



**EAST CHARLOTTE
DRAINAGE DISTRICT**

**CHARLOTTE COUNTY
REGULAR BOARD MEETING
JANUARY 21, 2024
9:00 A.M.**

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

www.eastcharlottedd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
EAST CHARLOTTE
DRAINAGE DISTRICT
Charlotte Harbor Event Conference Center
75 Taylor Street
Punta Gorda, Florida 33950
REGULAR BOARD MEETING
January 21, 2025
9:00 A.M.

- A. Call to Order
- B. Pledge of Allegiance
- C. Proof of Publication.....Page 1
- D. Establish Quorum
- E. Additions or Deletions to Agenda
- F. Comments from the Public for Items Not on the Agenda
- G. Approval of Minutes
 - 1. November 12, 2024 Regular Board Meeting Minutes.....Page 2
- H. Old Business
- I. New Business
- J. Manager’s Report
 - 1. Financial Report.....Page 6
- K. Field Report.....Page 10
- L. Engineer’s Report
 - 1. Consider Approval of Proposal to Modify Permit to Suspend Groundwater Sampling.....Page 12
- M. Attorney’s Report
- N. Administrative Matters
- O. Board Members Comments
- P. Adjourn



PUBLISHER’S AFFIDAVIT OF PUBLICATION STATE OF FLORIDA COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Amber Douglas, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

09/30/24

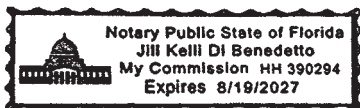
as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 30th day of September, 2024

(Signature of Notary Public)



Personally known X OR Produced Identification

EAST CHARLOTTE DRAINAGE DISTRICT FISCAL YEAR 2024/2025 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the East Charlotte Drainage District (the "District") will hold Regular Board Meetings (the "Meeting" or "Meetings") in the Charlotte Harbor Event and Conference Center located at 75 Taylor Street, Punta Gorda, Florida 33950 at 9:00 a.m. on the following dates:

- October 15, 2024**
- January 21, 2025**
- April 15, 2025**
- July 15, 2025**

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website www.eastcharlottedd.org or by contacting the District Manager at (941) 786-3716 or by email at kmeneely@sdsinc.org and/or toll free at 1-877-737-4922 prior to the date of the particular meeting. 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 to a date, time and place to be specified on the record at the Meeting.

From time to time one or two Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (941) 786-3716 and/or toll free at 1-877-737-4922 at least seven

(7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

EAST CHARLOTTE DRAINAGE DISTRICT
Publish: 09/30/24
119664 3939930

**EAST CHARLOTTE DRAINAGE DISTRICT
REGULAR BOARD MEETING
NOVEMBER 12, 2024**

A. CALL TO ORDER

The November 12, 2024, Regular Board Meeting of the East Charlotte Drainage District (the “District”) was called to order at 9:00 a.m. in the Charlotte Harbor Event Conference Center located at 75 Taylor Street, Punta Gorda, Florida 33950.

B. PLEDGE OF ALLEGIANCE

C. 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 November 1, 2024, as legally required.

D. 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:

Supervisor	Calvin Sill	Present
Chairman	David Kemeny	Present
Vice Chairman	Phillip Varner	Present

Staff members in attendance were:

District Manager	Kathleen Meneely	Special District Services, Inc.
General Counsel	Robert Diffenderfer	Lewis, Longman & Walker
Field Consultant	James Shattles	

Also present was Nick Bixler of Lewis, Longman & Walker and District residents Todd Harris and Franz Leppla.

E. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

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

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

G. APPROVAL OF MINUTES

1. July 16, 2024, Public Hearing & Regular Board Meeting

A **motion** was made by Mr. Kemeny, seconded by Mr. Varner and passed unanimously approving the minutes of the July 16, 2024, Public Hearing & Regular Board Meeting, as presented.

H. OLD BUSINESS

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

I. NEW BUSINESS

1. Consider Resolution No. 2024-04 – Adopting a Fiscal Year 2023/2024 Amended Budget

Resolution No. 2024-04 was presented, entitled:

RESOLUTION NO. 2024-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EAST CHARLOTTE DRAINAGE DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2023/2024 BUDGET, PURSUANT TO CHAPTER 197, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Mr. Varner, seconded by Mr. Sill and passed unanimously adopting Resolution No. 2024-04, as presented.

2. Consider Resolution No. 2024-05 – Adopting Goals and Objectives

Resolution No. 2024-05 was presented, entitled:

RESOLUTION 2024-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EAST CHARLOTTE DRAINAGE DISTRICT ADOPTING GOALS, OBJECTIVES, AND PERFORMANCE MEASURES AND STANDARDS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Ms. Meneely advised that this was a new State requirement and Mr. Diffenderfer added that it was typical of much legislation that there is no guidance on accountability measures but must be adopted.

A **motion** was made by Mr. Varner, seconded by Mr. Kemeny and passed unanimously adopting Resolution No. 2024-05, as presented.

J. MANAGER'S REPORT

a. Financial Report

Ms. Meneely went over the financials. The Board Members had no questions.

K. FIELD REPORT

Mr. Shattles went over his report. There were no questions regarding his report.

L. ENGINEER'S REPORT

There was no Engineer's Report at this time.

M. ATTORNEY'S REPORT

1. Policy Regarding Use of Graham Road from Outside the District **a. Consider Request to Join District**

Mr. Diffenderfer advised that there were two requests; one from Caldis and one from Traulsen, both requesting use of Graham Road. He stated they went back in the records over the history of who had the ability to use Graham Road and added that the District had not been charging a maintenance fee equivalent and what transpired was not captured in the minutes. He noted that there was no current agreement in place but in 2006 there was a \$1,000 buy-in that was returned. Regarding the Traulsen request, Mr. Diffenderfer went over the process to extend District property, noting it was expensive and would cost at least \$50,000 to put through the legislature. He added that the District could charge a reasonable fee but there was no law of what that amount would be and no clear policy. Mr. Kemeny stated that \$50,000 was spent last year for upkeep of the road and mentioned that motorcross park use is supposed to be for emergency use only. Mr. Varner stated that there was a lot of traffic on weekends and Mr. Sill indicated that because of construction, people were using Graham Road as a detour. Mr. Kemeny stated that he told the operation three times to stop using the private road and Mr. Varner noted that there must be a liability for others using the road. Mr. Kemeny indicated that nothing needed to be decided today and expressed that as an agricultural area, it should be maintained as such. He opined that opening the door to others' use would bring up a myriad of other issues that the road cannot sustain, adding that there was no one to manage the road access. There was general discussion on use of an access gate or electronic gate. Mr. Kemeny noted that he did not see a benefit to opening the road and it was not cheap to cover the costs of managing a gate, adding that \$1,000 an acre would not cover the expense of the road these days. Mr. Sill stated that the Board needed to make a policy of what will be allowed and Mr. Kemeny agreed by stating that the only use should be for agriculture commodities. Mr. Diffenderfer indicated he would coordinate with the District engineer on ways to secure the road and will look through the zoning file at the County to see if emergency access had been granted anywhere. He further added that he would get with the mine on an easement and access and as to why they think they can use the road. Mr. Kemeny stated that the issue never came to the Board, and he felt it was sneaky that the entity was trying to circumvent the District. Upon further discussion, it was consensus of the Board that the attorney look at the zoning file and draft a policy on the use of the road to be brought back at a future meeting. The Board also asked the attorney to communicate to the requesters the requirements of joining the District including the legislative fees, management fees and costs which would all be borne by the applicant.

N. ADMINISTRATIVE MATTERS

Ms. Meneely advised that the next meeting was scheduled for January 21, 2025.

O. BOARD MEMBER COMMENTS

There were no further comments from the Board Members.

P. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Varner, seconded by Mr. Kemeny and passed unanimously adjourning the Regular Board Meeting at 9:52 a.m.

Secretary/Assistant Secretary

President/Vice President

East Charlotte
Drainage District

**Financial Report For
December 2024**

**EAST CHARLOTTE DRAINAGE DISTRICT
MONTHLY FINANCIAL REPORT
DECEMBER 2024**

	Annual Budget 10/1/24 - 9/30/25	Actual Dec-24	Year To Date Actual 10/1/24 - 12/31/24
REVENUES			
Assessment - Maintenance	225,470	23,405	24,076
Assessment - Capital Unit 1	0	0	0
Assessment - Capital Unit 2	0	0	0
Assessment - Shell Roads Maintenance	6,011	415	415
Miscellaneous Income	0	0	0
Interest Income	720	0	0
Total Revenues	\$ 232,201	\$ 23,820	\$ 24,491
EXPENDITURES			
Management Fees	31,560	2,630	7,890
Contractual Services	24,000	0	0
Weed Control	27,432	0	0
Mechanical Cleaning (Canals)	30,000	0	0
Road Maintenance	24,241	1,187	14,577
Control Structures	17,689	0	0
Water Analyses	240	0	0
Legal Fees	12,000	0	18,435
Legal Advertising	850	0	120
Engineering	8,500	0	3,258
Audit Fees	9,400	0	0
Postage & Delivery	350	12	13
Assessment/Tax Roll	0	0	0
Office Supplies	500	65	71
Website & ADA Compliance	0	0	0
Meeting and Membership Dues	1,200	0	175
Miscellaneous	725	0	300
Insurance	4,500	0	4,260
Discharge Pump, Section 16	500	0	0
Interest on Credit Line (LOC)	275	0	0
Miscellaneous Maintenance	2,500	0	0
General Maintenance/Reserve	21,850	0	0
Total Expenditures	\$ 218,312	\$ 3,894	\$ 49,099
Revenues Less Expenditures	\$ 13,889	\$ 19,926	\$ (24,608)
County Appraiser & Tax Collector Fee	(4,360)	(458)	(608)
Discounts For Early Payments	(9,259)	(953)	(979)
Excess/ (Shortfall)	\$ 270	\$ 18,515	\$ (26,195)
Carryover From Prior Year	0	0	0
Net Excess/ (Shortfall)	\$ 270	\$ 18,515	\$ (26,195)

Bank Balance As Of 12/31/24	\$ 356,316.00
Accounts Payable As Of 12/31/24	\$ 15,316.36
Accounts Receivable As Of 12/31/24	\$ -
Available Funds As Of 12/31/24	\$ 340,999.64

**East Charlotte Drainage District
Budget vs. Actual
October through December 2024**

	<u>Oct - Dec 24</u>	<u>24/25 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
01-3101 · Assessments - Maintenance	24,075.74	225,470.00	-201,394.26	10.68%
01-3104 · Assessments - Shell Roads Maint	415.45	6,011.00	-5,595.55	6.91%
01-3830 · Assessment Fees	-607.74	-4,630.00	4,022.26	13.13%
01-3831 · Assessment Discounts	-979.60	-9,259.00	8,279.40	10.58%
01-9410 · Interest Income	0.00	720.00	-720.00	0.0%
Total Income	<u>22,903.85</u>	<u>218,312.00</u>	<u>-195,408.15</u>	<u>10.49%</u>
Gross Profit	22,903.85	218,312.00	-195,408.15	10.49%
Expense				
01-1311 · Management Fees	7,890.00	31,560.00	-23,670.00	25.0%
01-1480 · Legal Advertisements	120.12	850.00	-729.88	14.13%
01-1513 · Postage and Delivery	12.62	350.00	-337.38	3.61%
01-1600 · Contractual Services	0.00	24,000.00	-24,000.00	0.0%
01-1620 · Weed Control	0.00	27,432.00	-27,432.00	0.0%
01-1640 · Road Maintenance	14,576.75	24,241.00	-9,664.25	60.13%
01-1650 · Control Structures	0.00	17,689.00	-17,689.00	0.0%
01-1660 · Water Analyses	0.00	240.00	-240.00	0.0%
01-1670 · Legal Fees	18,435.09	12,000.00	6,435.09	153.63%
01-1680 · Engineering	3,257.50	8,500.00	-5,242.50	38.32%
01-1690 · Audit Fees	0.00	9,400.00	-9,400.00	0.0%
01-1700 · Mechanical Cleaning	0.00	30,000.00	-30,000.00	0.0%
01-1720 · Office Supplies	70.90	500.00	-429.10	14.18%
01-1725 · Meetings & Membership Dues	175.00	1,200.00	-1,025.00	14.58%
01-1730 · Miscellaneous	300.00	725.00	-425.00	41.38%
01-1740 · Insurance	4,261.00	4,500.00	-239.00	94.69%
01-1797 · Discharge Pump, Section 16	0.00	500.00	-500.00	0.0%
01-1815 · Miscellaneous Maintenance	0.00	2,500.00	-2,500.00	0.0%
01-1816 · Interest - Line of Credit	0.00	275.00	-275.00	0.0%
01-1817 · Reserve	0.00	21,850.00	-21,850.00	0.0%
Total Expense	<u>49,098.98</u>	<u>218,312.00</u>	<u>-169,213.02</u>	<u>22.49%</u>
Net Ordinary Income	<u>-26,195.13</u>	<u>0.00</u>	<u>-26,195.13</u>	<u>100.0%</u>
Net Income	<u>-26,195.13</u>	<u>0.00</u>	<u>-26,195.13</u>	<u>100.0%</u>

**EAST CHARLOTTE DRAINAGE DISTRICT
TAX COLLECTIONS
2024-2025**

#	ID#	PAYMENT FROM	DATE	FOR	Tax Collect Receipts	Interest Received	Commissions Paid	Discount	Net From Tax Collector	Maintenance Assessment Income (Before Discounts & Fees)	Capital Unit 1 Assessment Income (Before Discounts & Fees)	Capital Unit 2 Assessment Income (Before Discounts & Fees)	Shell Road Maintenance Assessment Income (Before Discounts & Fees)	Maintenance Assessment Income (After Discounts & Fees)	Capital Unit 1 Assessment Income (After Discounts & Fees)	Capital Unit 2 Assessment Income (After Discounts & Fees)	Shell Road Maintenance Assessment Income (After Discounts & Fees)
				GROSS *					\$231,481	\$225,470	\$0	\$0	\$6,011	\$225,470	\$0	\$0	\$6,011
				NET **					\$217,592	\$211,942	\$0	\$0	\$5,650	\$211,942	\$0	\$0	\$5,650
1	F	Charlotte County MSBU Dept	10/01/24	Fees			\$ (137.50)		\$ (137.50)					\$ (137.50)			
2	1	Charlotte County Tax Collector	11/27/24	NAV Taxes	\$ 671.10		\$ (12.88)	\$ (26.85)	\$ 631.37	\$ 671.10				\$ 631.37			
3	2	Charlotte County Tax Collector	12/05/24	NAV Taxes	\$ 1,342.20		\$ (25.78)	\$ (53.69)	\$ 1,262.73	\$ 1,342.20				\$ 1,262.73			
4	3	Charlotte County Tax Collector	12/12/24	NAV Taxes	\$ 3,793.02		\$ (72.82)	\$ (151.70)	\$ 3,568.50	\$ 3,774.95			\$ 18.07	\$ 3,551.50			\$ 17.00
5	4	Charlotte County Tax Collector	12/19/24	NAV Taxes	\$ 18,684.87		\$ (358.76)	\$ (747.36)	\$ 17,578.75	\$ 18,287.49			\$ 397.38	\$ 17,204.90			\$ 373.85
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17									\$ -								
18									\$ -								
19									\$ -								
20									\$ -								
					\$ 24,491.19	\$ -	\$ (607.74)	\$ (979.60)	\$ 22,903.85	\$ 24,075.74	\$ -	\$ -	\$ 415.45	\$ 22,513.00	\$ -	\$ -	\$ 390.85

Assessment Roll = \$231,480.88

Collections
10.58%

* Note: \$231,481, \$225,470, \$0, \$0 and \$6,011 are 2024/2025 Budgeted assessments before discounts and fees.

** \$217,592, \$211,942, \$0, \$0 and \$5,650 are 2024/2025 Budgeted assessments after discounts and fees.

\$ 24,491.19	
\$ -	\$ 22,903.85
\$ (24,075.74)	\$ (22,513.00)
\$ -	\$ -
\$ -	\$ -
\$ (415.45)	\$ (390.85)
\$ -	\$ -
\$ (0.00)	\$ (0.00)

EAST CHARLOTTE DRAINAGE DISTRICT
QUARTERLY FIELD REPORT

FOR THE MONTHS OF OCTOBER and NOVEMBER and DECEMBER. 2024

1) MAJOR PURCHASES / EXPENDITURES

OFFICE TO FILL OUT

2) CANAL'S MAINTENANCE

- 1) Cleaned out canal in section = 14 west side 1,320 Feet on 8-28-2024
- 2) Cleaned out canal in section = 16 west side 5,280 Feet on 9-26-2024
- 3) Cleaned out canal in section = 17 west side 5,280 Feet on 10-23-2024

3) ROAD'S MAINTENANCE

MILES GRADED: _____ SECTIONS: 14

- 1) One load of shell spreaded in a hole in sections = 14 8-25-2024
- 2) _____
- 3) _____

4) CULVERTS

- 1) Ordered 74 2x6x16 Boards of culverts on 12-12-2024
- _____
- _____

5) WEED CONTROL

Coastal Air completes aerial Herbicide application
of 83.29 Acres on 11-1-2024

EAST CHARLOTTE DRAINAGE DISTRICT
QUARTERLY FIELD REPORT

FOR THE MONTHS OF _____

6) **PROJECTS COMPLETED AND WELLS**

READING WATER METERS EACH MONTH.

REPAIRED SIGNS AND POST THROUGHOUT THE DISTRICT ON 10-4-2024, 10-16-2024 and 10-23-2024.

7) **PROJECTS PENDING**

NONE

8) **REMARKS**

(1) THE DITCH THAT RUNS ON THE WEST SIDE OF SECTION 17 FROM NEAL ROAD TO THE NORTH OAK FALL CANAL IS IN GOOD CONDITION.

(2) THE NEAL ROAD DITCH IN SECTIONS 15 AND 16 AND 14 IS IN FAIR CONDITION.



EAST CHARLOTTE DRAINAGE DISTRICT

To: Kathleen D. Meneely
East Charlotte Drainage District
2501A Burns Rd
Palm Beach Gardens, FL 33410

From: Peter A. Brown, P.E.
RESPEC
6561 Palmer Park Circle, Suite D
Sarasota, FL 34238

Date: January 13, 2025

Subject: Modification of Special Conditions – WUP No. 20002689.020

Dear Ms. Meneely,

RESPEC Company, LLC (RESPEC) proposes to submit a modification of Southwest Florida Water Management District (SWFWMD) Water Use Permit (WUP) No. 20002689.020 to suspend periodic groundwater sampling as required by Special Condition No. 26. This condition states that existing District ID Nos 2, 13, 14, 15, and 96 are to be sampled for specific conductance in January, May, and September.

District staff has previously indicated that this condition can be removed if historic sampling data does not reflect any increasing trends of specific conductance. A review of recorded data performed by RESPEC appears to show stable groundwater quality conditions. Therefore, RESPEC will prepare and submit a Letter Modification to SWFWMD on behalf of the ECDD for a fee of **\$1,500**. A public notice will also be prepared and filed by RESPEC as required by SWFWMD.

If you have any questions or require any additional information, please contact our office at (941) 667-5413.

Sincerely,

Peter A. Brown, P.E.
Water Resource Engineer
RESPEC

6561 PALMER PARK CIRCLE
SUITE D
SARASOTA, FL 34238
914.552.5657