

PLANTATION ACRES IMPROVEMENT DISTRICT
REGULAR MEETING

August 22nd, 2019

Member Present: Louis Flanigan, Chairman
 Dr. Edward N. Szerlip, V. Chair
 Jesse Varnell, Commissioner
 J. Gary McAlpin, Commissioner
 Stephen Nieset, Commissioner:

Also, Present: David Fradley, District Engineer
 Paul Gogleman, District Attorney
 Joe Telles, District Administrator
 Angel Alvarez, District Manager

Chairman Flanigan called the meeting to order at 7:00 p.m. The Pledge of Allegiance to the Flag followed. Vice Chair Szerlip gave a minute of prayer. Roll call indicated the above members were present.

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PUBLIC COMMENTS:

Resident name and Address: (not audible): Each time it rains has standing water up at least two feet for days on the back of his property. Property is low and sits on one-acre lot. I don't think my neighbor took out a permit to fill.

Commissioner McAlpin: Are we going to have any projects coming up that will have excess fill we can help/give this gentleman. Your lot is low, so it needs to be raised. At least we can go out there and let him know how much fill he needs to raise the property.

Commissioner Varnell: Culver is two foot lower than? If we come across some contractors that have fill with permits, we can talk to them.

District Engineer Fradley: I haven't been there for a while.

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MINUTES – Regular meeting of August 23rd, 2019

Motion made by Commissioner McAlpin and second by Vice Chair Szerlip to approve the minutes of the minutes of **July 25th, 2019** as presented. Motion carried unanimously by voice vote.

Motion made by Commissioner McAlpin and second by Commissioner Varnell to approve the minutes of **June 27th, 2019** as modified. Motion carried unanimously by voice vote.

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DISTRICT ADMINISTRATOR'S REPORT

District Administrator Telles provided an overview on the Consent Agenda for July 31st, 2019, Cash Flow report for six months ending July 31st, 2019. Overview presented and attachment provided to the Board.

Commissioner McAlpin: Have we resolved the issue on the sod with Mr. Lopez?

District Administrator Telles: Yes, he cut us a check.

Motion by Commissioner McAlpin to approve the accounting for the Cash Flow and Consent Agenda, July 2019, second by Commissioner Varnell to approve the reports as presented. Motion carried unanimously by voice vote.

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LEGAL REPORT

District Attorney Gogleman: None

Commissioner McAlpin: When we were looking at the issue on how to approach the maintenance there was a question about what our bylaws allow and not allow us to do; do we have any estimates or guesstimates on what that would be? Cost to change those bylaws so that we're able to fine those residents for code violations.

District Attorney Gogleman: I think there are two steps in that process.

- 1) Draft and research something before drafting it.
- 2) Getting through the legislature if there's going to be a change to your Charter.

Commissioner McAlpin: The other thing was concerning ownership of the lot and how do we approach it.

District Administrator Telles: Everyone that was part of the Redlands Holdings has passed away. Corporation was formed in 1928 while doing some research I thought I located a surviving family member (98 years old) then found out she also was deceased, and I can't find heirs either.

Commissioner McAlpin: So, is it a dead issue and our property? What do we do to legally own this property Paul?

District Administrator Telles: No. I'm trying to get a meeting with the property appraisals attorney(s) since it's currently/still on the tax role as part of the school board, City of Plantation as part of the budget and they're not going to collect the money. If someone buys the tax certificate, they didn't do due diligence they'll get the money and not own the property with all the restrictions we have on it. I would like to speak with the property appraisals attorney(s). We paid most off the full taxes that came to us as non-ad valorem and paid of the tax certificate.

Vice Chairman Doc Szerlip: Why do you want to talk to the property appraisals attorney(s).

District Attorney Gogleman: What we need to do is research what we need to do. There are Statutes that deal with obtaining title to property you haven't proceeded a deed for and the way you ultimately do it is to fence the property in but the question is do you have to wait seven years, twenty years and what are the circumstances. I suspect the short answer without researching this is that if you pay taxes on it for seven years that you may be able to file court order for quiet title and without looking into it, I don't know for sure.

Commissioner Varnell: I think we should investigate it, fence it off, and since we're paying the taxes, we know no one is going to come after it, because there's no one alive to come after it.

District Engineer Fradley: Overview provided on the property (map).

Commissioner Varnell: I would like to see a deed on this property and agree with Joe and David.

District Attorney Gogleman: What happens is it will eventually it would be put up for auction on the courthouse steps and then what you get is called a clerk's deed saying that you have title to it. Part of your answer is to fence it off. Deeds would have to be recorded in Broward. I suspect the deeds from the Dolan's those are probably deeds that were issued after the dissolution for the Redlands Holdings.

Commissioner McAlpin: Theoretically if they find those people and/or their heirs...

District Attorney Gogleman: What you might want to do is from the 1960's forward do a title search on the property and see what you come up with.

Chairman Flanigan: Commissioner McAlpin made a motion to come up with a solution to ownership by the next meeting second by Commissioner Nieset. Let the record reflect that Vice Chairman voted nay. Motion carried unanimously by voice vote.

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ENGINEER'S REPORT

A. CONSENT ITEMS – NONE

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B. **QUASI-JUDICIAL ITEMS** – The items in this section are quasi-judicial in nature. If you wish to object or comment upon any of these items, you must be sworn before addressing the Board of Commissioners, and if you wish to address the Board, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Board of Commissioners will not consider what you have said in its final deliberations.

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C. BOARD ACTION ITEMS-

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D. DISCUSSION ITEMS:

District Engineer Fradley: Exhibits attached to the report and overview provided.

Commissioner Varnell: Shows asset numbers and conditions, notes, and maintenance frequency. Maybe we can export what David has onto a spreadsheet. Let's continue to brainstorm in the next few months. Maybe for next years budget.

Commissioner McAlpin: We need to also have a listing of the individual pipeline numbers also; need to be monitored, needs tweaking. This will have to come from David the information. What would it cost us to pull together in a sectional way is it feasible all at once or in sections? I would like to see David's spreadsheet so that we can see the cost. Is it doable David. On our list can we have it listed as PAID or private? We need to identify.

District Engineer Fradley: Yes. Private streets overview on map

District Manager Alvarez: Location, condition and frequency to be checked visually inspected. I will need to find those that predate Mr. Fradley.

District Attorney Gogleman: Is it helpful to know when it was installed? I indicated to you before and not urgent that it's done tomorrow morning that at some point in this process you need to also include in your spreadsheet the source of title for putting these fixtures and pipes in most cases and you will find there are some pipes or not laid in and knowing when that pipe was installed might have you similar to this property right here there's no doubt you'd want to know that you at least have some sort of easement for all those fixtures.

Chairman Flanigan: Whom is responsible if privately owned?

District Engineer Fradley: Trend now is to go private. Built under City standards.

Commissioner McAlpin: Privatesystem can hurt our system if it's not maintained properly and goes bad.

District Attorney Gogleman: If it's a modern trend its to make a lot of these systems private. However; as part of the modern trend is that usually there's a homeowner's association that's established and has the legal control over those pipes and the ability to assess people in the subdivision if they don't pay their assessments in their properties. I doubt seriously you have any of that here and ultimately what's going to happen is if the system doesn't function homeowners will say well the District will need to fix it and then you'll be faced with well this is on private property can we legally spend money to fix something that's on private property but it benefits the area as a whole and again it gets back to the issue who owns what segment. Which is one of the reasons I suggest to you as part of your listing of assets you're going to want to know if you have title to something and the area's you don't have title maybe in the form of an easement. You can probably get those over time from those people by simply telling them this will be assessed periodically that's its functioning properly and someone's going to need to fix it and that's the purpose of this District is to do that or write a check.

Chairman Flanigan: Are all these pipes the same size David? As long as we identify the size, material and maintenance.

District Engineer Fradley: No. All will be one on the spreadsheet with column headings. We need to identify all private and business areas and who owns it.

Commissioner McAlpin: Need to discuss on the next meeting cost David. We haven't done this in the past though we've done a lot. We need to do a program that its going to take at least five years' time.

Vice Chair Doc Szerlip: Gave overview on possible cost.

District Manager Alvarez: Angel is already doing, and we need to look at any additional cost such as an additional staff member.

District Attorney Gogleman: What we need to do after you get your assets listed and you figure out what your assets are the age, what the maintenance schedule should be ultimately you're asking the question in what point in the future do segments of these assets must be replaced. Should you be squirreling away reserves or what until a collapse of the system.

Commissioner McAlpin: We do have to set aside a reserve. Right now, were taking baby steps. David how much of the things already done for other districts can we use without spinning the wheels.

D1. Facilities Maintenance (D1907.01)Discussion

**ENGINEER'S STAFF REPORT
August 22, 2019 MEETING
AGENDA ITEM No.: D1**

Action Required: Discussion

Item Description: Facilities Maintenance Discussion

P.A.I.D. Number: D1901.01

Attachments: Sample Inventory Sheet from the City of Lighthouse Point Sample plan sheet of facilities

Summary: This item is on the agenda to provide an opportunity for discussion. The item on last month's agenda was for a "swale" discussion but extended into a general maintenance discussion. Therefore, this item was expanded to include maintenance. On that subject, we have attached a copy of an Inventory Worksheet as an example and a copy of a sheet created f from the Master Drainage Plans, modified to emphasize the existing facilities.

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DISTRICT MANAGER'S REPORT

District Manager Alvarez: Pat Owen's is out of town. Will have him come out to inspect to make sure it's working properly.

Commissioner McAlpin: Who worked on the transmission?

District Manager Alvarez: Luis is certified on transmission. Zero phone calls from residents on flooding.

Commissioner Varnell: Check on the projection of rainfall Angel so that I can post it on Facebook and NextDoor.

Chairman Flanigan: Angel do you remember F-150 did we buy that new?

Commissioner McAlpin When will we start using the big screen.

District Engineer Fradley: It's working but I didn't have much to project on it for this meeting.

Commissioner Varnell: Let's break it into sections. South Acres, North, Central etc...

Chairman Flanigan: Can we get pictures on how the Acres has progressed to put up on the screen. Joe might have some that his father took back then.

Last Month Follow up: Pump Station # 1 shims completed; continues to shim completed; District asset maintenance inventory completed;

Pump Stations: All operating as designed; pump # 3 had belt failure; belt has not been replaced; have one new in stock; tow more ordered for stock.

Canals: This Month = 3.87' Previous Month = 4.04' Year to Date = 4.21'

Rainfall: This Month = 10.17" Previous Month Total = 1.5" Year to Date = 35.82"

Projects One half pallet of sod ere placed at phase 5 rear swale area where the original sod laid did not hold. Routine maintenance back in progress.

Fleet: 2010 F-150- Starter motor; transmission pan gasket and filter replaced – Mileage-129, 816 miles; Previous 128,141; Total 1,675

2016 F-250/transmission pan gasket and filter replaced – Mileage-37,352 miles; Previous 36,361; Total 991

2018 F-150- Hub assembly replaced (under warranty) 23,801 miles; Previous 22,791; Total 1,010

Safety: None

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OLD BUSINESS –.

