meigs, 16433 Deer Path Lane. Mr. Meigs said he recalled a discussion during the prior year to maintain the budget and the mowing of the vegetation that hangs along the canals as it was and not have the District be responsible. In light of that, he thought the maintenance of those areas should be dealt with by the individual landowner in order to save money and maintain a level budget for the District.

Mr. Kurtz explained the policy had been adopted, but would be addressed and the landowners that were not in compliance would have the opportunity to come before the Board before taking any action. He noted, once the Board was able to deal with the first round, if they find that the procedure does not work, the Board would have the authority to change the policy. He further explained that once enforcement gets started and the word spreads within the District, the situation could get better and enforcement may not be needed in the future. He noted the policy could be changed and the Board could add the mowing to the budget by means of an amendment.

Mr. Deering said his recollection was a portion of the vertical mowing provided in the past was paid by Wellington or the District reimbursed Wellington. Mr. Kurtz agreed with Mr. Deering and noted the District paid Wellington for the service and used their contracts.

Ms. Quickel said staff would obtain details regarding the slope mowing of the swales and if the Board approved the service a budget amendment would be needed.

Mr. Kurtz said that the issue was clear; Mr. Wright wanted a higher level of maintenance than what was currently being provided and staff understands the direction of the Board. He reiterated the Board could alter the budget.

Ruben Ferrazzano, Rustic Road. Mr. Ferrazzano felt staff needed to obtain the cost of the additional mowing before amending the budget and adding additional funds for the service. He asked for a copy of the rules and regulations of all the policies.

Ms. Fong closed the Public Hearing.

Ms. Fong noted the recommended budget provided for continuation of the current services but if the mowing schedule needed to be increased, the budget would need to be revised.

Ms. Quickel explained an additional mowing could be added to the schedule and a budget amendment for the service could be issued. She indicated she would provide the information for the additional mowing to the Board before the next meeting.

Mr. Deering suggested the process and the policies run their course as Mr. Kurtz suggested and if emergency funds were needed for select properties blocking drainage, the Board would address the issues at that time.

A motion was made by Ms. Fong, seconded by Mr. Deering and unanimously passed (3-0) adopting Resolution No. PT 2016-02 as presented.

V. Presentation of Auditor's Report for the Year Ended September 30, 2015

Ms. Quickel introduced the item.

Ms. Acevedo gave a presentation regarding the Auditor's Report. She noted and recapped the agenda item;

1) Independent Auditor's Report – PTWCD received unqualified clean opinion by the auditor's which means the financial records and statements were fairly and appropriately presented and in excellent financial condition
2) Balance Sheet - As of September 30, 2015 the total assets totaled $189,463, Liabilities totaled $23,346, Total Fund Balance $166,117
3) Revenue & Expenditures - Total Revenues $104,514, Expenditures $101,465, Fund Balance (Increase) $3,049, Ending Fund Balance $166,117

Ms. Acevedo noted the District was in very good financial shape and opened the floor for questions.

Mr. Deering asked if interest was received. In response, Ms. Acevedo referred to page 10 and indicated the amount of interest received was $90.

Ms. Fong noted a statement regarding a slight depreciation within the infrastructure listed on page 4.

Ms. Acevedo continued with her report noting that the canal crossing depreciation was incurred every year.

Ms. Fong mentioned the depreciation amount needed to be observed due to the need of the canal crossed being replaced in the future.

Ms. Quickel indicated the Auditor's Report was presented to be received, filed and would be posted on the website.

A motion was made by Ms. Fong, seconded by Mr. Arrieta and unanimously passed (3-0) to accept and file the Auditor's Report for the Year Ended September 30, 2015 as presented.

VI. RESOLUTION NO. PT2016-03: A Resolution of the Supervisors of the Pine Tree Water Control District Adopting General Meeting Rules Outlining the Agenda and Establishing the Procedure for Public Participation at Board Meetings; and Providing an Effective Date.

Ms. Quickel introduced the item.

Rachel Callovi read the title of Resolution No. PT 2016-03 into the record.

Mr. Wright asked for an explanation of Resolution PT2016-03.

Mr. Kurtz explained the resolution included general and simple meeting rules. He noted and recapped the agenda items;
1) The agenda was available on the PTWCD website and the agenda shall determine the order of business conducted at the meeting
2) Consent Agenda
3) Regular Agenda
4) Who May Speak – The public was encouraged to provide their comments on any item on the agenda and complete a comment card and provide it to the Clerk for each comment.
5) Addressing the Board – State your name, address and all comments should be directed to the Board and not to a particular member of the Board or the general public. The public comments were limited to three minutes per item.
6) Decorum – Everyone's comments should not be personal, impertinent or slanderous and operate in a manner of civility.
7) Board Meetings – Meeting will be held quarterly unless otherwise scheduled.

Mr. Arrieta mentioned the Board was using the standard policy and practice of all boards and committees use for their meetings in order to capture information discussed and note the information for the record in an organized manner. He noted he was in favor of using the method.

A motion was made by Ms. Fong, seconded by Mr. Deering and unanimously passed (3-0) adopting Resolution No. PT 2016-03 as presented.

VII. Engineer's Report
Mr. Higgins announced he had no report.

VIII. Attorney's Report

Mr. Kurtz announced he had no report.

Mr. Deering asked if there was a plan in place to have a guardrail opened at each road. In response, Ms. Quickel indicated staff would be addressing the two other entrances and she would provide the Board with the information after the plan has been completed.

IX. Other Business

a. Approval of Pine Tree Board of Supervisor's Meetings for FY2016/2017

Ms. Quickel introduced the item.

Mr. Deering asked if the optional meetings were being approved. Ms. Quickel explained staff was looking for all of the meeting dates to be approved by the Board. She mentioned staff would notify the Board beforehand if the optional meetings needed to be held.

A motion was made by Mr. Arrieta, seconded by Mr. Deering and unanimously passed (3-0) adopting Pine Tree Board of Supervisor's Meetings for FY2016/2017 as presented.

Ms. Quickel noted an additional item for discussion was regarding an application on Flying Cow Road and 160th Trail South that would be going before the Village of Wellington. At this point she provided the Board with a memorandum from Cory Lyn Cramer, AICP dated August 10, 2016. She explained the residents could follow the item via the Village of Wellington Planning & Zoning Department's website.

X. Board Comments

Ms. Venere noted the round-a-bout behind her house has a fence near the wall that needs repair.

XI. Next Meeting – Monday, November 7, 2016 at 6:00 p.m. (Optional)

XII. Adjourn

There being no further business to come before the Board, the meeting adjourned at 7:00 p.m.

Approved:

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Maria Fong, President

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Rachel R. Callovi, Secretary

MINUTES

Pine Tree Water Control District
Board of Supervisor's Meeting

Special Meeting

Wellington City Hall
12300 Forest Hill Blvd.
Wellington, FL 33414

Monday, September 12, 2016
6:00 p.m.

Pursuant to the foregoing notice, a meeting was held of the Pine Tree Water Control District Board of Supervisors on Monday, September 12, 2016 at Wellington Village Hall, 12300 Forest Hill Blvd., Wellington, FL 33414.

Board Supervisors Present: Maria Fong, Board President, Joel Arrieta, Board Supervisor and Travis Deering, Board Supervisor.

I. Call to Order – Ms. Fong called the meeting to order at 6:04 p.m.

II. Pledge of Allegiance – Ms. Fong led the Pledge of Allegiance

Ms. Quickel noted Board Supervisor, Joel Arrieta, wanted to read a statement into the record.

Mr. Arrieta indicated he was not in attendance at the recent SFWMD budget hearing due to his role being of an operational nature and not a budgetary nature. At this point in the meeting he read a statement into the record:

Mr. Arrieta addressed the combative stance the Pine Tree District's Attorney was taking with SFWMD and asked whom advised the attorney to be combative and was the District benefiting from his stance, Pine Tree or the attorney. He indicated the governing board of SFWMD was able to meet with the attorney to discuss assessments on a case by case basis. He felt the opportunity should be taken in order to work with SFWMD. He noted preparation was needed to review the District's expenditures in an attempt to justify $51,000 for swale mowing and questioned if the mowing of the swales and all the line items in the budget provided a benefit to the District. Mr. Arrieta said these items needed answers and suggested instead of residents complaining because a notice was not received, was counterproductive. He explained the budget cycle for the SFWMD was different from the budget cycle for Pine Tree and SFWMD's budget has not been approved and felt everyone needed to focus on the Pine Tree budget and decide how to tighten the budget instead of assuming the collection of the same revenue as prior years. He said receiving a copy of the amended 2017 and proposed 2018 298 District Tax Estimated payment budget does not indicate a decrease but indicates an increase and felt the budget needed to be streamlined.

He stated if the Board wanted to spend funds on a legal fight, legal advice from the attorney would be needed in order to have an informed discussion during the meeting tonight.

III. Attorney's Report

a. SFWMD Budget Information

Ms. Quickel presented the Attorney's Report.

Ms. Quickel noted SFWMD made a presentation on August 11, 2016 and the information was included in the agenda packet and posted on the Pine Tree website. She noted during the meeting SFWMD outlined reducing expenditures in a number areas and one of the areas was the 298 Tax Payments which was a concern. She indicated Mr. Kurtz, Mr. Higgins, herself and representatives from other special districts attended a meeting on September 8th. During the meeting, which was the first public hearing regarding the budget Mr. Kurtz, Mr. Higgins and other representatives read statements into the record regarding the lack of notification and untimely manner of communication with the special districts especially because the Pine Tree District had already adopted the budget for FY2016/2017. She said at the meeting, the Board listened to all the statements made by the public and their reply was they would meet with each special district on a case by case basis to review the information.

Ms. Quickel indicated the other agenda item indicates the potential impact to the District if the funds were not received and noted the amount was not part of the 2018 budget.

Mr. Kurtz noted the Pine Tree budget was approved on August 15, 2016. On August 11th SFWMD had their regular monthly meeting at which time a budget presentation was provided by their Executive Director. During the meeting, the Executive Director made a minimal comment that the 298 Tax Payments would not be paid. Mr. Kurtz explained afterwards that he contacted the Legal Department and spoke to Derek Brown on August 18th. He explained that he questioned the comment made by the Executive Director and Mr. Brown said he would return his call regarding the comment. On September 1st he spoke to Mr. Brown again and explained to him the change would affect Pine Tree because it would apply to non ad valorem as well as ad valorem taxes. At that time, Mr. Kurtz asked for the basis of his opinion and if notifications had been sent to the Pine Tree District or any other districts. Mr. Brown explained he was not aware of any notifications sent to the districts and no other details were provided. Mr. Kurtz said he made a public records request asking for the research and analysis that had been completed and asked for the information to be provided to him as soon as possible. He said he received notification from Mr. Brown the following day stating the records were not available because SFWMD staff were making revisions because of several exceptions being added to the documents and in anticipation of litigation. Mr. Kurtz explained there were limited exceptions to public records requests in Florida and attorney work product in anticipation of litigation was one of the exceptions and as of today, his public records requests had not been fulfilled.

Mr. Kurtz noted his discussion was of a speculative nature. He further noted he has had discussions with other 298 Districts; however, none of those Districts received notice of the change and their current Board members, being SFWMD employees had not received notification of the changes either. He felt the Districts needed to influence SFWMD in a positive manner and understand the reason why the payments would be appropriate. At this point in the meeting Mr. Kurtz read from Florida Statute Section A. 298.36 (1) Lands belonging to state assessed; drainage tax record.

Mr. Kurtz noted SFWMD believes the reason for not having to pay the taxes or assessments was due to sovereign immunity and he was surmising SFWMD was using 253.03 which dates back to 1953 regarding a provision that trumps 298.36. At the September 8th business meeting, the Director acknowledged the mistake of not providing communications to the 298 Districts regarding the changes but no other details regarding the proposal were discussed. Mr. Kurtz noted during the meeting, SFWMD expressed having the assessments reviewed and considered on a case by case basis but that public level discussion regarding the criteria for the reviews had not been provided. He felt, there was not a need to change the adopted millage rate at the current time.

Mr. Kurtz recapped the District's options for the current year:

- Direct him and Ms. Quickel to continue to engage with dialogue with SFWMD and try to have them make the payment for the current year based on the unfairness of their position and lack of notification.
- If SFWMD, being in an advantageous position, elects not to pay the assessment, they can afford to fight over issues; however the District cannot due to limited funds.
- The District could tag along with another District that has more funding but additional expenses would be incurred with a law suit.

Mr. Kurtz felt it would not be in the District's interest to file a law suit but to appeal to the better nature of the SFWMD and their Board by making them understand the impact on the District and the unfair manner the issue was communicated. He noted a law suit would take a very long time to resolve and noted his recommendation was not to enter into litigation with SFWMD.

Mr. Kurtz explained, in his opinion, the best scenario for the District was for the SFWMD to make the payments and maintain being part of the District. However, if SFWMD notifies the District indicating no payment would be made or payment would be the least amount possible, the District would need to be aggressive in pursuing the issue and look to reduce future contributions for the best interest of the District. He stated the residents needed to look on a map and understand what Pine Tree would look like without SFWMD. He pointed out that in order for them to segregate themselves and not pay the assessments, a special legislative act would be needed. He suggested the Board having discussion regarding each issue and obtain an analysis regarding all the issues he recommended.

Mr. Kurtz referred to the handout provided: Total amount of the 298 District Tax Estimated 2016 Payments $753,945.15. He noted some of the districts on the list may not care and were satisfied paying the amount required but other districts have a significant amount that would need to be paid and the two districts in Palm Beach County significantly impacted were: Gladeview Water Control $57,420.00; and Pine Tree Water Control $47,131.61.

Mr. Kurtz suggested the Board direct staff and the attorney to continue discussions and try to have SFWMD pay the current year.

Mr. Leland Wright, Rustic Ranches. Mr. Wright asked for a clarification of what entity owns the park. Mr. Kurtz explained Section 24 was owned by the Village of Wellington and his understanding was, Wellington currently doesn't pay assessments to Pine Tree Water Control District.
Mr. Deering opened the floor for public comments. Mr. Kurtz reminded the public to fill out a comment card if they wished to speak.

Mr. Wright said he was under the impression that Section 24 was owned by SFWMD and the Village of Wellington had a ninety-nine year lease for the park. Mr. Kurtz noted the property was currently owned by the Village of Wellington. Mr. Wright asked for the year the property was given to the Village of Wellington by SFWMD. Mr. Kurtz explained the park was part of the Pine Tree Water Control District but no payment was being received and said if the Board wanted him to research the reason for no payments being provided for the park, he would do so.

Mr. Wright asked if SFWMD doesn't pay the assessment what would happen to Mr. Arrieta's seat. Mr. Kurtz said his recommendation would be if SFWMD does not pay their assessments then SFWMD would not be allowed to vote. He reiterated was not sure what SFWMD's position would be in the future.

Chris Wallace, Hollow Tree Lane. Ms. Wallace said it didn't seem the SFWMD would need to have a position on the Board if they do not have an interest which would not benefit the District. She felt the money could be made up in different ways; reduce staff and the amount of meetings being held. She said the requirement was to hold one meeting during the year.

Houston Meigs, Deer Path Lane. Mr. Meigs felt that there was a large number of issues on the table and his suggestion was for a resident committee to be established. He said the committee could try to outline a plan for the future on several different levels prior to the November meeting, and present it to the Board.

Ruben Ferrazzano, Rustic Road. Mr. Ferrazzano asked Mr. Kurtz if SFWMD had a commitment to provide him with communication as to payment of the 2016 ad valorem or non-ad valorem taxes. Mr. Kurtz noted currently the assessments were on record and the amounts were owed without a time limit and would be considered delinquent, if not paid. Mr. Ferrazzano addressed the Board and said he felt the Board should move forward and try to have SFWMD pay for the assessment.

Mr. Kurtz explained the SFWMD's Board was the body that needed to make the decisions and not the Executive Director and indicated the Board may have not heard all of the arguments. He said an opportunity for public discussion was needed and afterwards the Board could decide after hearing the arguments from the representatives of the 298 Districts and staff on the next step. He explained Pine Tree would be obligated to pay assessments but an option was to go to the state legislature and explain the issue was not making sense, or attend the SFWMD District meetings and communicate the assessment was too high but he was not certain of any of the outcomes.

Mr. Ferrazzano said SFWMD could pay the 2016 assessments and decide afterwards, that Pine Tree would be responsible for the future assessments.

Mr. Kurtz noted policies were not permanent and could change in the future and reiterated the current SFWMD Board has not heard all of the arguments. He said staff would maintain Pine Tree as informed as possible and he suggested two directions that could be taken;
1) Remain on the same course with respect to the District's assessments and do not change positions.
2) Obtain direction to engage in the discussion and following through and in doing so, staff would take note of the processes taken by SFWMD and report back to the Board. He noted resolution could happen before the tax bills were sent out in November, and SFWMD District would owe Pine Tree $48,000. At that time, staff would monitor if SFWMD pays for the assessments. His opinion was that SFWMD would not be able to resolve the issue with all of

the 298 Districts on a case by case basis by September 20, 2016 and may or may not engage in discussions.

Ms. Wallace asked Ms. Fong and Mr. Deering for their comments regarding the issue. She indicated that SFWMD were not residents but they were controlling the Board, She felt the residents would be able to handle the District on their own very easily.

At this point in the meeting, public comments were closed.

Mr. Deering indicated he heard all the comments that were made and his opinion was SFWMD was testing the waters. He noted as Mr. Meigs indicated, many questions needed answers, as Mr. Arrieta stated, work was needed to resolve the issue and as Mr. Kurtz mentioned, litigation would be useless. He indicated currently SFWMD was not following policy, procedure and protocol. In the past, if a change was made to his property's assessment, value or exceptions a notice has always been sent and if he was not in agreement he would go through the court system and make an appeal by following the policies, protocols and provide evidence. He felt if SFWMD's intentions was clear to exit from the expenses, they need to follow the existing policies, procedures and protocols. If the Pine Tree District and SFWMD do not agree for 2017 and 2018, at that point it may be the time to separate.

Ms. Fong noted in the past, she was involved with five major trials with U.S. Sugar and other corporations and explained litigations could be very expensive. She indicated she was not in favor of litigation but was in favor of having communication and using the appeal process with SFWMD. She noted communication with the residents was necessary in order for them to know how the District's money was being spent. If SFWMD pays their taxes for the current year, sooner or later the District would have to review a manner to support themselves. She suggested the Board's recommendation and appointing a committee to review the issues and the future of their neighborhood was the best administration practice.

Mr. Kurtz recapped the Board's request of Legal and staff:

- Legal and Ms. Quickel would continue dialogue with SFWMD in order to understand their position
- On a case by case basis, make arguments and advocate supporting SFWMD to make payment for 2016
- Legal and staff understands SFWMD's position, communication would be provided to the Board regarding the long term prospects of their involvement
- Create a committee to review the future of the District with or without SFWMD

Ms. Quickel noted in order not to have a Sunshine Law conflict, the committee would consist of; one Board member, one or two residents and Mr. Kurtz. Mr. Kurtz indicated the committee meetings would need to be open to the public in order to comply with the Sunshine Law.

Mr. Kurtz suggested a motion from the Board to continue discussion with SFWMD and try to get the 2016 assessment paid and report back to the Board as necessary with respect to the case by case basis, and the basis for SFWMD's decision on the matter. He stated he would be in contact with other 298 Districts in order to utilize some of their resources and information.

Ms. Fong and Mr. Deering agreed with the direction Mr. Kurtz and Ms. Quickel outlined.

At this point, Mr. Arrieta stated he would hold his vote due to a conflict of interest.

A motion was made by Mr. Deering, seconded by Ms. Fong and passed (2-0) providing direction for Mr. Kurtz and Ms. Quickel to move forward as outlined by Mr. Kurtz with the SFWMD issues.

At this point in the meeting, Ms. Callovi informed the Board a comment card from Ms. Wallace had been received and it was at the Board's discretion to allow the comment since public comments were closed.

Mr. Kurtz asked the Board if they were ready to make their selections for the committee.

Ms. Fong recommended creating the committee with the following members; Mr. Kurtz; Philip McLellan; Houston Meigs; and Travis Deering.

At this point, Mr. Arrieta stated he would hold his vote due to a conflict of interest.

A motion was made by Mr. Deering, seconded by Ms. Fong and passed (2-0) for the formation of a committee consisting of Mr. Kurtz, Mr. McLean, Mr. Meigs and Mr. Deering. The committee would provide insight on the budget and the SFWMD current and future issues within the Pine Tree Water Control District as presented.

Mr. Kurtz suggested the first committee meeting be held after the September 20, 2016 SFWMD Board meeting in order to discuss the happenings but before the November 7th Pine Tree meeting in order for the committee to provide a report to the Board.

Ms. Wallace suggested the appointees to the committee review the interlocal agreement with the Village of Wellington which would be beneficial. She noted the pump station was part of the interlocal agreement with the Village of Wellington and that, should SFWMD leave, the District would not have to spend additional funds to maintain a pump station because it was part of that agreement.

IV. Board Comments

No Board members comments were provided.

V. Next Meeting – Monday, November 7, 2016 at 6:00 p.m. (Optional)

Mr. Kurtz suggested holding the November 7 meeting due to the circumstances with SFWMD.
Ms. Fong recommended holding the November 7, 2016 meeting. Ms. Quickel took note.

VI. Adjourn

There being no further business to come before the Board, the meeting adjourned at 7:44 p.m.

Approved:

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Maria Fong, President

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Rachel R. Callovi, Secretary

MINUTES

Pine Tree Water Control District
Board of Supervisor's Meeting

Special Meeting

Wellington City Hall
12300 Forest Hill Blvd.
Wellington, FL 33414

Monday, October 10, 2016
6:00 p.m.

Pursuant to the foregoing notice, a meeting was held of the Pine Tree Water Control District Board of Supervisors on Monday, October 10, 2016 at Wellington Village Hall, 12300 Forest Hill Blvd., Wellington, FL 33414.

Board Supervisors Present: Maria Fong, Board President, Joel Arrieta, Board Supervisor (via telephone) and Travis Deering, Board Supervisor.

I. **Call to Order** – Ms. Fong called the meeting to order at 6:13

II. **Pledge of Allegiance** - Ms. Fong led the Pledge of Allegiance

III. **Attorney's Report**
   a. SFWMD Budget Information

Ms. Fong presented the Attorney's Report.

Mr. Kurtz explained that at the prior meeting, he spoke about SFWMD's possible position regarding nonpayment of assessments. He noted he attended SFWMD's meeting on September 20th and objected to the proposed nonpayment. He further noted that there was a motion made by one of the Board members to pay the current 298 Districts fees and to move forward and review the issue on a case by case manner for payment for future years; however, the motion did not pass because of a lack of a second. The decision made by SFWMD's board was to direct staff to meet with the various 298 Districts and handle the issue on a case by case basis. Mr. Kurtz explained no criteria, rules or regulations were established during the meeting.

Mr. Kurtz stated that on September 21st, he and Ms. Quickel visited the SFWMD District Office of General Counsel and met with Derek Brown. He said they discussed the possibility SFWMD leaving the District and time frames involved were provided. Mr. Kurtz indicated if the District decided to obtain local legislation, the issue would need to first be brought to the local delegation in order to change the boundaries, and a local bill would be needed. He noted that the dates for the local delegation meetings have not been scheduled but the local bill would need to be filed by the beginning of December. He indicated he asked Mr. Brown to advise them of staff's position regarding the issue and Pine Tree. Mr. Kurtz explained he has tried on numerous occasions to communicate with Mr. Brown but his calls were not returned. He said he was aware SFWMD held meetings with other Districts but he did not receive any responses regarding the procedure SFWMD would take to address the issue. SFWMD's Board stated they would handle the issue on a case by case basis and in their minds they could be saying they would not need to pay any of the districts until April because the bills do not become overdue until May 1st.

Mr. Kurtz said the reason for the current meeting was;

1) Obtain the Board's direction prior to the upcoming Thursday meeting and advise SFWMD that a response has not received, and obtain their staff's opinion.

Mr. Kurtz indicated if the SFWMD moves forward with the local legislative process, the bill would need to be in place by December 1, 2016 in order to have discussions regarding the issue. Mr. Kurtz mentioned if both boards do not unite and have discussion before December, 2016, neither group would have the opportunity to resolve the issue until the following legislative session which was in 2018 in order to approve the bill.

Mr. Kurtz continued to report on the meeting was being held:

2) Mr. Meigs, who was appointed to serve on the committee at the prior meeting, has communicated to the Board his inability to serve. Mr. Kurtz was seeking the Board's direction for another appointment or maintain the committee as is with two members.

Mr. Deering said the silence from SFWMD was disturbing and suggested Pine Tree being placed on their agenda for the following meeting in order to be heard. Mr. Kurtz noted that a portion of the agenda was reserved for public comments or direct correspondence to the Director and Board could be made. He explained after several conversations with Mr. Brown, he mentioned he would need to obtain direction from SFWMD's Director before providing a decision. Mr. Kurtz felt currently Pine Tree was not a priority for SFWMD but staff was seeking direction from the Board to either try to make Pine Tree more of a priority for SFWMD or sit back and wait.

Ms. Fong asked if the District moved forward with the legislative bill would the action be seen as aggressive by SFWMD. In response, Mr. Kurtz said he was not sure if it would seem aggressive, but the manner that he would approach the issue would be from an informational standpoint and not one of aggression. He reiterated the discussion needed to be initiated immediately in order to resolve the issue quickly. If it was not done in a quick manner, he felt the option would be lost and the District would have to wait until 2018. He mentioned if the District decided to leave SFWMD and not pay the assessments, instead of everyone being amicable, their response may be, to move forward with the separation but payment would still be due. Afterwards, if the District takes the issue to the legislature, it would become messy and usually the local delegates do not like any issues of that nature.

Ms. Fong thought the best scenario to settle the issue with SFWMD was to handle it in an amicable manner. Mr. Kurtz said the final decision was for the Pine Tree Board to decide and he explained he provided the time frames involved because the deadline was within the following six weeks in order to include the issue during the 2017 legislative session.

Ms. Fong asked if the bill needed to be submitted together. Mr. Kurtz said his suggestion was to advocate for SFWMD to draw and push the bill through and afterwards Pine Tree would review and agree or disagree with the bill. His recommendation was not to go to the SFWMD Board meeting the following Thursday because both he and Ms. Quickel wanted to work with SFWMD's staff and he did not want to aggravate anyone. He was asking for direction from the Board in order to draft a letter advising SFWMD's Board, Director and Mr. Brown regarding the process and the time frames, place the issue on the table for discussion or to be ready to provide an informational presentation to SFWMD's Board at the November 10th meeting. He noted the committee needed to come together to discuss details about the future and obtain recommendations to present to the Board.

Via telephone, Mr. Arrieta recommended that Mr. Kurtz create a letter and send it to SFWMD before their next upcoming Board meeting. He mentioned that he would research the reason for the delay in responding to his inquiries. Mr. Kurtz noted there was an agenda item entitled 298 District Update and he would like to monitor the item in person at the meeting. Mr. Arrieta said he agreed with Mr. Kurtz' approach with the letter because of the numerous reasons he cited earlier.

Mr. Deering noted that he understood that Mr. Kurtz thought it was a good idea to attend the upcoming SFWMD meeting; however, he felt Pine Tree would not get anything out of the meeting because they were not on the agenda. Mr. Kurtz thought attending the meeting would be beneficial for Pine Tree because if the opportunity arose he would be available and could provide comments.

Mr. Deering agreed to have Mr. Kurtz send a letter to SFWMD and felt the letter was the most important tool.

At this point in the meeting, the floor was opened for public comments.

Leland Wright, Rustic Ranches. Mr. Wright asked if there was law indicating that a state entity must pay taxes when they buy land from a 298 District. Mr. Kurtz replied affirmatively and said the state legislature created the law.

Mr. Wright asked for the reason a meeting was not held when Wellington stopped paying for the Section 24. Mr. Kurtz noted government entities were exempt and Statute 298 says state lands were subject to the taxes of a 298 district; municipal lands were not state lands and SFWMD being a state agency, their lands were considered state lands.

Chris Wallace, Hollow Tree Lane. Ms. Wallace felt the process was going to be a long one which would include unnecessary costs to Pine Tree. She noted SFWMD never provided any benefits to Pine Tree and they were not needed because Pine Tree could govern on their own. She mentioned the funds could be recovered by reducing the amount of meetings; having three meetings in three months was not necessary.

Mr. Kurtz said the mechanism for Pine Tree to govern themselves was to go to the legislature to obtain a boundary change which would eliminate those lands.

Ms. Wallace said SFWMD could go to the legislature and start the process, Pine Tree does not have to start the process.

Mr. Kurtz explained the state legislature and the local delegation would not support the bill unless it was supported by the Pine Tree Board and the SFWMD Board. He noted and reminded everyone, that the reason for holding the current meeting was to advise the Board of the time limits, and that the bill would need to be ready by December 1st in order to move forward to the local delegation. If the date was missed, the District would miss the 2017 session and remain in its current state.

Ms. Wallace asked for the cost involved for the process. Mr. Kurtz explained the cost would be several thousand dollars and asked for the Board's direction.

Elizabeth June Pigadis, Rustic Road. Ms. Pigadis asked why the Board did not mention that Mr. Arrieta had joined the meeting via telephone. Ms. Fong indicated that at the beginning of the meeting she mentioned that Mr. Arrieta would be joining the meeting via telephone.

Ms. Pigadis asked for the name of the SFWMD Director. Mr. Kurtz said the Director's name was Peter Antonacci. Ms. Pigadis indicated that the most important thing that Mr. Arrieta mentioned was true; don't start a fire with a piece of paper and wait until the District receives the burning document. She was not in support of jumping the gun and did not want to start a fight with SFWMD.

Ruben Ferrazzano, Rustic Ranches. Mr. Ferrazzano said he supported the other residents decision and felt staff was wasting time dealing with SFWMD. He stated if SFWMD did not want to pay, Pine Tree would find other ways to pay the assessments. He felt that the only person profiting from the process was the attorney.

Mr. Kurtz noted he was trying to obtain direction from the Board on how to proceed because he and Ms. Quickel do not have the authority to make decisions. He explained both of them have an obligation to provide the Board and the residents with the time frames and the opportunities available.

Mr. Ferrazzano asked if SFWMD would be allowed to continue if their taxes were not paid. Mr. Kurtz explained Mr. Arrieta could stay on the Board whether SFWMD pays their assessment or not.

Mr. Ferrazzano asked if he was on the Board and had not paid his taxes would he be allowed to remain on the Board. Mr. Kurtz replied affirmatively and explained there is a difference in being qualified to vote and being able to serve on the board. He noted that the entire information regarding that was located in Chapter 298.

Ms. Wallace felt the Board needed to make a recommendation but her suggestion was to wait and not act on the matter.

Mr. Wright said he would volunteer to fill the vacant seat on the committee.

Paulette Venere, Rustic Road. Ms. Venere felt the Board needed to know if SFWMD was going to pay the assessments because Pine Tree and the landowners have budgets that they needed to adhere to. She indicated a few meetings would not affect the budget and felt the residents needed to attend the SFWMD meetings in order provide comments regarding the issue.

At this point in the meeting, public comments were closed.

Mr. Deering recommended sending a simple letter asking for the status of the issue but he did not support attendance at the SFWMD meeting. He thought a copy of the minutes could be obtained afterwards. Mr. Deering noted, as a government agency, SFWMD does need to follow policies, procedures and protocols.

Mr. Kurtz suggested the content of the letter should include the time frames associated with the local bill. He indicated SFWMD communicated that some of their decisions would be made by April 2017. He reiterated the deadline for the opportunity for a local bill for a boundary change which would separate SFWMD from Pine Tree by the following fiscal year was December 1, 2016.

Mr. Arrieta suggested placing the alternatives on the table and making that information part of the letter to SFWMD.

Ms. Fong stated after listening to the public comments, the residents were indicating that they supported the separation from SFWMD.

Mr. Arrieta suggested letting SFWMD know what the District was looking to do and agreed with the content of the letter that Mr. Kurtz suggested.

Ms. Fong suggested resolving the issue in a friendly manner but gain their input because the filing of the bill would be a cost to Pine Tree.

Mr. Kurtz recapped the Board's direction: draft a letter advising SFWMD of the time frames associated with the potential solution, provide Pine Tree with information whether or not SFWMD wanted to pursue separation for the current year and engage in a discussion. Staff representation would not be provided at the next SFWMD meeting the minutes and video of the 298 Districts agenda item section would be available as public record.

A motion was made by Mr. Deering, seconded by Mr. Arrieta and passed (3-0) for Mr. Kurtz to draft a letter to SFWMD as presented and outlined.

IV. Committee Vacancy

Mr. Kurtz presented the Committee Vacancy item.

Mr. Deering noted that Mr. Leland Wright volunteered for the seat.

A motion was made by Ms. Fong, seconded by Mr. Deering and passed (3-0) appointing Mr. Leland Wright to fill the committee vacancy seat as presented.

V. Board Comments

Mr. Arrieta said he would contact Ms. Quickel with any information.

VI. Next Meeting – Monday, November 7, 2016 at 6:00 p.m. (Optional)

VII. Adjourn

There being no further business to come before the Board, the meeting adjourned at 7:22 p.m.

Approved:

____

Maria Fong, President

____

Rachel R. Callovi, Secretary

FINANCIAL REPORT

PINE TREE WATER CONTROL DISTRICT

STATEMENT OF NET POSITION AND GOVERNMENTAL FUND BALANCE SHEET
SEPTEMBER 30, 2016

		Special Revenue Fund
ASSETS		
Cash	$	190,256
Due from other governments		-
Total assets	$	190,256
LIABILITIES AND FUND BALANCE		
Liabilities:		
Accounts payable	$	13,935
Due to other governments		-
Total liabilities		13,935
Fund balance:		
Reserved for emergency		30,000
Unreserved		146,321
Total fund balance		176,321
Total liabilities and fund balance	$	190,256

PINE TREE WATER CONTROL DISTRICT

STATEMENT OF ACTIVITIES AND GOVERNMENTAL FUND REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

PERIOD ENDING SEPTEMBER 30, 2016

		Special Revenue Fund
Revenues:		
Non-ad valorem assessments [1]	$	104,937
Investment income		586
Miscellaneous		-
Total revenues		105,522
Expenditures:		
Current:		
Canal weed control		15,310
Drainage		856
Swale Mowing		40,066
Meeting Expense		400
Engineering & Legal		17,026
Administration		21,660
Total expenditures		95,319
Excess of revenues over expenditures		10,204
Fund balance/Net position, beginning of year		166,117
Fund balance/Net position, end of period	$	176,321

[1] Assessment of 2,805.45 units at $17.50; 223.03 units at $25.00; and 638.92 units at $85.00

PINE TREE WATER CONTROL DISTRICT

STATEMENT OF ACTIVITIES AND GOVERNMENTAL FUND REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET TO ACTUAL
PERIOD ENDING SEPTEMBER 30, 2016

	Original/ Final Budget	Actual	Variance Favorable (Unfavorable)
Revenues:			
Non-ad valorem assessments	$ 103,590	$ 104,937	$ 1,347
Investment income	-	586	586
Miscellaneous	-	-	-
Total revenues	103,590	105,522	1,932
Expenditures:			
Current:			
Canal weed control	15,500	15,310	190
Drainage	20,000	856	19,144
Swale Mowing	51,000	40,066	10,934
Meeting Expense	500	400	100
Engineering & Legal	10,000	17,026	(7,026)
Administration	22,800	21,660	1,140
Total physical environment expenditures	119,800	95,319	24,481
Excess (deficiency) of revenues over expenditures	(16,210)	10,204	26,414
Fund balance, beginning of year	166,117	166,117	-
Fund balance, end of period	$ 149,907	$ 176,321	$ 26,414

PINE TREE WATER CONTROL DISTRICT
EXPENDITURE SUMMARY
4TH QUARTER- JULY-SEPT

Vendor Name	Check Number	Amount
Wellington Pro Lawn	3146	4,848.08
Wellington Pro Lawn	3221	4,884.00
Maria Fong	3237	50.00
Palm Beach Post	3279	196.08
Pace Analytical	3296	74.00
Wellington Pro Lawn	3446	5,570.08
Pace Analytical	3478	74.00
Wellington Pro Lawn	Pending Payment	4,242.00
Grau & Associates	454897	4,500.00
Higgins Engineering	455310	1,500.00
Travis Deering	455358	50.00
Jeff Kurtz, P.A	455855	8,950.00
Higgins Engineering	Pending Payment	1,500.00
		36,438.24

PURCHASING CARD TRANSACTIONS

Vendor Name		Amount
Clarke Aquatic- June		1,274.63
Clarke Aquatic- July		1,274.63
Clarke Aquatic-August		1,274.63
Clarke Aquatic- September		1,274.63
		5,098.52

OTHER FEES

Vendor Name		Amount
Bank of America		120.85
Administrative Fee		3,875.00
		3,995.85

GRAND TOTAL	**$ 45,532.61**

Board Member Maria Fong

Invoice to: Pine Tree Water Control District

Invoice for: Pine Tree WCD Meetings Attended

Meeting Date	Amount Due	
9/12/2016		$50.00
Total Due	**$**	**50.00**

Board Member Travis Deering

Invoice to: Pine Tree Water Control District

Invoice for: Pine Tree WCD Meetings Attended

Meeting Date	Amount Due	
9/12/2016		$50.00
Total Due	**$**	**50.00**

Board Member Maria Fong

Invoice to: Pine Tree Water Control District

Invoice for: Pine Tree WCD Meetings Attended

Meeting Date	Amount Due	
10/10/2016		$50.00
Total Due	**$**	**50.00**

Board Member: Travis Deering

Invoice to: Pine Tree Water Control District

Invoice for: Pine Tree WCD Meetings Attended

Meeting Date	Amount Due	
10/10/2016		$50.00
Total Due	**$**	**50.00**

Board Member Maria Fong

Invoice to: Pine Tree Water Control District

Invoice for: Pine Tree WCD Meetings Attended

Meeting Date	Amount Due	
11/7/2016		$50.00
Total Due	**$**	**50.00**

Board Member Travis Deering

Invoice to: Pine Tree Water Control District

Invoice for: Pine Tree WCD Meetings Attended

Meeting Date	Amount Due	
11/7/2016		$50.00
Total Due	**$**	**50.00**

OPERATIONAL UPDATES

WELLINGTON

A Great Hometown...
Let Us Show You!

MEMORANDUM

DATE: OCTOBER 27, 2016

TO: PINE TREE BOARD OF SUPERVISORS

FROM: BILL CONERLY, PUBLIC WORKS DEPUTY DIRECTOR

CC: TANYA QUICKEL, DISTRICT MANAGER

RE: OPERATIONS REPORT

Roads

Roads continue to be graded and maintained on a regular schedule as follows:

Dragged: August 15th, 29th, September 19th, 26th, and October 3rd, 10th, 17th, and 24th.

Graded: August 4th, 11th, 24th, September 8th Hollow Tree Lane, 15th Rustic Road, 29th Hollow Tree Lane and Rustic Road and October 27th all roads.

All roads checked on September 1st, 8th, 15th and 22nd, and October 13th and 20th. Approximately thirty (30) tons of base material (shellrock) was installed on the north end of Skipiks to address low areas and reestablish crown.

Canals

Aquatic Weed Treatment report for Rustic Ranches is as follows:

8/03/2016 - Inspected C-H(5), C-K(N), C-I(S), C-T(N), and C-T(S), and Treatment C-F(5)

8/09/2016 – Inspected C-F(5), C-H(5), C-K(N), C-T(N), and C-T(S), and Treatment C-I(S)

8/17/2016 - Inspected C-F(5), C-H(5), C-K(N), C-I(S), C-T(N), and C-T(S)

8/23/2016 - Inspected C-F(5), C-K(N), C-I(S), C-T(N), and C-T(S), and Treatment C-H(5)

8/30/2016 - Inspected C-F(5), C-H(5), C-K(N), C-T(N), and C-T(S), and Treatment C-I(S)

9/06/2016 - Inspected C-F(5), C-H(5), and C-I(S), and Treatment C-K(N), C-T(N), and C-T(S)

9/13/2016 - Inspected C-F(5), C-H(5), C-K(N), C-I(S), C-T(N), and C-T(S)

9/20/2016 - Inspected C-F(5), C-K(N), C-I(S), C-T(N), and C-T(S) and Treatment of C-H(5)

9/27/2016 - Inspected C-F(5), C-H(5), C-K(N), C-I(S), and C-T(S) and Treatment of C-T(N)

10/04/2016 - Inspected C-F(5), C-H(5), C-I(S), C-T(N), and CT(S) and Treatment of C-K(N),

10/11/2016 - Inspected C-F(5), C-H(5), C-K(N), C-T(N), and C-T(S), and Treatment C-I(S)

10/18/2016 - Inspected C-H(5), C-K(N), C-T(N), and C-T(S), and Treatment C-F(5) and C-I(S)

Rainfall data for August, September and October (to date), 2016 is attached for review and information.

Where applicable, contractor will utilize a boat to minimize the possibility of overspray. Please note that certain circumstances (access points) can be problematic and limit the use of the boat and its effectiveness.

Landscape Maintenance

- Canal Tops were cut on July 1st, July 18th, August 1st and 2nd, August 15th and 16th, September 1st and 2nd, September 16th and 17th (North, Center, West and Middle Canals).
- Canal Slopes - no cuts (0) in July, cut on August 1st and 2nd, and no (0) cuts in September.
- Swales were cut on July 2nd and 18th, August 2nd and 16th and September 1st and 16th.

Please note that mowing schedules may be adjusted due to weather conditions.

Solid Waste

- All routes are on schedule
- Route monitoring continues and is completed on a weekly basis each Wednesday

Mosquito Control

Larvicide treatments were applied in swale areas on August 29th and September 23rd and spraying (truck fogging) was completed on August 9th, 15th, 22nd, and 29th, September 19th and 26th, and October 3rd, 17th, and 24th.

Rainfall Data AUGUST 2016

Date	Pump Station #7 Flying Cow Rd & Southern Blvd	Structure 40 Flying Cow Rd.
AUGUST 2016		
1	0	0
2	0.16	0.32
3	0.81	0.38
4	0.03	0
5	0.01	0.24
6	0	0.02
7	0	2.37
8	1.28	0.57
9	1.54	1.37
10	0.9	1.57
11	0	0
12	0	0
13	0.02	0.39
14	0.1	0.21
15	0.01	0
16	0.01	0.09
17	0	0.07
18	0.17	0.06
19	0	0
20	0	0
21	0	0.01
22	0.02	0
23	0	0.1
24	0.56	0.05
25	0.84	0.46
26	0.16	0.5
27	0.01	0.04
28	0	0.6
29	0	0
30	0	0
31	0	0
Totals	6.63	9.42

Rainfall Data September 2016

Date	Pump Station #7 Flying Cow Rd & Southern Blvd	Structure 40 Flying Cow Rd.
SEPTEMBER 2016		
1	0.96	0.02
2	0.45	0
3	0.31	0.18
4	0.88	0
5	0.37	0.66
6	0.04	0
7	0.11	0.38
8	0.34	0.23
9	0	0
10	0	0
11	0.37	0.03
12	0.62	0.32
13	0.29	0.37
14	0	0
15	0	0
16	0	0
17	0.14	0
18	1.55	1.38
19	0.25	0.54
20	0.02	0.01
21	0	0.11
22	0	0
23	0	0.01
24	0.15	0.4
25	0	0.07
26	0	0
27	0.06	0.14
28	0.03	0.09
29	0.38	0.05
30	0.01	0.02
31		
Totals	7.33	5.01

Rainfall Data October 2016

Date	Pump Station #7 Flying Cow Rd & Southern Blvd	Structure 40 Flying Cow Rd.
OCTOBER 2016		
1	0	0
2	0.32	0
3	0	0.03
4	0.01	0.01
5	0	0
6	0	0.03
7	0.16	0
8	0	0
9	0	0
10	0	0
11	0	0
12	0.03	0
13		0.03
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
Totals	0.52	0.1

ATTORNEY'S REPORT

THE VILLAGE OF WELLINGTON
A GREAT HOMETOWN
20 YEARS OF EXCELLENCE
Council
Anne Gerwig, Mayor
John T. McGovern, Vice Mayor
Michael Drahos, Councilman
Michael J. Napoleone, Councilman
Tanya Siskind, Councilwoman
Manager
Paul Schofield

October 26, 2016

Maria Fong, President
Pine Tree Water Control District
16219 Hollow Tree Lane
Wellington, FL 33470-5020

RE: Notice of Termination of Interlocal Agreement Dated May 25, 2004

Dear Ms. Fong,

This Notice of Termination is provided pursuant to Section 19 of the Interlocal Agreement between the Village of Wellington and Pine Tree Water Control District dated May 25, 2004. The Village of Wellington Council approved termination at their October 25, 2016 meeting.

The Village will continue to uphold the obligations under the Interlocal Agreement and will work with the Board and the residents during the transition period as the Board specifies. We will also work to enable a smooth turnover and can assist with conducting a search for a management company if the Pine Tree Board requests this assistance during the 270 day notice period.

On behalf of Wellington and the staff who have worked with Pine Tree Water Control District and their residents, we extend our appreciation for the years of working together. Please let me know if there are any questions.

Sincerely,

Tanya Quickel
District Administrator

cc: Travis Deering, Board Supervisor
Joel Arrieta, Board Supervisor
Jeff Kurtz, Attorney
Robert Higgins, P.E., Engineer
Rachel Callovi, Clerk, Village of Wellington

12300 Forest Hill Boulevard • Wellington, Florida 33414 • (561) 791-4000 • Fax (561) 791-4045
www.wellingtonfl.gov

Pine Tree Water Control District

MEMORANDUM

DATE	**October 26, 2016**
TO:	**TANYA QUICKEL, DISTRICT ADMINISTRATOR**
FROM:	**JEFFREY S. KURTZ, ATTORNEY FOR PTWCD**
CC:	**BOARD OF SUPERVISORS OF PINE TREE WATER CONTROL DISTRICT** **BOB HIGGINS, DISTRICT ENGINEER**
RE:	**Interlocal Agreement between PTWCD and the Village of Wellington**

The Village of Wellington (Village) entered into an Interlocal Agreement with Pine Tree Water Control District (PTWCD) on May 25, 2004 (Exhibit A). The Agreement provided for the Village to manage PTWCD in accordance with its Water Control Plan. The basic services include storm water management, drainage, aquatic weed control, and roadway maintenance. The Parties to the Agreement also anticipated PTWCD ultimately becoming a dependent district of the Village.

The PTWCD landowners considered the option to become a dependent district of the Village in a referendum conducted in 2006. The referendum failed to receive majority support for the transition to a dependent district (Exhibit B).

Pursuant to Section 19, either Party may terminate the Agreement provided there are at least two hundred seventy (270) days written notice.

The Village of Wellington approved terminating the agreement at their October 25, 2016 meeting. The Village will work with PTWCD to conduct a search for management company if the PTWCD Board of Supervisors requests this assistance. The Village will continue to serve during the transition period and will work to enable a smooth turnover.

COUNTY OF PALM BEACH: NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

PROPERTY CONTROL NO.	YEAR	BILL NO.	CMC	APPLIED EXEMPTION(S)	LEGAL DESCRIPTION
73-40-44-13-00-000-5610	2015	101632183	48		13-44-40, N 30 FT OF SLY 713.46 FT OF W 638.35 FT OF E 2637.55 FT OF SE 1/4

1136
R 7 - 282084

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HOLLYWOOD FL 33020-4307

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2015 REAL ESTATE PROPERTY TAX BILL

READ REVERSE SIDE BEFORE CALLING — **AD VALOREM TAXES** — READ REVERSE SIDE BEFORE CALLING

TAXING AUTHORITY	TELEPHONE	ASSESSSED	EXEMPTION	TAXABLE	MILLAGE	TAX AMOUNT
COUNTY	561-355-3996	18,174		18,174	4.7815	86.90
COUNTY DEBT	561-355-3996	18,174		18,174	0.1462	2.66
FIRE/RESCUE MSTU	561-355-3996	18,174		18,174	3.4581	62.85
LIBRARY	561-355-3996	18,174		18,174	0.5491	9.98
LIBRARY DEBT	561-355-3996	18,174		18,174	0.0494	0.90
VILLAGE OF WELLINGTON	561-791-4113	18,174		18,174	2.4500	44.53
CHILDRENS SERVICES COUNCIL	561-740-7000	18,174		18,174	0.6677	12.13
F.I.N.D.	561-627-3386	18,174		18,174	0.0320	0.58
PBC HEALTH CARE DISTRICT	561-659-1270	18,174		18,174	1.0426	18.95
SCHOOL LOCAL	561-434-8837	18,174		18,174	2.4980	45.40
SCHOOL STATE	561-434-8837	18,174		18,174	5.0140	91.12
SFWMD EVERGLADES CONST PROJECT	561-686-8800	18,174		18,174	0.0506	0.92
SO FLA WATER MANAGEMENT DIST.	561-686-8800	18,174		18,174	0.1459	2.65
SO FLA WATER MGMT - OKEE BASIN	561-686-8800	18,174		18,174	0.1586	2.88

TOTAL AD VALOREM 382.45

READ REVERSE SIDE BEFORE CALLING — **NON-AD VALOREM ASSESSMENTS** — READ REVERSE SIDE BEFORE CALLING

LEVYING AUTHORITY	TELEPHONE	RATE	AMOUNT
PINE TREE WATER CONTROL UNIT 1 MAINT	561-791-4113	85.00	85.00

TOTAL NON-AD VALOREM 85.00
TOTAL AD VALOREM AND NON-AD VALOREM COMBINED 467.45

AMOUNT DUE WHEN RECEIVED BY					
NOV 30, 2015	DEC 31, 2015	JAN 31, 2016	FEB 29, 2016	MAR 31, 2016	TAXES ARE DELINQUENT APRIL 1, 2016
$448.75	$453.43	$458.10	$462.78	$467.45	
4%	3%	2%	1%	NO DISCOUNT	

DETACH HERE — **SEE REVERSE SIDE FOR INSTRUCTIONS AND INFORMATION** — DETACH HERE

COUNTY OF PALM BEACH: NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

PROPERTY CONTROL NO.	YEAR	BILL NO.
73-40-44-13-00-000-5610	2015	101632183

TORCHIA VITO
2527 FILLMORE ST
HOLLYWOOD FL 33020-4307

20151016321830000467459

LEGAL DESCRIPTION

13-44-40, N 30 FT OF SLY 713.46 FT OF W 638.35 FT OF E 2637.55 FT OF SE 1/4

P.O. BOX 3353
WEST PALM BEACH, FL 33402-3353

MAKE PAYMENT TO:
TAX COLLECTOR, PALM BEACH COUNTY

AMOUNT DUE WHEN RECEIVED BY					
NOV 30, 2015	DEC 31, 2015	JAN 31, 2016	FEB 29, 2016	MAR 31, 2016	TAXES ARE DELINQUENT APRIL 1, 2016
$448.75	$453.43	$458.10	$462.78	$467.45	
4%	3%	2%	1%	NO DISCOUNT	

(KEEP THIS PORTION FOR YOUR RECORDS)

ANNE M. GANNON
CONSTITUTIONAL TAX COLLECTOR
Serving Palm Beach County
Serving *you.*
www.pbctax.com

IMPORTANT INSTRUCTIONS

2015 REAL ESTATE PROPERTY TAX BILL

This BILL includes Ad Valorem Taxes and Non-Ad Valorem Assessments for the 2015 Tax Year. Payment must be made in full and in U.S. funds. Payment is subject to verification and receipt of funds. A fee is applied for dishonored funds. See bill insert for more payment information.

2015 REAL ESTATE PROPERTY TAX PAYMENT

- Discount amounts are shown on the front of this bill.
- Payment must be received in our offices by the due dates printed on the TAX BILL (see reverse side).

PAYMENT OPTIONS

- **ECHECK** (Online Only) 24/7 at www.pbctax.com. **A $0.30 ACH Account Verification Fee Will Apply.** Fees not retained by our office (transaction notice serves as confirmation).
- **CREDIT CARD** A **2.5% Convenience Fee Will Apply ($2.00 minimum).** Convenience fees are collected by the credit card vendor and not retained by our office (transaction notice serves as online receipt).
- **DEBIT CARD** (Service Center Only) A **$2.50 Convenience Fee Will Apply** (not retained by our office) to each transaction. Payment limit $500.
- **MAIL** Detach the stub below and return with payment. DO NOT TAPE, FOLD, STAPLE, PAPER CLIP OR WRITE ON PAYMENT STUB. Write your 17-digit Property Control Number on your payment. Use the enclosed return envelope with the Tax Collector address showing in the return envelope window (canceled check serves as receipt).
- **DROP OFF BOX** At any Service Center from 8:15 AM to 5:00 PM, Monday - Friday (canceled check serves as receipt).
- **BANK ONLINE BILL PAY** Your bank's bill pay service. Use the 17-digit Property Control Number (no dashes) as account number. Mail delivery and bank processing times vary so allow ample time (bill pay service transaction serves as receipt).
- **WIRE TRANSFER** Email Wires@pbctax.com for instructions.

DELINQUENT TAX INFORMATION - CERTIFIED U.S. FUNDS ONLY

- Ad Valorem Taxes and Non-Ad Valorem Assessments are delinquent APRIL 1, 2016.
- Payment AFTER THE DATE OF DELINQUENCY must be certified funds drawn on a U.S. bank in cash, bank draft, wire transfer, money order or cashier's check.
- Interest and associated costs for delinquent taxes are determined by the date payment is received by the Tax Collector.
- The minimum charge of 3% will be collected. Interest accrues up to 1.5% per month (18% annually).

FLORIDA STATUTE 197.402 and 197.432: Tax Certificates will be sold on all unpaid property taxes 60 days after the date of delinquency.

Contact Information for Questions

Constitutional Tax Collector: Prepares and mails TAX BILLS from Tax Roll data certified by the PBC Property Appraiser and Non-Ad Valorem assessments provided by Levying Authorities (561-355-2264). If this property was sold, forward this bill to the new owner or mark bill "SOLD" and return to the Constitutional Tax Collector's Office.

Property Appraiser: Prepares the Ad Valorem Tax Roll (assessed value, exemptions, taxable value, assessed owner's name, address and legal description). Questions about tax assessment and exemptions should be directed to the Office of the Property Appraiser at 561-355-2866.

Taxing Authorities: Set the Ad Valorem millage rates. See telephone list on reverse side for questions about assessment amounts and services provided.

Levying Authorities: Determine the Non-Ad Valorem assessments. See telephone list on reverse side for questions about assessment amounts and services provided.

(DETACH HERE)

STOP PAYMENT PROCESSING DELAYS

DO NOT TAPE, FOLD, STAPLE, PAPER CLIP OR WRITE ON THIS PAYMENT STUB

INCLUDE THIS STUB WITH PAYMENT

Make payment to:
Tax Collector, Palm Beach County

Please include the 17-digit Property Control Number on your payment. Place this stub and your payment in the enclosed return envelope. The Constitutional Tax Collector's address must show in the return envelope window.

CERTIFICATE OF CORRECTION OF TAX ROLL

Sections 197.131 and 197.122, Florida Statutes

COC # 73972DAT
TX409FL
R. 12/13

To: Tax Collector PALM BEACH County, Florida

Please make the corrections below to the [X] Real Property [ ] Tangible Personal Property Tax Roll for 2015.

Parcel ID	73-40-44-13-00-000-5610	O.R. book 4846	Page 1104
Name	TORCHIA VITO	Tax roll description	13-44-40, N 30 FT OF SLY 713.46 FT OF W 638.35 FT OF E 2637.55 FT OF SE 1/4
Address	2527 FILLMORE ST HOLLYWOOD FL 33020-4307	Property Location	16451 NORRIS RD LOXAHATCHEE 33470

D08

Refunds

[X] Refund less than $2,500
Tax collector: determine refund

[ ] Refund $2,500 or more
Tax collector: send to DOR for action (s. 197.182.F.S.)

[ ] Material mistake of fact being corrected according to s.197.122, F.S., within one year of approval of the tax roll which occured according to s. 193.1142, F.S. on (enter date).

Correction Type

[ ] Add to roll [ ] Delete from roll
[ ] Combined with [ ] Correct name, address
[ ] Doubled with [ ] Correct description
[ ] Split from [ ] Back assessment
Parcel ID

Values	Initial	Corrected
Just Value	18,174	0
Assessed or classified value, school	18,174	0
Assessed or classified value, non-school	18,174	0
Homestead, regular	0	0
Homestead, additional	0	0
Senior homestead, county	0	0
Senior homestead, municipal	0	0
Economic	0	0
Parent/Grandparent assessment reduction	0	0
Deployed service member homestead, school	0	0
Deployed service member homestead, non-school	0	0
Historic, county	0	0
Historic, municipal	0	0
Exempt value, non-homestead, school	0	0
Exempt value, non-homestead, non-school	0	0
Penalty, TPP	0	0
Tax discount	0 %	0 %
Other:		
Total Tax	382.45	0.00

Exemptions and Assessment Limitations

[ ] Homestead [ ] Total & perm't disability [ ] Deployed military [ ] Surviving spouse of first responder, line of duty
[ ] Widowed [ ] 3% homestead limit [ ] Disabled vet senior discount [ ] Surviving spouse of veteran, active duty
[ ] Blind [ ] 10% non-homestead limit [ ] Disabled vet/spouse [ ] Parent/Grandparent asmt reduction
[ ] Governmental [ ] Senior homestead [ ] Disabled vet/spouse serv conn [ ] Tangible personal property
[ ] Institutional [ ] Senior homestead - 25 yr. [ ] Disabled vet/spouse wheelchair [ ] Other:

Adjusted Value

[ ] Land [ ] Building [X] Miscellaneous [ ] Tangible personal property
[ ] Lot size [ ] Square feet [ ] Number of lots [ ] Number of residential units
[ ] Acreage [ ] Curtilage change [ ] Other:

Adjusted Use

[ ] Allow agricultural classification [ ] Commercial [ ] Improvement [ ] Vacant [ ] Other:

Reasons for Correction

REMOVE PAR - TAKEN FOR RD R/W PER FS 95.361

D01

Gary R. Nikolits

GARY R. NIKOLITS, CFA / THOMAS BARNHART
Signature, Property Appraiser/Deputy

11-JUL-2016 11:09 AM
Date

Received by:
Signature, Tax Collector/Deputy

Date

Tax Year: 2015 Date: 11-JUL-2016 11:09 AM COC # 73972DAT PAGE 2

Parcel ID Number: 73-40-44-13-00-000-5610 Property Location: 16451 NORRIS RD LOXAHATCHEE 33470

INITIAL TAXABLE VALUES PER AUTHORITY

Fund Description	Market	Assessed	Exemption	Taxable	Rate	Taxes
Wellington Operating	18,174	18,174	0	18,174	2.4500	44.53
Children's Services Council Operating	18,174	18,174	0	18,174	0.6677	12.13
Fl. Inland Navigation Dist. - Palm Beach	18,174	18,174	0	18,174	0.0320	0.58
Health Care District Operating	18,174	18,174	0	18,174	1.0426	18.95
County Operating	18,174	18,174	0	18,174	4.7815	86.90
County Debt	18,174	18,174	0	18,174	0.1462	2.66
Fire/Rescue	18,174	18,174	0	18,174	3.4581	62.85
Library Operating	18,174	18,174	0	18,174	0.5491	9.98
Library Debt	18,174	18,174	0	18,174	0.0494	0.90
School-Local Board	18,174	18,174	0	18,174	2.4980	45.40
School - State	18,174	18,174	0	18,174	5.0140	91.12
Okeechobee Basin - Palm Beach	18,174	18,174	0	18,174	0.1586	2.88
So. Fla. Water Mgmt. Dist. - Palm Beach	18,174	18,174	0	18,174	0.1459	2.65
Everglades Construction - Palm Beach	18,174	18,174	0	18,174	0.0506	0.92
			Sum of Ad Valorem Taxes:		21.0437	382.45

CORRECTED TAXABLE VALUES PER AUTHORITY

Fund Description	Market	Assessed	Exemption	Taxable	Rate	Taxes
Wellington Operating	0	0	0	0	2.4500	0.00
Children's Services Council Operating	0	0	0	0	0.6677	0.00
Fl. Inland Navigation Dist. - Palm Beach	0	0	0	0	0.0320	0.00
Health Care District Operating	0	0	0	0	1.0426	0.00
County Operating	0	0	0	0	4.7815	0.00
County Debt	0	0	0	0	0.1462	0.00
Fire/Rescue	0	0	0	0	3.4581	0.00
Library Operating	0	0	0	0	0.5491	0.00
Library Debt	0	0	0	0	0.0494	0.00
School-Local Board	0	0	0	0	2.4980	0.00
School - State	0	0	0	0	5.0140	0.00
Okeechobee Basin - Palm Beach	0	0	0	0	0.1586	0.00
So. Fla. Water Mgmt. Dist. - Palm Beach	0	0	0	0	0.1459	0.00
Everglades Construction - Palm Beach	0	0	0	0	0.0506	0.00
			Sum of Ad Valorem Taxes:		21.0437	0.00

DR-409A
R. 12/96

FLORIDA
DEPARTMENT OF REVENUE

CERTIFICATE OF CORRECTION OF NON-AD VALOREM ASSESSMENT ROLL

Section 197.3632, F.S, and Rule 12D-18.006(2), F.A.C.

Palm Beach County

To: Tax Collector

You are hereby authorized to correct the assessment, rate/basis, or legal description of the 2015 (Tax year). Non-Ad Valorem Assessment Roll as follows:

Parcel or folio number	73-40-44-13-00-000-5610		
Name to whom assessed	Vito Torchia		
Address	2527 Fillmore Street Hollywood, FL 33020-4307		
☐ Change legal description to:			
☐ Change rate/basis from:		to:	
☒ Change non-ad valorem assessment from:	$85.00	to:	$0.00

State reason for correction:

The Palm Beach County Property Appraiser's Office notified us that #73-40-44-13-00-000-5610 is no longer a valid parcel on the tax roll as it was determined to be a right of way per Florida State Statutes 95.361. This parcel was removed from Pine Tree Water Control District's Non-Ad Valorem Tax Roll for 2016; however, a correction needs to be submitted for the 2015 tax year.

Attach additional documents when necessary

Local government representative

Date

Pine Tree Water Control District

Name of government unit or taxing authority

Original: Tax Collector

cc: Property Appraiser
Local Government
Department of Revenue
Property Tax Oversight
PO Box 3000
Tallahassee, FL 32315-3000