

Minutes of the September 25, 2019 Board of Supervisors

Regular Workshop Meeting

Central County Water Control District

1. **Call to Order.** Meeting called to order at 7:00 p.m.
 - a. **Pledge of Allegiance.** Chair Alvarez lead the Pledge of Allegiance
 - b. **Roll Call.** Chair Alvarez ask Mrs. Hernandez, to do the roll call. District Manager Herminio Bussott, District Treasurer, District Engineer, District Attorney, Supervisor Napoles, Supervisor Miller, Chair Alvarez, Supervisor Mata and seat 3 absent.

Approval of Meeting Agenda.

- c. **Additions, Deletion, and Substitutions.** None
- d. **Adoption of Agenda.** Approval of the meeting minutes August 28, 2019 motion by Supervisor Miller and Supervisor Mata second all I's.
- e. **Approved without objections.**

Mr. Fumero spoke asking chair to add two items on taxes refund issue about moneys put into our account and has the auditors look into and the second item litigation on Carolyn Hester cases. Supervisor Miller second and Supervisor Mata second all I's.

They went ahead and addresses these issues. Mr. Boy started by explaining the issue with the monies received from the Hendry County that belong to the East Recreation County in Clewiston. Mr. Boy stated that they would like the money to go back to East County. Mr. Fumero spoke that the money came from the tax collector and it should be returned back to them. Chair Alvarez expresses that they gave out in a three-year span they should get it back the same way. They went back and forth on this issue. Mr. Fumero stated we have a good relationship with the county lets keep that. Mr. Napoles made motion to pay in a lump sum with a letter stating that they can not come back to claim anything to CCWCD. No seconds on that motion proposed by Supervisor Napoles. Supervisor Miller motion to return the money back in three payments. No second on the motion proposed by Supervisor Miller. They will revisit at the end of the meeting. Second issue was with Carolyn Hester. Mr. Fumero stated in any law sue that there is no guarantee win or loss and this kind of case will go to a jury I Believe the termination was proper, the termination based on relevant documentation and this is his opinion. He spoke with Carolyn Hester attorney they offer to settle the case in return for a full release on any related issues for \$30,000.00. To litigate this, you can easily incur \$30,000.00 in legal fees with no guarantee's outcome. Supervisor Napoles spoke that when she asks for the \$30,000, he was in favor because she did do a lot of good in the community. Mr. Napoles motion that they except the deal. Supervisor Mata ask if he could look at the paper work. Chair Alvarez gave his gavel to Mr. Napoles to second the motion on the floor. Now the need it to vote to pay. Supervisor Miller ask that all Mr. Mata stated that we can lock it up at two, two

until he sees the paper work. All he is asking for is the information. Mr. Napoles stated we will just go back to the beginning and he had a investigation by a third party and Supervisor Miller spoke and stated that she was not just let go because of one incident there were other reasons, she gave Carolyn Hester the letter of the things she needed to improve and everyone started to say to fire her. Mr. Napoles went on to say that the reason we have an attorney to guide us. Supervisor Miller stated that out of courtesy that the new supervisors on board should have received a copy of the paperwork in regards to this case before addressing this. Mr. Napoles then returned the gavel to Chair Alvarez and motion second by Supervisor Miller, three l's and one nay. Mr. Fumero will get the paper work to Board member and if they don't like it he will bring it back to them. Chair Alvarez made a comment about reservoir committee does not make policy but they are allowed to enforce them give by the Board.

- a. **Public Comment:** Mr. Nick Smith is running for commissioner, works part time for the Tax collector office, in the driver's license department. Asking for vote and support of Montura. Spoke on his background and how long he has lived out here in Hendry county.
- b. Rochelle Miller, 265 S Estribo Street, brought up a solution for being able to ride off road vehicles. Handed out packet on proposal with Florida Statues. It is a start to come up with a solution on being able to ride off road vehicles in Montura. She went on to read from the proposal for them to review. Chair Alvarez ask the attorney for his opinion in regards to this, attorney stated we can adopt it as a policy but not sure. Chair Alvarez stated that he wants to talk to the Sheriffs first. Resident stated she waited to see if any one would come up with something and that's why she took the initiative to come up with this proposal. Chair Alvarez expressed that he doesn't want to vote against state law. They will continue to look into it.

2. Staff Reports.

A. **District Manager's Report** – Mowing through out Montura, working on canal, road, changing out street sign. Chair interrupted that he has stated before to purchase cameras to put out to catch these persons. Still picking up trash, replaced seven culverts by canals. Finally got the FADG to come out and check the fish farms and investigate the water that being dumped into our swells and canals. Investigator was in favor of the fish farms when the evidence shows that there was illegal water being pump and drained into our water system. Chair Alvarez wanted to go on record and state who every came out is an idiot, because you can see the direction and the flow of the drainage that it was not storm water. He also asked to go to the top of the agriculture department with this information. Hermino continued to talk about the situation and the owner, the board ask if he was taking pictures and videos, Herminio stated yes. Owner to the fish farm came by office and spoke with Herminio and was willing to work with CCWCD to fix the problem. Supervisor Mata spoke about collecting water samples on a monthly basis to be tested from a certified water tester that will show that the water is being contaminated and you cannot hide the

pollution in the water. They went back and forth about this. Mr. Fumero spoke about the fish farms and have a sit down, also have an engineer to come up with some concrete recommendations and go onto the property to come up with a solution. Chair stated we need to stop this and we need to attack and be done with problem. Herminio continued with his report, brought up the tractors. Supervisor Miller ask a question about the report that we pulled of Ridgill cost of road material and to post it on the website so that other organization can pick it up and post on another website. Supervisor Napoles made motion to except the tractor deal to purchase both of them. Chair and board member went back and forth about the deal on the floor. Supervisor Napoles brought up the water truck that is needed, Chair Alvarez expressed that we can purchase a tank put on the back of the truck.

- B. **District Engineer's Report** – Mr. Bennet went over his report Hacienda project is completed and contract had made a paid request, but because the core inspection wasn't done it has not been paid. The original bid price \$284949.00 and the final \$306,161.00 the difference in price was the trip ticket should have been 110 per yard. If we would have used the correct amount the bid should have been around \$300,00.00. Motion by Napoles to pay second by Supervisor Miller all I's. Accompanied Herminio and look at the culverts that are damaged along the canal banks and replacing them a few every year. Supervisor Mata ask about the Hacienda project that the scope was off, Mr. Bennett stated yes. Also, the next road to resurface that is an asphalt road or hot patch certain areas. Supervisor Mata ask if he could have the list to move forward and get the project rolling.

- C. **District Treasurer Report.** Mr. Boy went over the monthly budget.

- D. **District Attorney's Report** – Mr. Fumero was going to talk about the fish farms was token care of. Reservoir rules look good which are rules of the road do we need rule of keys and who can get them. He stated I would not adopt until we get the community comments on them. Chair Alvarez stated there was an issue about trash and container that palmetto berry picker is leaving behind. Before moving forward, they need to address this. Supervisor Napoles ask the guardians of the reservoir what do they think if we should ban berry picking. Guardian of the Reservoir stated that they pick up a front loader amount of trash, they went back and forth and they stated to just ban the palmetto berry picking. Supervisor Napoles ask about the hourly pass and who would handle the cash, no one will, is what was stated by the Guardians of the Reservoir and Supervisor Napoles thank them. Chair spoke and read what had been presented to the board by the Guardians of the Reservoir. They continued to speak about the day passes and who would be aloud to obtain. Spoke about the adoption of rules and they were passed out at a previous meeting to vote on. Resident spoke about berry picking and the trash left behind by outsider and are

penalizing the resident. Chair spoke that CCWCD doesn't make a penny off the berry picking. Supervisor Napoles motion to ban berry picking second by Supervisor Mata all I's. Last item financial to the boards that needed to be turned in before September 30, 2019. Adopting the rules as they are Supervisor Miller motion to adopt second by Supervisor Mata all I's.

Discuss hours of operation, they ask Herminio if he started to stagger the worker some to come in from Monday thru Thursday and Tuesday thru Friday. They talk about the hours and that they have changed this several time. District Manager stated he doesn't think it is a good idea to separate the employee because we don't have enough people working. Supervisor Miller ask what is his opinion, Herminio stated that he would prefer to state with four. Supervisor Napoles motion to change to five day and Supervisor Mata second, Chair Alvarez opposed, and Supervisor Miller was not sure. They continued to talk that there have been many studies done on time schedules. Supervisor Miller vote for the change in time, three I's and one nay. Supervisor Napoles motion to pay back the county their money in one lump sum second by Supervisor Mata all I's.

Adjournment. Chair Alvarez meeting adjourn.