

MINUTES  
PORT LABELLE COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS' MEETING

September 15, 2015

A meeting of the Board of Supervisors of the Port LaBelle Community Development District was called to order at 5:30 p.m. on Tuesday, September 15, 2015 by the Chair, Jason Martinez who verified that a quorum was present and that the meeting had been legally advertised.

Those present at the meeting were:

Jason Martinez – Chair & Board Member  
Jeff Perry – Vice Chair & Board Member  
Mike Jordan – Treasurer & Board Member  
David Capitanio – Board Member  
Nancy Imhoff – Board Member  
Judi Kennington-Korf – General Manager  
Andy Higginbotham – Accountant for the District  
Robert Pritt – Attorney for the District  
Jeff Daniels – Field Superintendent  
Debora Simicich – District Secretary  
Han Mouthaan - Property Owner

Mr. Pritt led with prayer followed by the Pledge of Allegiance.

Mr. Martinez announced that the Public Hearing to make a final decision on the budget and taxes, as advertised, was open.

Ms. Kennington-Korf gave an overview of the proposed budget and millage rate. She noted that the proposed millage rate of 4.8512 is a 12.13% increase over the current year Roll Back Rate. The proposed budget does include a \$50,000 line item for Roads and a \$10,000 line item for Contingencies. She noted that had these two items not been included in the current fiscal year budget, it would have been \$35,000 less than the previous year's budget.

Mr. Martinez asked for comments from the public, there were none.

Ms. Kennington-Korf announced that the final millage rate is 4.8512, the final Operations budget is \$846,532.65 and the final CPF budget is \$2,071,090.

Upon motion duly made by Mr. Martinez, seconded by Ms. Imhoff and unanimously carried by a roll call vote, it was

RESOLVED, that in accordance with Resolution 2015-8 the final millage rate levy of 4.8512 mils per \$1,000 of tax year 2015 gross taxable value, be approved and adopted.

Upon motion duly made by Mr. Martinez, seconded by Mr. Perry and unanimously carried by a roll call vote, it was

RESOLVED, that in accordance with Resolution 2015-9 that the final Operations budget for fiscal year 2015-2016 shall be \$846,532.65 and a Capital Projects Fund budget for fiscal year 2015-2016 shall be \$2,071,090, be approved and adopted.

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The Public Hearing was adjourned.

Consent Agenda: A -Verification of proper meeting notice; B - Verification of a quorum;  
C - Approval of meeting minutes, July 23, 2015; D - Approval of meeting minutes, September 3,  
2015; E - Ratify bid award for tractor; F - Ratify bid award for mower.

Ms. Kennington-Korf asked that Item D - Approval of meeting minutes, September 3, 2015 be pulled from the Consent Agenda.

Upon motion duly made by Mr. Perry, seconded by Mr. Capitanio and unanimously carried, it was

RESOLVED that the Consent Agenda, except for item 3-D,  
which was pulled, be approved.

Ms. Kennington-Korf noted that Item 3-D, the September 3, 2015 Public Hearing and Board Meeting minutes, was amended as follows: the wording on page 2 for the motion approving the proposed Operating Budget and CPF Budget was amended to include the Resolution number being voted on. The Resolution number was not included in the minutes Board Members received in the agenda packet.

Upon motion duly made by Mr. Jordan, seconded by Mr. Perry and unanimously carried, it was

RESOLVED that the minutes of the Public Hearing and the Board of Supervisors' meeting held on September 3, 2015, be approved as amended.

Ms. Kennington-Korf asked the Board to consider renewal of the professional services contracts for the accountant, the attorney, and the engineer.

Upon motion duly made by Mr. Jordan, seconded by Mr. Perry and unanimously carried, it was

RESOLVED that the accounting services contract with Higginbotham & Soud (aka LaBelle CPA), be extended with the same rate and conditions through September 30, 2016, the legal services contract with Roetzel & Andress, be extended through September 30, 2016 with an increased retainer fee to reflect a monthly rate of \$800, non-routine matters \$215 per hour, litigation \$260 per hour and eminent domain at the market rate; and, the engineer and survey services contract with Johnson-Prewitt & Associates, be extended with the same rate and conditions through September 30, 2016.

Ms. Kennington-Korf asked the Board to consider changes to the Intergovernmental Agreement with Barron Water Control District. In April 2015 the Board changed the Agreement to a perpetual agreement which reflects an actual percentage of the administration expenses instead of a fixed dollar amount. At this time there are two changes which need to be made: first, a change in terminology from "maintenance man" to "maintenance personnel"; second, the \$150 per month paid for use of the vehicle be switched from paid by PLCDD to BWCD to paid by BWCD to PLCDD. Pt. LaBelle now owns the vehicle and Barron has asked that they be credited \$150 per month until the cost of the vehicle has been realized, approximately 3 ½ years. Ms. Kennington-Korf noted that she had adjusted the Kelly Blue Book value to reflect a reduction in the amount due to the fact that PLCDD had not had use of the vehicle since December of 2014, it was approximately a \$1,000 reduction in value.

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Mr. Mouthaan asked when traveling for the Barron District, how will that be accounted for?

Mr. Martinez explained that the Barron Water Control District has agreed to pay the Port LaBelle Community Development District \$150 a month for use of the vehicle while on Barron District business. (This is the same arrangement between the two Districts when BWCD owned the vehicle) However, with the transfer of ownership, PLCDD owes the BWCD approximately \$6,000 payment for the vehicle. That debt will be realized through a credit from PLCDD of \$150 a month until the entire amount has been credited. At that point, BWCD will pay \$150 per month for use of the vehicle.

Mr. Martinez asked if there were any other questions or comments; there were none.

Upon motion duly made by Mr. Perry, seconded by Mr. Martinez and unanimously carried, it was

RESOLVED that the Intergovernmental Services Agreement (IGA) with the Barron Water Control District be accepted subject to the change #2 from field operations "maintenance man" to "maintenance personnel"; and, #4, removal of a \$150 monthly automobile allowance in recognition of the donation of an automobile from the Barron Water Control District. Be it further resolved the donation of the vehicle will be applied to the car allowance (\$150 per month) until the value of the vehicle is realized (approximately three and a half years).

Ms. Kennington-Korf updated the Board on the leasing of the District office building. There has been no interest in leasing the building since the previous inquiry by the church group. Jeff and his crew have worked on cleaning and maintaining the building in order to keep it ready for lease. She asked the Board to consider listing the building with a realtor in order to get a tenant in there. A building that is left to sit will deteriorate.

A discussion ensued regarding the amount of property involved and the amount of the lease. Currently the District is asking \$1,200 per month. During the discussion, Mr. Pritt confirmed that the property, in whole or part, could be sold.

The Board authorized the General Manager to check with realtors to see if there is a demand for such property and to find out the current zoning. There will be further discussion on the topic at the Capital Project Fund meeting on October 15, 2015.

Ms. Kennington-Korf asked the Board to consider the District's permit fees. The District received a letter from Habitat for Humanity to waive the Driveway Permit fees. She recommends that fees not be waived and noted that such needs to be written into a policy. Currently, there is no written policy in regard to fees, only a fee schedule.

Mr. Capitanio noted that the \$75 driveway permit fee is low. He recently built his home and noted that other fees involved were much higher than ours.

Mr. Pritt recommended that the District not waive fees, and the Board might want to consider raising the current fees.

Mr. Martinez stated that the \$75 fee should be increased and that it is not realistic for the work and time involved.

Jeff Daniels suggested looking at other agencies to see what they charge for such services.

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Ms. Kennington-Korf noted that the District is permitted to charge the electric companies a per pole fee. The District does not currently charge such a fee.

Mr. Pritt stated that by statute, a fee must cover the cost of the activity and cannot be used for revenue generation.

Upon motion duly made by Mr. Martinez, seconded by Mr. Perry and unanimously carried, it was

RESOLVED AND APPROVED that fees will be applied to all District permits except where prohibited by law.

Ms. Kennington-Korf asked the Board to consider the meeting schedule for the next fiscal year.

Upon motion duly made by Mr. Capitanio, seconded by Mr. Jordan and unanimously carried, it was

RESOLVED that the District regular meetings will be scheduled and posted at 5:30 PM on November 19, 2015, January 28, 2016, March 17, 2016, May 26, 2016, and July 28, 2016 which will also serve as the proposed budget public hearing.

Mr. Pritt received information from Darlene in the Hendry County Tax Collector's office in regards to the amount of back taxes owed to the District. He consulted with his partner and they determined that there is nothing to be done about the situation. The District has to wait and hope the taxes are paid before the tax certificates expire.

Jeff Daniels gave his Field Supervisor's report. He noted that the new tractor and mower have been received and put into service. The old tractor and mower have been advertised on GovDeals. He and his crew are on the last cycle of mowing for the County roads. He is getting ready to spray the roads. They are sprayed 2 to 3 times a year, as needed.

There being no further business to come before the Board, the meeting was adjourned at 6:50 p.m.

  
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Jason Martinez, Chairman

ATTEST:

  
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Nancy V. Imhoff

~~Debora Simicich, Recording Secretary~~

