

BOARD OF SUPERVISORS MONTHLY MEETING OF THE SAN CARLOS ESTATES WATER CONTROL DISTRICT AGENDA MONDAY, NOVEMBER 18, 2024, 06:00 P.M. GULF SHORE CHURCH, 25300 BERNWOOD PARKWAY, BONITA SPRINGS FL 34135

1. Call Meeting to order. 6:00p.m.

2. Roll Call of the Board of Supervisors: Chair and President, Jim Bradford (Jim); Vice-Chair and Vice President, Jennifer Finazzo (Jennifer) and Supervisor; Engineer Ron Edenfield, Attorney Richard Pringle, John Cellucci, Manager and Superintendent of Operations, Shanelle Cruz Secretary/Treasurer and guests: 20 (approx.)

3. Pledge of Allegiance and Invocation.

4. Receive Engineer's Report on District Works:

Open 34 Approved 0 Finalized 0 Inspections 17

- Notified District Counsel of encroachment on Melanie Ln.

- Post mounted cameras in the right of way.

- Modifications discussed at the last meeting at the south end of Pinson and Papillion, looking into them further. They have been fitted with removable plates, that restore structure back to the permanent condition. Proposing to include this as a prototype that allows the system to better evacuate.

- Coordinated with a drainage issue with City of Bonita Springs (on private property but affected District and was resolved) discussion was expanded to request that the City consult with the District when an issue arises in the District.

- Drafts of the documents for the right of way mowing, right of way trimming, and canal maintenance are ready and will get them out by the end of November.

- Engineer met new Manager and toured the system.

- Canal cleaning can be expected sometime in the beginning of the year.

5. Manager's Report

- Inspected paving done with the District Engineer. Project is complete and within budget.

- Manager closed the treatment metal gate and manual valve at the end of October at the beginning of Strike and Tuck and it will stay closed until next year when rainy season comes back.

- Putting out bids for fence repair and materials for around retention ponds.

-Contacted FPL 10/2, 11/8, and 11/18 and they are still working on the lights. Stillwell gate light is still not working, brand new light at beginning of Strike not working, and now a 3rd light not working between Strike and Cock Robin.

- Few requests for Fobs. Factory is 2-3 weeks out for fobs. Can continue to request and will get fobs as soon as we receive them. Fobs will be distributed in the order the request are received.

- Manager has went through the formal training for Water District to make sure we are compliant for our records.

- New information has been discovered while reviewing records that has helped the engineer.

- Someone on Dietz has dug in and out through the culvert to build a pool, owner has shown his fix, engineer will review to see if fix is correct.

- Reviewing with engineer properties of owners that have water staying on their property.

- Manager now has a laptop and updated software. Also checking with companies to find an inexpensive cell phone to use.

- Manager has went through all physical records and catalogued them. Files will be moved to an air conditioned storage unit to preserve them and not get lost as directors and managers change.

6. Chair's Report

- We have received from FEMA \$170,934.63 as of the date of the meeting. We were the very first in the state of Florida to put in an application for FEMA after Hurricane Ian.

7. Treasurer's Report

- FY 23-24 financials have been updated to include all invoices and are showing an estimated surplus of \$138,000.

- New bank account at Cogent is open.

- Working with Lee Co. Property Appraiser to update information to have funds sent to the new bank account.

- Began working with auditor for FY23-24 audit.

- Sent out a certified invoice to the Brooks to collect for interlocal agreement.

- Reviewed invoices and some invoices related to CIP Phase 1 and 2 requested information has caused us to be over budget in some areas. Particularly an additional bill of \$2,100 from the auditor to review previous years' information. There were also additional legal bills in the last 3 months of the fiscal year.

8. Attorney's Report –

- Will need to amend budget for both FY23-24 and FY 24-25 to account for FEMA funds received.

- Still researching options available to the District for the annual land owners meeting and voting on Supervisors.

- HB 7013 New law passed regarding Special Districts.

9. Amendments to the Meeting Agenda –

- Chairman requests that December meeting date be changed be added to the agenda.

Supervisor Finazzo motioned to amend the December meeting date be added to the agenda, Chairman Bradford seconded the motion. Motion to amend the December meeting date be added to the agenda passes.

10. Public Input on Business Agenda Items (3-minute limit) – NONE

11. Business Agenda Items (Agenda Items Requiring Action)

a. Meeting Minutes Approval – 10/21/24 (continued to 10/24/24)

Supervisor Finazzo motions to approve Meeting minutes of 10/21/24 (10/24/24), Chairman Bradford seconds the motion. Motion passes.

b. Financial Reports Approval – 10/31/2024 Bank Statements and 10/31/21 Financial Reports.

Supervisor Finazzo motions to approve Financial Reports and Bank Statements for 10/31/24 Chairman Bradford seconds the motion. Motion passes.

c. Board approval is requested to begin invoicing all adjacent properties to the district that also benefit from use of the canal drainage system.

- Chairman Bradford suggests setting a rate that is similar to the rate charged to existing landowners.
- Attorney suggests letting the engineer review the impact and the usage of our drainage system by adjacent properties before a rate is set and then enter into an agreement.

- Many factors need to be addressed regarding water clarity and quality also need to be addressed by adjacent properties. The agreements will need to have language that addresses these elements.
- Attorney suggests telling the City of Bonita we are out of time to discuss possible outcomes and the agreement needs done.
- Chairman Bradford suggests cleaning up the agreement with the City to just address the Stillwell canal.
- Board is asking the manager to review with Engineer and Attorney to come up with a generic agreement that could be used with multiple adjacent landowners.
- No other action required.

d. Board approval for creation of a Public Records Policy and ensure it is compliant with Florida Statutes.

- Discussion was had about setting up a policy and where records are stored and how to allow owners to view the records and receive the records.
- Mr. Pringle asked to review how we need to protect confidential information, as in DL and registration.
- Attorney and Manager will bring back a public record policy to present to the board.
- No action needed

e. *ADDED* Change December Meeting date –

Chairman Bradford asked to change meeting date to 12/9 after conferring with the Pastor the church was available.

Chairman Bradford motions to approve changing December meeting to 12/9/24, Supervisor Finazzo seconds the motion. Motion passes.

g. Appointment of a new Supervisor by the Board to complete the Term of resigned Supervisor.

- The attorney read guidelines from the Statutes on how to proceed with appointing a new supervisor. Have 30 days to appoint new supervisor from the date the previous supervisor resigned (10/24/24) and needs to be done in a public setting.
- Chairman Bradford had 4 people reach out to him regarding the open position: David Nadig, James Gilchrist, and 2 others who have since withdrawn.
- Supervisor Finazzo had one person reach out to her, James Gilchrist.
- The position will be held until the next landowners meeting in September 2025.
- Supervisor Finazzo met with Mr. Gilchrist and felt he had good skills to bring to the Board and he's a long-time resident of SCE.
- Manager Cellucci agreed with Supervisor Finazzo's assessment of Mr. Gilchrist and also added he felt he had many great contacts that could help the District.

- Chairman Bradford opened up the floor for public input on this agenda item.
- Homeowner questioned why is the Board not considering David. Supervisor Finazzo stated David Nadig never came to her to express interest in the position, only Mr. Gilchrist did.
- Homeowner questioned if both candidates have paid the outstanding CIP Phase 2 assesment. Attorney said he does not believe not paying the assessment is not a prohibition to being considered for the position.
- Homeowner states she believes David Nadig is not a good fit for the Board.
- Homeowner questioned if anyone knows Mr. Gilchrist. Also states that he does not care what anyone thinks of him, and he was told the CIP Phase 2 was voluntary. He believes he would be a good fit for the Board.
- Many comments on who knows Mr. Gilchrist were made.
- Homeowner asked why Mr. Gilchrist didn't run for the open position in September. Supervisor Finazzo stated she asked Mr. Gilchrist and he stated at the time he didn't know the process.
- Homeowner states many local officials are receiving complaints regarding the District Board from a particular homeowner. That one particular homeowner would like to open up Strike Lane to traffic.
 - Supervisor Finazzo motions to appoint Mr. Gilchrist to the Board to fill remaining term left by the Supervisor that resigned, Chairman Bradford seconds the motion. Motion passes.
 - Mr. Gilchrist was reached by phone to take the oath of office.

12. Public Input (3-minute limit)

-Homeowner addresses the problems with some of the ditches that are being caused by homeowners. Thinks the Board is doing an excellent job.

-Homeowner asked about the voting at the annual meeting.

-Homeowner thanks John for all his assistance and she's happy he's now the manger.

13. Supervisor Comments None

14. Adjournment 7:35pm