

**BOARD OF SUPERVISORS OF**  
**THE SAN CARLOS ESTAES WATER CONTROL DISTRICT**  
**TUESDAY May 18, 2021**

**6:00 P.M.**

**TOWNPLACE SUITES, 23161 VIA COCONUT POINT, ESTERO, FL 33928**

1. **Call Meeting to Order:** Judy Tapply (Judy) called the meeting to Order at 6:00 pm.
2. **Roll Call of the Board of Officers:** Present are Supervisors Judy, Ben Bogacz (Ben) and Jim Bradford (Jim); Engineer Bill Morris (Bill); Attorney Richard Pringle; Sec/Treas Julia Roberts (Julia) and 3 guests.
3. **Receive Engineer's Report on District Works:**
  - There are 46 open driveway permits, 3 new permits and 3 closed.
  - Annual Maintenance – Thrasher Site Development has completed the Stillwell Canal cleaning. The payment will be held until an inspection of the site has been completed.
  - Bill informed the Board of Public Education Information available at [Lee County - UF/IFAS Extension \(ufl.edu\)](http://Lee County - UF/IFAS Extension (ufl.edu)).
4. **Chairs Report:** No report.
5. **Treasurer's Report:** Julia reported that a transfer from contingency funds to the District operating account prior to the end of the year will be needed.
6. **Attorney's Report:**
  - Mr. Pringle has prepared an agreement for FPL This report has been forwarded to the FPL attorneys. We are awaiting a reply.
  - Florida Gulf Coast University has prepared a report regarding the water quality in Spring Creek. Bill has reviewed the report and no response is needed by the District since the District NPDES permit will not be impacted. Julia will contact our City Councilwoman and ask that the District be part of any future studies and reports.
  - Mr. Pringle addressed Brad Gallagher who asked that the Board discuss access to his property 25441 Moriah.
7. **Comments from Guests and Public Input:** No public input.
8. **Old new and unfinished Business:**
  - **Asphalt Repairs** – the temporary repair at the Strike Ln/Rodas turn has not held up. Jim has a contact who can do an asphalt repair at this location, Strike Ln/Amarillo and south of Strike Ln on Luci Dr. west side. A Motion was made by Judy and 2<sup>nd</sup> by Ben to authorize Jim to approve the repairs at a cost not to exceed \$1,500. Judy asked for public input. No input. Motion passed 3-0.
  - **Waterfall** – BSU has placed boulder all around the cul-de-sac. The swale on Waterfall still has extensive damage but this should help with maintenance.
  - **25441 Moriah** –Mr. Pringle addressed the issue of property access that was approved at the 4/20/21 Monthly Meeting. Mr. Gallagher requested that the Board proceed with action put forth by the Board. A Motion was made by Judy and 2<sup>nd</sup> by Ben to recognize the unique facts relating to this parcel especially the wetlands on it adjacent to the paved roads which prohibits Mr. Gallagher from being able to access his parcel from the paved roads. Motion Passed 3-0. A Motion was made by Judy and 2<sup>nd</sup> by Ben to authorize the engineer and the

attorney to prepare a recordable document that partially vacates the public use of the right of way reserving the District use right of way for maintenance with certain conditions and reservations in favor of the District so the District can unilaterally extinguish the vacation in the future as long as Mr. Gallagher is still provided access. Motion passed 3-0. A Motion was made by Judy and 2<sup>nd</sup> by Ben to authorize the Chair to sign the final document subject to her approval and to record it. Motion passed 3-0. The verification is that Mr. Gallagher agrees to provide the District with a survey sketch that may have to be modified and that Mr. Gallagher will cover the cost of the engineer and attorney fees.

9. **Approval of April Bank Statements and Payment of Bills:** A Motion was made by Judy and 2<sup>nd</sup> by Ben to approve the April Bank Statement and payment of Bills. Motion passed 3-0.
10. **Approve Minutes of 4/20/21 Monthly Meeting:** A Motion was made by Judy and 2<sup>nd</sup> by Ben to approve the 4/20/21 Monthly Meeting Minutes. Motion passed 3-0.
11. **Adjournment:** A Motion was made by Judy and 2<sup>nd</sup> by Ben to adjourn the monthly meeting. Motion passed 3-0. Meeting adjourned at 7:13pm.