

**Board of Supervisor's Meeting
Pine Tree Water Control District**

**Wellington Village Hall
12300 Forest Hill Blvd.
Wellington, FL 33414**

**Monday, April 20, 2015
6:00 p.m.**

AGENDA

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Presentation:** Flying Cow Multi-Use Pathway Project
- IV. Approval of Minutes**
 - a. Board of Supervisor's Meeting, November 17, 2014
- V. Financial Report**
 - a. Financial Report
 - b. Expenditure Summary
 - c. Approval of Supervisor Invoices
- VI. Operational Updates**
 - a. Operations Report
- VII. Engineer's Report**
 - a. Request: Canal Bank Restoration, Berry Hill Farm, LLC.
- VIII. Attorney's Report**
 - a. Revised Policies and Procedures
 - b. Letter regarding Livestock Waste Disposal Status
- IX. Other Business**
 - a. Approval of Revised Pine Tree Board of Supervisor's Meetings for 2015
- X. Board Comments**
- XI. Next Meeting:**
Monday, June 15, 2015 at 6:00 p.m. (Annual Landowners Meeting /TRIM)
- XII. Adjourn**

MINUTES

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Pine Tree Water Control District Board of Supervisor's Meeting

**Wellington Village Hall
12300 Forest Hill Blvd.
Wellington, FL 33414**

**Monday, November 17, 2014
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, November 17, 2014 at 6:00 p.m. at Wellington Village Hall, 12300 Forest Hill Blvd., Wellington FL 33414.

Board Supervisors Present: Chris Wallace, Board President, Joel Arrieta, Board Supervisor and Maria Fong, Board Supervisor.

I. Call to Order – Ms. Wallace called the meeting to order at 6:00 p.m.

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

III. Approval of Minutes

a. Board of Supervisors Meeting, August 18, 2014

Ms. Quickel introduced the agenda item.

Ms. Quickel requested the following correction to be made: Page 2 the reduction of taxable units was due to South Florida Water Control District properties that were not part of the District and had been removed in 2011 and 2012 when Ruth Clements was on the Board.

Ms. Wallace asked if the property that Ms. Quickel was referencing to was the property located behind the park. Ms. Quickel replied affirmatively.

A motion was made by Ms. Wallace, seconded by Mr. Arrieta and unanimously passed (3-0) approving the Minutes of the August 18, 2014 Board of Supervisors Meeting as amended.

Ms. Quickel explained that Ms. Wallace had a question regarding a Council workshop on waste disposal that was previously held. Mr. O'Dell, Village of Wellington staff member was in attendance to provide the Board with a brief overview of Livestock Waste and Disposal options.

Mr. Kurtz stated that a motion to amend the agenda to add Mr. O'Dell's report would be appropriate.

A motion was made by Ms. Wallace, seconded by Mr. Arrieta and unanimously passed (3-0) amending the agenda by adding item (IV) Livestock Waste and Disposal Overview.

IV. Livestock Waste and Disposal Overview

Mr. O'Dell said that he was providing the Board with the same overview that was presented to the Village of Wellington councilmembers in regards to the disposal of livestock waste. Village staff members have been working with haulers to determine ways to make the process of livestock waste disposal more efficient. He said that haulers are required to register with the Village of Wellington and submit a quarterly report with information that includes disposal site, how they are disposing of the waste and the quantity of the waste. Mr. O'Dell explained that staff met with the haulers in 2013 and again in 2014 and the feedback from haulers indicates that the hauling distance is between a five and ten mile radius of the Village of Wellington. The five mile radius incorporates the entire Village of Wellington and the ten mile radius expands to include the Twenty Mile Bend.

Mr. O'Dell distributed copies of the presentation that was provided at the Wellington Village Council Workshop, Livestock Waste Disposal, on November 5, 2014:

Horses in Wellington:

- January – May – 12,000
- June – September – 3,000
- October – December – 9,000

1,000 pound horse

- Manure – 50 pounds daily 80 – 100,000 tons yearly
- Bedding – 20 pounds daily 3.5 tons yearly

Phosphorus Removal

- Improving Water Quality is paramount and for Wellington, phosphorus removal is the key.
- A ton of manure contains 8lbs of nitrogen, 2.5lbs of phosphorus, and 8lbs of potassium.
- The Village has spent millions of dollars in re-plumbing our drainage system and the yearly cost of maintenance continues.

Estimated Monthly Livestock Volumes

- Volumes in estimated Cubic Yards of Livestock Waste

Hauling by the Numbers

- An estimated 16,000 loads per year
- 600 farms – over 800 barns
- Approximately 800 manure bins
- Hauled by 10 haulers with approximately 30 trucks
- During season haulers work 12-14 hour days

Where does all the Waste Go?

- Atlas Peat and Soil – 11 miles
- Solid Waste Authority – 19 miles
- U.S. Sugar – 20 miles
- New Hope Energy Plant – 44 miles
- McGill – Brighton – 83 miles

What does Wellington know about this manure issue?

- We know of 5 end users that can dispose of the livestock waste.
- We know that at least 3-4 startup companies have business and council be an end user
- We know the end users are not haulers.

Hauler Feed Back

- U.S. Sugar believes they are receiving 75% - 80 % of the waste being collected.
- Haulers support a central collection facility.
- Haulers recommend drive distances between 5 and 10 miles of Wellington.
- Disposal site are few and extended travel time is an issue.

Mr. O'Dell explained that haulers were the key components to the report and that staff took the hauler's information and marked the information on the map. The area marked in blue was the five mile driving radius within the Village of Wellington and the area marked in red was the ten mile radius. The area marked in yellow was beyond a ten mile radius.

Collection Site Search Area

Mr. O'Dell discussed the following options:

- Do Nothing - Let law enforcement and governmental ordinances regulate compliance.
- Allow more time for private sector to resolve issue.
-
- Pursue Public/Private Partnerships for livestock waste collection; include the Town of Loxahatchee and Palm Beach County.
- Centralized Collection Location.

Mr. O'Dell explained that the presentation updated Council and that Council provided staff with direction to continue to monitor and obtain information for continuance of studies.

At this point in the meeting, Mr. O' Dell opened the floor for questions.

Ms. Wallace said that Pine Tree would never allow a holding place for manure within the District. Ms. Quickel said that the presentation was for informational purposes only as requested by Ms. Wallace. Ms. Wallace said that she understood that the presentation was for informational purposes but she wanted to make it clear that she would not allow for a holding area to be constructed in Pine Tree because it could affect the parks and the water table.

Ms. Fong said the vehicles that transport the waste were heavy vehicles and the drivers speed along Flying Cow Road. She added that the Village of Wellington would be endangering Pine Tree's residents. Ms. Quickel said that the vehicles were not Village of Wellington vehicles.

Ms. Quickel explained that the presentation was provided to the Board for informational purposes. She said the problem has been around for a very long time and is an ongoing problem. She added that the issue was being discussed because of public/private partnership opportunities along with vendor interest and neighboring communities encountering similar

problems. Ms. Quickel reiterated that the Council did not arrive at a consensus on how to proceed.

Ms. Wallace said that installing a holding area would affect the residents of Rustic Ranches. Mr. O'Dell emphasized that the Village of Wellington was not taking action on this issue at this time. Ms. Wallace said that there was a possibility that the project could move forward in the future. Mr. O'Dell reiterated that he was only relaying information obtained from haulers.

Ms. Fong said the waste could seep into the Everglades. She said that funds have been spent to clean and maintain the water and it would end up back where it started. Mr. O'Dell said if a holding area was built, it would be a fully contained facility which would be an impervious structure and the waste would not be dumped on the ground.

Ms. Wallace said that the traffic from the haulers would have a major impact on the Pine Tree road system. Ms. Quickel explained that it was due to the many concerns expressed and issues raised with the project that staff felt it was important to work closely with the vendors and the neighbors.

Ms. Fong the horse facility adjacent to her home creates a bad odor and draws a large amount of flies and expressed concern that a holding area could be located in her back yard. Ms. Fong said that one of locations that Mr. O'Dell mentioned earlier was close to her back yard. Ms. Wallace stated that the impact that the horses have in Rustic Ranches was nothing compared to the huge barns that were located in the Village of Wellington. She added that for Council to even consider placing a holding area in their neighborhood was ridiculous. Mr. O'Dell said that Council just listened to the presentation no direction was provided. Ms. Wallace felt that more thought should be given to an area that was far away from people and houses. She agreed that the holding structure would bring flies, diseases, foul smell and a large number of trucks to the area. Ms. Wallace asked Mr. Arrieta for his opinion and the impact that the holding structure would bring to the District.

Mr. Arrieta said that a facility like the one described by staff would have to be all contained and the ground water would have to be protected through lining or the facilities would have to be constructed to catch the run off. He added that the facility would be similar to a landfill that is totally self-contained, do not have runoff or ground water impact and meet all permitting requirements.

Ms. Quickel explained that Ms. Wallace asked her for information regarding the issue and for that reason staff was in attendance to present the requested information.

Mr. Kurtz asked Mr. O'Dell if he was estimating the land cost at fifty thousand dollars an acre. Mr. O'Dell replied affirmatively. Mr. O'Dell explained that staff reviewed various properties surrounding the areas indicated but he felt that the cost was on the lower range because prices were currently increasing.

Leland Wright, Mr. Wright said he was not sure where staff would locate land within Wellington at fifty thousand an acre. Mr. Wright informed staff that there was a pending contract on the McCarthy property for one hundred thousand dollars an acre from a developer. Mr. Wright stated the amount of traffic coming from the trucks would be phenomenal. He said that the project was the wrong thing to do to the citizens for an industry that was not even thirty percent of the total your population. Mr. Wright suggested that the perfect site would be located at

Twenty Mile Bend. He said that staff should consider the Twenty Mile Bend site while there are no homes in the adjacent area.

Ms. Wallace asked if Mr. O'Dell if he would be taking their comments to Council. Ms. Quickel said that staff was not scheduled to discuss the issue with Council.

At this point Mr. O'Dell concluded with his presentation and departed.

IV. V. Financial Report

- a. Financial Report
- b. Warrant List
- c. Approval of Supervisor Invoices

Ms. Quickel introduced the agenda item.

(a) Financial Report

Ms. Boersma presented the Financial Report.

She stated that the report included totals ending September 30, 2014 and the statements were unaudited but the auditors would start the auditing process the following month: Cash Assets - \$186,069; Total Liabilities - \$186,651; Fund Balance - \$163,068; Reserved for Emergency - \$30,000; Unreserved - \$133,068 providing the District with a very healthy fund balance. Total Revenues - \$104,937; Total Expenditures - \$100,518; Excess of Revenues over Expenditures - \$4,419; Total Balance/Net position End of Year - \$163,068.

Ms. Boersma additionally mentioned that the note at the bottom of the page indicated that the number of units changed and the information provided would indicate the change that Ms. Quickel mentioned earlier: Assessment of 2,996.56 units at \$17.50; 422.05 units at \$25.00; and 639.40 units at \$85.00.

Ms. Boersma continued with her report:

Actual Fund Balance, End of Period - \$163,068 and asked the Board for questions.

(b) Warrant List

Ms. Boersma explained that the expenditure report included the months of August and September 2014 and continued with her report:

Grand Total of Expenditures - \$21,185.48; Clarke Aquatics (Weed Control – 3 Payments) - \$3,750; Wellington Pro Lawn - \$5,672 and \$4,272.

Ms. Wallace said that the vegetation in area located on the side of the Rustic Ranches entrance sign was in need of trimming. Mr. Fleury asked Ms. Wallace if she was referring to the area on Flying Cow Road. Ms. Wallace replied affirmatively. Mr. Fleury said that he would survey the area in question. Ms. Wallace asked if Wellington Pro Lawn handled that type of work. Mr. Fleury replied affirmatively and explained that the vendor provides the service on a quarterly basis.

Ms. Fong asked for an explanation of services provided by Pace Analytical Services. Ms. Boersma explained that Pace Analytical Services Inc. test the canal water. Mr. Higgins added that they test for the water quality. Mr. Boersma added that the testing was done throughout the year.

Ms. Wallace asked if a report was provided with the water quality results. Mr. Fleury explained that the results were incorporated as part of the entire Village of Wellington's water testing results. Mr. Fleury said that the results for Rustic Ranches outfall and the results for the phosphorus and nutrient levels in the water were included in the report. Ms. Wallace indicated that she would like to review the results for the last couple of years to evaluate any changes. Mr. Higgins stated that the results for Rustic Ranches were included with all the data collected within the Village of Wellington. Ms. Wallace asked if the report for Pine Tree was separate from Wellington's results. Mr. Kurtz explained that the sites tested within Pine Tree were specifically identified in the report, along with the results of the levels for comparison. He indicated that Mr. Higgins would be able to present a brief presentation at the next board meeting. Ms. Wallace stated that the report would suffice because she would like to compare the current water level results with the levels from the past four years. Ms. Quickel said that they would provide the information requested.

Ms. Boersma said if there were no other questions regarding the Expenditure Summary, they would move forward to the Approval of Supervisor Invoices agenda item.

(c) Approval of Supervisor Invoices

Ms. Boersma asked for approval of the supervisor invoices for Chris Wallace and Maria Fong.

A motion was made by Ms. Wallace, seconded by Mr. Arrieta, and unanimously passed (3-0) accepting the Financial Report dated and approving the Supervisor Invoices for Ms. Wallace and Ms. Fong for the meeting of November 17, 2014.

✓ VI. Operational Updates

a. Operations Report

Ms. Quickel introduced the agenda item and stated that Mr. Fleury would be presenting the report.

(a) Operations Report

Mr. Fleury reported that the Operation Report was included with the agenda packet and presented a brief recap of the information.

He said that the report was a typical report that included mowing, grading along with addition of shellrock applied to the roads.

- Skipiks Way and Norris Road received approximately 640 tons of shellrock.
- Norris Road received approximately 1,000 tons of shellrock.
- Hollow Tree Lane and Cotton Tail Drive received approximately 660 tons of shellrock.

Ms. Wallace asked when the shellrock was applied to Hollow Tree Lane. Mr. Fleury said according to his report, the shellrock was applied on October 25th, in order to rebuild and reestablish the road crown.

Ms. Wallace asked if the winter mowing schedule had taken effect. Mr. Fleury said that the schedule would be changing shortly but he would confirm that and provide the Board with the information. There were twelve (12) cuts a year as specified by the Board.

Ms. Fong said that the bulk waste pick up was not occurring on its regularly scheduled day. Mr. Fleury asked if it was the vegetation pick up. Ms. Fong said the trash that she was referring to were tree limbs and leaves. Ms. Quickel said that staff would look into the issue.

Paulette Venere 16031 Rustic Road – Ms. Venere stated that the grass behind her property was not being cut and the area was not being maintained. Additionally, she said that trucks make a u turn behind her property since there was an access road and they cut along the canal on the north side. Mr. Fleury said that the area that Ms. Venere was referring to was on the south side of the canal. Mr. Kurtz stated in order for staff to locate the area it would be helpful for Ms. Venere to indicate the area on the map.

(At this point Ms. Venere indicated the location of her property and the area that was not being maintained on the map).

Mr. Fleury said that the landscape company mows the entire north bank (he indicated the area on the map) but there was a large stretch of area that was not being mowed (he indicated the area on the map). Ms. Venere agreed with Mr. Fleury on the location of the area that was not being mowed and said that was the area that she was referencing. Mr. Fleury said that the landscape company was not able to access the area thus it was not on the mowing map. Mr. Fleury explained that the area was inaccessible to mow. Mr. Wright said that several years ago the residents were advised to remove their fences and trees in order have the landscape company mow the areas but the majority of the residents agreed to take care of the maintenance and mow of the areas themselves and leave the fences and trees in place along the canal. Mr. Fleury said that he would meet with Ms. Venere to survey the area and if the direction was to add the area to the mowing schedule he would speak to Ms. Venere about removing the fence.

Jose Maria Venere, 16031 Rustic Road – He stated that the plan that was provided to him when he obtained the property indicated that the property line went beyond the fence. He said that when he asked the tax collector why he was required to pay taxes on an area that he does not have the right to use, the response was that the area in question was a horse trail. Mr. Venere said that he was advised that the fence was placed correctly but unfortunately the portion of the land beyond the fence was not useable. His question to the Board was why he would have to pay taxes for that portion of the land. Ms. Wallace said that all the residents of Rustic Ranches pay taxes on the easements that were located on their properties. Mr. Venere reiterated that he was paying taxes for not only one but three easements, thus losing 1.5 acres of his 5 acres. Ms. Wallace explained that the easement was useable but the area would not be able to be blocked. Mr. Venere said that they were not blocking anybody from using the area.

Ruben Ferrazzano, 16625 Rustic Road - Mr. Ferrazzano explained that he cleans the northernmost area of his property since the area was no longer being maintained by the landscape company. He felt that since the area was his land he should be able to install a fence that runs up to the water. Mr. Ferrazzano said that he has stopped cutting the area. Mr. Fleury said the area has been cut for the past couple of years because access was not available. Ms. Fleury said that there was access for a small section and then the area becomes tight but he would survey the area. Mr. Ferrazzano reiterated that since he was maintaining the area he felt that he was allowed to do as he pleased and wanted to install a fence that goes up to the water. Ms. Wallace said that if the area he was referring to was a riding easement then the

fence would not be able to be installed. Mr. Ferrazzano explained that the riding easement was located on the north end of the water and he was referring to south end of the canal that runs east and west. Ms. Wallace said that if the fence was installed and the Village of Wellington doesn't allow he would have to remove it. Mr. Ferrazzano felt that the current procedure was not fair because other residents were getting their easements mowed and his was not being mowed. Ms. Wallace said that the mowing access areas and schedule decision was approved at a Board meeting. Mr. Fleury reiterated that the area that Mr. Ferrazzano was referring to was not being mowed because of the limited access and the equipment was able to be taken across private property. Mr. Kurtz asked Mr. Fleury if Mr. Ferrazzano provided him with the permission to enter his property in order to mow the area he was referring to, would that be helpful in resolving the issue. Mr. Fleury said that would be helpful but the area would have to be added to the Pine Tree District mowing schedule. Mr. Kurtz said that he understood that the property was adjacent to the canal slope and it would not be inappropriate for Pine Tree District to maintain the area. Mr. Fleury said that he would meet with Mr. Ferrazzano and survey the area that he was referring to. Ms. Wallace said the area could be cut on a quarterly basis similar to the Flying Cow Road schedule. Mr. Fleury explained that the District's canal bank tops were cut fifteen times a year and the slopes were cut six times a year and the area that Mr. Ferrazzano was referring to would be added to the same schedule. Ms. Wallace provided Mr. Fleury with direction to survey the location. Mr. Fleury explained that he would have to speak to the landscape company after surveying the area to assure that they would be able to maintain the area and to obtain an agreement to cross private property. Ms. Wallace said that she understood the liability involved. Mr. Fleury explained that was the reason why the contractor stopped the mowing. Mr. Ferrazzano said that if the issue had to do with the liability then he understood but in turn he would want to utilize the land. Mr. Fleury said that he would not be able to approve his request to utilize the land in question.

Mr. Arrieta recommended obtaining a copy of the easement documents and reading the restrictions. Mr. Ferrazzano said that the Village of Wellington said that there are no restrictions. Mr. Fleury said that he would provide the Board and Mr. Ferrazzano with options. Ms. Wallace said that the issue was a priority.

~~VI.~~ VII. Engineer's Report

Ms. Quickel introduced the agenda item.

Mr. Higgins explained that for the past couple of months he was working with Mr. Kurtz on the next agenda item and had no other reports to provide to the Board.

~~VII.~~ VIII. Attorney's Report

(a.) Policies and Procedures

Mr. Kurtz explained that the proposed policies were based on issues that he, staff, Mr. Higgins and the board had identified. He stated that the material was not a comprehensive policy manual similar to other Districts due to the fact that Pine Tree regulations were very limited, specific and included unique easement issues.

Mr. Kurtz continued with his report. At this point Mr. Kurtz asked the Board if they wanted him to review each policy one by one. Ms. Wallace replied affirmatively.

- Pine Tree Water Control District Proposed Policy on Disposal of Spoils

Mr. Kurtz explained that staff was seeking direction on how to handle the disposal of spoilage in order to uniformly handle requests and minimize the need to ask the Board for direction for each incident.

Mr. Kurtz explained that the Board could adopt any of the individual policies, or not adopt any of the policies, or bring the policies back for discussion at a future meeting. The information was provided for the Board's consideration and direction.

Ms. Wallace stated that she did not recall staff providing any policies to the Board previously. Mr. Kurtz explained that to his knowledge Pine Tree never had any written policies or procedures. Ms. Wallace asked if the policies and procedures were mandatory. Mr. Kurtz said the policies were not mandatory, but policies and procedures provide a frame work for discussions on items and a guideline for staff to follow when decisions are being made. He added that the policies and procedures were not at all comprehensive in comparison with the other Districts and he tried to keep them in keeping with the character of the Pine Tree Water Control District. Mr. Higgins said that consistency was the key in every situation that arises within the District and without adopted policies and procedures there was a greater chance of inconsistency.

Mr. Kurtz explained that the six policies that have been presented to the Board were all issues that the District has dealt with in the last few years.

Mr. Arrieta stated that present practice is that each issue that arises be brought to the Board for discussion and approval. He said that if they had approved policies and procedures then each issue could be addressed fairly and in a timely manner with minimal Board discussion.

Ms. Fong said that the policies and procedures would assist in educating the general population of the District. Mr. Kurtz said that instead of addressing some of the issues at Board meetings, written clarification could be provided to the resident by staff. If the resident needed additional information, they could then attend a Board meeting and staff could be prepared to supply answers and possible options to address the situation.

Christine Gustafson, 16028 Rustic Road – Ms. Gustafson said that she had reviewed the policies and procedures and said the Board should not approve them until they really understand them. Ms. Gustafson said that the policies and procedures should not be approved at the current meeting. Ms. Wallace stated that the Board was not going to approve anything during the first hearing. Ms. Kurtz said that would be the Board's choice how they wished to proceed.

Mr. Kurtz continued with the report.

1. The spoils will first be utilized or reincorporated into the project from where the spoils were created.
2. The spoils may be utilized in other District projects. This may result in the storage of the spoils at an appropriate location until the spoilage can be utilized in the identified project.
3. If there is not a specified District project where the spoilage can be utilized, the District shall offer the spoils to the landowner(s) of the land on which the project is being done; or if the project is being done on District lands the owner of the land(s) adjacent to the project. If no affected landowner desires the spoils and

no District project is specified for the use of the spoils, the District administration shall dispose of the spoils in a cost effective manner.

Mr. Kurtz explained that the spoil disposal would be left up to staff to dispose of in the most economical manner. If the policy was in place several months ago, staff would have been readily able to identify that there was going to be excess spoilage and would have made the spoilage available in a quick and efficient manner to the adjacent landowner without addressing the issue with the Board. Ms. Wallace felt that a policy was not needed to address spoil issues. Mr. Kurtz said that the Board needed a policy because they could not rely on memory and/or past practices. He added that the board members were the originators of the policies and if any portion of the policies was misstated, he was ready to make the changes. Mr. Kurtz additionally stated that the policy requires communication with staff before a project commences.

Mr. Wright said he disagreed with the policy because the neighborhood was run in a country like manner and the residents have paid the District and have paid for the land on the easements. He felt that in the future the following steps were to be taken; 1- the spoilage would go to the landowner because the landowner paid for their land and was paying their taxes, 2- if the landowner said that he doesn't want the spoilage then the spoilage would become the District's spoilage, 3- if the District doesn't have a job of which the spoilage would be used, a storage area located along the north canal would hold the spoilage.

Ms. Fong asked Mr. Wright if he was stating that a policy was needed. Mr. Wright said that he felt that a policy regarding the spoilage was needed because he felt that each landowner had the right to protect their land which would include the spoilage. He said he refused to pay the District to move spoilage to another location when the spoilage was part of his land.

Mr. Arrieta referred to the Disposal of Spoilage from Works of the District (policy #3): If there is not a specified District project for the spoilage to be utilized, the District shall offer the spoils to the landowner(s) of the land(s) on which the project is being done. The landowner would have first dibs on the spoilage use. Mr. Wright said that he would agree to that statement. Mr. Wright said that he would be satisfied with a policy if the correct steps were part of the policy. Mr. Kurtz said that he understood that Mr. Wright was not disagreeing with having a policy on the particular subject and thought that his suggestion was to make number three number one, number one would change to number two, and number two would change to number three.

Mr. Wright stated that the District needed to have a designated storage area and the area along the north canal was available. He said his concern was when the District hauls spoilage from a project and the resident does not know where it is being hauled to; that was not the right procedure to follow. Mr. Arrieta said that the proposed policy would allow for that practice to stop. Mr. Wright said that he agreed with the policy but the policy needed to be amended to reflect the community's needs. Mr. Kurtz said that the storage concern was that staff didn't want to create anything that the residents would consider to be a nuisance within their property, but if there was consensus on a designated area for the spoilage to be stored, the policy would be amended. Additionally he explained that the District does not own any property. Mr. Wright stated that the District owns drainage easements and he felt that storing spoil on a drainage easement was fine. Mr. Fleury said that each easement was owned by an individual property owner. Mr. Kurtz said that he would not recommend the District to store the spoil on the easements unless specific permission was received. Mr. Wright said that there were approximately twenty property owners on the ditch and he felt that at least one would provide the permission to hold the spoil on their property.

Ms. Fong said she felt that the policies and procedures were brought to the Board because of what happened to Mr. Wright in the past and she agreed that the owner should be able to make the decision to hold the spoil. Mr. Wright agreed with Ms. Fong and said that he agreed to have a policy but he was not in favor of number one or number two of the spoilage policy. Mr. Kurtz said that ultimately the Board would make the decision but it would be very easy to switch number two (2). He also suggested that the Board ask Mr. Fleury and Mr. Higgins about the easiest place to store the spoilage.

Ms. Wallace said that she did not want to see the spoilage go to another district. Mr. Kurtz stated that "District" was defined as Pine Tree Water Control District and no place else. Ms. Wallace said that the statement needed to be clearer. Mr. Kurtz said that he would add additional language to clarify the statement. Ms. Wallace said that at some point if the canals were in need of cleaning, whatever comes on the property owner's property would be theirs.

Ms. Fong said that the word "District" was redundant because everything was classified as Pine Tree. Mr. Kurtz understood the revisions that Ms. Wallace and Ms. Fong were requesting. Mr. Higgins said for instance, with the installation of equestrian crossings, the was earth removal associated with the project along with the spoil coming out of the canal when installing the culvert should be used to fill the crossing.

Mr. Arrieta said that any fill that was taken from another area, would have to be paid for by the District. He stated that number one (1) states that use of existing material that exists and was being replaced and if that was not the case, the District would have to pay for the material or spoilage that was sitting there and was usable.

Ms. Fong stated that number one (1) states that the spoils would first be utilized or reincorporated into the project. Mr. Wright said that he would agree with number one (1).

Mr. Arietta suggested that the spoil should revert back to the property owner and if they intended to use the material as long as the material was not impacting the project. Once the material was placed in the indicated area, the District would incorporate it, move it, slope it and dress it up so that the area would be maintained. If the landowner wants the material, the requirement would include a certain amount of time to remove the material, slope it, reconstruct the berm to the natural grade and standards of the remaining berms in the neighborhood and felt that this stipulation needed to be added to the policy. This provision would avoid the spoilage from remaining in the same place for an extended period and not be maintained. Mr. Kurtz stated that the policy addressed Mr. Arrieta's concerns; the excess spoils could only be used on the landowners land adjacent to the project and the landowner would have to present a plan for utilization of the spoilage to the District Administrator. He stated that the landowner would have to implement the plan.

Ms. Wallace said that sounded complicated and asked why a plan was needed. Mr. Kurtz said as Mr. Arrieta mentioned earlier, The Board would not want someone to have the spoilage become a problem for the District or adjacent landowners and the material would need to be removed from the right of way. Large accumulations of spoilage would be a problem for the District's drainage system.

Ms. Wallace said that she understood that the spoilage could not be stored on an easement but if a resident wanted to store a large amount of dirt on their property they would not be hurting anyone. Mr. Higgins said that there was a limitation on the amount of spoilage that could be stored on a parcel before it began to displace water on to adjoining land. The amount of fill

cannot be unreasonable, but he was not able to envision a particular District project that would create so much fill that would become a problem for the parcels. Ms. Wallace said that the policy seems to over kill and added that she was not in agreement with requiring all of the landowners to submit a plan to staff indicating the future use of the spoilage.

Mr. Arrieta said that there needed to be a specified time frame in which to use the spoilage easement restored to the same condition before the project started. No gouging or sloping would be acceptable because the easements were there for a reason and the goal was not to get the easement full of material and have the District pay to clean the easement. Mr. Kurtz said that the policy included the following stipulation; if the use is approved by the District, the delivery of the spoilage onto the affected lands shall be at the Landowner's cost, and asked for the Board's direction on the stipulation.

Mr. Ferrazzano asked what the cost would be for the delivery of the spoilage. Mr. Kurtz said the cost would be the current cost at the time.

Ms. Wallace said that most of the current landowners bring dirt onto their properties because the properties are low and it would be very rare to hear a landowner request to have dirt removed from their property. Mr. Kurtz said that the spoilage would be going on to the landowner's property and the issue was that the moving of the spoilage would need to be paid for by someone.

Ms. Fong said that the question was if Pine Tree wanted to incur the added expense of moving the spoilage. Mr. Wright said that it would be cheaper to haul the spoilage one hundred (100) yards to the landowner's property where staff was digging, than to move it to a holding area.

Ms. Fong said with the policy in place, before the project was started, the landowner would need to plan what they would do with the left over spoil and advise staff.

Mr. Kurtz asked the Board should the cost of removal of spoilage from the job site on to the location indicated by the landowner be charged to Pine Tree. The audience was in favor of Pine Tree paying for the transportation of the spoilage but the ultimate decision and direction was needed from the Board.

Mr. Higgins stated that there was need for delivery control. Mr. Fleury said that the site that the spoilage was to be moved to needed to be accepted by staff. Mr. Kurtz said that staff would speak to the property owner beforehand. Mr. Fleury said he would determine if the area was an accessible storage site.

Mr. Kurtz suggested that the revised policy would be brought back to the Board for further review at the next meeting. He said that number three (3) and number two (2) would be reversed; the spoilage would go to the property owner first before it goes anywhere else and Pine Tree projects and the material would be moved to an agreeable and accessible portion of the landowner's property at a cost to Pine Tree. Ms. Quickel asked if the Plan Requirement was being omitted. Mr. Kurtz said that the Plan Requirement would be removed from the revised policy because the spoilage would be moved to an agreeable location. Mr. Kurtz asked the Board for any further directions for staff and asked for a motion.

Houston Meigs, 16433 Deer Path Lane – Mr. Meigs asked if the policies were added to the EOZD Overlay Zoning Districts and stated that after briefly reviewing the policies he was concerned with overlaps that were redundant and inconsistencies that exist in the other

documents. Mr. Kurtz explained that the policies that the Board was discussing were Pine Tree policies and if there were any inconsistencies the Board would consider them. The policies discussed pertain to the District's operations and he felt that none of the items would interfere with the Village of Wellington zoning policies. Mr. Meigs said that he felt that the clause in the policy that pertains to fences would interfere and was concerned because in the past there were various instances where the code conflicted with policies which create adverse situations. Mr. Kurtz said that the Board would be able to discuss the issue when the fence policy was reviewed.

Mr. Kurtz asked for a motion to approve the revised Pine Tree Water Control District Proposed Policy on Disposal of Spoils.

Ms. Wallace asked for easier and clearer language. Mr. Kurtz stated that he would try to make the wording clearer. Ms. Wallace said that she was not ready to approve the policy as of yet.

Mr. Wright asked if the revised policy could be drafted and brought back at the next meeting for the Board to review. Mr. Kurtz said that he was requesting direction and an approval to make the changes to the policy but he would bring the revised version back at the next meeting for their review.

Mr. Arrieta asked the board members if everyone agreed to the changes. Ms. Fong said that she agreed with the revisions only. Mr. Kurtz explained that staff needed direction to continue with the changes and not approval of the policy.

A motion was made by Mr. Arrieta, seconded by Ms. Fong, and unanimously passed (3-0) accepting the revisions to the Pine Tree Water Control District Proposed Policy on Disposal of Spoils and to continue discussions regarding the directing staff to bring back an amended policy at the next scheduled Board meeting.

Mr. Kurtz introduced the next policy to be discussed.

- Pine Tree Water Control District Proposed Policy Regarding Construction and Maintenance of Driveway Culverts

Mr. Kurtz explained that the policy would include the specification of the District's culvert size to include a minimum and a maximum size. He stated that in the future if a resident wanted to put in a culvert crossing across a swale, the District would have to provide permission in order to avoid impediments to the water flow or drainage from occurring.

Ms. Wallace asked if there was a standard size for the culverts. Mr. Kurtz said that his understanding was when the swales were redone the District went ahead and installed what ended up being the standard size. He explained that the proposed policy was stating that the District was not going to be in the business of installing culverts. He added that landowners typically install the culverts or crossings and bear the expense and the policy indicates that the culverts and the crossings would need to be built using the standard size. Furthermore, the policy additionally mentions that any damage to a culvert by a horse trailer or the like would need to be repaired or replaced. Mr. Kurtz also explained that in order to determine that the new culvert was of the standard size, approval would need to be provided by the District.

Ms. Wallace asked if the person installing the culvert would need a permit. Mr. Kurtz replied affirmatively. Mr. Kurtz stated that currently the District was not requiring a permit but the Village of Wellington would require a permit for the culvert.

Mr. Higgins said that most of the culverts for undeveloped parcel would be reviewed and approved as part of the Land Development Permit issued by the Village of Wellington. If a particular landowner would want to put in another crossing, the landowner would need to adhere to the requirements so that the water flow was not obstructed. Mr. Fleury said that he sees the practice done all the time. Mr. Fleury further explained that the majority of the residents that want to install a second culvert take whatever material that they have lying around in the back yard and use that in the ditch.

Ms. Wallace said that the District needed to adopt the Village of Wellington standards for culverts. Mr. Kurtz asked if the Board wanted to rely on the Village of Wellington for permitting and monitoring or have a District standard. He said that even if the District standard was adopting the Village of Wellington's standard, then the Board would still have a requirement in place to requirements to act upon.

Ms. Fong said that she has noticed that there are a number of new people moving into the area and they are adding more entrances and exits on their property. Ms. Quickel said that if they were not designed per the requirements the District's water would not be able to drain correctly.

Mr. Kurtz said that the District needed to report happenings that occur that lead to situations. Ms. Wallace asked who to call. Mr. Kurtz said that the reports would go to the District Administrator. Ms. Quickel said both she and Mr. Fleury would take the calls.

Ms. Wallace said that she would like to adopt the same standard as the Village of Wellington. Mr. Kurtz said that the policy would be revised and additional details would be provided to the Board at the next meeting.

Ms. Wallace asked Mr. Fleury for the standard culvert size. Mr. Fleury said that he thought the size was twenty (20) feet long but was not sure. Ms. Wallace asked him to check for the exact size. Mr. Fleury said that he would check and provide her with the information. Mr. Kurtz stated that when staff brings back the Village of Wellington standards and the policy, they would include the existing standards. Upon review, the Board may decide to make revisions to the size.

Mr. Kurtz asked for a motion.

A motion was made by Ms. Wallace, seconded by Mr. Arrieta, and unanimously passed (3-0) to continue discussions regarding the Pine Tree Water Control District Proposed Policy Regarding Construction and Maintenance of Driveway Culverts and to have staff provide the current Village of Wellington standard requirements for culverts at the next scheduled Board meeting.

Mr. Kurtz introduced the next policy to be discussed.

- Pine Tree Water Control District Proposed Policy Regarding Vegetation/Plantings affecting Canals and Swales

Mr. Ferrazzano said that each policy was being discussed individually and it seemed that staff wanted to know the residents reactions. He felt that staff should know the Village of Wellington

standards for each of the policies so that the Board could make proper decisions. Mr. Ferrazzano wanted to make sure that the policies were heard several times before the Board reaches the approval state.

Ms. Wallace said that Pine Tree didn't want to adopt the Village of Wellington's standards on all the policies and the Board was not going to approve the policies without community input and feedback.

Mr. Kurtz explained that the last paragraph of his memorandum stated that the proposed policies would be presented to the Board for discussion and direction at their November 17, 2014 Board meeting. The only way that the Board is able to have discussions is at a Board meeting so that everyone is able to provide input and direction.

Mr. Ferrazzano said that he would have liked to have had the Village of Wellington standards included so that the meeting would be more productive and not take so long; there were only three (3) policies. Mr. Ferrazzano asked why the changes couldn't be made now. Ms. Wallace explained that what staff provided was the first draft. She said that her primary concern was the excavated spoilage stay with the landowner. Mr. Ferrazzano said he agreed with most of the information in the policy but the other policies were not clear.

Mr. Kurtz continued with his report.

Mr. Kurtz explained that the intent of the policy was to clarify that vegetation that has been planted that affects either impacts the maintenance or the water flow within the canals and/or the swales would not be allowed in the future. He said that staff would ask for Board direction on any existing plantings that were creating a problem. He added that the policy stated that the area around the canals and swales needed to be free from bushes, trees and any vegetation that would affect the maintenance, impede access or impact water flow.

Mr. Arrieta stated that the policy seemed very simple and provided an easy approach that allowed staff to work with the landowners to keep the right of ways open and clear. Mr. Kurtz said that the easements within the District were not specifically dedicated to Pine Tree and that was the reason to keep the policy simple and easy.

Mr. Wright said that the only property that was not being kept up was the one that was owned by Palm Beach County located on Norris Road. He was also aware that the Pine Tree assessments have not been paid on the property for three (3) years. Mr. Kurtz said he would investigate and report back to the Board.

Ms. Wallace stated that the policy did not address the existing trees that were not obstructing the water flow. Mr. Kurtz said that these plantings are not currently affecting the water flow but over a span of time they could impede the drainage and that scenario was provided for in the policy. He said that when the District determines that plantings are or may affect the water flow or the maintenance of a canal, the District will initiate contact with the landowner and work with the landowner to resolve the concern. If the District Administrator is unable to resolve the issues, the Administrator will bring the issue to the District Board of Supervisors for direction. Mr. Kurtz said that the Board would then determine the course of action on a case by case basis. Ms. Wallace asked who would be responsible for removing plantings, if a resident plants hedges on their property and the roots interfere with the maintenance. Mr. Kurtz said that if staff determines that it was interfering with the maintenance of the canal, the District Administrator would contact the landowner and advise them of the negative impact and discuss a solution. Mr.

Kurtz said that the wording of the policy was designed to be handled issues on an individual basis and no revisions would be made unless the Board advises him to make changes.

Mr. Kurtz introduced the next policy to be discussed.

- Pine Tree Water Control District Proposed Policy On Irrigation Intakes (Suction Lines)

Mr. Kurtz stated that Pine Tree has not regulated the use of canals for irrigation in any way. In the future this practice could become a problem. He said that the first step was for staff to conduct an inventory of the location of irrigation intakes from the canals and then provide the Board with recommendations. In the future, approval by the District would be needed for the use of the canal water for irrigation. Mr. Kurtz explained that the policy would establish control of the canals.

Ms. Wallace said that the inventory was not necessary.

Mr. Wright said he disagreed with the policy and felt that it was not needed and the landowners should be able to use the canals to irrigate without requiring a permit.

Mr. Higgins explained that the inventory was only for the intake lines and not the actual consumption of water. The consumption of water was regulated by SFWMD which would never be possible to regulate. He added that several weeks prior, SFWMD asked a landowner to coordinate his intake with Pine Tree and obtain a letter of approval but staff had never been asked to provide a letter and decided that the best practice was to bring the issue to the Board. Mr. Higgins asked the Board for suggestions on handling the issue. Mr. Fleury said that SFWMD would be involved if the pipe was greater than two (2) inches in diameter.

Mr. Arrieta said that the key was that the permit issue could be removed since it was not a consumption issue. He explained that the policy was a standard for installing infrastructure that had to be maintained by the District. The word permit could be removed from the policy but the District would have to make sure that the landowner obtains a permit from the SFWMD and following the permit issuance staff would be notified and the installation would have to be in accordance the approved standards. He added that any future pipe installation would be installed according to the District's standards.

Ms. Wallace said that the policy was not currently needed.

Mr. Wright said that if the Board left the policy open, then they would be able to review and discuss in the future. He felt that the policy was not currently needed because the neighborhood was doing well and more than half of the residents do not use the canals to irrigate. Mr. Kurtz explained that Mr. Higgins mentioned that there was specific request from a resident who was acting upon SFWMD's request for a letter from Pine Tree authorizing the intake. Ms. Wallace said that she never heard about the request until now.

Mr. Kurtz explained that if the District does not have a policy, the resident cannot move forward for three (3) months until the next Board meeting to put in an irrigation line. Ms. Wallace said that the resident would be able to send a letter. Mr. Kurtz said that the District Administrator does not have the authority to act without discussion and approval from the Board. Mr. Higgins explained that the SFWMD has the authority to decline the landowner's request for a permit until he obtains permission from Pine Tree. Mr. Kurtz said that SFWMD controls all the water in the

area. Mr. Kurtz explained that the policies were the solution that would allow residents to have minimal impact on the water and added that when SFWMD declare emergencies, all irrigation has to be stopped.

Mr. Arrieta explained that SFWMD wants the residents to coordinate with the entity that handles the easements in the area. He said that many time cities, municipalities and even within the District, operates with permits and need the authorization and approval. SFWMD permits the consumption but requires residents to coordinate with their local government. That is standard language for SFWMD. He said that it might have just gotten caught up now in Pine Tree but that was standard language.

Mr. Kurtz said that the intent was for the District Administrator to be granted authority to act on routine items. As the Pine Tree land becomes more developed more regulations would need to be applied moving forward. Mr. Wright said that he understood that but he wanted staff to make the regulations as simple as possible. Mr. Kurtz said the goal was to make the policies as simple as possible without holding up the request until the next Board meeting.

Mr. Higgins said independent of the policy, staff had received a letter from the SFWMD of which no reply has been sent and he was seeking direction from the Board. Ms. Wallace felt that staff was springing the letter on the Board and they had no knowledge of the letter and the issues. Mr. Higgins confirmed that the Board did not want to take action on the letter and address it at the following Board meeting.

Ms. Gustafson said that she was very familiar with water tables, wells and issues of the sort. Installing a pipe into the canal was currently allowed in the District and staff needs to ask the Board to permit the resident to move forward. At a later date the policy may change and the procedure could be reviewed then but at this time she felt that the Board needed to address the resident's request. Ms. Gustafson added that she agreed with Mr. Wright that she did not want government to decide that some of the pipes were grandfathered in and some were not. She said that she was opposed to a permit requirement to install a pipe into the canal to obtain some water when it has always been allowed in the past. She said the Board could address it in the future if the water table was reduced or in a time of crisis. Ms. Wallace said that unless there was a crisis all that was needed was for staff to call one of the board members and advise them of the important issue and another meeting would be scheduled.

Mr. Arrieta said the Board indicated they wanted to cut down on staff time and reduce the number of meetings and with this scenario they would be increasing the number of special meetings and increasing cost. He said that Staff needed to be able to do their job without calling for special meetings. He added that Pine Tree was not trying to regulate whether the landowners were allowed to put a pipe in the water or not. SFWMD was the entity that was currently handling the issue and this District was saying the following: 1) Does the Board authorize staff to send a letter stating that Pine Tree agrees to permitting the resident to install the pipe 2) Does the Board want to establish a standard that regulates the size of the pipe to be installed. Mr. Arrieta explained that SFWMD would provide feedback on the regulated size of the pipe but staff would need to know what the standard size would be and the depth of the installation to allow for crown compression. Staff would need to notify SFWMD in writing that the land owner could install the pipe but concurrence would be needed from the District indicating that staff has the authority to approve the installation. The standards were needed so that when the area was being mowed or maintained, the pipe was not removed. If the pipe was removed when maintaining the area by staff or a vendor, it would be the landowner's responsibility to re-

install. This standard would protect the staff and the homeowner along with making sure their investment does not get destroyed.

Mr. Kurtz said that the policy could provide that the Pine Tree Water Control District has no objection to the installation of any intake lines into the canal. If a landowner installs a pipe into the canal and runs it until the canal is dry, a policy would need to be in place to address that and the agency regulating the issue was SFWMD. He said that an approved policy would provide staff the ability to provide a quick response to inquiries in the manner directed by the Board.

Ms. Wallace asked if staff was receiving lots of inquiries. Mr. Kurtz replied no. Mr. Higgins explained that currently SFWMD was routinely requiring a letter in order to obtain a water use permit. Ms. Wallace said that she was only asking as it pertains to Pine Tree. Mr. Kurtz said that staff had not experienced many inquiries regarding the issue but he anticipated an increase.

Ms. Fong said that the procedure was too lengthy. She said if the policy states that Board agrees to have the pipes installed without coming before the Board, the process would not be less time consuming. Ms. Wallace said that a well could be installed in the interim. Ms. Fong said that a permit would be needed to have a well installed. Mr. Arrieta said that Board would not get involved in installing a well. SFWMD was looking for anything that was going to impact another government agency, municipality or District.

Ms. Wallace said that she wanted to keep an open policy on the issue and the Board could address it in the future if it becomes a problem. Mr. Kurtz asked if Ms. Wallace wanted a policy that allows the installation of pipes. Ms. Wallace replied affirmatively. Mr. Kurtz said that he would revise the policy and bring back to the Board. Ms. Wallace agreed but added that the policy should not have a permit requirement. Mr. Kurtz said that if everything was a yes then the review process was not needed.

Mr. Higgins recommended that the Board allow staff to send a letter of response to SFWMD advising that the present policy allows for irrigation lines to be installed in the canals. Ms. Wallace asked for the reason behind SFWMD contacting him and not the Pine Tree Board. Mr. Higgins stated that SFWMD contacted Ms. Quickel. Ms. Wallace asked for the reason why the Board was not contacted and informed. Ms. Quickel said that she asked Mr. Higgins and Mr. Kurtz for the policy regarding the issue and was advised that there was not a policy in place regarding the issue but historically the District allowed the intake lines. Ms. Wallace understood and reiterated that the intake line issue procedure does not need to be changed. Mr. Kurtz said that he would revise the policy and provide to the Board at the next meeting.

Mr. Kurtz introduced the next policy to be discussed.

- Pine Tree Water Control District Proposed Policy On Canal Crossing

Mr. Kurtz explained that canal crossings were not allowed unless specific permission was granted by the Pine Tree Board. Ms. Wallace said that was the practice the Board has taken in the past. Mr. Kurtz said that if there was another request in the future, the policy was in place.

Ms. Venere said that during the past year the issue regarding the construction of covered arenas, water drainage, and the increase of the building area from ten percent to twenty percent in Rustic Ranches came up. She felt that in order to construct anything in Rustic Ranches, two permits would be needed because the landowners have to go through the Village of Wellington for permits but the permits were approved after consulting with Pine Tree. Mr. Kurtz explained

that there are two governmental entities; Pine Tree and the Village of Wellington. The Village of Wellington does not handle drainage issues; Pine Tree Water Control District handles the drainage issues. For the most part he explained it was a combined process because Pine Tree has contracted with Wellington to provide the administrative services but occasionally an issue arises that requires the District Attorney and Engineer to be involved.

Ms. Wallace explained that when the Board made the change to the lot coverage restriction from 10% to 20% it actually turned out that the agricultural interest did not have to obtain approvals. Mr. Higgins replied affirmatively. Ms. Wallace further explained that the Board approved the change for everyone not only for the agricultural properties. Mr. Kurtz said that the agricultural permit would need to meet the drainage requirements. Ms. Wallace said that people were putting up the arenas before the changes were passed. Mr. Kurtz explained that the change that was authorized by the Board had a beneficial impact to landowners installing those types of arenas. Mr. Kurtz explained that the Village of Wellington could not impose the criteria without Pine Tree's concurrence. Ms. Venere said that her point was that if the current process is that when the landowners request permits to build in the Village of Wellington they work with Pine Tree management to approve everything, why is Mr. Kurtz proposing policies and procedures. Mr. Higgins explained that most of the projects that get done within Pine Tree go to the Village of Wellington only, for land development permits. Pine Tree has provided the Village of Wellington with special criteria to cover the 20% lot coverage requirement but as part of the Village of Wellington's review procedure, they review. If the project was something out of the ordinary, the Village of Wellington would contact him as the Pine Tree engineer. He added that one of the policies that were discussed earlier, regarding land development, states that the Village would review and approve the permits which was the current practice and would continue to be the practice in the future.

At this point, Mr. Kurtz asked if the Board if they accepted the Pine Tree Water Control District Proposed Policy on Canal Crossings. Ms. Wallace replied affirmatively and added that the policy states the procedure that has always been in place would remain. Mr. Kurtz explained that some of the wordage was reiterating what the procedure has always been.

Mr. Kurtz introduced the next policy to be discussed.

- Pine Tree Water Control District Proposed Policy Regarding Fences and Walls

Mr. Kurtz stated that the policy was very similar to the Vegetation Policy. If there was a fence or a wall that was obstructing access and maintenance to the canal and swales, that fence or wall would be prohibited. For example, if a resident wanted to install a fence all the way to the canal, if the proposed policy was adopted by the Board, the request would be denied.

Ms. Wallace said that the practice would remain the same way that it has always has been. Mr. Kurtz said that the District had never had a policy in place. Ms. Quickel stated that the policy was similar to the vegetation policy in which if staff sees something wrong, the landowner would be approached in an attempt to resolve the issue. She added that if staff and the landowner were not able to resolve the issue, the issue would be brought to the Board.

Mr. Meigs asked if the language in the clause was strictly for canals and swales or could the control of fencing be broadened to pertain to fencing on a property. Mr. Higgins explained that the policy was strictly for canals and swales. Mr. Meigs felt that some of the language was crossing lines with the Village of Wellington building department regulations. Mr. Kurtz explained that because of the contract between Pine Tree and the Village of Wellington, a designee was

allowed to handle those issues. Mr. Higgins said that the Village of Wellington reviews and issues fence permits and as part of the review process monitor for Pine Tree's interest. Mr. Kurtz explained that every fence permit issued would keep Pine Tree Water Control District's policy in mind. If the reviewer sees a fence to the canal edge or crossing over it, they would review Pine Tree's policy and contact the landowner and explain what would be needed to move forward to obtain the permit. Additionally, Mr. Kurtz explained that the District's easements were not dedicated to the District and Pine Tree approval was not required on the permit as it would be with an FPL or Acme easement.

Mr. Ferrazzano said that for a lot that is considered as agriculture, there are no fence rules but SFWMD does have laws regarding the flood plains. The majority of the landowners present have lots that are considered as agriculture lots and a fence could be installed but if the fence affects a flood plain then SFWMD would step in. Mr. Kurtz clarified that those landowners would still need to go to the building department and identify where the fence would be installed. A staff member would review the information and the landowner would have to provide the Village of Wellington with a survey indicating that the proposed fence would be installed on their property. The plan would be submitted to the Village of Wellington for review and approval and then installation of the fence could proceed. The reason for the procedure was if a landowner builds across or impacts any Pine Tree easements, the landowner would need to obtain the District's permission to move forward. He emphasized that the landowner officially would not have to obtain permission but by policy the District would want to be able to maintain access to the canals in order to maintain.

Ms. Wallace said that the policies could have been presented in a better manner and placed on the Village of Wellington's site or presented to the Board at the previous meeting. Mr. Kurtz said that staff and the Board went through each policy as quickly as they could, and included explanations and answered questions and only asked the Board for their comments.

Ms. Quickel said that all of the policies would be brought back to the Board at the next meeting. Mr. Kurtz said that at that time the Board would be able to make additional revisions and no added explanations would be necessary.

Ms. Wallace said that she was not aware that permitting was necessary for an agricultural structure or lot. Mr. Ferrazzano said that a permit was not needed and he had a copy of the statute. Mr. Kurtz said that the landowner would need to establish an agricultural exemption up front. Mr. Arrieta explained that a process was needed to establish the exemption. Mr. Kurtz added that even though a permit was not provided, staff would go to the property and inspect the area. The purpose of the inspection was to make sure that that the landowner built what they say they were going to build and if not the inspection would be rejected. Ms. Wallace said that she had never heard of anyone doing that in Rustic Ranches.

VIII. IX. Other Business

a. Approval of Revised Pine Tree Board of Supervisor Meetings for 2015

Ms. Quickel explained that the next meeting for February 2, 2015 was listed as optional. The following scheduled meeting would be held on April 20, 2015.

IX. X. Board Comments

Ms. Quickel asked the Board if there had any comments.

Ms. Wallace felt that the February 2nd meeting was not needed. Ms. Quickel asked for a motion to cancel the meeting.

A motion was made by Ms. Wallace, seconded by Ms. Fong, and unanimously passed (3-0) to cancel the February 2, 2015 Optional meeting.

~~X.~~ **XI. Next Meeting:**
 (Regular) Monday, April 20, 2015 at 6:00 p.m.

~~XI.~~ **XII. Adjourn**

There being no further business to come before the Board, the meeting adjourned at 8:47p.m.

Approved:

Chris Wallace, President

Awilda Rodriguez, Secretary

FINANCIAL REPORT

PINE TREE WATER CONTROL DISTRICT

STATEMENT OF NET POSITION AND GOVERNMENTAL FUND BALANCE SHEET MARCH 31, 2015

	Special Revenue Fund	Adjustments	Statement of Net Assets
<u>ASSETS</u>			
Cash	\$ 225,525		\$ 225,525
Due from other governments	-	-	-
Prepaid expenditures	-	-	-
Capital assets:			
Depreciable, net	-	31,653	31,653
Total assets	<u>\$ 225,525</u>	<u>\$ -</u>	<u>\$ 257,178</u>
<u>LIABILITIES AND FUND BALANCE</u>			
Liabilities:			
Accounts payable	\$ 2,836	\$ -	\$ 2,836
Due to other governments	-	-	-
Total liabilities	2,836	-	2,836
Fund balance:			
Reserved for emergency	30,000	(30,000)	-
Unreserved	192,689	(192,689)	-
Total fund balance	<u>222,689</u>	<u>(222,689)</u>	<u>-</u>
Total liabilities and fund balance	<u>\$ 225,525</u>	<u>\$ (222,689)</u>	<u>\$ 2,836</u>
<u>NET POSITION</u>			
Net Position:			
Net invested in capital assets		31,653	31,653
Unrestricted		222,689	222,689
Total net position		<u>\$ 254,342</u>	<u>\$ 254,342</u>

PINE TREE WATER CONTROL DISTRICT

STATEMENT OF ACTIVITIES AND GOVERNMENTAL FUND REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE PERIOD ENDING MARCH 31, 2015

	Special Revenue Fund	Adjustments	Statement of Net Position
Revenues:			
Non-ad valorem assessments ⁽¹⁾	\$ 90,787	\$ -	\$ 90,787
Investment income	26	-	26
Miscellaneous	-	-	-
Total revenues	<u>90,812</u>	<u>-</u>	<u>90,812</u>
Expenditures:			
Current:			
Canal weed control	7,500	-	7,500
Drainage	1,722	-	1,722
Swale Mowing	12,744	-	12,744
Administration	<u>9,225</u>	<u>-</u>	<u>9,225</u>
Total expenditures	<u>31,191</u>	<u>-</u>	<u>31,191</u>
Excess of revenues over expenditures	<u>59,621</u>	<u>-</u>	<u>59,621</u>
Fund balance/Net position, beginning of year	<u>163,068</u>	<u>-</u>	<u>163,068</u>
Fund balance/Net position, end of year	<u>\$ 222,689</u>	<u>\$ -</u>	<u>\$ 222,689</u>

⁽¹⁾Assessment of 2,805.79 units at \$17.50; 223.03 units at \$25.00; and 637.95 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 MARCH 31, 2015

	Original/ Final Budget	Actual	Variance Favorable (Unfavorable)
Revenues:			
Non-ad valorem assessments	\$ 103,510	\$ 90,787	\$ (12,723)
Investment income	-	26	26
Miscellaneous	-	-	-
Total revenues	<u>103,510</u>	<u>90,812</u>	<u>(12,698)</u>
Expenditures:			
Current:			
Canal weed control	15,500	7,500	8,000
Drainage	40,000	1,722	38,278
Swale Mowing	41,000	12,744	28,256
Administration	35,500	9,225	26,275
Total physical environment expenditures	<u>132,000</u>	<u>31,191</u>	<u>100,809</u>
Excess (deficiency) of revenues over expenditures	<u>(28,490)</u>	<u>59,621</u>	<u>88,111</u>
Fund balance, beginning of year	<u>163,068</u>	<u>163,068</u>	<u>-</u>
Fund balance, end of period	<u>\$ 134,578</u>	<u>\$ 222,689</u>	<u>\$ 88,111</u>

**PINE TREE WATER CONTROL DISTRICT
EXPENDITURE SUMMARY - FY 2015
OCTOBER THROUGH MARCH**

Vendor Name	Check Number	Amount
Wellington Pro Lawn	1734	3,536.00
Wellington Pro Lawn	1788	2,136.00
Wellington Pro Lawn	1843	3,536.00
Wellington Pro Lawn	1883	1,800.00
Wellington Pro Lawn	1931	1,400.00
Wellington Pro Lawn	1985	336.00
Department of Economic Opportunity	446430	175.00
Pace Analytical Services (Water Testing)	446690	74.00
Maria Fong	446750	50.00
Chris Wallace	446815	50.00
Pace Analytical Services (Water Testing)	446836	74.00
Higgins Engineering	447641	1,500.00
Pace Analytical Services (Water Testing)	448414	74.00
		14,741.00

PURCHASING CARD TRANSACTIONS

Vendor Name		Amount
Clarke Aquatic	Oct - March	7,500.00
Godaddy.com - website		35.08
		7,535.08

OTHER CHARGES

Vendor Name		Amount
Banking Fees		165.38
Village of Wellington Administration		8,750.00
		8,915.38

GRAND TOTAL

\$ 31,191.46

Board Member Chris Wallace

Invoice to: Pine Tree Water Control District

Invoice for: Pine Tree WCD Meetings Attended

Meeting Date	Amount Due
4/20/2015	\$50.00
Total Due	\$ 50.00

Maria Fong

Pine Tree Water Control District

Pine Tree WCD Meetings Attended

Meeting Date	Amount Due
4/20/2015	\$50.00
Total Due	\$ 50.00

OPERATIONAL UPDATES

MEMORANDUM

DATE: APRIL 9, 2014
TO: PINE TREE BOARD OF SUPERVISORS
FROM: MITCHELL W. FLEURY, PUBLIC WORKS DIRECTOR
CC: TANYA QUICKEL, DISTRICT MANAGER
RE: OPERATIONS REPORT

Roads

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

Dragged: October 27th, November 3rd, 13th, and 17th, December 1st, 4th, 8th, 11th, 15th, 22nd, and 29th, January 5th, 12th, 19th, 25th, and 28th, February 2nd and 23rd, March 2nd, 9th, 16th, 23rd, 30th and April 6th.

Graded: All roads: December 18th and 31st, January 8th, February 12th and 19th and March 5th, 11th and 19th.

Roads were checked on November 6th, 20th, and 27th, December 10th, 18th and 24th, January 22nd, February 5th and 26th, and April 2nd and 9th and grading not needed, except where noted above and grading was completed.

The following roads received base material (shellrock) to fill low spots and reestablish road crown: Norris Road received approximately 345 tons on March 10, 2015.

Canals

Aquatic Weed Treatment report for Rustic Ranches is as follows:

November 2014

11/06/2014 – Treatment of C-H(5), and C-K(N)

11/11/2014 – Treatment of C-K(N), C-I(S), and C-T(N)

11/20/2014 – Treatment of C-H(5), and C-K(N)

11/24/2014 – Treatment of C-F(5), C-I(S), and C-T(S)

December 2014

12/04/2014 – Treatment of C-F(5), C-H(5), C-K(N), and C-I(S)

12/11/2014 – Treatment of C-H(5), and C-K(N)

12/15/2014 – Treatment of C-H(5), C-K(N), and C-I(S)

12/22/2014 – Treatment of C-H(5), and C-K(N)

January 2015

01/09/2015 – Treatment of C-H(5), C-K(N), C-I(S), C-T(N) and C-T(S)

01/15/2015 – Treatment of C-H(5), and C-K(N)

01/20/2015 – Treatment of C-H(5), C-K(N), and C-T(S)

01/28/2015 – Treatment of C-H(5), C-K(N), and C-T(S)

February 2015

02/05/2015 – Inspected C-F(5), C-H(5), C-K(N), C-I(S), C-T(N) and C-T(S)

02/09/2015 – Treatment of C-K(N)

02/19/2015 – Inspected C-F(5), C-H(5), C-K(N), C-I(S), C-T(N) and C-T(S)

02/26/2015 – Treatment of C-K(N)

March 2015

03/06/2015 – Treatment of C-F(5), C-H(5), C-K(N), C-I(S), C-T(N) and C-T(S)

03/12/2015 – Treatment of C-H(5) and C-I(S)

03/26/2015 – Treatment of C-H(5), and C-K(N)

April 2015

04/02/2015 – Inspected C-F(5), C-H(5), C-K(N), C-I(S), C-T(N) and C-T(S)

Rain fall data for November 2014, December 2014, January, February and March 2015 are attached for review and information.

Landscape Maintenance

- Canal Tops were cut on October 1st and returned and finished on the 2nd, November 3rd and finished on the 4th, December 1st and finished on the 2nd, and March 2, 2015 and finished on the 3rd.
- Canal Slopes were cut on October 1st and finished on the 2nd, December 1st and finished on the 2nd and February 2, 2015 and finished on the 3rd
- Swales were cut on October 1st, November 3rd, December 2nd and January 2, 2015.

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
- Trucks are being monitored by Solid Waste staff to assure compliance with speed limit laws

Mosquito Control

Larvicide treatments were applied in swale areas and spraying (truck fogging) was completed February 2nd, March 4th, March 16th, and March 30th.

Rainfall Data NOVEMBER 2014

Date	Pump Station #7 Flying Cow Rd & Southern Blvd	Structure 40 Flying Cow Rd.
NOVEMBER 2014		
1		
2		
3		
4		
5		
6		
7		
8	0.36	0.73
9	0.66	0.46
10	0.25	0.21
11		
12		
13		
14		
15		
16		
17		
18	0.09	0.05
19	0.28	0.19
20		
21	0.08	0.11
22		
23	0.05	0.2
24		
25		
26	0.32	*
27		
28		
29		
30		
31		
Totals	2.09	1.95

Rainfall Data DECEMBER 2014

Date	Pump Station #7 Flying Cow Rd & Southern Blvd	Structure 40 Flying Cow Rd.
DECEMBER 2014		
1		
2		
3	0.14	*
4	0.07	*
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24	0.11	0.11
25	0.49	0.55
26		
27		
28		
29		
30		
31	0.11	
Totals	0.92	0.66

Rainfall Data FEBRUARY 2015

Date	Pump Station #7 Flying Cow Rd & Southern Blvd	Structure 40 Flying Cow Rd.
February 2015		
1		
2		
3		
4		
5	0.77	0.54
6		
7		
8		
9	0.38	0.75
10		
11		
12		
13		
14		
15		
16		
17		
18	0.20	0.11
19		
20		
21	0.02	
22		
23		
24		
25		
26		
27	0.11	
28	1.20	1.78
29		
30		
31		
Totals	2.68	3.18

Rainfall Data - JANUARY 2015

Date	Pump Station #7 Flying Cow Rd & Southern Blvd	Structure 40 Flying Cow Rd.
JANUARY 2015		
1		
2		0.06
3		
4		
5		
6		
7		
8		
9		
10		
11		0.11
12		
13	0.14	
14	0.02	0.02
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26	0.13	0.07
27		
28		
29		
30		
31		
Totals	0.29	0.26

Rainfall Data MARCH 2015

Date	Pump Station #7 Flying Cow Rd & Southern Blvd	Structure 40 Flying Cow Rd.
MARCH 2015		
1		
2		
3		
4		
5		
6		
7	0.10	0.11
8		
9		
10		
11		0.05
12		
13		
14		
15		
16	0.03	
17		
18		
19		
20		
21		
22		
23	0.03	
24		
25		0.05
26		
27	1.09	
28		
29		
30		
31		
Totals	1.25	0.21

ENGINEER'S REPORT

BERRY HILL FARM, LLC.

Richard Jankura & Ralph Potente
proprietors

March 24, 2015

Ms. Tanya Quickel, District Administrator
Pine Tree Water Control District
12300 Forest Hill Blvd
Wellington FL 33414
tquickel@wellingtonfl.gov

Dear Tanya,

Thank you in advance for helping me through this process. As you are aware, I recently purchased an undeveloped, 5-acre, property on Norris Rd, in the annexed portion of Wellington known as Rustic Ranches. Although my future development plans for this property are still somewhat undetermined, my current goal is to raise the overall grade and fence the property for farming. As is the standard in this subdivision, the south 70-feet of my property, which adjoins the Wellington Environmental Preserve, is encumbered by an easement dedicated to an equestrian trail and a canal, apparently in favor of your district's authority.

I have had my property surveyed by a licensed land surveyor, and have discovered that, the south bank of the canal is well developed in a straight line, and includes a high berm which would seem to serve as a dyke or levee embankment as part of the preserve's land engineering. However, in establishing the canal, the same effort was not employed along the north embankment of the canal. Consequently, the northerly top of bank of this section of the canal meanders, freeform, changing the width of this canal along its run. But more importantly, the digging of the canal was obviously a bit capricious along the north bank and hence excavated substantially more earth away from my property than was established by the easement; in my case excess ranging from 10 to 15 feet beyond the easement setback line.

In order for me to have full use of my land, and to establish a fence line to keep certain dangerous wildlife at bay, I would like to address this matter with the drainage authority so that a proper embankment can be established along the easement line - as should have been correctly done at the time the canal was originally excavated. Attached hereto is a sketch showing the situation as it is currently (more-or-less) and a proposed resolution to correct casual taking, so that it can be adjusted to its easement's intent. I do understand the need for effective canals, and am certainly not seeking to compromise the effectiveness in any way whatsoever; after all, my land needs flood protection as much as my neighbors.

Nevertheless, negotiating a plan to maintain effectiveness, while recapturing my valuable land is my goal. I am not an engineer but have enjoyed a long career in the design and construction business, thus I understand the need to maintain a constant flow of water to minimize erosion, etc. I also understand that I am seeking to resolve this matter that is not likely part of your district's scheduled projects or budgets. So, of course, I realize that I may need to bear the substantial cost.

Notwithstanding, if the district finds it appropriate to participate, so that the canal can be assured to have maximum flow, while restoring the portion of my land that was inaccurately removed, I might respectfully offer a suggestion: If water volume is a concern, during reshaping we might be able to reach out into the canal and excavate the bottom a bit deeper so as to maintain volume, while altering the shape. Also, if the district would like to preserve as much surface area as possible, via a steep slope embankment, perhaps the authority would like to participate in some steep slope fortification such as providing rubble stone. And finally, since the district may be in a position to assist in restoring this land to its proper boundary without much or any direct cost to the district, if the district has any inventory of appropriate fill stockpiled, that could be used in this restoration project it would be greatly appreciated to help in defray the cost of recapturing my land that was taken inadvertently. In short, any assistance to help; from labor to equipment, etc. is appreciated.

I understand that this matter will be an agenda item at your April 20th meeting. If you feel it beneficial, I will come down from New York to attend and answer any questions that might arise. Again, thank you for your assistance in resolving this matter.

Most respectfully,

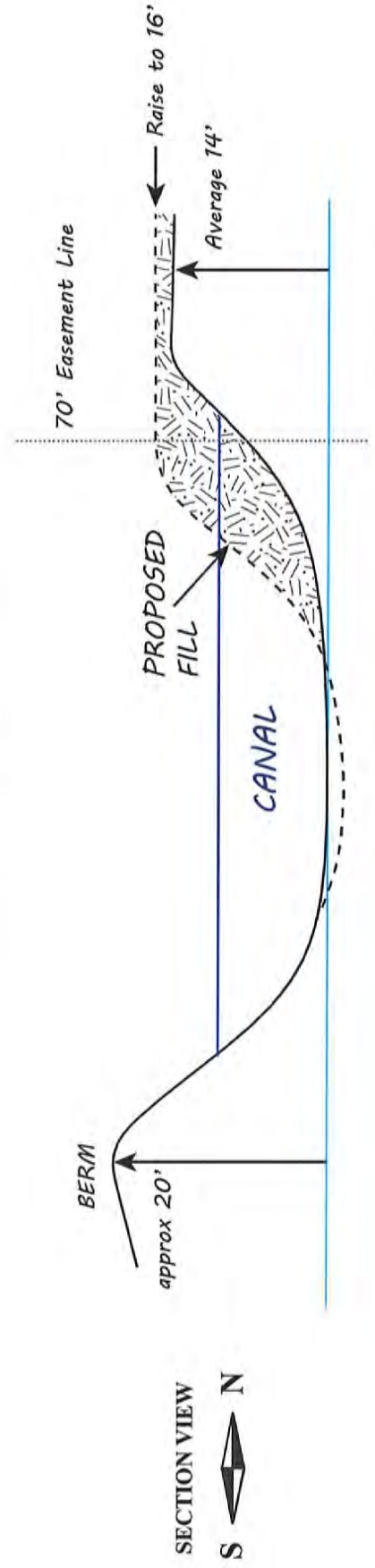
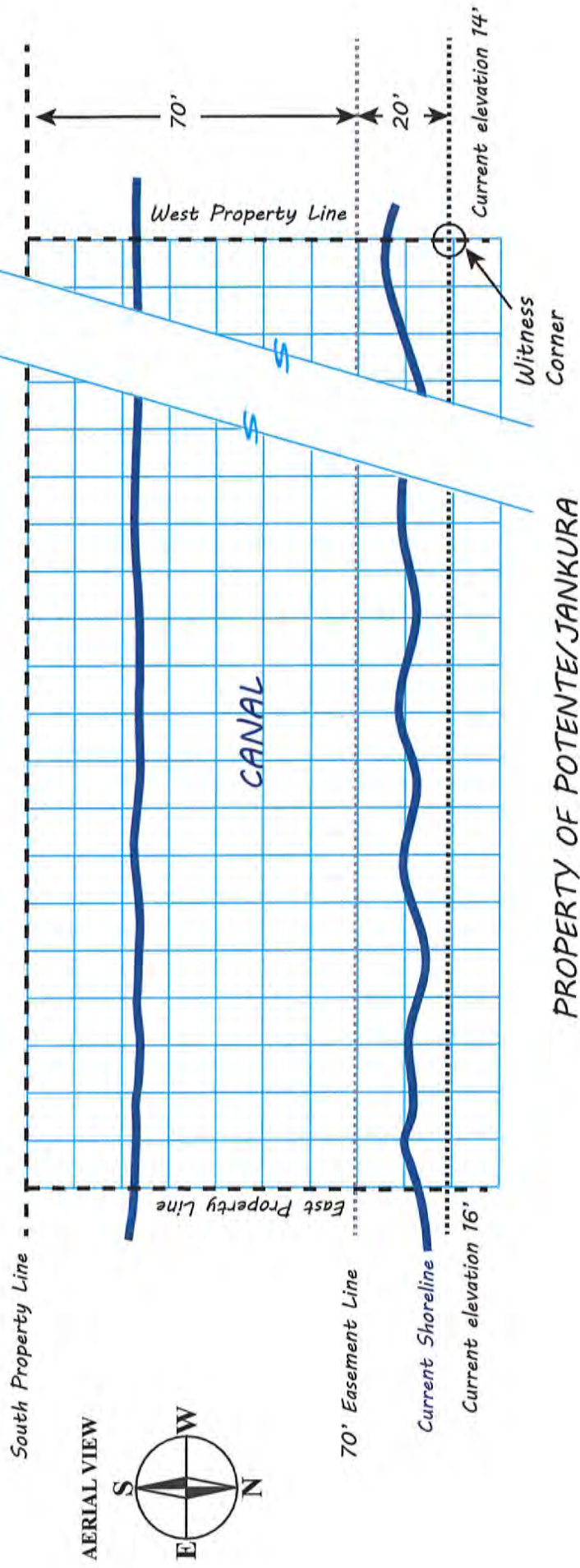
A handwritten signature in black ink, appearing to read 'Ralph Potente', with a stylized flourish extending to the right.

Ralph Potente

CC: Alan Gerwig, P.E., LEED AP

PROPOSED CANAL BANK RESTORATION - 16350 Norris Road - Rustic Ranches

PROPERTY OF WELLINGTON ENVIRONMENTAL PRESERVE





HIGGINS ENGINEERING, INC.

Memorandum

To: Board of Supervisors of Pine Tree Water Control District

April 14, 2015

From: Bob Higgins, District Engineer *Rmb*

Re: Barry Hill Farm, LLC Request

The Barry Hill Farm, LLC has made a request to fill a portion of the southern canal adjacent to their lot they recently acquired on the basis that the canal encroaches into their lot and they have a loss of some land along their south boundary. It is apparent that the canal was over excavated just by virtue of comparing it to the canals that it drains into. The canal was probably over excavated for the fill. Their proposal is to fill the canal at least to the north easement line and some beyond. In addition they are asking to excavate some of the material from the bottom of the canal (which will increase its capacity). I do not see any problems with this in concept as long as all costs are borne by them including payment of appropriate permit fees. They should file for a permit with an engineered drawing that shows their exact proposal (dimensions, slopes etc.). I will do a quick hydraulic check to make sure it is a negligible decrease in hydraulic capacity. I will also try to ascertain the original cross section of the southern canal in the original water control plan. There is likely to be requests like this made in the future. However my hydraulic review of the proposal will consider the canal being filled its entire length.

This is my recommendation to the Board, however, the decision lies strictly with the Board.

09-20

Cc: Tanya Quickel, District Administrator

Jeff Kurtz, Attorney for the District



1" = 100'



ATTORNEY'S REPORT

Pine Tree Water Control District Proposed Policy Regarding Construction and Maintenance of Driveway Culverts

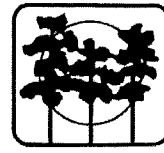
Driveway Culverts

The Pine Tree Water Control PTWCD is responsible for drainage within the PTWCD boundaries. The minimization of impediments to the flow of water through canals and swales is a PTWCD goal. In order to accomplish this goal, the location and size of all driveway culverts across swales or canals used for drainage purposes within the Pine Tree Water Control PTWCD (PTWCD or PTWCD) must be approved by the PTWCD.

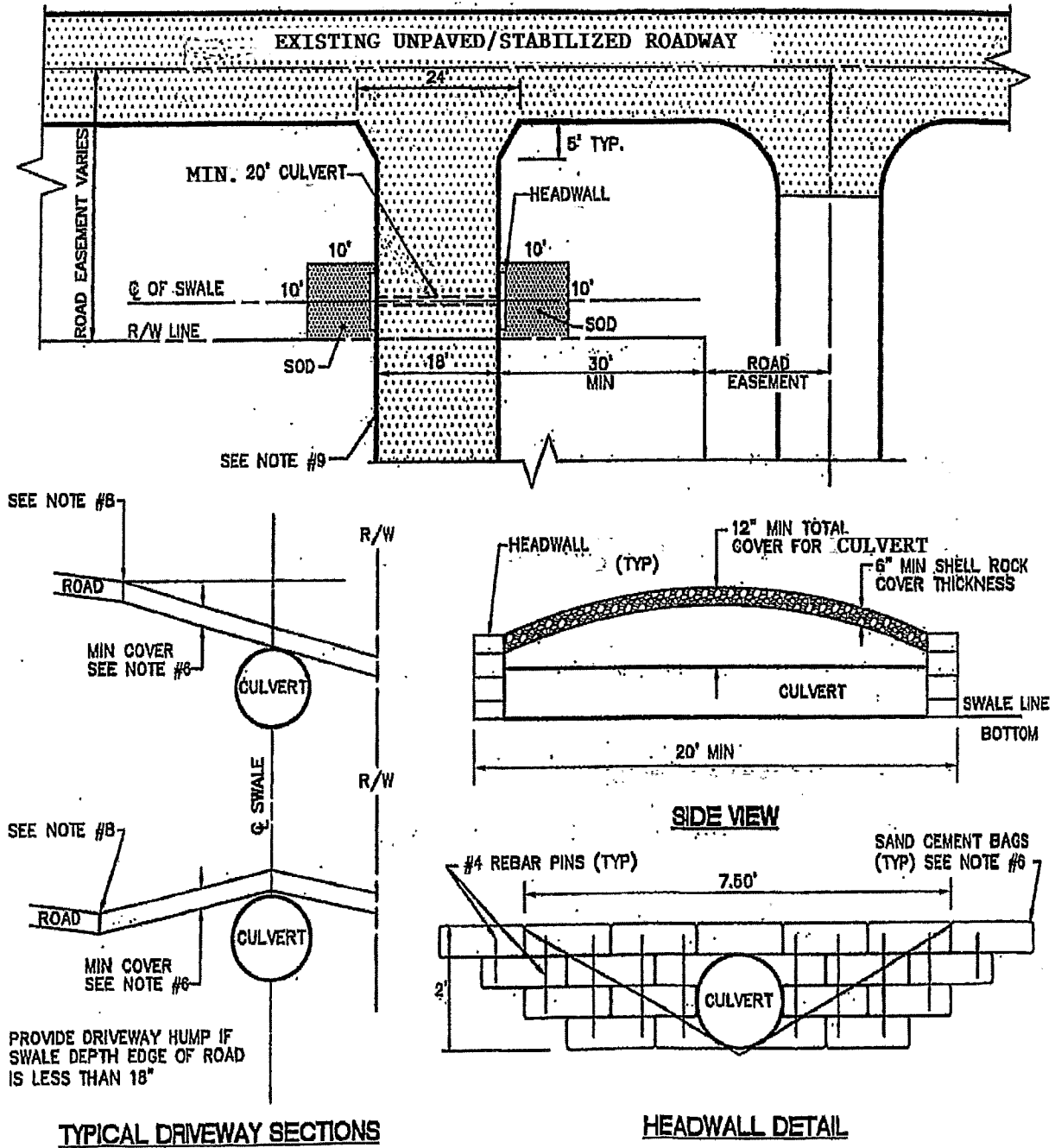
The PTWCD shall specify the culvert size. Although the PTWCD has not previously required culverts to be approved, given the PTWCD's investment in the reconstruction of culverts and the necessity to maintain the flow of water throughout the PTWCD's drainage system, PTWCD approval will be required as of February 1, 2015. This approval shall be done in conjunction with the Village of Wellington Engineering Department's review of such permits required as a part of the Village's Land Development Regulations (LDRs) and Building Code. The PTWCD may designate the Village Engineer as its agent for purposes of the PTWCD's review and approval.

Culverts must be maintained in good condition. The landowner is responsible for repairing any damage to culvert or replacing the culvert if necessary. If the PTWCD determines that a culvert is in need of repair or replacement, the PTWCD may notify the landowner of the need to make repairs or replacement. In the absence of emergent conditions the landowner will generally be given 60 days to make the repairs or replacement and bring the culvert back into good condition. If the repair or replacement is not done in a timely manner the PTWCD may initiate repairs or replacement of the damaged culvert and assess the landowner for the cost of such works.

Attached: 1) Village of Wellington Unpaved/stabilized Road Driveway Connection Detail
2) Unpaved/Stabilized Road Driveway Connection Drawing



UNPAVED/STABILIZED ROAD DRIVEWAY CONNECTION DETAIL





UNPAVED/STABILIZED ROAD DRIVEWAY CONNECTION DETAIL

NOTES:

- 1. CULVERT MATERIAL SHALL BE EITHER CORRUGATED METAL PIPE (CMP) 18" DIAMETER; REINFORCED CONCRETE PIPE (RCP) 15" DIAMETER; OR HIGH DENSITY POLYETHYLENE (HDPE) CORRUGATED PIPE, SMOOTH WALL 15" DIAMETER, ADS N-12 OR APPROVED EQUAL.**
- 2. CULVERT DIAMETER OR OTHER MODIFICATIONS MAY BE REQUIRED BY THE CITY. EQUIVALENT ELLIPTICAL PIPE MAY BE SUBSTITUTED FOR ROUND CULVERT.**
- 3. APPLICABLE FOR RESIDENTIAL DRIVEWAY AUTO TRAFFIC ONLY.**
- 4. SAND-CEMENT HEADWELL APPLICABLE TO CMP, RCP, & HDPE AND WHERE APPLICABLE (30-60 LB BAGS, 15 ON EACH SIDE). SAND CEMENT BAGS SHALL BE PINNED WITH #4 REBAR.**
- 5. CULVERT MAY BE OMITTED AT THE DIRECTION OF THE CITY. DRIVE SHALL MATCH SWALE GRADE.**
- 6. SHELLROCK AND FILL SHALL BE COMPACTED TO 98% MAX DRY DENSITY PER AASHTO T-180 WITH 12" MINIMUM COVER FOR CMP & HDPE AND 6" MINIMUM COVER FOR RCP.**
- 7. SLOPE FROM EDGE OF DRIVE TO SWALE BOTTOM SHALL BE 4:1.**
- 8. DRIVEWAY ELEVATION SHALL MATCH ROADWAY ELEVATION AT CONNECTION POINT.**
- 9. NO CONCRETE OR ASPHALT DRIVEWAY SURFACE ALLOWED WITHIN CITY EASEMENT WITHOUT A "PAVING WAIVER".**
- 10. SOD REQUIRED FOR EROSION, WHEREVER THERE IS BARE SOIL IN THE SWALE (SEE SOD DETAIL).**
- 11. CONTACT PUBLIC WORKS DEPARTMENT 48 HOURS PRIOR TO CULVERT INSTALLATION FOR CULVERT "STAKE OUT" (INVERT GRADE & CENTER LINE).**

Pine Tree Water Control District Proposed Policy Regarding Fences

Fences and Walls

The Pine Tree Water Control PTWCD is responsible for the maintenance of drainage within the PTWCD boundaries. The minimization of impediments to the maintenance of canals and swales is a PTWCD goal. In order to accomplish this goal, any obstruction (e.g trees, landscape, fences, walls, debris or other construction), which limits access to and maintenance of canals and swales, shall be prohibited.

Although the PTWCD has not previously required fences and walls to be approved, given the PTWCD's investment in the reconstruction of swales and maintenance of canals and the necessity to maintain the flow of water throughout the PTWCD's drainage system, PTWCD approval will be required as of February 1, 2015. This approval shall be done in conjunction with the Village of Wellington Building Department's review of such permits required as a part of the Village's Land Development Regulations (LDRs) and Building Code. The PTWCD may designate the Chief Building Official as its agent for purposes of the PTWCD's review and approval.

When the PTWCD determines that fences or other obstructions are or may be affecting either the flow of water within or maintenance of a canal or swale, the PTWCD shall initiate contact with the landowner and work with the landowner to eliminate or minimize the affect of the fence or obstruction on the canal or swale. If the PTWCD Administrator or their designee is unable to resolve the issues, the Administrator shall bring the issue to the PTWCD Board of Supervisors for advice and direction.

Pine Tree Water Control District proposed policy on Canal Crossings

Canal Crossings

The Pine Tree Water Control PTWCD is responsible for the maintenance of five (5) canals within the Rustic Ranches subdivision. Maintaining the flow of water through those canals is a PTWCD goal. The construction of a canal crossing without the express written consent and approval of the PTWCD is strictly prohibited. The size of the culvert shall be specified by the PTWCD. In the event of the construction of an unpermitted canal crossing, without limiting other remedies, the PTWCD may remove the crossing and assess the responsible landowner for the cost of the removal.

**Pine Tree Water Control District proposed policy on Irrigation Intakes
(suction lines)**

Use of Canals for Irrigation Purposes

The Pine Tree Water Control PTWCD (PTWCD or PTWCD) maintains five (5) major canals within the Rustic Ranches subdivision. Landowners adjacent to the canals have historically utilized the canal waters for irrigation purposes. The use of the canals for irrigation purposes has not, in the past, been formally permitted by the PTWCD, but it has been informally condoned. The Board of Supervisors has asked its administration to inventory the number and location of irrigation intakes from the canals. Upon the completion and review of the inventory of existing irrigation intakes, the PTWCD Administrator may recommend to the Board of Supervisors that consolidation of existing intakes may be warranted. In general irrigation inlet piping will be limited to two inches in diameter and two intakes per lot.

**Pine Tree Water Control District Proposed Policy Regarding
Vegetation/Plantings affecting Canals and Swales**

Vegetation and Plantings affecting the Flow of Water in Canals and Swales

The Pine Tree Water Control PTWCD is responsible for drainage within the PTWCD boundaries. The minimization of impediments to the flow of water through canals and swales is a PTWCD goal. It is therefore the policy of the PTWCD to prohibit the planting of trees or other vegetation, except sod, within or adjacent to canals and swales, when such planting has or may have in the future the result of impeding the flow of waters or maintenance of the canals or swales.

When the PTWCD determines that plantings are or may be affecting either the flow of water within or maintenance of a canal or swale the PTWCD shall initiate contact with the landowner and work with the landowner to eliminate or minimize the affect of the plantings on the canal or swale. If the PTWCD Administrator or their designee is unable to resolve the issues, the Administrator shall bring the issue to the PTWCD Board of Supervisors for advice and direction.

Pine Tree Water Control District Proposed Policy on Disposal of Spoils

Disposal of Spoilage from Works of the PTWCD

When the Pine Tree Water Control PTWCD or its agents, employees, or contractors performs PTWCD Work or a Project, there will be occasions when the work being done results in the accumulation of excess soils and materials. The build up of these soils and materials is referred to as a spoil bank or spoilage. This spoilage, if not incorporated back into the project or work that created the spoilage, must be disposed of. The PTWCD has established an order of priority as to how the spoilage will be disposed of, which is as follows:

1. The spoils will first be utilized or reincorporated into the project from whence the spoils were created.
2. If there is not a specified PTWCD project for the spoilage to be utilized, the PTWCD shall offer the spoils to the landowner(s) of the land(s) on which the project is being done or if the project is being done on PTWCD lands the owner of land(s) adjacent to the project. If more than one land owner, who is affected by the project through which the spoils have been created, desires the spoilage, the PTWCD administration will determine an equitable division of the spoils. If no affected landowner desires the spoils and no PTWCD project is specified for the use of the spoils, the PTWCD administration shall dispose of the spoils in a cost effective manner.
3. The spoils may be utilized in other PTWCD works or projects. This may result in the storage of the spoils at an appropriate location until the spoilage can be utilized in the identified project. The use of such spoils, in this manner, must be known to the PTWCD at the time the spoils are created and specifically designated by the PTWCD for use in a contemporaneous or future project at or prior to the creation of the spoil. It is not the intent of the PTWCD to create a spoilage bank without a specified end use or project for the accumulated spoils.

Prior to initiating a project or work the administration shall attempt to identify whether excess spoils will be created and the approximate amount of those spoils. If the excess spoils are not designated for utilization in another PTWCD work or project, the administration shall contact the affected landowners and ascertain whether the landowners would be interested in utilizing the excess spoils. The excess spoils could only be used on the landowners land adjacent to the project within a reasonable time frame (30days) to include removal from the easement and restoration of the easement to good condition as determined by the PTWCD Engineer. The proposed utilization of spoils would be subject to the approval of the PTWCD Administrator in consultation with the PTWCD Engineer. Storage of the spoilage as an ultimate use or for use on lands other than the lands affected by the project, which created the spoilage, will not be deemed an appropriate use and the

PTWCD Administrator will not approve the transfer of the spoilage for such purposes.

If the use is approved by the PTWCD, the delivery of the spoilage onto the affected lands shall be at PTWCD's cost, but the PTWCD will only dump the spoils at an agreed upon location on the property, provided the site is accessible as determined by the Director of Operations. The landowner will solely be responsible for spreading or other distribution or incorporation of the spoilage within their property.

All spoilage shall be disposed of in an as-is condition and no warranties of use or otherwise shall be given by the PTWCD to the receiving party. The PTWCD Administrator may require a bond and access easement to recover the spoilage and insure the spoils are utilized as proposed and not built up and stored on property or otherwise utilized in a manner that would create a nuisance for the PTWCD or adjacent landowners.

If warranted the PTWCD Administrator and PTWCD Engineer may petition the Board of Supervisors at a public meeting to deviate from the provisions of this policy when exceptional circumstances arise and alternative disposal of the spoilage would be in the best interest of the PTWCD.

Council

Bob Margolis, Mayor
John Greene, Vice Mayor
Matt Willhite, Councilman
Anne Gerwig, Councilwoman
John T. McGovern, Councilman

Manager
Paul Schofield

March 23, 2015

Chris Wallace
16330 Hollow Tree Lane
Loxahatchee, FL 33470

RE: Livestock Disposal Update

Dear Ms. Wallace:

Thank you for taking the time to talk to me about horse waste disposal. Let me reassure you that Wellington not considering putting a manure transfer station on Flying Cow Road. The possibility of the Village operating a manure transfer station was discussed about a year ago in a council visioning session. The Moncada property was one of several sites listed as possibilities.

Since that discussion several things have happened. The Solid Waste Authority has reduced their tipping fee for manure from \$ 42.00 per ton to \$ 9.00 per ton. US Sugar has begun accepting horse waste for land disposal and finally a private firm has purchased property near the fairgrounds that will take horse waste. With these things in place there is no need for Wellington to pursue a transfer station and we are not.

The only thing that Wellington is considering for that site is an expansion of the 365 acre Marjory Stoneman Douglas Everglades Habitat Environmental Preserve (Section 24) to include the 45 acre "Moncada" property, if the property could be acquired. To that end we have submitted an appropriations request to expand Section 24 to include the site. The current preserve serves to store rainwater and filter phosphorus levels from storm water prior to release into the Everglades. The additional 45 acres would be incorporated into the existing environmental preserve.

We request your support for this appropriations request as well as for the positive changes regarding livestock waste with the private sector and with the Solid Waste Authority.

Sincerely,

Paul F. Schofield
Village Manager

cc: **Tanya Quickel**
Jeff Kurtz, Attorney, Pine Tree Water Control District
Robert Higgins, Engineer, Pine Tree Water Control District

MEMORANDUM

DATE **APRIL 13, 2015**

TO: **BOARD OF SUPERVISORS OF PINE TREE WATER CONTROL DISTRICT**

FROM: **JEFFREY S. KURTZ, ATTORNEY FOR PTWCD**

CC: **TANYA QUICKEL, DISTRICT ADMINISTRATOR**
 BOB HIGGINS, DISTRICT ENGINEER

RE: **ATTORNEY'S REPORT**

Recently Chris Wallace, President of the Pine Tree Water Control District, requested I review and report back to the Board on several issues. The first issue is the status of Wellington developing a manure transfer station and specifically the status of developing such a use on the Moncado property located within the Pine Tree Water Control District. The second issue is the possibility and likelihood of a connection from Southern Boulevard to 441 utilizing Flying Cow Road. The third issue was whether a map utilized by Wellington to show the Acme Boundaries indicating that Acme extended west of Flying Cow Road was correct.

Manure Transfer Station

The Village of Wellington has been concerned for years about the impact of horse manure and especially phosphorous within the horse manure getting into the Village's stormwater system. As a result the Village has passed best management practices ordinances that prohibit the accumulation and ultimate deposit of horse manure on lands within Wellington, unless there is an approved composting and spreading plan. Most landowners with horses have elected to have their manure stored on a temporary basis in approved manure bins on their properties and then have the manure removed from Wellington by an approved hauler. Where the hauler took the manure was previously outside of Wellington's jurisdiction and control although in recent years Wellington has demanded accountings of where and how much manure was ultimately being disposed of. Wellington's concern has been that there was a legal and environmentally safe place for the ultimate disposition of the manure.

Over the years the places where it was once legal to deposit manure has been reduced as other adjacent jurisdictions (such as Loxahatchee Groves) imposed limitations on the import and disposition of horse manure. With this background Wellington has over the last 15 years (or more) met with private businesses and governmental entities to discuss a market for the manure. As a part of those discussions there have been companion discussions about the possibility of a central collection point or transfer station for the manure wherein the smaller loads would be consolidated for eventual transport to the end user.

As a part of that analysis, Wellington's staff looked at and identified various locations inside and outside of the Village boundaries. Mr. O'Dell was the point person for those efforts on behalf of the staff. One of the potential locations he identified was the Moncado property and last year he appeared at a PTWCD board meeting to give a report. As a follow up to that report President Wallace asked me to look into the matter further and advise on what steps if any the PTWCD should take in opposition to such use within the District.

In looking into the matter and discussing the issues with Mr. O'Dell, it appears that Wellington is not now considering any manure transfer station. There are three outside factors that have lessened the need for such a facility at this time. The primary factor is the Solid Waste Authority has indicated a willingness to accept manure for the immediate foreseeable future and significantly reduced the cost of its facility as an ultimate depository for the manure by lowering the tipping fee from \$42.00 per ton to \$9.00 per ton.

In addition the sugar industry has a pilot program to utilize the manure as a soil enhancement for their fields. If they come to the conclusion that the manure makes sense as a soil enhancement and they want to use the manure on all or a significant portion of their fields this use has the capacity to utilize most if not all of the manure produced in Wellington. If that use was expanded to that degree it is possible that the economics would make a transfer station a viable possibility. However, the location of such a transfer station would not make sense at the Moncado property. The Moncado property is approximately 3.5 miles from Southern Boulevard. If the sugar lands were the ultimate utilization of the manure it would make more sense to locate the transfer station farther west rather than have trucks go back and forth on Flying Cow.

The second potential private user that has been identified is around the fairgrounds. It has a waste to energy system, which if it got large enough to take the majority of manure from Wellington and contemplated a transfer station, the Moncado property would not make sense at is as far away from the facility as one can get in Wellington.

Wellington has indicated some level of interest in the Moncado property to be developed into the Preserve (Section 24) that surrounds it. At this time there is no ultimate user which would necessitate or even make transfer station for manure viable. Therefore for the near future there is no need for Pine Tree to take any position on the Moncado property. The Districts current land use classification does not contemplate or allow for that type of use and it does not make sense to me to try and strengthen or modify the plan against something that is not now proposed. So, my suggestion to the Board is that you continue to monitor the manure market and see if the likelihood of a need for such a transfer station changes.

Roadway Connections from Flying Cow into or around Wellington

As a result of discussing the transfer station and transportation difficulties with the Moncado property with President Wallace, she asked me to provide some historical background on a connection from Flying Cow Road and Lake Worth Road. At one time there was right of way and or reservations on plats for right of way to that would have allowed for the connection of Lake Worth Road and Flying Cow. The Village has abandoned all such roadways or reservations other than those that are associated with

the Mida Farms property and those reservations are burdened by ponds that are 30 feet deep.

The Village as the successor to Palm Beach County had a right of way that would have connected Lake Worth Road from its current terminus at South Shore Boulevard to Palm Beach Point and reservations for right of way through properties in Palm Beach Point to Flying Cow. The reservations through Palm Beach Point were abandoned at property owners' requests approximately 10 years ago. The right of way through Grand Prix Farms was abandoned and deeded to the adjacent property owners in the 2008-09 time period leaving Lake Worth Road right of way only to South Road. These decisions were made by the Council at those times because they did not desire to connect Lake Worth Road with Flying Cow, in large part because they did not want to create an easy route from Southern to 441 through Wellington. In the last month the Wellington Council deeded over to the adjacent property owner the Lake Worth Road right of way that could have made the extension to South Road. There still exists the present connection from South Shore Blvd. to South Road via 40th Street but the direct extension of Lake Worth Road no longer is a possibility.

Likewise discussions of improving a perimeter road along the South Florida Management Canal to create a bypass around Wellington ended about 12 years ago prior to Wellington's annexation of the lands that encompass the PTWCD.

There currently are no plans to provide an internal connection from Flying Cow Road into the rest of Wellington or improve the southern connection to 50th Street and Lake Worth Road.

Extension of Acme Boundaries West of Flying Cow Road

At a Wellington Charter Task Force meeting (I am a member of the task force) Ms. Wallace was in attendance and the Wellington staff had an Exhibit showing Acme's boundaries extending West of Flying Cow Road to the North of Rustic Ranches. At the time we both thought the map was incorrect because I knew that Acme had not expanded to the West since the incorporation of the Rustic Ranches and the STA lands that had been annexed into Wellington in 2004. She asked me to confirm whether the map was incorrect.

As it turns out, the map was correct and the property was part of Acme prior to its annexation into the Village. The annexation of the property into Acme had to do with the potential development of that property into the "Town of Wellington" project. That project went through a planning process but was never developed. Many of its concepts were moved to the Abacoa project in Jupiter. So because of that planned but not developed property the Acme Improvement District does encompass Sections 12,1 and 37 of Township 44 South, Range 40 East.

Should you have any further questions concerning these matters please do not hesitate to contact me.

OTHER BUSINESS

**PINE TREE WATER CONTROL DISTRICT
SCHEDULE OF MEETINGS
2015**

Monday, February 2, 2015
(Optional)
6:00 p.m.

Monday, April 20, 2015
6:00 p.m.

Monday, June 15, 2015
(Annual Landowners Meeting/TRIM)
6:00 p.m.

Monday, July 20, 2015
(Budget)
6:00 p.m.

Monday, November 16, 2015
(Optional)
6:00 p.m.

All Regular Meetings, unless otherwise noticed, will be held in the Wellington Village Hall, Rooms 1E & 1F, located at 12300 Forest Hill Boulevard.