

**PLANTATION ACRES IMPROVEMENT DISTRICT
REGULAR MEETING
October 22, 2020**

Member Present: Steven Nieset, Chairman
Dr. Edward N. Szerlip, Vice-Chair
Louis Flanigan, Commissioner
Lance Fein Ed.D, Commissioner

Also, Present: Vaughan, District Engineer
Paul Gogleman, District Attorney
Joseph Telles, District Administrator
Angel Alvarez, District Manager

Virtual: Jesse Varnell, Commissioner

Chairman Nieset called the meeting to order at 7:00 p.m. The Pledge of Allegiance to the Flag followed by Commissioner Flanigan giving prayer. Roll call indicated the above members were present.

* * * * *

PUBLIC COMMENTS:

Mr. Collier Attorney- follow up to the previous and would like to clarify a couple of things. There is no litigation/legal action at the moment occurring. There are trees planted not by Mr. Collier however; the Board is focusing more on the planning. Asking if this is going to be forced on Mr. Collier for a perceived slope issue then the Board needs to go after the placement of the physical obstruction within the drainage area to effectuate the purpose of this Board's mandate which is to regulate water flow. We are not looking to go advers or litigate. Looking for continuity.

Mr. Collier- 11720 NW 12th St. When we were building a pool and was hit with excessive fees \$4,000 plus not itemized. Spoken to inappropriately, was told I'm not an engineer, clear that the neighbor is higher than me, prevented from moving into my house...there is history here, I'm the customer. Horribly issued in the Acres with people filling their swales. (Discussion cont'd).

Chairman Nieset: I believe the violation is bringing in fill without a permit. Apply for a fill permit.

Mr. Collier: I'm not doing the survey. I'm standing my ground. What is the definition of fill and why are you requiring me to provide a survey. Tell me how many trucks I brought in...the burden is on you. So I have an issue behind the garage I just built. The reality is I have erosion. The water retains because there isn't a positive connection. We try to stabilize the property and we get a violation. That is why I hired an attorney. (Discussion cont'd).

District Engineer Vaughan: August 4th meeting if I can recall attorney McCloun said there is no need for a permit therefore no violation, the Board disagreed and voted to agree the Collier's apply for a permit within 42 days.

Mr. Collier Attorney- We still don't believe there is evidence substantiating a violation and you are permitted to go into the area and provide a survey at your own dime. Clearly there are things within the drainage easement that have not been addressed and by Statue are considered a third degree felony.

Mr. Collier- It was a physical observation made by someone who called. Are there people who plant by the swale and if so what are the ramifications? There absolutely have been violations issued and the Board hasn't been able to have the people remove the plants from the swales.

District Manager Alvarez- When I first started at P.A.I.D. I would drive by and see trees in the swales and I would remove them and let them know they were in violation and to replant the trees. I stopped doing this because out of \$1,700 properties they might be \$1,650 with that same violation. What we may consider a violation may not be because properties were built at different times. I went and spoke with you last month and you rescinded from our conversation.

Mr. Collier Attorney: Provided Board with documents.

Commissioner Fein: What can we do to help now? If a survey is not required would you apply for a permit?

Mr. Collier: I will do so minor modifications. I'm not giving you the bullet to shoot me.

District Engineer Vaughan: If he applies for the permit he must have a survey or else we wouldn't know what the violation is.

District Attorney Gogleman: It is not on the agenda so the only option is for public comment.

Mr. Collier Attorney: How do we resolve this?

District Attorney Gogleman: Is it your contention P.A.I.D. does or does not have the ability to regulate drainage requirements for any developmental on land within the District?

Mr. Collier Attorney: Evenly applied enforcement across the board. They can create certain regulations in order to regulate requirements on law it puts forth.

District Attorney Gogleman: Respectfully, I understand your contention, however; I was not here eight years ago. I will ask the engineer do we have the requirements that have to be met for regulation of drainage with regard to developmental land in the District?

District Engineer Vaughan: The building permit basically tells you what we need to do. It has to be maintained.

Mr. Collier: We ask you to please use your authority to clear the swales which is an obvious issue in the neighborhood.

Mr. Collier Attorney: That is our request and we leave it to the Board as a public comment.

* * * * *

MINUTES – Motion made by Vice Chairman Szerlip to approve the regular meeting minutes of September 24, 2020 and second by Commissioner Flanigan as amended. Chairman Nieset (yes) Vice Chairman Doc Szerlip (yes) commissioner Flanigan (yes) Commissioner Fein (yes) Commissioner Varnell (n/a). Motion carried unanimously by voice vote.

* * * * *

DISTRICT ADMINISTRATOR'S REPORT:

District Administrator Telles: Provided an overview on the Consent Agenda for September 30, 2020 that has not changed and Cash Flow for the twelve months. This will be revised however; pretty accurate Gave an update on Amerigas (have to make another purchase from them). Airconditioning contract was given to the company Commissioner Fein recommended. Overview presented and attachment provided to the Board.

Motion made by Commissioner Fein to approve the Consent Agenda and Cash Flow for September 30, 2020 and second by Vice Chair Szerlip of as presented. Chairman Nieset (yes) Vice Chairman Doc Szerlip (yes) commissioner Flanigan (yes) Commissioner Fein (yes) Commissioner Varnell (yes). Motion carried unanimously by voice vote

District Administrator Telles: Respectfully let the Board know about an occurrence with Mr.. Collier.

District Attorney Gogleman: Respectfully, Vice Chair Szerlip hit the nail on the head. The issue is the Board's order the need to file for a permit. They either will or won't. They will do what they want to do and we will do what we need to do.

Commissioner Varnell: He doesn't have to do a survey.

District Attorney Goulgeman: Let's let staff work with that.

* * * * *

LEGAL REPORT:

District Attorney Goulgeman : I have nothing for you this evening.

* * * * *

ENGINEER'S REPORT

A. CONSENT ITEMS - NONE

* * * * *

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.

District Attorney Goulgeman: Parties sworn in.

B1. Reflections In The Acres (P2007.01) Plat Approval

Motion made by Commissioner Flanigan to approve item B1 and second by Vice Chair Doc Szerlip as it relates to Plat Approval. Chairman Nieset (yes) Vice Chairman Doc Szerlip (yes) commissioner Flanigan (yes) Commissioner Fein (yes) Commissioner Varnell (yes). Motion carried unanimously by voice vote.

B2. Reflections In The Acres (C2007.01) Paving & Drainage Plan Approval

Commissioner Flanigan: Have you met with the City in regards to the zoning of the property?

District Attorney Goulgeman: We are one out of several agencies

Jonathan: (Goldberg and Siegel/property owners) : We are in for approval with the City of Plantation, there are several requests (zoning, site plan approval and other items) these are the main items we need your approval for today. tehCity of Plantation is requiring that we process our plan with P.A.I.D. as a pre-requisite to our Planning and Zoning meeting which is on November 10. We are here before you as a request from the City of Plantation we work with staff on this project diligently and we agree with staff and we are here to answer any questions you may have.

Commissioner Flanigan: Staff recommends approval

Motion made by Commissioner Flanigan to approve item B2 and second by Commissioner Fein as it relates to Reflections In The Acres Plat Approval Chairman Nieset (yes) Vice Chairman Doc Szerlip (yes) Commissioner Flanigan (yes) Commissioner Fein (yes) Commissioner Varnell (Nay). Motion carried unanimously by voice vote.

B3. Murray Parcel (S2006.01) Site Data Record

Motion made by Commissioner Flanigan to approve item B3 and second by Commissioner Fein as it relates Site Data Record. Chairman Nieset (yes) Vice Chairman Doc Szerlip (yes) Commissioner Flanigan (yes) Commissioner Fein (yes) Commissioner Varnell (Yes). Motion carried unanimously by voice vote.

C. BOARD ACTION ITEMS: None

D. DISCUSSION ITEMS

D1. Pump Stations Improvements (D1707.01) Update

District Engineer Vaughan: (Provided overview)

Commissioner Nieset: Have you received any feedback?

District Engineer Vaughan: Looking for local good talent. We will know more in the next meeting. We need to get the permit from the Army Core. We tried with the #1 as a prototype. Better to go with the six. We may have to take another year. We need to start maintain. Contractors would like to have more than one so that they can move from one to the other.

Commissioner Nieset: The only problem I see is that they don't know what they are getting into. If he doesn't know how can he price it.

Commissioner Flanigan: We've had contracts before and we would approve additional funds. Let's put out a contract for all six pumps.

D2. Permit Activity (D9408.02 & D9408.03) Summary

B1. Reflections In The Acres (P2007.01) Plat Approval

ENGINEER'S STAFF REPORT
FOR October 22, 2020 MEETING
AGENDA ITEM No.: B1

Action Required: Board Approval (Quasi-Judicial)

Item Description: Reflections in the Acres

Plat

P.A.I.D. Number: P2007.01

Attachments: Plat

Plat Application Information

Summary: This item is for the subdivision of 42 residential lots located at the SW corner of NW 112th Avenue and 4th Street.

The plat meets the criteria of the District.

Recommendation: APPROVE

Comments: The Chairman may sign the plat following approval if the Owner's and Surveyor's signature are present on the original.

Prepared by: DAF Date: 10/15/2020

2020-10-15 Plat Staff Report.P2007.01.wpd

B2. Reflections In The Acres (C2007.01)Paving & Drainage Plan Approval

ENGINEER'S STAFF REPORT
FOR October 22, 2020 MEETING
AGENDA ITEM No.: B2

Action Required: Board Approval (Quasi-Judicial)

Item Description: Reflections in the Acres

Paving & Drainage Plan

P.A.I.D. Number: C2007.01

Attachments: Paving & Drainage Plan (Reduced 11x17)

Permit Application

Summary: This item is for the approval of the paving and drainage plan for the 42 lot subdivision being platted at the SW corner of NW 112th Avenue and 4th Street, extending to the C-1A Canal to the West.

The plan meets District criteria.

Recommendation: APPROVE

Comments: 1. If Plat was not approved, this item can be "APPROVED, subject to Plat approval", or "DEFERRED".

2. Approval is in effect for 6 months. A permit will be issued within 6 months providing the financial security requirements have been met.

Prepared by: DAF Date: 10/15/2020

2020-10-15 P&DStaff Report.C2007.01.wpd

B3. Murray Parcel (S2006.01)Site Data Record

ENGINEER'S STAFF REPORT
FOR October 22, 2020 MEETING
AGENDA ITEM No.: B3

Action Required: Board Approval (Quasi-Judicial)

Item Description: Murray Parcel

Site Data Record

P.A.I.D. Number: S2006.01

Attachments: Site Data Record

Application Information

Summary: This application meets the criteria of the District, including the dedication of the required drainage easements and restrictive covenant for drainage purposes. Approval of this item shall constitute the following:

- 1) Approval of the Site Data Record document;
- 2) Acceptance of the right-of-way, easements, and covenant provided to PAID;
- 3) Ratification of any right-of-way, easement, and/or covenant previously recorded;
- 4) Approval for the recordation of any right-of-way, easement, and/or covenant executed and delivered but not recorded.

Recommendation: APPROVE

Comments: The Chairman may sign the original after Board approval and after the owner and surveyor have signed the

original.

Prepared by: CJF Date: 10/15/20

2020-10-22 S2006.01 Staff Report.wpd

C. BOARD ACTION ITEMS None

D. DISCUSSION ITEMS

D1. Pump Stations Improvements and Cast in Place (CIP) Pipe Lining (D1707.01) Update

ENGINEER'S STAFF REPORT
FOR October 22, 2020 MEETING
AGENDA ITEM No.: D1

Action Required: Discussion

Item Description: Pump Stations Improvements & Cast in Place (CIP) Pipe Lining

Status

P.A.I.D. Number: D1707.01

Attachments: None

Summary: There are two updates to report. The first is the status of the construction and the second is the status of the permitting.

The pipe lining contractor, Shenandoah, said they will provide a construction schedule prior to the Board meeting. They mentioned that their expected start date will be sometime in the early part of January.

As a result of the meetings we had with the pump manufacturer and the contractors, we have made some minor value engineering plan revisions as well as eliminating the pipe lining portion from the plans. We now recommend that the project go back out to bid. Due to the pandemic, as well as the outstanding ACOE permit, we don't expect the re-bid to go back out until the beginning of the year.

We will provide the Board with a more detailed tentative schedule for this re-bid process at the November meeting.

We are still diligently pursuing the additional ACOE permit for the work. Additional contacts have been made with the hopes to resolve this outstanding item as soon as possible.

Prepared by: WTV Date: 10/15/2020 2020-10-16 Staff Report.D1707.01.wpd

D2. Permit Activity (D9408.02 & D9408.03) Summary

ENGINEER'S STAFF REPORT
FOR October 22, 2020 MEETING
AGENDA ITEM No.: D2

Action Required: Discussion

Item Description: Permit Activity Summary

P.A.I.D. Number: D9408.02 & D9408.03

Attachments: None

Summary: Approved Building Permits

No. Name Address PAID No.

1. Verma (Fence) 12381 NW 14th Street B9404.03
2. DSL Construction (House) 1360 NW 116th Avenue B1711.02
3. DSL Construction (Pool) 1460 NW 116th Avenue B1911.01

Summary: No Approved Certificates of Occupancy

Prepared by: HMS Date: 10/15/2020 J:\PAID\Projects (D)\1994\D9408.02-Approved Building Permits\WP\D9408.02 STAFF REPORT 2020-10-22.wpd

* * * * *

DISTRICT MANAGER'S REPORT

Last Month: P.A.I.D. now hosting WebEx meetings without Third party assistance. This month's meeting details provided (number and password)

Pump Stations: The starter motor was replaced at station #6. Damage starter to the shop for restoration and returned.

Canals: This Month = 3.7' Previous Month = 3.16' Year to Date = 3.96'

Rainfall: This Month = 3.91" Previous Month Total = 9.95" 10.25" Year to Date = 66.2"

Projects: Fallen tree/bush removed from swale along 118th Avenue. Routine canal bank maintenance.

Fleet: 2010 F-150- 148,729

2016 F-250 – 47,116

2018 F-150 – 38,014

Safety: None to report

New Business: A "fish kill" was reported at 12101 Tara Drive on Saturday, October 3rd, Contractor, Solitude Lake Management, made aware of the incident.

A meeting with Mr. Collier at his property, 11720 NW 12th St, has resulted in his rescinding the complaints against possible neighbor violations. NW 28th Ct. resident fill projects appear to be completed. Sod and fences are being restored across all properties.

* * * * *

OLD BUSINESS – None

Commissioner Fein: Listening to Mr. Collier and the other gentlemen concerning drainage residents don't see what P.A.I.D. does to improve the drainage. Report is great however; what did we do to fix the problem. As an improvement we should do something more physical just from the perception of it. Maintenance and improvement are two different things.

District Administrator Telles: We use to have a Chairman's report for the year ie2020.

Vice Chair Szxerlip: Maybe during each meeting we can pick something to work on and the residents will see it. Let's recognize it and fix it.

