

**SOUTH BROWARD DRAINAGE DISTRICT
BOARD OF COMMISSIONERS MEETING**

*****AGENDA*****

THURSDAY, DECEMBER 13, 2007

NOTE: BOARD MEMBERS, PLEASE TURN YOUR MICROPHONES ON

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE

02. PUBLIC COMMENT

03. APPROVALS

- A. OCTOBER 23, 2007, SPECIAL BOARD/SFWMD MEETING MINUTES
- B. NOVEMBER 15, 2007, BOARD MEETING MINUTES

04. DIRECTOR'S REPORT

- A. PARKING LOT RESURFACING & SEALCOATING BIDS
- B. LOCAL GOVERNMENT INVESTMENT POOL STATUS
- C. CANAL-MAINTENANCE EASEMENT TREE-REMOVAL PROGRAM
- D. FLOWERS VARIANCE REQUEST
- E. OTHER

05. ATTORNEY'S REPORT

- A. SPECIAL DISTRICT LEGISLATION UPDATE
- B. SBDD/SHORELINE EROSION PROJECT PERMIT FEES RESOLUTION
NO. 2007-17
- C. OTHER

06. APPROVAL OF LEGAL BILLS

07. BOARD MEMBERS QUESTIONS/COMMENTS

08. OTHER

09. MEETINGS:

- A. BOARD OF COMMISSIONERS MEETING - THURSDAY, JANUARY 31, 2007,
9:30 A.M.
- B. MANAGEMENT COMMITTEE MEETING - SET DATE

10. ADJOURNMENT

ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING/MEETING MAY NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE MAY WISH TO INSURE THAT A VERBATIM RECORD IS MADE, WHICH RECORD IS TO BE USED FOR TESTIMONY AND EVIDENCE UPON WHICH AN APPEAL WOULD BE BASED.

IN ACCORDANCE W/THE AMERICANS W/DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS W/DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE DISTRICT AT (954) 680-3337 AT LEAST 48 HOURS PRIOR TO THE PROCEEDINGS FOR ASSISTANCE.

***BEST WISHES FOR A HAPPY HOLIDAY SEASON AND
A HAPPY AND HEALTHY 2008***

**SOUTH BROWARD DRAINAGE DISTRICT
GOVERNING BOARD MEETING MINUTES
DECEMBER 13, 2007**

Present:

Jack McCluskey, Chairperson
James Ryan, Secretary
Carl Lanke, Treasurer
John Eastman, Commissioner
Robert E. Goggin, Commissioner

Alanna Mersinger, Commissioner
Leo M. Schwartzberg, District Director
Douglas R. Bell, Legal Counsel
Joann Long, Recording Secretary
General Public (List Attached)

Absent:

Scott Hodges, Vice Chairperson

01. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Meeting called to order at 9:40 A.M. followed by roll call and the Pledge of Allegiance.

02. PUBLIC COMMENT(S) - None

03. MINUTES APPROVALS

A. Motion by Commissioner Mersinger to approve the **October 23, 2007, special SBDD/SFWMD** meeting minutes as amended. Second by Commissioner Eastman and carried unanimously.

B. Motion by Commissioner Ryan to approve the **November 15, 2007, Board meeting minutes** as amended. Second by Commissioner Mersinger; carried unanimously.

04. DISTRICT DIRECTOR'S REPORT

A. Per Mr. Schwartzberg's December 11th memo (copy attached), Commissioner Eastman moved for approval of (1) Atlantic Southern Paving \$5,328 bid for the **seal-coating project** and (2) Charlie Frymyer Paving for (a) the \$16,870 bid for the **front parking lot overlay** and (b) the \$4,375 for the **new driveway** (to be reimbursed by the Town of Southwest Ranches). Motion seconded by Commissioner Mersinger. Per recommendation by Commissioner Eastman, Mr. Schwartzberg look into whether or not oil-based material is available as opposed to water-based on which the quotes were based and whether or not oil-based material is even allowed due to the environment.

After further discussion, the motion was approved with the understanding that Mr. Schwartzberg would have the flexibility to go with an oil-based product if allowable and it does not result in a considerable cost increase.

B. The District was allowed to remove all but 15% of the amounts in the two **Florida State Board of Administration (Local Government Investment Pool) accounts**. This left \$109,196.97 in the General Fund Account and \$250,092.74 in the Basins S-9/S-10 Account. Neither amount will have an adverse affect on the District's operations at this time.

C. Mr. Schwartzberg explained that the **canal-maintenance easement tree-removal project** on the primary canals is close to completion and that he would now like to commence with a similar policy for the secondary canals and asked the Board's con-

currence with the policy as explained in his memo dated December 6th (copy attached).

After discussion, it was unanimously agreed that Mr. Schwartzberg proceed with the tree removal for the secondary canals as soon as possible as the costs will never go any lower.

D. The District recently discovered **unpermitted improvements (a cheekee hut, a beach and pavers)** that encroach into the lake-maintenance easement at 19007 SW 24 Street, Miramar. While the owner, **Jason Flowers**, has agreed to remove the beach, and while the pavers are permissible as installed, he requested Board approval to allow the cheekee hut to remain as is. Mr. Schwartzberg is opposed to allowing the cheekee to remain, particularly as it has a thatched roof thereon which is highly susceptible to heavy winds.

After further discussion, it was decided that if the roof were removed, the structure perhaps could be considered as a deck once the electric was removed and if it met the SBDD deck criteria. Mr. Schwartzberg will investigate this possibility.

E. Mr. Schwartzberg polled the Board members as to whether or not any wanted to purchase the **new shirts** at their own expense.

5. LEGAL-COUNSEL REPORT

A. Even though Mr. Bell continues to hear the **Legislative Bill as proposed by State Senator Jeremy Ring** is “dead”, it keeps coming up. Mr. Bell has forwarded letters from each of the District’s he is associated with in an effort to thwart approval of the Bill which is listed on the December 20th local delegation meeting agenda.

Commissioner Mersinger noted that the County Commissioners, with the exception of Ms. Stacy Ritter, will be opposing the Bill. Mr. McCluskey has also been told that the Bill is “dead”.

Commissioner Eastman moved that the District not expend any more monies for legal efforts to fight what seems to be a foregone conclusion that the Bill will not pass unless it appears there could be a problem. There was no second to the motion, as all others felt the District must continue to have legal representation throughout the local meetings. Mr. Bell was commended on the letters he has sent in opposition to the Bill.

Another Bill is being presented by the **Soil & Water District** which would cost approximately \$1,500,000, if approved. If this items remains on the agenda, the County Commissioners are opposing same as it is again duplication of work performed by others.

B. Resolution No. 2007-17 was submitted for approval. This confirms previous action by the Board for reduction of the permit fee for further erosion repairs by the property owners on properties within the five communities that suffered erosion problems during Hurricane Wilma. While the District undertook the major repairs, there are still damaged areas that have to be corrected by the owners. This reduced permit fee is only for the period from November 15, 2007, through year end 2009.

Motion by Commissioner Lanke to approve Resolution No. 2007-17 as submitted.
Second by Commissioner Goggin and carried unanimously.

06. APPROVAL OF LEGAL BILLS

Legal bills approved unanimously per motion by Commissioner Lanke, second by Commissioner Mersinger; carried unanimously.

07. SECOND-SELF INSURANCE FUND WIND-STORM INSURANCE COVERAGE

Commissioner Mersinger asked about the second-self insurance fund wind-storm insurance coverage. Mr. Schwartzberg will look into this..

08. HOMEOWNER DOCUMENTS/LAKE BANKS

In response to a question, Mr. Schwartzberg noted that copies of the homeowner documents for those communities on lakes will be available for the February 19th workshop on hurricane issues.

09. SBDD STAFF/INSTRUCTIONS

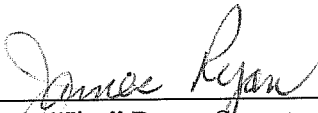
Commissioner Goggin explained that he had recently stopped some of the SBDD workers to tell them not to go to a specific area between certain hours when it is extremely difficult to get into that development. He did this only to save the time of the SBDD staff members and apologized if he was out of line.

10. MEETING DATES

- A. Commission meeting Thursday, January 31, 2008, 9:30 A.M.
- B. No date set. Will be called if needed. .

11. Adjournment at 10:45 A.M.

Respectfully submitted,



James "Jim" Ryan, Secretary
South Broward Drainage District

/jl