

**BOARD OF SUPERVISORS MONTHLY MEETING  
OF THE SAN CARLOS ESTATES WATER CONTROL DISTRICT  
MONDAY, FEBRUARY 20, 2023 6:00 P.M.**

**BONITA SPRINGS CHAMBER OF COMMERCE, 25071 CHAMBER OF COMMERCE DR, BONITA SPRINGS FL 34135**

1. **Call Meeting to Order:** Jim Bradford called the meeting to Order at 6:01 PM.
2. **Roll Call of the Board of Officers:** Present are Supervisors Jim Bradford (Jim), Chair; Jennifer Finazzo (Jennifer), Vice-Chair; Supervisor John Cellucci (John), Attorney Richard Pringle (Richard); Engineer Ron Edenfield (Ron) and Secretary/Treasurer Chris Lawson (Chris) and 16 guests. Bonita Springs Councilwoman, Jamie Bogacz is also in attendance.
3. **Receive Engineer's Report on District Works:**  
14 open permit applications under review; 2 new permits; 4 closed permits; inspections on 27 different lots

Ron participated in the state-wide MS4 meeting in which we are a co-permittee with Lee County. There are new elements being written into the report as well as reorganizing it. Maria and Chris met to better coordinate the permit information.

There have been three meetings with FEMA coordinator and Peter since the last meeting in addition to numerous emails and calls. We should be ready to submit the first two of the projects by week's end to review by the local coordinator and then it will be shipped to Washington DC for final review.

There is still the opportunity to further clean out the canals now that the water has gone down since the first post-Ian clean up but that it needs to be done before 03/29/2023 to get a 75% reimbursement. John indicated that there is a large pine tree that is down across the canal. Ron said that may warrant a look. Ron said that any debris removed now will be part of the 75/25 but if the mitigation project is approved, that could be at 100% reimbursement. Ron will get clarification at their next meeting.

Ron met with the Director of City Works last week. They have a project that is a carryover from Hurricane Irma that was picked up for funding. They have a stormwater project that will take up an excess of 50% of the real estate old golf course. The City has purchased the property back and turning it into a flood mitigation project. To avoid adverse impact downstream, the City proposed to put in a pond. The only hydraulic connection this will have is to the Stillwell canal so that it becomes a shock absorber to our system. The Board did not object to Ron and Richard meeting with the City regarding pond project being discussed.

Ron gave his background for the benefit of City Representative, Jamie Bogacz.

**Chairs Report:** We had the first application into FEMA, and handled in stages. We must do the work and pay for the work. There are no guarantees on reimbursements for funds spent on the FEMA cleanup. He is also working with the FEMA Project Manager to examine the District's system and participate in a mitigation project to assist in a major one-time clean out project of the District's swales, ditches, and canals. If they fund it, all the ditch systems, lowered below the culvert pipes and culvert pipes will get cleaned out. It is time to clean the canals and culverts and bids are currently being obtained. There are approximately 6-7 different projects broken down by categories currently being discussed with FEMA. Ron added that they are trying to schedule site inspectors here as soon as practicable.

Jim wants to find way to get the surrounding communities to assist with the canal management which will help to relieve the burden of the current and future residents as well as future board members.

4. **Treasurer's Report:** Bills were presented for payment. The current income and expense, check detail, and income and expense year-to-date comparison reports were presented for the month of February 2023. The variances year-to-date were addressed. The Brooks CDD reimbursement has been received.
5. **Attorney's Report:** The policy and procedures manual has been completed and approved by Supervisor Cellucci. He has two resolutions for the Board's consideration – Funds Balance Assignment and Mileage Reimbursement.
6. **Guests and Public Input on Old, New and Unfinished Business:** None
7. **Old new and unfinished Business:**

- Contracts – Canal and perimeter road cleaning; roadway trimming – No action taken
- Culvert Cleaning – No action taken
- Hurricane Ian – The gate has been replaced and extensive testing of the existing remotes with the new gate has been conducted. The new gate works with the existing remotes. It has been recommended that should a remote have an issue working with the gate, that they first replace the battery. If the problem persists to contact the District office.

Most of the signage in the subdivision has been replaced and the balance will be completed soon. We will submit this as well for reimbursement.

Peter and Jim continue to meet weekly with FEMA representatives.

- Manager Job Description/Selection – Jennifer will meet and have discussion(s) with potential candidate(s) for the Manager position. No action taken but matter will be resolved on or before the April Board meeting.
- Secretary/Treasurer Job Description/Selection – Jennifer will meet with Chris before next meeting to review role and job description. No action taken but matter will be resolved on or before the April Board meeting.
- Reimbursement Resolution – The Resolution was reviewed, discussed, approved, and signed by the Board.
- Funds Assignment Resolution – The Resolution was reviewed, discussed, approved, and signed by the Board.
- Annual Meeting and General 2023-2024 Budget Discussion – Richard and the Board members will review their calendars and bring dates of their availability to the next meeting. The request for bids for the next fiscal year may be combined with the current bidding requests. Budget discussions for the next fiscal year will be conducted at the June and July meetings.

- CIP PH II – There was discussion regarding the actions taken in July 2021 when the Board paid the CIP PH II loan off and signed off with the State of Florida that no further tax assessments would be required. The guests had a number of questions and raised many concerns about how much might be charged to those who had not paid their CIP PH II assessment and how would it be handled and paid back. The Board decided that more information was needed before any decision could be made and this topic will be discussed further in upcoming meetings.
- Use and Connection Fee Rate Discussion– An analysis of the past five years’ use and connection permit receipts and ROW-related engineering expense was performed. It was found that the engineering costs for ROW permitting is more than twice the amount of the Use and Connection Permit fee collected. After much discussion and several different proposals, Ron suggested charging a \$75 reinspection fee should a property fail their inspection and require an additional inspection. John recommended obtaining a \$750 escrow to be held until the conclusion of the building process; the project approved; and permit closed to ensure any damages are corrected. The Board did not want to raise the Use and Connection Permit Fee even though the amount has been in place since at least 2004 and agreed with Ron’s suggestion. Ron will update the Use and Connection Permit documentation.
- Discussion regarding billing property owner(s) for trimming of plant material over ROW – Jim brought up the issue of the District practice of paying for trimming the vacant and improved lots for plant material that is hanging over the swales and in the ROW. He felt that it was unfair to the populace at large to pay for the needs of those who either do not maintain their vacant properties or landscape too close to the ROW. People should be responsible for their own properties. There was a general discussion on the topic. No action was taken.
- Request transfer of \$100,000-\$125,000 from Northern Trust to Florida Prime Account – Chris recommended transferring funds from Northern Trust to Florida Prime maintaining the minimum amount necessary to avoid bank fees so that the interest on the funds could be maximized. It was decided to make the transfer.
- Chris asked the Board to sign the letters provided by the auditor to complete the audit report. The signatures were obtained.

**Motions approved by Board noted in old, new, and unfinished business:**

- Jennifer made the motion to adopt the Reimbursement Resolution. John seconded the motion. Motion passed 3-0.
- John made the motion to adopt the Funds Assignment Resolution. Jennifer seconded the motion. Motion passed 3-0.
- John made the motion to add a \$750 escrow fee in addition to the Use and Connection Fee at the time of application which will be held till the conclusion of the project. Jennifer seconded the motion. Motion passed 3-0.
- John made the motion to modify the Use and Connection Permit fee program to adopt a \$75 reinspection fee should an inspection fail. Jennifer seconded the motion. Motion passed 3-0.
- John made the motion to transfer funds from Northern Trust account to the Florida Prime account no less than \$100,000 and up to \$125,000. Jennifer seconded the motion. Motion passed 3-0.

8. **Approve the January Monthly Meeting Minutes:** Jennifer made the motion to approve the January 16, 2022 monthly meeting minutes. John seconded the motion. Motion passed 3-0.
9. **Approve the January 2023 Bank Statements and Financial Reports; February 2023 Bills and February 2023 Financial Reports:** Jennifer made the motion to approve the January 2023 bank statements and financial reports. John seconded the motion. Motion passed 3-0.

Jennifer made the motion to approve the February 2023 bills and financial reports. John seconded the motion. Motion passed 3-0.

10. **Public Input** - David Nadig commented on a recent article in which Jim Bradford was interviewed and thought it well done. He also wanted to see the water plan updated and available on the website. Ron replied that essentially the water control plan is updated every year. Even though the last published document may have been 2009, it was for the District's purposes. Every year when we go through the MS4 cycle, the plan is updated throughout that process.

David Nadig asked about the most recent Water Control Plan. Ron is to check with Morris Depew and obtain a copy of the most recent Water Control Plan or amendment of the existing plan, if any.

David Nadig asked for a litigation report that the District is involved in. Richard stated that was no pending litigation related to any matters. David had other questions regarding criteria for informing the landowners of updated risk and benefit to the costs of the attorney. Richard replied that under the audit requirements, the attorney is required to disclose certain risks, potential liabilities, and disputes, threatened litigation, or pending litigation. This will be completed soon that will be presented to the auditor and Board. This audit letter might be a good document to look at. Additional discussion was conducted regarding public records.

Mike Peale and Supervisor John Cellucci undertook an information gathering tour of the District whereby they did an inventory on all the gates in the installed in the District. There is a lot of variation in the existing gates based on when they up. John will provide a record of their findings to the District Secretary. There will be more information coming at the next meeting for the Board to discuss that will meet the needs of the community. General discussion followed. Jerry Haslouer commented that he has been a resident for 25-26 years and in the time the gates have been installed, the traffic has been limited and the burglaries reduced. He does not understand why it is a topic. Jim responded that no one is looking to eliminate the gates. The topic is raised, and some people are for the gates and others are opposed.

11. **Supervisor Discussion** – None

12. **Adjournment:** A Motion was made by Jennifer and seconded by John to adjourn the monthly meeting. Motion passed 3-0. Meeting adjourned at 8:41 pm.