

Minutes of the January 22, 2020 Board of Supervisors

Organization/Regular Meeting

Central County Water Control District

1. **Call to Order.** Meeting called to order at 7:00 pm.
 - a. **Pledge of Allegiance.** Chair Mata lead the Pledge of Allegiance
 - b. **Roll Call.** Chair present, Supervisor Miller, Supervisor Napoles, District Attorney, District Engineer, District Treasure, District Manager, all present and Seat 1 and seat 3 absent.

Approval of Meeting Agenda.

- c. **Additions, Deletion, and Substitutions.** Napoles spoke on how can we have an agenda of a meeting that shouldn't have been conducted. There was a resolution that if legal counsel wasn't present the meeting wouldn't be conducted. Chair then passed it over to the Attorney to explain.
 - d. **Adoption of Agenda.**
 - e. **Approved without objections.**
 - a. **Public Comment:** Josh Parson, 185 N Mayoral, Josh ask Supervisor Napoles what was the reason why he left in the last meeting, and Supervisor Napoles stated that if there are rules set in place they need to be followed.

2. Staff Reports.

District Manager – We have a new heavy equipment operator. Montura is completely mowed, going through the canal bank to get the boom mower thru. Grading and rebuilding roads continue. Picking up plenty of trash and knocked on some door to let them know that the dump is open. Fix pot hole thru out Montura. There were 13 driveway permits and 53 inspections done in one month. Sold 3 keys for reservoir, cleaned swells on Appaloosa, Hunting Club and now on Montura Ave. Still picking up regular trash, getting pool ready for spring break and bringing up to code. The showers and pavilions still being painted and worked on. The Basketball tournament went well and Chair was present helping on the grill. Guard rails at clubhouse had an aluminum rail that is missing and it needs to be put back on and Bennett is to get with county to extend the permit to finish. Everything else is going well. They have been asking question about the post office who it belongs to. He called Fumero and Fumero explained if there is a sign with an Eagle or a sign that states its property of post office it belongs to them the whole structure. District Manager continued to state that we have been trying to fix this and Supervisor Denise also has been trying as well to fix this. Chair stated that he met with the post master and they have a Board as well and all we would have to do is take it up with them. Supervisor Napoles ask if this is something that was

on the agenda and Denise stated yes but it was brought now so they are going over it. Fumero then ask if there was a problem and Chair stated that where a few problems we can't prove anything because there are no permit and they are supposed to call us back, CCOM is also involved to help get this fix. Postmaster stated that it was our responsibility to fix the structure. Chair had stop by the post office boxes and the young man that work in there stated the structure is hanging on by a shoe string. Fumero ask that he is clear the postmaster told him that we could rebuilt the wood structure, Chair stated, no, that she didn't but would have her superiors reach out to us and that is what we are waiting on. Fumero stated if someone handed us a check to fix this would you put it in the same location. Chair stated no they would move it. Fumero stated that CCOM is another great way to get the post office to respond and also to go through your local congress men. They have people in their offices that when you call the pay extra attention on these issues. Supervisor Napoles stated that he brought up this issue about three years. For what he understood if that structure has the poster it belongs to the post offices. Another issue is the packages that are to be delivered half mile radius and the young man that work there came up with an idea to see if they can leave the packages at the club house. Supervisor Napoles looked into this and the person would have to be deputized by the post office to be able to handle the packages. They continued to talk back and forth. Supervisor Napoles ask if Fumero would follow up on this situation. Supervisor Miller stated that she respectfully disagrees because the post office is a private entity and they are making money through our packages and mail. Supervisor Napoles stated the post office doesn't have any money. Supervisor Miller continued that they should have been preparing for the growth as well and they continue to bring up the postage every year. Chair ask Fumero if we would look into making a deal were, we can go 50/50. Resident John L Gonzalez ask to speak on a solution on water and purify it. Josh ask if there is a grant to help build this building. Denise ask about the project for the AC at the club house. District Manager stated we don't have the numbers yet. Denise then stated we shouldn't be looking at anything else because we have been waiting for the last three years on this project. Chair ask if we can get something to Denise before the next meeting and also to the board.

District Engineer's Report –Mr. Bennett spoke about the resurfacing project and is looking to piggy bank of the county and their bids. They continued to speak back and forth about different ways. Supervisor Napoles ask about the Appaloosa Lake and the drainage of the lake, Bennett looked into the lake there is an issue and he did pull the plans and there is an easement and there is only 5 ft a total of 10 ft to work with. We would need to get permission for the adjacent property owner to be able to start on this project. Supervisor Napoles suggested about installing a culvert. Chair ask for pictures and cost of this project to get this done.

District Treasure's Report – Went over the monthly budget report. We are about 16% Under budget. Health Insurance is under renewal and we received comparison from United Health and Fl Bc & Bs. Our regular plan went up but not by much. He went on to compare the two insurances. Also, the vision and dental went up hardly anything, life insurance stood the same for the next 2 years. Supervisor Miller ask what was his thought on this. Supervisor Napoles motion to have all employees to be present and benefit broker to have the presentation at next meeting. Supervisor Miller second all in favor. Spent several weeks on Audit.

Supervisor Napoles stated that he is having a conflict of interest between the attorney and the manager. A few of the ministers have been speaking to him about using the pool for baptism and he believes freedom of religion and he wants to allow them to use the pool for baptism with ample time to the office. Supervisor Napoles motioned that the Board permitted the local churches the right to the pool for them to conduct their baptisms. District Manager stated that it was disrespectful the comment that Supervisor Napoles stated at the beginning, and he is not against the baptism to take place at the pool. Also, he reminded Napoles about other situations that took place prior and how Fumero stated back then that we would have to open the door to other religions to use the clubhouse and they went back and forth about different other religion. Chair then ask attorney to intervene and bring clarity. Once you open this you cannot limit it this just to one religion. When the pool is available to be used then they can use it and it shouldn't be sectioned off for anyone's event. Then they asked about hours, Fumero responded now it gets more involved and we can not use tax payers dollar for private individuals. If you do it for one entity you have to do it for everyone else. Supervisor Miller stated that the state rents to churches all the time and sections off that space for them. It is our community and we should be able to do so and if we need a life guard then we should be able to accommodate. District manager stated that he is not against them to use the pool and there was an incident that a individual wanted to use the showers before the clubhouse was open and they were denied and brought it up to the board the next meeting and the board then voted on not letting anyone use the facility until the club house was open during regular business hours. Josh also mentioned that a Pastor asked to also use the facility and the board voted no. Pastor Abel Peguero, Church of God 230 Estribo St, for 15 years he has served this community and the community can see what the church has done. In other occasions they have permitted it before and the baptism is only a few people and he doesn't know why this time they didn't permit him to use it. He stated that as a resident they should hear him out and he felt discriminated about this. He asked his attorneys about this. When they will conduct a baptism, he will request in writing the use of pool. He is not asking for donations and if he needs to pay for the pool, he will be willing to do so. Chair ask the pastor if he has been here for so many years, has he considered to purchase a portable pool and the pastor stated that is a good idea but why should they have to do this if the pool is available. Carlos Santana, residents also spoke on behalf of the church. Supervisor Napoles asked to open pool from 7 and 9 for baptisms and pay

the hourly wage of the life guard. Chair ask about the pool because it is not open all year round. Supervisor Napoles was told to forget about the hours if the pool is available whether it is closed or open, it should be available. Supervisor Miller stated that if it's for all religions then she seconds and Chair stated that if the pool is open then he also agrees for the use. Also, Napoles stated that they give at least a two week notice to the club house before the event to be able to get a life guard and must have insurance coverage to be presented before the event in question. They continued to go back and forth that this is opening a pandora's box because then anyone can rent the club house for pool parties or any event. Fumero stated he will get with Herminio on the wording.

Continued with agenda, Supervisor Miller, spoke that they had addressed the issue about the Post Office. Josh brought up a point that the post office had built a concrete structure for Palm Dale and maybe they could do the same for us.

District Attorney's Report – Fumero spoke on in the meeting and meeting minute's that the board continue to send out information that the residents are aware of that what going on and that is a Hendry County initiative and it is not Central County initiative and it will be held on January 25, 2020 at 10:00 am. If people have question, they can voice their opinions to Hendry county. Fumero expressed two things took place with Hendry County. The first they changed the zoning category in response a concern we raised about the fish farm and to disallow future new fish farm they changed the zoning to prohibited commercial agriculture that is done and on the books. The land study is not related to what we have requested with the fish farm. We have no land use control. There is a lot of miss information out there on Facebook about the land study and that we are here to provide fact and they are that this Hendry County initiative that has nothing to do with this board and that are we helping them connect with the citizens with community, yes, and providing the space and opportunity for interaction. Supervisor Napoles spoke that Hendry County Code enforcement is putting their foot down not only here but through out Hendry County, Chair ask what does this have to do with us. He was just making a point that he agreed with Fumero about letting everyone know. Supervisor Miller spoke about ten articles that someone sent her and the only reason she is bring up is to educate the public to put a poster about the atv's someone went to court and the person won the case. She went on to read the Statue 316.2123 which states that the county can be exempt from a state law with a majority vote to do so with a govern committee of that county. The Hendry County has adapted the law stating, an atv may only be ridden on private property or an unpaved road with a posted speed limit of less than 35 and signs stating that it is an atv permitted road. According to the person the won the case and can ride there atv's on the road. Also, the citizen is scared of the shoot of guns close to her home. Supervisor Napoles ask the Deputy if he was aware of any changes in the law. Deputy spoke and stated that the laws states that you cannot ride an unregistered motor vehicle on the road way it is a criminal offense if that is going to happen it has to have a tag, blinker, brake light

mirror, and everything like that, now on the unpaved road ways he is not up to date with that and let Deputy Moral know all that. They continued to talk about these issues. Chair stated that people have their opinions and Josh ask to speak on this because Hendry county Sheriff have been talking to Pioneer and Ladica about this same issue and maybe we can piggy pack. Chair stated we can look into that. They spoke on the shooting law and Federal law in regards to the resident concern and shooting on your property. Supervisor Miller read the law to the Deputy and again there must be a burier wall. They continued to speak on this issue. Supervisor Napoles stated for the record he would like for everyone to go to the Hendry County gun range on Wednesday and Saturday.

Fumero then stated that we have an election coming up and there are three seats. Seat 2, 4 and 3. Seat 2 and 4 your have to go to supervisor of elections to vote and seat 3 is land owner vote, is a one acre and vote that is to be ran by Central County. A couple of things in place, historically an independent auditor we need to find a person or persons need to be trained and we need to find a person now. Supervisor Napoles ask if it had to be a CPA, Fumero stated no, preferably someone who is not an employee, supervisor, and doesn't have an interest in our community. There are two issues that came out of our last election. The first on was the absentee voting and Fumero explained what it is. There was an issue raised the authority to do absentee voting for of thirty years and he look at it and we can only do what the law say what we can do. He wrote to the attorney general and ask for their opinion and stated that like any 298 we cannot permit absentee ballots. The next issue was proxy voting, he then explained proxy voting. In chapter 298 can do proxy voting unless the district says otherwise. The district 20 years ago put in their chapter that, proxy voting is prohibited. Two issue, absentee voting and proxy and if we want to pursue on or both the board needs to vote and we must seek a change in the law. We fall under the special law and it needs to be changed and we need a Senator and state representative to sponsor the bill and fill it as a bill. These bills are controversial and Fumero recommended to hire someone in Tallahassee to do it and we need to move on in now. He will be bringing a resolution that talks about qualifying period of Bruno seat, address registration for voting, if someone shows up need to show proof of ID, Title or deed and Property Appraisal matches. Talked about taxes being paid or not, this country doesn't exempt owner from not voting if they didn't pay their taxes. Moving forward to be professional and make sure thing get on the agenda and none can say they didn't get to speak on it and give everyone the chance to speak on these items. Supervisor Napoles spoke and stated that he doesn't want to change anything and leave it as it is. Fumero then stated that every land owners have the right to know what is going on and change thing at the last minute. On the next meeting we need to vote to get this moving.

Chair brought up part time employee for swell or ditches and what he would like to see his position to work in this area. Supervisor Napoles stated that he doesn't want to dictate where the employee be placed and leave to the discretion of the manager. Chair spoke that he is wanting to start on the elevation of the swell properly so the swells can

drain the water into the canals like they are supposed. When we finally get our act together it is going to cost us a lot more if we don't start now. Chair then ask Engineer to elaborate on this. Engineer went on to explain there are other ways of going about it so the cost can be maintained down. The other question is whose culvert is it to maintain the culvert. The owner puts it in the first time then it is the districts responsibility to replace if it collapses and it became districts property it. Chair wanted to bring clarity of this gray area. Manager then ask for three new employees to help with project. They continued to back and forth on this issue. Fumero reminded them that in May we start on the budget for the next. Also, about the taxes and the tax ad valorem. Supervisor Napoles stated to just wait on the part time and this issue. Supervisor Napoles motion to adjourn.

Adjournment. Chair Mata meeting adjourn.