

**PLANTATION ACRES IMPROVEMENT DISTRICT
REGULAR MEETING**

March 25, 2021

Member Present: Steven Nieset, Chairman
Dr. Edward (Doc) N. Szerlip, Vice-Chairman
Christopher Cariffe, Commissioner
Louis Flanigan, Commissioner

Also, Present: Joseph Telles, District Administrator
Angel Alvarez, District Manager
Werner T.Vaughan, District Engineer
David N Tolces, Representing District Attorney Gogleman

Absent: Lance Fein Ed.D, Commissioner
Paul Gogleman, District Attorney

Virtual:

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

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PUBLIC COMMENTS: None

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MINUTES – Motion made by Chairman Nieset to approve the regular meeting minutes of February 25, 2021 and second by Commissioner Flanigan. Motion carried unanimously by voice vote.

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DISTRICT ADMINISTRATOR’S REPORT:

District Administrator Telles: Provided an overview on the Consent Agenda and Cash Flow for February 28, 2021. Overview presented and attachment provided to the Board.

District Administrator Telles: That is for refueling.

Chairman Nieset: Question on what is the WEX Bank.

Commmisioner Cariffe: Question on the PetSmart License...what is that for?

District Administrator Telles: They had to put an underground culvert and in the process of doing that the district came up with the PetSmart agreement for the license that runs forever. Each year I go out with the CPU and determine the CPU based on the \$7,941 agreement and adjust it and send them an invoice and they pay monthly license fee.

Motion made by Chairman Nieset and second by Commissioner Flanigan to approve the Consent Agenda and Cash Flow for February 28, 2021 . Motion carried unanimously by voice vote.

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LEGAL REPORT:

David N Tolces, Representing the District: Good evening David Toles in place for Mr. Gogleman who does send his regards. You have an item that was continued from your last meeting due to the fact that Commissioner Flanigan was not present with respect to certain revisions to your policies and procedures manual which would provide a cap of five (5) minutes for presentations under **public comments** relating to items no on the Board agenda for consideration. Attached is a resolution to the memo and if you'd like I can read the title to the resolution.

RESOLUTION NO. 2021

A RESOLUTION OF THE PLANTATION ACRES 4 IMPROVEMENT DISTRICT, A FLORIDA PUBLIC 5 CORPORATION, RELATING TO REVISION AND 6 AMENDMENT OF THE POLICIES AND PROCEDURES 7 MANUAL; MAKING FINDINGS; AMENDING SECTION 8 1.1.1 AUTHORITY, RELATING TO ADOPTING LAWS OF 9 FLORIDA; CREATING SECTION 1.3 PROVIDING A 10 PROCESS FOR POLICIES AND PROCEDURES 11 AMENDMENT; AMENDING SECTION 2.2.10(d) RELATING 12 TO THE PUBLIC COMMENT PORTION OF THE AGENDA; 13 PROVIDING A SEVERABILITY/INTERPRETATION 14 CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

David N Tolces I'm happy to answer any questions you may have.

Commissioner Flanigan: Does this time limit also apply to the public comments in the beginning of the minutes? Is that correct?

David N Tolces: I believe you have three (3) minutes. If you go to the second page of this resolution you will see in SECTION 2.2 10 (d) (1):

...For consent agenda matters, the Chair 76 shall announce prior to a vote, that the public may speak on any consent agenda item 77 and any member of the public who seeks to be recognized for the right to speak may 78 speak on the consent agenda item at that time for three (3) minutes with the discretion 79 of the Chair to extend the time by one (1) minute. For other agenda items, the public 80 shall be offered the opportunity to speak prior to the Board taking any action, except 1 that there shall be no such right to speak on matters which are tabled or continued to 82 another meeting. Any member of the public recognized to speak may speak on the item 83 for up to three (3) minutes with the discretion of the Chair to extend the time by one (1) 84 minute. Prior to addressing the Board, each speaker shall sign in with their name and 85 address on the sign-in page provided. Members of the public will be called upon to 86 address the Board in the order set forth on the sign-in page

(2) Each regular meeting agenda shall designate a time period for 89 public comment relating to items not on the agenda. Members of the public may speak 90 under public comments for not more than five (5) minutes each, and at the discretion of 91 the Chair for good cause shown to extend that time by one (1) minute. Any 92 presentation taking more than five (5) minutes, as extended, shall at the request of any 93 commissioner be re-scheduled for a future meeting as a regular agenda item for 94 discussion.

Commissioner Flanigan: Also, before the public decides to speak, should they be informed of the three (3) minute time limit?

David N Tolces: Yes, you can announce it ...okay now it's time for public comments on either on the consent agenda or items on the agenda your'e limited to three (3) minutes for the section where you will have public comments for the non-agenda items the chairman would announce the public has five (5) minutes. You can also include specifically in your agenda as well if you want to. You will have the public comment section and you can say for comments not in the agenda members of the public have five (5) minutes for items on the consent agenda or regular agenda you have three (3) minutes.

Vice Chairman Doc Szerlip: Technically during the rainy season we have public comments and we can cut them off correct?

David N Tolces: Yes. The Chair certainly has the authority to end somebody's comment. If they refuse to stop talking, the Chair has the ability to warn them or otherwise he will have a law enforcement officer come and remove them. Hopefully that does the trick. I have seen it happen in other venues.

Commissioner Flanigan: That's Angel's job.

Chairman Nieset: That's what you had in mind Lou correct.

Commissioner Flanigan: What is your though on it?

Chairman Nieset: I think we need to have a time limit.It does get out of hand.

Motion made by Commissioner Flanigan to approve **RESOLUTION No. 2021** and second by Chairman Doc Szerlip.
Motion carried unanimously by voice vote.

David N Tolces: That concludes the attorneys report.

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ENGINEER'S REPORT

Staff Reports

I. Administrator's Report

II. Attorney's Report

A. P.A.I.D. Policies and Procedures Discussion

III. Engineer's Report

A. CONSENT ITEMS:

A1. Plantation Baptist Church (C1606.01) Asbuilt

**ENGINEER'S STAFF REPORT
FOR March 25, 2021 MEETING
AGENDA ITEM No.: A1**

Action Required: Consent Approval

Item Description: Plantation Baptist Church
Asbuilt

P.A.I.D. Number: C1606.01

Attachments: Asbuilt Survey (11x17 Reduction)
Engineer's Letter of Certification
Final Inspection Report

Summary: This project has been completed in substantial conformance with the approved plans.

Recommendation: APPROVE

Prepared by: CJF Date: 3/18/21

2021-03-16 StaffReportAsbuilt.C1606.01.wpd

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

Chairman Doc Szerlip Wasn't there some concerns from the folks over there?

District Engineer Werner T.Vaughan: You're referring to the fill and it's unrelated to this project.

Motion made by Commissioner Flanigan to approve **A1.** Plantation Baptist Church and second by Commissioner Cariffe. Motion carried unanimously by voice vote.

B1. Park Place Homes (P2008.01) Plat Approval

**ENGINEER'S STAFF REPORT
FOR March 25, 2021 MEETING
AGENDA ITEM No.: B1**

Action Required: Board Approval (Quasi-Judicial)

Item Description: Park Place Homes
Plat

P.A.I.D. Number: P2008.01

Attachments: Plat

Plat Application Information

Summary: This item is for the subdivision of five residential lots located at the SE corner of NW 118th Avenue and NW 8th Street.

The additional right-of-way for the 118th Ave and NW 8th St is being dedicated as part of this approval.

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: CJF Date: 3/16/21

2021-03-25 Staff Report.P2008.01.wpd

David N Tolces: If I can Mr. Chair for purposes of Quasi Judicial purposes may I swear in the parties? For anyone that might be testifying.

Chairman Nieset: Yes you may.

David N Tolces: Parties sworn in.

Motion made by Commissioner Flanigan to approve **B1.** Park Place Homes and second by Commissioner Cariffe. Motion carried unanimously by voice vote.

B2. Panofsky Parcel (S2010.01) Site Data Record

**ENGINEER'S STAFF REPORT
FOR March 25, 2021 MEETING
AGENDA ITEM No.: B2**

Action Required: Board Approval (Quasi-Judicial)

Item Description: Panofsky Parcel
Site Data Record

P.A.I.D. Number: S2010.01

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 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: 3/18/21

2021-03-25 S2010.01 Staff Report.wpd

Motion made by Commissioner Flanigan to approve **B2**. Panofsky Parcel and second by Commissioner Cariffe. Motion carried unanimously by voice vote.

C. BOARD ACTION ITEMS: None

D. DISCUSSION ITEMS

D1. Pump Stations Improvements (D1707.01) Update

**ENGINEER'S STAFF REPORT
FOR March 25, 2021 MEETING
AGENDA ITEM No.: D1**

Action Required: Discussion

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

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

Attachments: NONE

Summary: PIPE LINING: The pipe cleaning contractor, Shenandoah, has cleaned and TV'ed the pipes for all six stations during the week of 3-8-2021 to 3-12-2021. On Thursday, 3-18-2021, the pipe lining contractor, Shen-Line, mobilized and began installing the pipe liners for pump station No. 4 and No. 3. They anticipate that up to two stations will be completed per day and that all six stations will be completed and ready for final inspection by Thursday 3-25-2021. During our site inspection on Thursday morning, the job superintendent mentioned that after stations 3 & 4 were complete, they would go to Station No. 2, then No. 5 & 6, and finishing at Station No. 1.

PUMP STATIONS: The construction plans for Pump Station No. 3 and the bid documents are in the final stage of revision. We expect to have the final bid documents and plans ready by the beginning of April so this project can go back out to bid shortly thereafter.

Vice Chairman Doc Szerlip: They (the owner) are proposing to put a lake in close to two acres if it passes. He is saying that it is P.A.I.D's responsibility to maintain the maintenance fish, foliage, etc... Where does P.A.I.D's responsibility fall? They want to fence it. What if it has a gate?

District Engineer Werner T. Vaughan: If it's a lake they are responsible. If it's connected we are responsible. If there is an easement they must meet the criteria. We won't allow a fence since we need access.. We will take a look if and when it comes in. I need to see it to review.

District Administrator Telles: District We went through the policy with the ponds. They were not originally there and were man made so they are not the responsibility of P.A.I.D.

District Engineer Werner T. Vaughan: They would have to grant an easement in order for us to be able to do anything.

Vice Chairman Doc Szerlip: What defines our responsibilities?

District Engineer Werner T. Vaughan: We have a canal corridor which has width, maintenance areas all distinguish etc. Anything they do beyond that they maintain what's private.

Vice Chairman Doc Szerlip: What happened to the Collier situation?

District Engineer Werner T. Vaughan: We have heard nothing. We placed a lien.

Vice Chairman Doc Szerlip: You found someone.

District Administrator Telles: We are going forward and we have questions for the property appraisal office. It is positive.

Chairman Nieset: What about the parts.

District Engineer Werner T. Vaughan: We have not heard anything yet on those particular parts.

Chairman Nieset: I'm asking because of all the delays we've had. Thank you.

J:\PAID\Projects(D)\2017\D1707.01-PUMP STATION IMPROVEMENTS\WP\

2021-02-16 Staff Rep

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

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DISTRICT MANAGER'S REPORT:

Last Month's Follow up: Pump station clock equipment is same voltage as engine equipment. The engine itself is set at 1450 R.P.M. and the pump rotates at 1350 R.P.M. This was confirmed using a "CAT" photo Tach R.P.M. digital monitor on the pump itself. The engine has an R.P.M. gauge.

Pump Stations: All pump stations were prepped for Culvert lining during first and second week of March. The lining crew arrived on Thursday, 03-18-21 at station 4, 3. Station 2 was addressed 03-19-21.

Canals: This Month = 4.44' - Previous Month = 4.33" - Year to Date = 4.19'

Rainfall: This Month = 2" Previous Month total = 4" Year to date = 6"

Projects: Canal bank maintenance. Clearing excessive vegetative growth.

Fleet: 2010 F-150 – Mileage = 154, 654 - 2016 F-250 – 2 front tires on 03-18-21. - Mileage = 50, 894 - 2018 F-150 – Mileage = 44, 048

Safety: No incidents to report. Staff asked to bring confirmation of Covid-19 vaccination upon receipt, if possible.

New: FASD is asking for support from Special Districts to address issues outlined in Florida HB 1103. Tabled issue from last month – Notice of Drainage facilities' maintenance responsibilities to all homeowners and businesses (Swales, culverts, canal banks, easements, etc.). My presentation is informal and from our policies and procedures manual. It should be properly worded (Legal) and confirmed for updated policies (Engineering) before distribution to all.

Commissioner Flanigan: Angle I have a question on the canal bank maintenance. Are we doing that ourselves or are the people spraying the canal doing it?

District Manager Alvarez: Two questions in one: 1) the people spraying the canal are doing only the water and he will help with the far side since he maintains the south side along the canals if he can reach it with a sprayer. He use to bring a boat in when our canal levels were low. 2) This addresses that point that it is the homeowners responsibility to make sure on the northside overgrowth

Commissioner Flanigan: Well that's not going to happen. I know our canal spraying is rather expensive and my thought is the canal banks is it possible we could do that ourselves? I'm talking about the wees and growth on the canal bank itself. Do you know the difference in cost between the sprayer doing it and our crew?

District Manager Alvarez: No sir...the weeds come directly from the water all the growth is directly in the water. If the growth is on the canal bank yes we can cut it. We do that for empty lots. I don't know the cost. Our sprayer only handles the vegetation inside the water and our crew the outside.

Vice Chairman Doc Szerlip: A few months ago we brought up expanding or changing our website is there an update so the public can be more aware of what's going on?

District Administrator Telles: Lance is going to look into doing an app.

District Engineer Werner T. Vaughan: I'm working on that with Lance. I got a Zoom call with him a guy named Zameer next Tuesday.

Commissioner Cariffe: Regarding the responsibility sheet we are going to send it to every household (Acres Residents).

District Manager Alvarez: If approved yes.

David N Tolces: We will give it a quick review also.

Chariman Nieset: Is there anyway we can add in there that if they don't maintain it they we would maintain it at a cost/expense to them.

David N Tolces: If it's in the Charter or the Policies and Procedures we can put it in there.

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OLD BUSINESS – NONE

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