



**COUNTY LINE
DRAINAGE DISTRICT**

**LEE COUNTY
REGULAR BOARD MEETING
OCTOBER 11, 2023
10:00 A.M.**

Special District Services, Inc.
27499 Riverview Center Boulevard, #253
Bonita Springs, FL 33134

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AGENDA
COUNTY LINE
DRAINAGE DISTRICT
23351 North River Road
Alva, Florida 33920
REGULAR BOARD MEETING
October 11, 2023
10:00 A.M.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. June 28, 2023 Regular Board Meeting & Public Hearing.....Page 2
 - 2. July 11, 2023 Special Board Meeting & Attorney-Client Session.....Page 6
- G. Old Business
- H. New Business
 - 1. Consider Resolution 2023-04 – Adopting a Fiscal Year 2022/2023 Amended Budget.....Page 7
- I. Manager’s Report
 - 1. Financial Report.....Page 10
- J. Field Report.....Page 13
- K. Engineer’s Report
- L. Attorney’s Report
- M. Administrative Matters
- N. Board Members Comments
- O. Adjourn

COUNTY LINE DRAINAGE DISTRICT FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE Regular Meetings of the Board of Supervisors of the County Line Drainage District (the "District") will be held at 10:00 a.m. in the District's office located at 23351 North River Road, Alva, Florida 33920 on the following dates: October 11, 2023 January 10, 2024 April 10, 2024 July 10, 2024 The meetings are open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The meetings may be continued in progress without additional notice to a time, date, and location stated on the record. Copies of the agenda for these meetings may be obtained from the District's website or from the District Manager, Special District Services, located at 2501A Burns Road, Palm Beach Gardens, Florida 33410. There may be occasions when one or more Supervisors will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the District Office at least forty-eight (48) hours before the meeting by contacting the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800- 955-8770, who can aid you in contacting the District Office. A person who decides to appeal any decision made at the meeting with respect to any matter considered at a particular meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based. Meetings may be cancelled from time to time without advertised notice. AD#5833768 Sept. 29, 2023

**COUNTY LINE DRAINAGE DISTRICT
PUBLIC HEARING & REGULAR BOARD MEETING
JUNE 28, 2023**

A. CALL TO ORDER

The June 28, 2023, Regular Board Meeting of the County Line Drainage District (the “District”) was called to order at 10:05 a.m. at 23351 North River Road, Alva, Florida 33920.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Fort Myers News-Press* on June 8, 2023, and June 15, 2023, as legally required.

C. SEAT BOARD MEMBERS

Mr. McKenna was not present at the meeting, so he will be sworn in at the next meeting.

D. ADMINISTER OATH OF OFFICE AND REVIEW BOARD MEMBER DUTIES & RESPONSIBILITIES

This was not applicable at this time.

E. ELECTION OF OFFICERS

A motion was made by Mr. Fabry, seconded by Mr. Beale and passed unanimously to keep the officers the same:

Chairman Joe Beale
Vice Chairman Paul Fabry
Secretary/Treasurer – Kathleen D. Meneely
Assistant Secretary Pat McKenna

F. ESTABLISH A QUORUM

It was determined that the attendance of the following Supervisors constituted a quorum and it was in order to proceed with the meeting:

President	Joe Beale	Present
Vice President	Paul Fabry	Present
Assistant Secretary	Pat McKenna	Absent

Staff members in attendance were:

District Manager	Kathleen Meneely	Special District Services, Inc.
General Counsel	Bob Diffenderfer (via phone)	Lewis, Longman & Walker
District Engineer	Kyle Grandusky	GMAwater, LLC

Field Consultant	Randy Sebring	
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G. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

H. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

I. APPROVAL OF MINUTES

1. April 12, 2023, Regular Board Meeting

The April 12, 2023, Regular Board Meeting minutes were presented for consideration.

A **motion** was made by Mr. Fabry seconded by Mr. Beale and passed unanimously approving April 12, 2023, Regular Board Meeting minutes, as presented.

The Regular Board Meeting was then recessed and the Public Hearing was opened.

J. PUBLIC HEARING

1. Proof of Publication

Proof of publication was presented that notice of the Public Hearing had been published in the *Fort Myers News-Press* on June 8, 2023, and June 15, 2023, as legally required.

2. Receive Public Comment on Fiscal Year 2023/2024 Final Budget

There was no public comment on the Fiscal Year 2023/2024 Final Budget.

3. Consider Resolution No. 2023-02 – Adopting a Fiscal Year 2023/2024 Final Budget

Resolution No. 2023-02 was presented, entitled:

RESOLUTION NO. 2023-02

A RESOLUTION OF THE COUNTY LINE DRAINAGE DISTRICT ADOPTING A FISCAL YEAR 2023/2024 BUDGET.

A **motion** was made by Mr. Fabry, seconded by Mr. Beale and passed unanimously adopting Resolution No. 2023-02, as presented.

The Public Hearing was then closed and the Regular Board Meeting was reconvened.

K. OLD BUSINESS

There were no Old Business items to come before the Board.

L. NEW BUSINESS

1. Consider Resolution No. 2023-03 – Adopting a Fiscal Year 2023/2024 Meeting Schedule

Resolution No. 2023-03 was presented, entitled:

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY LINE DRAINAGE DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2023/2024 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Fabry, seconded by Mr. Beale and passed unanimously adopting Resolution No. 2023-03, as presented.

2. Discussion Regarding Crews Bank & Trust Loan Documents

Ms. Meneely went over the documents.

A **motion** was made by Mr. Fabry, seconded by Mr. Beale and passed unanimously approving the Crews Bank & Trust loan documents and authorizing the Chairman to execute same.

M. MANAGER'S REPORT

1. Financial Report

Ms. Meneely went over financial report. There were no questions from the Members of the Board.

A motion was made by Mr. Fabry, seconded by Mr. Beale and passed unanimously approving the Financial Report, as presented.

Ms. Meneely reminded the Board Members that the next meeting was scheduled for October 11, 2023.

N. FIELD REPORT

Mr. Sebring went over his Field Report stating that the pumphouse had been repaired at a cost of approximately \$6,000. He further stated that the culvert in Section 3 needed to be replaced and it was the consensus of the Board to get it replaced. Mr. Sebring further noted that there was a big hole on East Road that he would evaluate. He also stated that some of the main roads needed work. Mr. Fabry suggested waiting until the end of rainy season for any regrading.

A **motion** was made by Mr. Fabry, seconded by Mr. Beale accepting Mr. Sebring's Field Report, as presented.

O. ENGINEER'S REPORT

Mr. Grandusky went over the Annual Engineer's Report and gave updates on the BMAP project. Mr. Fabry asked about sampling and Mr. Grandusky stated that there was not yet any water coming from Babcock but when there is, sampling will be done.

A **motion** was made by Mr. Fabry, seconded by Mr. Beale and passed unanimously accepting the Annual Engineer's Report, as presented.

P. ATTORNEY’S REPORT

Mr. Diffenderfer gave a status of the litigation and asked to schedule a shade meeting regarding the settlement/litigation. He added that a published notice of the meeting was required and it must state who will be present. He stated that present would be himself, the three Board Members, Ms. Meneely, Seth Bayne, Andy Baumann and a court reporter.

After discussion, a **motion** as made by Mr. Fabry, seconded by Mr. Beale and passed unanimously scheduling a shade meeting for July 11, 2023, at 10:00 a.m. with the above noted attendees.

Mr. Diffenderfer stated that the record would become public at the conclusion of the litigation.

Q. ADMINISTRATIVE MATTERS

There were no Administrative Matters to come before the Board.

R. BOARD MEMBER COMMENTS

There were no further comments from the Board Members.

O. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Fabry, seconded by Mr. Beale and passed unanimously adjourning the Regular Board Meeting at 10:30 a.m.

Secretary/Assistant Secretary

President/Vice President

AGENDA
COUNTY LINE
DRAINAGE DISTRICT
23351 North River Road
Alva, Florida 33920
SPECIAL BOARD MEETING & ATTORNEY-CLIENT SESSION
July 11, 2023
10:00 A.M.

- A. Call to Order
- B. Proof of Publication
- C. Roll Call
- D. Attorney-Client Session pursuant to Section 286.011(8), Florida Statutes: The subject of the meeting shall be to discuss settlement negotiations or strategy related to litigation expenditures in *Keith Dean and Stephanie Dean, Plaintiffs v. County Line Drainage District, a Water Control District pursuant to Chapter 298, Florida Statutes, and Chapter 67-723, Laws of Florida, Defendant, Case No.: 23-CA-001759, In the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida*
 - 1. Announcement by President of commencement of Session, estimated length of Session (1 hour), and names of those in attendance.
 - 2. ATTENDEES: The following persons will be present for the executive session: Robert P. Diffenderfer, Esquire, Andrew J. Baumann, Esquire, Seth C. Behn, Esquire, all of Lewis, Longman & Walker, P.A., Attorneys for Defendant; Kathleen Meneely, District Manager; and the following Board members: Joe Beale, Pat McKenna and Paul Fabry. A certified court reporter will also be present.
 - 3. Recess Special Meeting of the Board to conduct the Attorney-Client Session (the Public will be excluded at this time, but the Public may be present at the Reopening of the Special Meeting of the Board of Supervisors).
 - 4. Conduct the Attorney-Client Session
 - 5. Termination of Attorney-Client Session
- E. Reopen Meeting to Public and Announcement of Termination of Attorney-Client Session
- F. Action Items (if any)
- G. Adjourn

RESOLUTION NO. 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY LINE DRAINAGE DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2022/2023 BUDGET, PURSUANT TO CHAPTER 197, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of the County Line Drainage District (hereinafter the “District”) is empowered to provide a funding source and to impose special assessments upon the properties within the District; and,

WHEREAS, the District has prepared for consideration and approval an amended final fiscal year 2022/2023 budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY LINE DRAINAGE DISTRICT, THAT:

Section 1. The Amended Operating Fund and Debt Service Fund Budget for Fiscal Year 2022/2023 attached hereto as Exhibit “A” is hereby approved and adopted.

Section 2. The Secretary/Assistant Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 11th day of October, 2023.

ATTEST:

**COUNTY LINE
DRAINAGE DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

County Line
Drainage District

**Amended Final Budget For
Fiscal Year 2022/2023
October 1, 2022 - September 30, 2023**

**AMENDED FINAL BUDGET
COUNTY LINE DRAINAGE DISTRICT
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023**

	FISCAL YEAR 2022/2023 BUDGET 10/1/22 - 9/30/23	AMENDED FINAL BUDGET 10/1/22 - 9/30/23	YEAR TO DATE ACTUAL 10/1/22 - 9/29/23
REVENUES			
Assessments	167,584	170,305	170,305
Tax Collector - Excess Fees	0	0	0
Miscellaneous Income	0	1,100	1,100
Interest Income	180	7,650	7,549
Total Revenues	\$ 167,764	\$ 179,055	\$ 178,954
EXPENDITURES			
Management Fees	29,760	29,760	29,760
Legal Fees	7,500	55,000	40,277
Legal Advertising	1,000	1,500	1,215
Engineering	6,000	6,000	2,090
Audit Fees	8,700	9,700	9,700
Insurance	7,850	8,022	8,022
Meetings and Membership Dues	750	175	175
Miscellaneous	828	800	362
Postage and Delivery	175	250	225
Office Supplies	275	375	341
Outside Maintenance Labor	25,000	33,000	31,705
Weed Control	25,000	20,000	11,565
Control Structures	25,000	1,000	0
Fuel/Lubricants	4,000	1,000	0
Equipment Parts	3,000	11,300	10,300
Construction Materials	500	100	0
Road Maintenance	14,000	14,000	11,550
Canal Maintenance	20,000	1,000	0
North Dike Maintenance	15,000	10,000	7,915
Water Analyses	3,000	1,500	757
Reserve	30,000	15,250	0
Drainage System	0	14,750	14,750
Total Expenditures	\$ 227,338	\$ 234,482	\$ 180,709
Revenues Less Expenditures	\$ (59,574)	\$ (55,427)	\$ (1,755)
County Appraiser & Tax Collector Fee	(535)	(513)	(513)
Discounts For Early Payments	(7,327)	(3,068)	(3,068)
Property Appraiser	(354)	(354)	(354)
Excess/ (Shortfall)	\$ (67,790)	\$ (59,362)	\$ (5,690)
Carryover From Prior Year	67,790	0	0
Net Excess/ (Shortfall)	\$ -	\$ (59,362)	\$ (5,690)

FUND BALANCE AS OF 9/30/22	\$ 251,595
FY 2022/2023 ACTIVITY	\$ (59,362)
FUND BALANCE AS OF 9/30/23	\$ 192,233

Notes

Actual Legal Invoices Received Through July 2023

Carryover From Prior Year Of \$67,790 was used to reduce Fiscal Year 2022/2023 Assessments.

Carryover From Prior Year Of \$68,705 to be used to reduce Fiscal Year 2023/2024 Assessments.

County Line
Drainage District

**Financial Report For
September 2023**

**COUNTY LINE DRAINAGE DISTRICT
MONTHLY FINANCIAL REPORT
SEPTEMBER 2023**

	Annual Budget 10/1/22 - 9/30/23	Actual Sep-23	Year To Date Actual 10/1/22 - 9/30/23
REVENUES			
Assessments	167,584	0	170,305
Miscellaneous Income	0	0	0
Other Income	0	0	1,100
Interest Income	180	0	7,549
Total Revenues	\$ 167,764	\$ -	\$ 178,954
EXPENDITURES			
Management Fees	29,760	2,480	29,760
Legal Fees	7,500	0	40,277
Legal Advertisements	1,000	0	1,215
Engineering	6,000	0	2,090
Audit Fees	8,700	0	9,700
Insurance	7,850	0	8,022
Meetings and Membership Dues	750	0	175
Miscellaneous	828	0	362
Postage	175	10	225
Office Supplies	275	1	341
Outside Maintenance Labor	25,000	1,735	31,705
Weed Control	25,000	0	11,565
Control Structures	25,000	0	0
Fuel/Lubricants	4,000	0	0
Equipment Parts/Repairs	3,000	0	10,300
Construction Materials	500	0	0
Road Maintenance	14,000	0	11,550
Canal Maintenance	20,000	0	0
North Dike Maintenance	15,000	0	7,915
Water Analyses	3,000	0	757
Reserve	30,000	0	0
Drainage System	0	0	14,750
Total Expenditures	\$ 227,338	\$ 4,226	\$ 180,709
Revenues Less Expenditures	\$ (59,574)	\$ (4,226)	\$ (1,755)
Tax Collector Fees	(535)	0	(513)
Discounts For Early Payments	(7,327)	0	(3,068)
Property Appraiser Fees	(354)	0	(354)
Excess/ (Shortfall)	\$ (67,790)	\$ (4,226)	\$ (5,690)
Carryover From Prior Year	67,790	0	0
Net Excess/ (Shortfall)	\$ -	\$ (4,226)	\$ (5,690)

Bank Balance As Of 9/30/23	\$ 253,585.69
Accounts Payable As Of 9/30/23	\$ 7,680.80
Accounts Receivable As Of 9/30/23	\$ -
Available Funds As Of 9/30/23	\$ 245,904.89

County Line Drainage District
Budget vs. Actual
October 2022 through September 2023

	<u>Oct 22 - Sept 23</u>	<u>22/23 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
01-3500 · Assessment Revenue	170,304.68	167,584.00	2,720.68	101.62%
01-3780 · Tax Collector Fees	-513.30	-535.00	21.70	95.94%
01-3785 · Assessment Discounts	-3,068.34	-7,327.00	4,258.66	41.88%
01-3790 · Property Appraiser Fee	-354.00	-354.00	0.00	100.0%
01-3900 · Other Income	1,100.00	0.00	1,100.00	100.0%
01-9510 · Interest Income	7,549.55	180.00	7,369.55	4,194.19%
01-9599 · Carryover From Prior Year	0.00	67,790.00	-67,790.00	0.0%
Total Income	<u>175,018.59</u>	<u>227,338.00</u>	<u>-52,319.41</u>	<u>76.99%</u>
Gross Profit	175,018.59	227,338.00	-52,319.41	76.99%
Expense				
01-1311 · Management Fees	29,760.00	29,760.00	0.00	100.0%
01-1480 · Legal Advertisements	1,214.63	1,000.00	214.63	121.46%
01-1513 · Postage and Delivery	224.98	175.00	49.98	128.56%
01-1640 · Roadway Maintenance	11,550.00	14,000.00	-2,450.00	82.5%
01-1645 · Canal Maintenance	0.00	20,000.00	-20,000.00	0.0%
01-1646 · North Dike Maintenance	7,915.00	15,000.00	-7,085.00	52.77%
01-1650 · Outside maint. Labor	31,705.00	25,000.00	6,705.00	126.82%
01-1660 · Weed Control	11,565.00	25,000.00	-13,435.00	46.26%
01-1670 · Control Structures	0.00	25,000.00	-25,000.00	0.0%
01-1680 · Fuels / Lubricants	0.00	4,000.00	-4,000.00	0.0%
01-1690 · Equipment Parts / Repairs	10,300.00	3,000.00	7,300.00	343.33%
01-1691 · Construction Materials	0.00	500.00	-500.00	0.0%
01-1750 · Legal Fees	40,277.10	7,500.00	32,777.10	537.03%
01-1760 · Engineering	2,090.00	6,000.00	-3,910.00	34.83%
01-1770 · Audit Fees	9,700.00	8,700.00	1,000.00	111.49%
01-1795 · Meetings & Membership Dues	175.00	750.00	-575.00	23.33%
01-1800 · Insurance	8,022.00	7,850.00	172.00	102.19%
01-1804 · Drainage System	14,750.00	0.00	14,750.00	100.0%
01-1810 · Miscellaneous	362.20	828.00	-465.80	43.74%
01-1820 · Office Supplies	340.60	275.00	65.60	123.86%
01-1833 · Water Analyses	757.00	3,000.00	-2,243.00	25.23%
01-1896 · Reserve	0.00	30,000.00	-30,000.00	0.0%
Total Expense	<u>180,708.51</u>	<u>227,338.00</u>	<u>-46,629.49</u>	<u>79.49%</u>
Net Ordinary Income	<u>-5,689.92</u>	<u>0.00</u>	<u>-5,689.92</u>	<u>100.0%</u>
Net Income	<u><u>-5,689.92</u></u>	<u><u>0.00</u></u>	<u><u>-5,689.92</u></u>	<u><u>100.0%</u></u>

**COUNTY LINE DRAINAGE DISTRICT
FIELD REPORT
FOR THE MONTHS OF JULY THROUGH SEPTEMBER 2023**

1) CULVERTS REMOVED/INSTALLED

- a) Culvert in section 3 is on order.

2) CANALS CLEANED

- a) None.

3) WEED CONTROL

- a) None.

4) ROADS MAINTENANCE

- a) Graded roads.

5) METERS/PUMPS

- a) Read all meters.

6) PROJECTED OR SPECIAL PROJECT

- a) None.