

PLANTATION ACRES IMPROVEMENT DISTRICT
REGULAR MEETING

July 28th, 2022

Member Present: Stephen Nieset, Chairman
Dr. Edward (Doc) N. Szerlip, Vice-Chairman
Lance Fein Ed.D, Commissioner
Louis Flanigan, Commissioner
Christopher Cariffe, Commissioner

Present: Joseph Telles, District Administrator
Angel Alvarez, District Manager
Bealinda Pell, District Engineer
David Tolces, District Attorney

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

MINUTES –

Motion made to approve the Regular P.A.I.D. Minutes for June 23rd, 2022, by Commissioner Fein second by Vice-Chairman Doc Szerlip. Motion carried unanimously by voice vote.

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PUBLIC COMMENTS: -

Jennifer Fein 11831 NW 9th St.: Pictures to share from the last storm; water from the canal is once again on her property; the pictures show grass at neighbor's home mine is just water in there. Who do I speak to about building a fern on my property. I have an old plan dated 1981, 1986, 1989 minutes identical on drainage. Hoping in the future you make some changes and let us know. Good luck with the new board.

District Attorney Tolces: This is the time for public comments questions may not necessarily be answered at this meeting.

Discussion on upcoming vacant seats.

District Attorney Tolces: This is a board meeting and not an election or candidate meeting.

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DISTRICT ADMINISTRATOR REPORT:

District Administrator Telles: The Consent Agenda for June 30th, 2022, that has not changed and Cash Flow for period ending June 30th, 2022. (Overview)

Chairman Nieset: The 20 Analysis is that the final number?

District Administrator Telles: total is about \$14,500 every five years.

Commissioner Flanigan: Is this the same company doing the canal spraying?

District Administrator Telles: Yes.

Chairman Nieset: There was a one month deduction on the payment.

Vice Chairman Doc Szerlip: They seem to do a decent job up to a point and then they stop. We have huge lily ponds growing.

District Manager Alvarez: I spoke with them yesterday when they were here and again, they didn't leave a report. I receive only two reports from them last month.

Vice Chairman Doc Szerlip: Follow up with them please to see where they go...

Motion made by Commissioner Fein to accept the Consent Agenda for June 30th, 2022, and Cash Flow for period ending June 30th, 2022, second by Commissioner Cariffe. Motion carried unanimously by voice vote.

District Administrator Telles: At the last meeting I resigned, and I told the board I would not leave them hanging and with David's input I've invited Mr. Robert Andrews to speak. His firm handles Hillsborough, and the district. He does the same thing for them. He and I have talked, and his associate is here with him tonight. They are well qualified. David has worked with them, and they come highly qualified. There is no conflict of interest.

Robert Andrews: (Introduction/Discussion) We are ad-valorem.

Vice Chairman Doc Szerlip: Have you gone over the various aspects of how Joe handles this district and are you prepared to accept if we decide at this time to move forward the next month or so?

Robert Andrews: We had the opportunity to look over the proposal and there is nothing there that we are not already doing so we asked Joe. (payroll/ADP) I understand that Joe will be here through the end of the FY (September) . There is a process that we go through where we close out the year and move through the next and it is just a process. There would be some run up work to it because we would like to automate some of those internal processes. There would be a little start up just prior to and get up and running. The only thing I would say is with your meeting on the last Thursday of the month there are a few times during the year, one or two) where I'm not here but I'm I always on Zoom/WebEx) but anything else my colleague but we will be submitting to Joe next week.

District Attorney Tolces: I've been working with Mr. Andrews and his company probably close to ten years and the Hillsborough and the District does not have an administrator. I'm their legal counsel and do some administrative duties. I work well with Robert, and he handles them as well. We also have an engineering firm that assist the district, so we work with the engineering firm, and he needs to coordinate with Willingham and Fradley and I'm confident he will be able to do it. We have never had any issues with respect to employees being paid, record keeping, audits, finances, and I've been representing the district the entire time Mr. Andrews has been doing it and never have had any issues from the board with respect with any questions to him and his operations. I was familiar with him and that is why I suggested to Joe to reach out to Robert and talk to him.

Robert Andrews: We will send you back a proposal and if you have any questions, we will be happy to come back and answer those.

District Administrator Telles: Last item since we have a full board here is the GPS. Price is \$100 per dash cam (\$300) and the monthly service is \$41.95 (3) at \$125.85, initially payment of \$300 and monthly cost of \$125.85 thereafter.

Motion made by Commissioner Cariffe to approve the GPS Cam installation second by Commissioner Fein. Motion carried unanimously by voice vote.

Commissioner Flanigan: After this next election there will be two new commissioners on this board, and I personally think they should have an opportunity to have a say in this and am suggesting that we just table this thing on the outsourcing of the proposal until we get a new board.

LEGAL REPORT:

District Attorney Tolces: Foreclosure of the property next door is still pending and if something should happen next month, I will update you.

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ENGINEER'S REPORT : (Overview)

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. **NONE**

C. BOARD ACTION ITEMS – NONE

D. DISCUSSION ITEMS

D1. Pump Station Number 3 Rehabilitation (D1707.01-3) Update

D2. Swale Obstruction Evaluation (D2201.01 Update

D3. District Management Services (D2201.01 Discussion

D4. Permit Activity (D9408.02 & D9408.03) Summary

D5. Violation Activity (D9611.01) Summary

Vice Chairman Doc Szerlip: Over the years we have no available or ability to really have a punch for those that violate, and I would like to know is there a legal way by which that can be changed?

District Attorney Tolces: Your charter adopted by the legislator provides for your authority and we could look at it more but I think through the years the attorneys who are all very well versed in the history of the district have rendered opinion after opinion and you are limited in what you can do and I have not seen anything that you can do to change that.

Vice Chairman Doc Szerlip: It just does not make sense to me.

District Attorney Tolces: We have to rely on the good graces of the homeowners that are here to understand that what they do here impacts their neighbors and the ability to drain in the district.

District Attorney Tolces: If there is construction in the easement Angel that is obstructing our work we could go to court and get an injunction to require someone to move a fence or repair the property. That is a long route to go and more costly for the district but that is a potential if there is some type of structure constructed. You would go to the court and ask to require the homeowner to grant the district to remove it.

Commissioner Fein: Can we notify the homeowner that they need to remove it and if they don't this is the process we will undergo, and they would be responsible for the cost.

District Attorney Tolces: I can work with Angel and Linda to review the easement being impacted to see what the language is, what our rights are and send a letter to the homeowner that it is interfering with our easement rights. If you want, I can write it on my letterhead it that may help with a letter from an attorney. I don't like sending them that often but occasionally, it does have an impact. We can do the letter, and have it signed by the chairman, and we can do that, or we can certainly draft a letter. We already have one out there from engineering, the next one from the district and then one from the attorney. I will have that before your next meeting. I will work on the letter and let the chairman sign it, send it out certified so and if they don't get the certified letter the regular one will still be delivered.

District Manager's Report

Last Month's Follow Up: Employee concerns regarding possible privatization of P.A.I.D. maintenance operations (attached)

Projects: See weekly projects.

Runtime hours – Pump 1 = 3500 Pump 2= 3700 Pump 3 = 3750
 Pump 4 = 3104 Pump 5 = 4600 Pump 6 = 3300

Canals: This month = 2.55' avg Last Month = 2.8' avg YTD = 3.33' avg

Rainfall: **This** Month = 4.98" Last Month = 15.6" Year to Date = 30.66"

Fleet: Routine oil and changes. Tires for F-250 (3). Catalytic convertor for F-250 and the F-150.

Safety – No incidents to report.

NEW BUSINESS –

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OLD BUSINESS –

Commissioner Fein: What are we doing with the follow up on FPL?

District Attorney Tolces: I don't know what else to do. I can try and reach out to the government relation person here in Broward County and see if we can get them involved and make a couple of calls. We have copy of the letter and I know a couple of people at FPL and can get their attention.

Commissioner Fein: Thank you.

Commissioner Flanigan: I don't know anyone anymore. Angel, Burkhard charged you \$834.00 to repair that...

District Manager Alvarez: That was a purchase.

* * * * * There being no further comments motion to adjourn meeting was made **at 7:41 pm.**

Stephen Nieset, Chairman Date

Vilma L Aponte, District Secretary Date