

**BOARD OF SUPERVISOR'S MEETING
PINE TREE WATER CONTROL DISTRICT**

Zoom Meeting

Monday, August 26, 2020
6:00 P.M.

AGENDA

- I. Call to Order**
- II. Consent Agenda**
 - a. Approval of Minutes
 - i. Board of Supervisors Meeting June 6, 2020
 - b. Financial Report
- III. Attorney's Report**

Michael Compagno
- IV. Management Report**
 - a. Approve Annual Engineer's Report
 - b. Financial Audit 9/30/2019 – Amy Swindle CPA
 - c. Road Issues
 - d. Water Quality Management and Report-SFWMD
 - e. Permit Procedure – Michael Compagno
 - f. Update easement clearing and canal maintenance(Canal Clearing, Erosion & Sod)
 - g. Review Budget for year ending 09/30/2020
 - h. Amend Budget for year ending 09/30/2020
 - i. Motion that Road Grader Cost was paid from Reserve
 - j. Set Final Trim for 2020 Rustic Ranches (PAM) _____; Ag Assess (PBM) _____;
Water Mgt (PCM) _____; Village of Wellington (VOW) _____;
- V. Other Business**
- VI. Board Comments**
- VII. Next Meeting:**
 - a. Next Regular Board Meeting November 23, 2020
- VIII. Adjourn**

MINUTES

PINE TREE WATER CONTROL DISTRICT BOARD OF SUPERVISOR'S MEETING HELD MONDAY, JUNE 8, 2020 VIA ZOOM MEETING 6:01 PM

- I. Call Meeting to Order
Motion by Phil McLellan and second by Kerry Hill to approve minutes from previous meeting dated April 27, 2020
- II. Motion by Henry DeGouw second by Phil McLellan to elect Kerry Hitt as Chairman. Motion carried. Motion by Kerry Hitt and second by Phil McLellan to elect Henry DeGouw for Secretary/Treasurer. Motion carried.

Michael Compagno swears Kerry Hitt in as director and Chairman.

- b. Financial Report was presented for period April 28 thru June 5, 2020 by Betty Camplin

- III. Management Report
 - a. Road Issues

Michael Compagno gave an update on the lawsuit. Since the last meeting he has filed the "Reply Brief". Wellington asked for an injunctive relief and the trial court judge issued an injunction. Pine Tree has issued an appeal of the injunction. When you have an appeal you have 3 things in writing. The first thing is the "Initial Brief", which was filed quite a while ago which was about 40 pages in length. Then Wellington has the opportunity and did file an "Answer Brief" and that means they answer the arguments raised in the "Initial Brief" and theirs was 45 pages long. The last document that can be filed is the "Reply Brief" which is usually much shorter and limited to replying to the arguments that were raised in "Answer Brief" of what Wellington filed. This means that the case in terms of the appeal is an issue meaning it is now waiting on a 3 judge panel to look at the briefs and arguments and that determines what moves forward after this. On October 6 there is a Status Conference in the underlying case.

Kerry gave the report on road issues. The roads have been graded and the grading is going very well. There are some issues on Norris where there was a lot of water being held there. We need to work out how to keep the berm from holding the water and at the same time take the berm down. One concern is if we let the water runoff freely, are we going to harm the swales? Since we are at height, I think we

could probably pull those berms back toward the center of the road and allow the water to get out without puddling there.

Chris Wallace spoke up and said what they've done in the past when there was a lot of water on the road was to make cuts at the top of the swale to let water flow gently. This way you're not losing dirt.

Michael Compagno asked if anyone had seen Frank Smith doing anything with the roads because the Board had asked to send a letter and he did send the letter. No one has seen him doing anything as of this meeting.

b. Water Quality Management and Report

Kerry Hitt spoke with Mike Lockhart and everything is being done and is up to date with all our samplings. Mike is going to come out next week to do June's sampling. Everything is all in order. So SFWMD will be happy as we are doing what is required. I got in contact with Jeff Fleming who had retired from SFWMD, moved to PA. His uncle had a business of clearing and cleaning out canals and Jeff had taken over this business. I spoke with Jeff to come out and get an over view of where we are since he is very familiar with what SFWMD issues. I think he'll be a good guy to look at that. He did say that the pumping out is pretty much automatic. If there's an issue that the pumping station is not working there is an alarm that will go off and they will know of it. There was a little concern with all the rain coming up that we are not low enough with storms coming up. Henry says if we get into a situation he has a connection with SFWMD to call them. I told them we would work closely with them would help them out. Michael Compagno said he worked in house as legal counsel with them for 10 years if he has any issues to let him know. Kerry asked Henry to please give Michael and him that information.

One more thing Pine Tree has the banks done up near Terry's place. All the drainage culverts underneath the road cleared up and cleared out. The cost was around \$7,000. Then we were looking to put sod on and unfortunately the timing was really bad. The sod was not put down before the rains started and it eroded a lot of that away. I called the man who did the work he has agreed to come back out for no extra charge and put the material back up on the bank and at the same time he's going to coordinate with the sod people. So he'll be repairing it and then have the sod put down right away so we won't get into this situation again.

Ruben Ferrazzino spoke up and asked what the elevation was right now for water through water management. Do we still play with the boards?

Henry DeGouw said he know the swales beyond Deer Path are not draining well. They've got a lot of

Ruben Ferrazzino: I have a couple other questions. The over growth on the front of properties, foliage is actually going into the swale in front of properties. How are you guys going to handle that? Or are you even handling it? We're getting a lot of holly or just over growth onto the property of the swales. Is that something you are going to clean out or is that the responsibility of the landowner?

Henry DeGouw: I think each landowner ought to be responsible for it.

Michael Compagno: I imagine the Board would have to authorize to send letters that the people take care of the situation.

Kerry Hitt: How many properties Ruben?

Ruben Ferrazzino: I have a small are that I need to chop down, but there are some that have as large as the lot and is going into the middle of the swale. We can't even cut the grass there. So the grass companies are going right around it.

Henry DeGouw: Where are you specifically talking about?

Ruben Ferrazzino: Near Deer Path, right across from me next to Tito's property. Right around the corner from where you live.

Kerry Hitt: It's our responsibility to make sure it flows and if it's an individual's property that's causing the problem then I think it should probably be on the landowner to get it resolved. I think we would have the responsibility of notifying them and get it cleaned off. Not co cause anybody hardships.

Ruben Ferrazzino: Do you guys have legal rights?

Kerry Hitt: Michael, I think we do, do we not?

Michael Compagno: Yes that is within your easement area. You have the authority to go ahead and control that. I would send these people a letter and ask them nicely to handle it and if not, then get a little nastier. Then you could actually do it yourself and then charge them the cost of having to do it.

Henry DeGouw: Someone will have to find the spots go inspect it to see what's holding it up.

Chris Wallace: I think you're going to have a problem with that forcing them to do it. We've had a lot of problems with the overgrowth and it was very difficult to force people to do it. And you may not be allowed to force them to do it.

Kerry Hitt: Michael would you take a look at that and find out where we stand

Michael Compagno: Ok if you want me to take a look at that, I will.

Kerry Hitt: Could you write up a form letter Michael?

Michael Compagno: I'll take a quick look and see if that's within our authority. I believe it really should be. Then I'll do a form letter. Don't want to make it nasty but slightly forceful and try and reason with them.

Kerry Hitt: How about if you would do form letters we would have the options, say do 3 of them. Then as needed we could have Chris mail them out. Or do you think it needs to come from an attorney?

Michael Compagno: I think if you know there are specific instances you could direct me to send a letter to them. I also think it would be a little bit better that it may come from a lawyer as opposed to the Board. It's your choice.

Ruben Ferrazzino: The main canals, have we been looking at those for growth, the North canal that runs East and West, the middle canal that runs East and West, the last canal that runs East and West and the very far back canal that goes from North to South or North to South. We have quite a bit of overgrowth. I'm sorry growth in the canal.

Kerry Hitt: I don't know if you heard it earlier, the man from SFWMD, Jeff Fleming, I'm going to meet with him and have him come out and take a look at that.

c. Approve Amended Permit Procedure

Kerry Hitt: I'm not sure I have a copy of that.

Michael Compagno: I have drafted a form of an actual permit which is a legal document. I have drafted an easement which is a legal document also that has to be recorded as public record. So probably at the next board meeting if the board wishes to consider the form for approval and if not we will just approve the Amended Permit Procedure that we have.

Kerry Hitt: Do we have all the updated information that Erdman Anthony was suppose to give us with the revised calculations, the work product that we had talked to her about doing?

Michael Compagno: I have not seen it. I saw a potential issue with a takings claim that could be raised in the future because of the limited amount of crossings. That's when I asked Erdman Anthony to basically calculate what would be the size culverts would be needed in the future for all future permit crossings to avoid that issue. From previous meeting I believe it was a 66" culvert. As a result of that I don't know how they came up with number and today and I have not seen any of the calculations of the work product that was used in connection with that.

Kerry Hitt: I have not either. We have received a bill for that and the bills that. I don't have anything but I have received a bill for it. I don't know what Phil and Henry think about this. I've been looking at some of the bills that we've been getting from them and they seem to be pretty staggering. This is the first time that I'm looking at wanting work product or being charged for work product, I can't say okay she was putting a procedure together. Seems to me we're getting charged an awful lot of money and I'm not sure I'm seeing what's being done. I'm going to look at requesting some of that. I guess I'm asking you guys for approval to look at other engineering firms to see if we can try to keep our costs down. I'm not saying we're going to do anything but a matter of taking some time. I'm not saying I want to fire them. I'd like to look and see what else is around. I thought I'd bring that to the board and at least do some exploring on it.

Motion made by Kerry Hitt to explore other engineering firms to see if we can do some cost comparison, second by Henry DeGouw who also says he may have some suggestions for you on engineers in this area which I've worked with. I can give to Michael or Betty.

Kerry Hitt: Okay that would be good. I'll give a report at the next meeting. If anything that comes up, let Michael know and he can handle how we need to make a decision on it.

d. Update Easement Clearing and Canal Maintenance

We have actually done this under the Water Quality Management and Report. There is nothing to add to that.

e. Review Budget for year ending 09/30/2020

Betty reported we have an email from Palm Beach County that we have to tentatively set our Trim. On the copy of Budget presented you will notice there was a little increase in Ag acreage from the year before. Betty has done a comparison of Actual to Budget. There are some categories that aren't on the Budget. The District is still under budget of \$29,000 but we have 3 more months to go before end of year. In the past you guys have said SFWMD and Village of Wellington and pulled out these figures to show what we will actually bring in as opposed to what we are supposed to receive. Discussion of road expenses for fuel and repairs followed. Whatever we choose now, we can go lower, but we cannot go higher. Hopefully we will know by next meeting in September where we are on the roads and whether the legal fees will be less or more by the rulings. We have to turn in the final approval in September. If we enter \$197 for Rustic and \$47 for Ag, it would be \$18,850 more revenue.

Kerry Hitt: I think we should go with that number and we can adjust that number and then we can adjust that before the final budget. And then see where we are.

Henry DeGouw: I think that's a good idea.

Michael Compagno: So is that what the vote is going to be?

Motion made by Kerry Hitt to set the Trim at \$197.00 for residents and \$47.00 for the Ag. Motion carried. (3-3).

Michael Compagno: Is there any other business?

No other business.

Michael Compagno: Are there any Board Comments?

Henry Degouw: On the roads, when we are grading them, if someone has a problem with standing water they can get in touch with Phil or myself or even Ruben as he as the grader at his place. So we can let the operator know to cut into those areas to let the water drain off. Like over on Norris.

Next meeting is tentatively set for September 21, but we can move it up if we need to. It's contingent upon when the budget needs to be approved.

Motion by Kerry Hitt to adjourn meeting at 7:33 PM and second by Phil McLellan.

PINE TREE WATER CONTROL DISTRICT
FINANCIAL STATEMENT
6/06/2020 THRU 08/15/2020

CASH:	BANK OF AM	SUNTRUST MONEY MKT	SUNTRUST CHECKING	
Starting Cash 6/06/2020	62,224.08	209,816.36	5,000.00	
Transfer to Suntrust Checking		-22,277.55	22,277.55	
Transfer to Suntrust Money Market				
Transfer from Money Mkt to Checking				
Permit Income				
Excess Funds (PBC)				
Interest (PBC, BOA & Suntrust)	0.51	9.70		
PBC Investment Earnings				
PBC Tax Collector		14,434.82		
Total Cash on Hand	62,224.59	201,983.33	27,277.55	291,485.47
Expenses:				
Amy Swindle, CPA			2,000.00	2,000.00
Bank Serv Chgs	255.94			255.94
Betty Camplin-Fees (July & August))			1,150.00	1,150.00
Betty Camplin-(Advert,Postage,ink & Checks)				0.00
Boost Telephone			153.00	153.00
Daniel Drawdy				0.00
Equipment Purchase (Road Grader)				0.00
Erdman Anthony (Engineers)			2,143.75	2,143.75
Floria Court Recording				0.00
Harold Fickett (Website)			500.00	500.00
Henry DeGouw				0.00
Lockhart Ag Technologies				0.00
Mailing				0.00
Michael Compagno				0.00
Palm Beach Aquatics			1,600.00	1,600.00
Palm Beach County (Postage)			8.00	
Philip B Harris PA				0.00
Professional Grading (Canals & Ditches)				0.00
Theodore Johnson Tractor Services				0.00
Town of Loxahatchee				0.00
Wellington Pro Lawn			10,400.00	10,400.00
We Will Transport It (Road Grader)				
Williams Sod			4,322.80	4,322.80
Total Expenses	255.94	0.00	22,277.55	22,525.49
Account Balance 8/15/2020	61,968.65	201,983.33	5,000.00	268,951.98

PINE TREE WATER CONTROL DISTRICT
BUDGET COMPARISON
FOR MONTH ENDING: 08/16/2020

8/26/2020

*****YEAR TO DATE*****

	ACTUAL	BUDGET	VARIANCE	%	BUDGET BALANCE
EXPENDITURES					
Administration	0.00	12,000.00	12,000.00	1.00	12,000.00
Canals & Ditches	20,422.80	9,600.00	(10,822.80)	(1.13)	(10,822.80)
Road Maintenance	280.00	0.00	(280.00)	#DIV/0!	(280.00)
Supervisor Meeting Fees	200.00	600.00	400.00	0.67	400.00
Swale Mowing	42,400.00	45,950.00	3,550.00	0.08	3,550.00
Water Testing	1,392.60	0.00	(1,392.60)	#DIV/0!	(1,392.60)
Miscellaneous Fees					
Audit	2,000.00	5,300.00	3,300.00	0.62	3,300.00
Engineering	13,959.85	6,000.00	(7,959.85)	(1.33)	(7,959.85)
Legal	26,730.50	8,000.00	(18,730.50)	(2.34)	(18,730.50)
Other Expenditures					
Accounting	6,375.00	0.00	(6,375.00)	#DIV/0!	(6,375.00)
Banking Charges	870.37	1,200.00	329.63	0.27	329.63
Dues	0.00	200.00	200.00	(1.00)	200.00
Equipment Purchase (Road Grader)	19,000.98	0.00	(19,000.98)	(1.00)	(19,000.98)
Printer&Advertising(Mailing, Postage, Etc)	492.00	1,800.00	1,308.00	(1.00)	1,308.00
Rent	645.00	0.00	(645.00)	(1.00)	(645.00)
Special District Fees	175.00	0.00	(175.00)	(1.00)	(175.00)
Telephone	630.00	0.00	(630.00)	(1.00)	(630.00)
Website Expenses	2,000.00	0.00	(2,000.00)	(1.00)	(2,000.00)
Other	0.00	46,663.18	46,663.18	(1.00)	46,663.18
TOTAL EXPENDITURES	137,574.10	137,313.18	(260.92)	(0.00)	(260.92)
Estimated September Expenses					
Wellington Pro Lawn	5,900.00				
Betty Camplin	575.00				
Office (Mailings & Postcards)	79.99				
Palm Beach Aquatics	800.00				
Legal	8,000.00				
Bank Charges	145.00				
Engineering	2,000.00				
SLB Gen Contracting LLC (Canal Cleaning)	7,670.00				
Daniel Drawdy	480.00				
TJ Tractor Service (Road Material)	700.00				
Grader Repairs (Tire)	500.00				
	<u>26,849.99</u>				
Total	164,424.09				

PINE TREE WATER CONTROL DISTRICT
ACTUAL TAX INCOME

2019-2020

Distribution #	Date	(PAM)		(PBM)		(PCM)		Unit Totals	Interest	Discounts	Commissions	Funds Received
		Unit 1	Maint	Unit 2	Maint	Unit 3	Unit 3					
1	11/6/2019	\$2,217.44						\$2,217.44		(\$106.23)	(\$21.11)	\$2,090.10
2	11/20/2019	\$12,473.64						\$12,473.64		(\$499.00)	(\$119.75)	\$11,854.89
3	12/4/2019	\$22,724.92						\$22,724.92		(\$908.98)	(\$218.16)	\$21,597.78
4	12/11/2019	\$12,559.87						\$12,559.87		(\$502.39)	(\$120.57)	\$11,936.91
5	12/26/2019	\$7,849.60						\$7,849.60		(\$282.54)	(\$75.67)	\$7,491.39
6	1/8/2020	\$4,549.59		\$3,765.11				\$8,314.70		(\$249.42)	(\$80.65)	\$7,984.63
7	2/12/2020	\$5,683.05		\$1,984.30				\$7,667.35		(\$204.57)	(\$74.63)	\$7,388.15
8	3/11/2020	\$8,676.82						\$8,676.82		(\$102.52)	(\$85.75)	\$8,488.55
9	4/8/2020	\$6,697.86		\$1,124.48				\$7,822.34		(\$15.72)	(\$78.06)	\$7,728.56
10	5/12/2020	\$6,489.01						\$6,489.01			(\$64.89)	\$6,424.12
11	6/10/2020	\$785.05						\$785.05	\$23.55		(\$8.09)	\$800.51
12	7/8/2020	\$9,606.99						\$13,237.17	\$397.14			\$13,634.31
13								\$0.00				\$0.00
Delinquent Dist 1	1/22/2020			\$6,393.21				\$6,393.21	\$540.85			\$6,934.06
Delinquent Dist 2	3/19/2020			\$18,124.29				\$18,124.29	\$2,841.35			\$20,965.64
Investment Earnings Dist 1	4/21/2020	\$17.09		\$1.42				\$18.51				\$18.51
		\$100,330.93		\$6,875.31		\$28,147.68		\$135,353.92	\$3,802.89	(\$2,871.37)	(\$947.33)	\$135,338.11

**PINE TREE WATER CONTROL DISTRICT
2019-2020 AMENDED BUDGET**

REVENUES

	Units	Assessment	Total
Rustic Ranch Assessment (PAM)	638.94		\$100,313.80
Agricultural Assessment (PBM)	223.04	\$157.00	\$5,576.00
Water Management (PCM)	2,805.45	\$25.00	\$28,054.50
Village of Wellington (VOW)	364.59	\$10.00	\$3,645.88
Less Collection Allowance (5%)		\$10.00	-\$4,000.00
Use of Reserves			\$31,096.82
Total Revenues			\$164,687.00

EXPENDITURES

Administrative Costs

Canal Weed Control & Testing	\$28,893.00
Road Maintenance	\$1,960.00
Supervisor Meeting Fees	\$200.00
Swale Mowing	\$48,300.00
Water Testing	\$1,393.00
	\$80,746.00

Miscellaneous Fees

Audit	\$2,000.00
Engineering	\$16,000.00
Legal	\$35,000.00
Special District Fees	\$175.00
	\$53,175.00

Other Expenditures

Accounting	\$6,900.00
Banking Charges	\$1,015.00
Dues	\$0.00
Equipment Purchase	\$19,001.00
Printing & Advertising(Mailing, Postage, etc)	\$575.00
Rent	\$645.00
Telephone	\$630.00
Website Expenses	\$2,000.00
Reserve	\$0.00
	\$30,766.00

Total Expenditures	\$164,687.00
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PINE TREE WATER CONTROL DISTRICT BUDGET
FY 2020 BUDGET

REVENUES

RY 2020 BUDGET

	Units	Assessment	Total	Total
Rustic Ranch Assessment (PAM)	638.936100	\$157.00	\$100,312.97	\$100,312.97
Agricultural Assessment (PBM)	274.955200	\$25.00	\$6,873.88	\$6,873.88
Water Management (PCM)	3,159.090200	\$10.00	\$31,590.90	\$31,590.90
Village of Wellington (VOW)	364.590000	\$10.00	\$3,645.90	\$3,645.90
Less Collection Allowance (5%)			-\$8,527.00	-\$8,527.00
Use of Reserves			\$8,250.00	\$8,250.00
Total Revenues			\$142,146.65	\$142,146.65
Other PCM Not Collected				(\$3,443.00)
Village of Wellington (VOW)				(\$3,645.88)
				<u>\$135,057.77</u>

EXPENDITURES

Administrative Costs

Canal Weed Control & Testing	\$9,600.00
Road Maintenance	\$5,000.00
Supervisor Meeting Fees	\$600.00
Swale Mowing	\$51,000.00
Water Testing	\$5,570.00
	<u>\$71,770.00</u>

Miscellaneous Fees

Audit	\$2,000.00
Engineering	\$6,000.00
Legal	\$8,000.00
Special District Fees	\$175.00
	<u>\$16,175.00</u>

Other Expenditures

Accounting	\$6,900.00
Banking Charges	\$200.00
Dues	\$200.00
Equipment Purchase	\$0.00
Printing & Advertising(Mailing, Postage, etc)	\$600.00
Rent	\$1,000.00
Telephone	\$640.00
Website Expenses	\$2,500.00
Reserve	\$42,161.65
	<u>\$54,201.65</u>

Total Expenditures **\$142,146.65**



**PALM BEACH COUNTY
NON AD-VALOREM APPLICATION
PARCEL COUNTS FOR NOTICES**

<u>Taxing Authority</u>	<u>Property Appraiser Code</u>	<u>Parcel Count</u>	<u>Amount</u>	<u>Computed Acres</u>	<u>Actual Acres</u>
PINE TREE WATER CONTROL	001PAM	120	\$125,870.48	638.936100	638.429200
	001PBM	7	\$12,922.89	274.955200	274.955200
	001PCM	22	\$31,590.92	3,159.090200	3,158.678300
	Total:	149	\$170,384.29	4,072.981500	4,072.062700