

MINUTES
PORT LABELLE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS' MEETING

July 23, 2020

A special meeting of the Board of Supervisors of the Port LaBelle Community Development District was called to order at 5:30 p.m. on Thursday, July 23, 2020 by Chairman, Martinez who verified a quorum was present and the meeting had been legally advertised.

Those present at the meeting were:

Jason Martinez – Chairman & Board Member
Jeff Perry – Vice Chair & Board Member
David Capitanio – Assistant Secretary & Board Member
Nancy Imhoff – Secretary & Board Member (Via phone)
Judi Kennington-Korf – General Manager
Lupe Taylor – District Recording Secretary
Robert Pritt – District Attorney (Via phone)
Andy Higginbotham – District Accountant
Others – Public on Conference Call Service (Via phone, see attached list)

The meeting opened with prayer led by Ms. Kennington-Korf followed by the Pledge of Allegiance.

2020-2021 Budget Proposed Budget Public Hearing

Chairman Martinez announced the 2020-2021 Proposed Budget Public Hearing was duly advertised and was opened.

Ms. Kennington-Korf presented the proposed 2020-21 budget. The 2019-20 current year millage rate is 5.7939%, with an adopted budget of \$1,046,246.47 with an amended budget of \$1,044,314.47. This year, the gross taxable property values increased \$30,886,202 over the prior year.

The proposed 2020-21 General Fund budget was presented with several options relating only to road improvements:

- a. Option A: \$1,148,585.47 with a millage rate of 4.3407% (includes \$100,000 for road improvements).
- b. Option B: \$1,198,585.47 with a millage rate of 4.7068% (includes \$150,000 for road improvements).
- c. Option C: \$1,248,585.47 with a millage rate of 5.0729% (includes \$200,000 for road improvements).
- d. Option D: \$1,048,585.47 with a millage rate of 3.6085% (excludes road improvement funding).

Other issues relative to the budget include a COLA of 3% for employees. Due to a 288% increase in health insurance claims in 2019-20, health insurance increased 10.7%. Given the high occurrence of claims for the second consecutive year, the cost of health insurance increased 11.49%. Life insurance rates remained the same; and, the P&C rates increased overall over 15%.

Chairman Martinez asked if there was any public comment, there was none.

After discussing the overall budget and options, the Board selected Option C.

Upon motion duly made by Chairman Martinez seconded by Supervisor Capitanio and unanimously carried, it was RESOLVED AND APPROVED the Board adopts Resolution 2020-4 approving the Proposed Tentative Millage Rate for fiscal year October 1, 2020 to September 30, 2021 in the amount of 5.0729%

Chairman Martinez called roll.

- Vice Chairman Perry - Yes
- Supervisor Capitanio – Yes
- Supervisor Imhoff – Yes
- Chairman Martinez - Yes

Upon motion duly made by Supervisor Capitanio seconded by Vice Chairman Perry and unanimously carried, it was RESOLVED AND APPROVED the Board accepts the Proposed Tentative Operating Budget for fiscal year October 1, 2020 to September 30, 2021 in the amount of \$1,248,585.47.

Chairman Martinez called roll.

- Vice Chairman Perry - Yes
- Supervisor Capitanio – Yes
- Supervisor Imhoff – Yes
- Chairman Martinez - Yes

Upon motion duly made by Chairman Martinez seconded by Supervisor Capitanio and unanimously carried, it was RESOLVED AND APPROVED the Board accepts the Proposed Tentative Capital Funds Projects Budget for fiscal year October 1, 2020 to September 30, 2021 in the amount of \$2,224,873.00.

Chairman Martinez called roll.

- Vice Chairman Perry - Yes
- Supervisor Capitanio – Yes
- Supervisor Imhoff – Yes
- Chairman Martinez - Yes

The Board considered scheduling the tentative and final budget hearings so as to conflict on the same dates as both school boards and counties (Hendry/Glades). Dates will be sent to the Board of Supervisors for their selection.

Chairman Martinez asked if there was any public comment, there was none.

Chairman Martinez closed the Public Hearing at 6:06 PM.

Consent Agenda:

- a. Verified proper meeting notice,
- b. Verified a quorum;
- c. Approval of meeting minutes June 18, 2020
- d. Ratify: Local State of Emergency, Resolution 2020-2, COVID-19 (weekly from March 27 – July 24, 2020)
- e. Ratify: Sold surplus property PL-57, 1991 Vermeer chipper, \$10,000

- f. Ratify: Sold surplus property PL-73, 2006 John Deere tractor, \$15,500
- g. Ratify: Execution of audit contract with Tuscan, extend additional year
- h. Ratify: Execution of Project Manual Agreement, 2019-20 road improvement project, Community Asphalt, Corporation

Upon motion duly made by Vice Chairman Perry seconded by Chairman Martinez and unanimously carried, it was RESOLVED AND APPROVED the Consent Agenda is accepted as presented.

Chairman Martinez asked if there was any public comment, there was none.

General Manager's Report

Item A. Supervisor Seats 2 and Seat 4

Ms. Kennington-Korf advised there was a glitch in meeting the filing deadline and Mr. Perry was unable to qualify timely for the Seat 2 position that will become vacant following the general election, November 3rd. Mr. Perry remains interested in serving on the Board. Should the Board desire Mr. Perry to remain in office, a Resolution could be adopted or a special meeting could be held to appoint him after the general election.

Upon motion duly made by Chairman Martinez seconded by Supervisor Capitanio and unanimously carried, it was RESOLVED AND APPROVED the Board adopts Resolution 2020-5 declaring a vacancy in Seat #2 of the Board effective November 3, 2020, providing the incumbent board member in Seat #2 shall remain in office in Seat 2 or until February 1, 2021, whichever occurs first; providing for the Board to make the appointment on or before February 1st.

The Seat 4 position has been vacant since December 6th, 2019. To date, four candidates expressed an interest in the position. No action is required at this time.

Supervisor Capitanio moved to vote on a replacement for seat 4. Chairman Martinez commented a candidate for seat 4 is on the conference call Mr. Stevens and agreed to vote as did Vice Chairman Perry and Supervisor Imhoff.

Ms. Kennington-Korf advised the other candidates were not informed a vote would take place at this meeting and the information was provided as an update.

Chairman Martinez ask Mr. Stevens how he knew of the position vacancy. Mr. Stevens advised he went to the Elections Office and was directed to the Port LaBelle Comm Dev District office. Mr. Stevens requested the agenda and meeting minutes for the last several meetings.

Attorney Pritt advised as Seat 4 position was not on the agenda to be voted on it should be scheduled on the next agenda. When it is on the agenda all candidates need to be notified.

Ms. Kennington-Korf advised the board dates will be sent to each board member for a Special meeting for seat 4 and the Tentative and Final budget meetings.

Item B. Mowing Contract, 5-year, Glades County

The Glades County BOCC mowing contract was signed by their Board last month. At their suggestion, the contract is for a 5-year period. A 3% annual escalator was included:

Fiscal Year	Annual Revenue (3% escalator)	
Glades County	2020-21	\$10,517.82
	2021-22	\$10,833.36
	2022-23	\$11,158.36
	2023-24	\$11,493.11
	2024-25	\$11,837.91

The annual contract with Hendry County ends in September, (\$59,028.02) unless they invoke a one-year option that is provided in the contract. The same terms (5-year, 3%) were offered to Hendry in March and July.

Upon motion duly made by Vice Chairman Perry seconded by Supervisor Capitanio and unanimously carried, it was RESOLVED AND APPROVED the Glades County mowing contract is approved for the period of 10/1/2020 – September 30, 2025

Item C. Fund Balance Policy

The purpose is to establish the appropriate level of unrestricted fund balance including the authorization level to appropriate and the method of replenishing deficiencies. It is the responsibility of the General Manager to monitor adherence to the policy and review and update annually. The Board's unassigned fund balance is equal to 21.51% of the general fund budget and is out of range with the District Fund Balance Policy. To be in the 25% - 50% range, the unassigned reserves would need to be between \$194,672 and \$389,344. It should be noted the **amended 2019-20** unassigned expense CCF is \$299,711 or 46.35% which is within the range of the Districts fund balance policy.

Upon motion duly made by Chairman Martinez seconded by Supervisor Capitanio and unanimously carried, it was RESOLVED AND APPROVED the 2019-20 Fund Balance Policy is accepted as presented.

Item D. Policy, clearing or pruning of greenbelt at resident's request

As the District continues to grow, more municipal services are being requested by the residents. Recently, a request was received to remove excess vegetation on the greenbelt abutting a landowner's property. The landowner reported her neighbors land had been cleared and she wanted the same service. The District budget cannot absorb removing vegetation within the greenbelts from all residential property. The recommended policy will allow the removal of vegetation, under certain circumstances, at the landowner's expense.

Attorney Pritt advised under the Florida law you are not necessarily responsible for trees on the edge of your property.

Upon motion duly made by Vice Chairman Perry seconded by Supervisor Capitanio and unanimously carried, it was RESOLVED AND APPROVED the Policy for clearing or pruning of the CDD's greenbelt is approved as presented.

Item E. Field Supervisor Position

The position is responsible for making certain the tasks necessary to deliver operational services is executed timely, accurately, and courteously. The two CDD field staff team members have continued providing services and as of July 17, a temporary employee was hired to help keep up with mowing. During this time Barron WCD field supervisor George Leicht has provided

technical and supervisory assistance. Negotiations are ongoing with a potential replacement however; nothing has been solidified. A future meeting will determine the recommendation to the Board. Currently, the following options for a replacement have been considered and are not necessarily listed in order of preference:

1. Fill the position and hire a CDD field employee;
2. Combine the CDD & Barron WCD using one field supervisor and hire another CDD field staff position;
3. Replace the position with someone who will later be able to oversee both districts;
4. Various combinations and alterations to the existing position.

Item F. FYI

- i. Summary of meeting with Glades and Hendry County Administrators, both current County Administrators agreed it is their responsibility to take care of debris for the residents. signs, illegal dump, 4-wheelers, B-map, back taxes, street lights, mowing contract and Road bids.
- ii. Incidence of damages caused by fallen damaged trees
- iii. Technical difficulties, server and internet (website audit requirement), Phone lines were down for several day, a temp line was installed and a permanent line will be installed in 6 to 10 business days.

General Counsel Report

Attorney Pritt no new business to report at this time.

Field Supervisor's Report

As of October 1st there are 150 driveway, and 222 general permits. Permits continue to increase. Mowing will be completed on the county roads this week and all the units have been mowed. Mosquito complaints have been received and will be addressed.

Other Business

No other business at this time

Chairman Martinez asked if there was any public comment.

Resident Andy Higginbotham commented there are more new residents moving in, there are more 4-wheelers on the road instead of the greenbelts at this time. It was suggested for residents to call law enforcement to monitor.

There being no further business to come before the Board, the meeting was adjourned at 7:10 PM.

ATTEST:





Maria Taylor, Recording Secretary



Jason Martinez, Chairman