

**BOARD OF SUPERVISOR'S MEETING  
PINE TREE WATER CONTROL DISTRICT**

**Zoom Meeting**

Thursday, March 30, 2020  
6:00 P.M.

**AGENDA**

- I. Call to Order**
- II. Pledge of Allegance**
- III. Consent Agenda**
  - a. Approval of Minutes
    - i. Board of Supervisors Meeting January 7, 2020
  - b. Financial Report

**6:15 PM BREAK FOR SHADE TREE MEETING**

**6:30 PM (APPROXIMATELY) RETURN TO PUBLIC MEETING**

- IV. Attorney's Report**  
Michael Compagno
- V. Management Report**
  - a. Road Issues-Paving, Speeding
  - b. Engineer
  - c. Palm Beach Aquatics – Jeremy
- VI. Board Comments**
- VII. Next Meeting:**
  - a. Next Regular Board Meeting 04/26/2021
- VIII. Adjourn**

## MINUTES

**PINE TREE WATER CONTROL DISTRICT  
BOARD OF SUPERVISOR'S MEETING  
HELD THURSDAY, JANUARY 7, 2021  
VIA ZOOM MEETING  
6:00 PM**

Pursuant to the foregoing notice, a meeting was held for the Pine Tree Water Control District Board of Supervisors on Thursday, January 7, 2020 via zoom.

Members present were:

Kerry Hitt, Chairman  
Henry DeGouw, Director  
Phil McLellan, Director

**I. Call Meeting to Order**

**II. Pledge of Allegiance**

**III. Consent Agenda**

- a. Motion by Phil McLellan and second by Kerry Hill to approve minutes from previous meeting dated August 26, 2020
- b. Financial Report was presented for period August 16 thru December 31, 2020 by Betty Camplin

**At 6:15 PM the Board recessed to start private Litigation Meeting.**

**At 6:34 PM the Board resumed Board of Supervisors Meeting.**

**IV. Attorney's Report**

Michael Compagno gave an update on the lawsuit. The Board just held a Shade Tree Meeting to discuss the ongoing litigation with Wellington. There will be depositions from Mr. Higgins & Mr. Barnes next week. They have filed a motion for summary judgment and we will no longer have Judge Rowe after the 21<sup>st</sup> or the 20th. We will have Judge Curly. Management Report

There are more issues on Norris and sheriff follow –up. We are going to start grading the roads once a week. We were suppose to start two weeks ago and there were holidays. The operator got everything done except Norris day before yesterday and finished up last night. Kerry Hitt had several complaints about Norris and it's mainly where a lot of the material was taken off the road.

Michael Compagno: Asked if we were still dealing with the man who was taking the material.

Kerry stated he's not taking the material anymore but his place is nice and level and has roads. Kerry said Ruben estimates he took 30 loads of material.

Michael Compagno: How much does that cost.

Kerry & Phil said it's approximately \$400 to \$450 per truck load.

Kerry Hitt: I've forgotten the man's name who owns the property but he is a Public Works engineer or something like that. Frank Smith is the caretaker of there and return Frank has the machinery and stuff. He is the guy who has benefited. You would sue him for unjusted enrichment. Basically he's been enriched by \$20,000.

Michael Compagno: It is \$20,000 but what do you want to spend to go after this guy? So you'd sue the guy who took your stuff and then you've got the other guy. You would sue him for unjusted enrichment. Basically he's been enriched by \$20,000. Right now you would sue in County court for \$20,000.

Phil McLellan: I just want to go on record that I think the estimate is a little high. I know Ruben knows what he's talking about but I think the estimate's a little high. Forty loads is a lot of material. I'm not going to say he's far off but maybe ½ of that. Did the owner say he would help us find material and help us put back?

Kerry Hitt: He did say if there's anything I can do to help and I don't know if that means getting a good deal on some of the material or what. If you guys want me to talk to him I have no problem with talking to him and let him know what the issue is and finding out what he will do. See if he'll help us and try to come up with a number.

Phil McLellan: Let's go down that avenue and see if we can get some good material at a cheaper price.

Kerry Hitt: He indicated he could do that.

Michael Compagno: Say you buy more material and bring it in, what's to keep this guy from taking the material again?

Kerry Hitt: I think because he's finished doing the job.

Phil McLellan: I haven't seen any activity in the past 2-3 months.

Kerry Hitt: It doesn't look like Frank is doing anything there except in the back, they cut away the canal bank to allow their cattle to get to the water.

Phil McLellan: Kerry he took all his cattle off. I wonder if he generated material from the canal bank. I didn't notice that, I'm going to swing in there and see what you're talking about.

Kerry Hitt: You can walk on Brinkman's land bridge and take pictures. Michael can you take material from an easement?

Michael Compagno: I'm not sure about that, but I'd say no. So what are you going to do?

Kerry Hitt: I'll contact the owner and let him know we have to do something about replacing the material because the road goes bad very quickly and I think it's because the bases have been dug up. I'll ask him for some help there and try to get some number and distribute them to you guys through Betty.

Phil McLellan: Then if we do fix the roads up and we do catch the guy taking that material then we need to go after him.

Kerry Hitt: Next on the Manager's Report we did discuss the engineer somewhat.

Michael Compagno: I'm going to talk with Dana and see if she can cut us a break on the litigation costs. I sent everybody a copy of Johnson-Prewitt's contract and I have two issues with their contract. It's set up now by project. It's not like retain you 4 years but there's a provision that requires all disputes be in Hendry County. I don't want to go to Clewiston every time in case the courthouses ever open again. I would ask them to change that to Palm Beach County. The other thing is there's a limitation of liability which they're attempting to limit their liability to \$50,000 for any errors. I wouldn't like that if I were you. It's your decision.

Henry DeGouw: Well we can make that decision after you talk to Dana.

Kerry Hitt: Are we just going to ask Dana just for the court or for all?

Michael Compagno: I was just going to ask for the court, but you tell me what you want to do.

Kerry Hitt: Well we have several things, I believe what is going to happen or what I'd like to see happen is the Water Control District should be responsible for anything that has to do with water and water runoff which would include the engineering, the water control for lots as they are being developed. Right now Wellington is stepping in, they're want to do that and want to get the money for it.

Michael Compagno: Yeah, but I sent an email or talked with you about that. Dana has indicated that she was approached by someone from Wellington about turning everything over to you. I haven't talked with Dana about that in many months.

Kerry Hitt: Well that's the reason we're spending the money to go ahead and put the whole permitting program together.

Michael Compagno: You've got the permitting program for all the things you build with connection with that. But now you're talking about putting dirt fill in. Wellington is talking about getting out of it. I don't think Dana has done anything since she told me that.

Kerry Hitt: I'd like to have more detail on that and more firm. What do you Phil and Henry think?

Henry DeGouw: Yes I do.

Kerry Hitt: We have to have an engineering firm to work with and I want to watch pennies as much as we can. We have two people who want to put land bridges in and then there's a third one. So we really need to do something.

Michael Compagno: I have to do a witness list tomorrow, so I'm putting down Dana as one. If it comes that we have to do an interruption then we'll have to do a new list, put the new guy on there and bring him up to speed.

V. Other Business

- a. Betty informed the Board they need to set dates for future meetings and has provided some suggested dates. The Board wants to table this until Kerry could look at his calendar. Everyone indicated the dates were good for all the Board and Michael Compagno. Michael Compagno said he may have to call a couple private meetings but will let you know in advance.

VI. Board Comments

- a. Michael Compagno suggested we get updated contact information from landowners so we can have the correct addresses. Have Betty send a letter out and ask for email addresses. Phil McLellan ask that I change is mailing address for future mailings and gave his correct mailing address.
- b. Kerry Hitt commented there are a lot of areas where there's overgrowth in the swales probably need to be cleaned so they can get the mowing done. Is that something that we send a notice to the landowners? Do we have a procedure in place to do that?  
Henry DeGouw says he doesn't think we do have anything in place to do that but I think that's a good idea. Wherever those areas are, they need to clean them out. It's not that big a deal for each one. As a matter of fact on Norris, the whole right hand side is overgrown and not draining very well.  
Michael Compagno: Give them a notice and give them a few days. Just send a reminder that PTWCD has to have access to do whatever.  
Kerry Hitt: While we're talking about the swales I've been contacted by another firm who is interested in bidding on the doing mowing. I did talk to Wellington Pro and you know we really don't have a contract with them. We kind of have an agreement that they've been holding by for the last couple of years.  
Henry Degouw: If these guys are competitive and it's my understanding is these guys are quite low and they're just hanging in there doing us a favor. Lee told me that some time ago that he had checked around and this was the best deal he could get.  
Phil McLellan: They did a great job this last time. They had a pretty rough summer they didn't over exert themselves. They didn't go out of their way to help us out.  
Hendry DeGouw: The owner came out I talked with him and it's been better.  
Phil McLellan: Business is business and if there's another company out there that will do us for a little less.

Kerry Hitt: The guy who wants to bid on the mowing said the only thing he doesn't have is the bank mower, but he'd look into getting one. So what I can do is just have him come out and give us a formal quote.

Motion Phil McLellan and second by Henry DeGouw to have Kerry get another quote from second company for mowing. Motion carried. (3-0)

- c. Kerry Hitt informed the Board that Ruben has helped Pine Tree a lot, he keeps the grader at his house and he's been working on the grader. He keeps the whole thing going. What are your thoughts about creating a position for somebody who is here all the time and who has the time to go out and make sure the roads are graded correctly and make sure the swales are mowed right and the whole thing. He would be an eyes on person. Motion by Phil McLellan and second Henry DeGouw to approve grader maintenance, labor & parts invoices that Kerry Hitt has paid personally. Motion carried. (3-0). The Board asked Kerry to talk with Ruben and they will ok the bills.

VII. Next regular Board Meeting is set for April 19, 2021.

The next board meeting has not been set so we will post online and send notices.

Motion by Kerry Hitt to adjourn meeting at 7:20 PM and second by Phil McLellan.

**PINE TREE WATER CONTROL DISTRICT  
FINANCIAL STATEMENT  
0/01/2021 THRU 03/30/2021**

CASH:	BANK OF AM	SUNTRUST MONEY MKT	SUNTRUST CHECKING	
Starting Cash 1/01/2021	60,760.83	222,674.67	5,016.44	
Transfer to Suntrust Checking				
Transfer to Suntrust Money Market				
Transfer from Money Mkt to Checking		-26,927.66	26,927.66	
Permit Income				
Excess Funds (PBC)				
Interest (PBC, BOA & Suntrust)	0.82	3.57		
PBC Investment Earnings				
PBC Tax Collector		27,907.58		
Total Cash on Hand	60,761.65	223,658.16	31,944.10	316,363.91
<b>Expenses:</b>				
Amy Swindle, CPA				0.00
Bank Serv Chgs	244.67			244.67
Betty Camplin-Fees			1,725.00	1,725.00
Betty Camplin-(Advert,Postage,ink & Checks)			120.00	120.00
Daniel Drawdy				0.00
Domain Registry				0.00
Erdman Anthony (Engineers)			1,960.00	1,960.00
Floria Court Recording			1,040.50	1,040.50
Florida Dept of Economic Oppportunity				0.00
Harold Fickett (Website)			350.00	350.00
Henry DeGouw				0.00
Lockhart Ag Technologies			4,023.60	4,023.60
Mailing	100.00			100.00
Michael Compagno			8,295.00	8,295.00
Palm Beach Aquatics			2,400.00	2,400.00
Palm Beach County				0.00
Philip B Harris PA				0.00
Professional Grading (Canals & Ditches)				0.00
Robert Harris (Grader Operator)			840.00	840.00
SLB Gen Contracting				0.00
Theodore Johnson Tractor Services				0.00
Town of Loxahatchee				0.00
USPS (Box Rent)				0.00
Wellington Pro Lawn			8,150.00	8,150.00
Williams Sod				0.00
Total Expenses	344.67	0.00	28,904.10	29,248.77
Account Balance 03/28/2021	60,416.98	223,658.16	3,040.00	287,115.14