

**FLAGLER ESTATES ROAD & WATER
CONTROL DISTRICT BOS REGULAR MEETING
December 21, 2017**

Proceedings of the Regular Meeting of the Board of Supervisors of Flagler Estates Road and Water Control District were held in the District conference room located at 9850 Light Avenue, Hastings, Florida 32145.

Present were: William Fisher, President
Karen Frenz., Vice President
Kathy Carter, Secretary
Linda Gee, District Administrator
Mike Paesch, District Foreman
Russell Castleberry, Attorney
Seth O'Connell, Accountant

Also present were over 200 landowners

Regular Meeting

Call to Order: William Fisher called the meeting to order at 7:05 P.M.

Pledge of Allegiance: Pledge was recited

Roll Call: Scott Knowles was not in attendance

Agenda Changes: Bill Fisher requested to add the management proposal under regular meeting

Approval of the Agenda: A motion was made by William Fisher to accept the agenda with the change. Karen Frenz does not accept the agenda as the proposal is not until January 4th. Kathy Carter believes there is a legality issue in adding this addition per compliance of the Florida Statutes 298. Russ stated no not true. Agenda was not approved. Chad Schwaninger requested the Board to introduce themselves as no one knows who they are and requested answers to their questions about this proposal, is it going to be a Homeowners Associations and is the community going to have a vote on this. Seth O'Connell introduced himself and explained that the Board discussed months ago about getting the District re-evaluated, instead, the Board presented this proposal to replace the District Manager and the Accountant and it is not a HOA or CDD. Per this proposal the office management and accounting would be handled by this outside company.

Kathy Carter stated that all of you are here two weeks early as the presentation is not until January 4th and the company will answer all of your questions then. Cheri Nuss stated the Board has no right to make a decision of what goes on in our homes and in our community as this company has had legal issues. She requested that everything be placed in public forum to avoid doing things behind their backs. Several other landowners came forth also to voice their concerns on this proposal and made it clear they do not want it, as the Board is in favor of it. Another landowner shared his issue with his canal being blocked and has not been mowed for over 3 years. The landowners put a recall on the Board to have them replaced.

Barbara Secorsky stated we want Linda on site and we want the Board to understand we will do what we have to do to keep it that way. Karen Frenz asked everyone to just sit down. Another

landowner mentioned she is a property manager and this proposal is for services with a property management company putting us at the bottom of the tot um pole with minimum service and we are not going to stand for it, as our community takes care as family for example Irma.

Russell Castleberry explained this proposal is not something the landowners can vote on and generally the Board will hear the community and then vote. Some landowners mentioned they did not receive any notification of annual meeting or election. Again the landowners wanted to vote to have the Board removed. Bill Fisher added at the next annual landowners meeting in June they can vote at that time.

Chad Schwaninger expressed we do not want change here, we like it as it is. Again, the landowners asked Karen and Kathy to resign. Michael Gibbs stated he is getting an attorney and a petition to have the governor remove them from office, asking the attorney how long they had before the Board votes on this proposal. Bill Fisher added he does not support the proposal.

Michael Gibbs asked Karen Frenz and Kathy Cathy for thirty days before voting and they both declined. Another landowner spoke if it wasn't for social media we would never know about this proposal. Kathy Carter stated then you should attend the meetings as she has lived here for 21 years and expressed she is doing this for the best interest of the entire community. Bill Fisher announced that we will continue this discussion on the 4th.

Russ stated to his knowledge with respect to the Supervisors there is no recall vote. Adding, the only way to get rid of the Supervisors is either they resign, die or are removed by the Governor. Bill Fisher called for a five minute recess.

Approval of the Agenda: (17-12/21-01) A motion was made by William Fisher to accept the change to the agenda. The motion was second by Kathy Carter and passed.

Approval of the Minutes :(17-12/21-02) A motion was made by Kathy Carter to approve the November 16th minutes with Kathy Carter's summary change. The motion was second by William Fisher and passed.

Treasurer's Report: (17-12/21-03) A motion was made by Kathy Carter to approve the Accounts Payable in the amount of \$73,306.48 as presented. The motion was seconded by Karen Frenz. The motion was carried unanimously. Karen questioned the Morris Publishing invoice, the Ring Power Maintenance Contract and the SJ County Tax Collector postage bill. Seth reviewed the payables for both meetings as they were all in order and budgeted. He also provided to the Board a review of the November financial statement.

Russ Castleberry asked Seth if he did the financial statements for other government entities. Seth replied, yes. How do you rate the financial condition for the District? Seth replied, excellent, beyond excellent. The cash balance in 2011 was 1.5 million and now is 1.8 million and since 2011 we have always been consistent coming in under budget with a surplus and there is no other entity I know of that can pay cash for a \$186k piece of equipment, adding, everything works exactly like it is supposed to.

Chad Schwaninger asked why did we replace the backhoe, Bill replied, it was wore out, it had to be replaced. Chad added, things need to be replaced if it doesn't work and things that work like our manager works and does not need to be replaced, however, the Board does.

Engineers Report: None

Approval of the Minutes: (17-12/21-04) By general consent the Board agreed to approve the December 7th meeting minutes with Kathy Carter's summary change.

Regular Meeting Items:(17-12/21-05) By general consent the Board agreed to remove from inventory item#114 and item #115 old battery chargers that burnt up and replaced. Karen Frenz requested a copy of the inventory book. Mike stated the inventory list is a very large book.

Attorney Report: None

District Administrator Report: Linda submitted her written report to the Board with updates. The Air handler broke and should be fixed next week. Linda met with the Fema Program Delivery Manager (PDM) and has to upload and submit all required documents into the portal per the application for damages; repair reports, invoices, work orders, photos, labor hours, etc. Linda added, Cameron Fisher resigned and she will be deleting him from the insurance benefits and the SJ County Household Hazard waste day is schedule for March 10, 2018 from 8 to noon.

District Foreman Report: Mike reviewed the crews work for the past two weeks on culvert installs, mowing, cleaning ditches and road repairs. Mike is taking photos of all the hurricane damages and sending them to Linda. Mike requested to purchase 7 pallets of rip rap and culvert pipes totaling \$6,310.00 **(17-12/21-06) A motion was made by William Fisher to purchase the pipes and rip rap not to exceed \$6,500. The motion was second by Kathy Carter and passed.**

Consent Agenda: None

Old Business: None

Public Comments: A motion called by Michael Gibbs for Mr. Fisher to call for a vote not to entertain the proposal from the property management company. A motioned was made by William Fisher to cancel the presentation from the property management company. The motion was not seconded by Karen Frenz nor Kathy Carter.

Chad Schwaninger announced Karen Frenz resigned from her Board position outside during break. Russ stated she needs to resign for the record. Karen requested to have a venue for the January 4th presentation. Bill said we will move it to the warehouse like the annual landowners meetings.

Questions were raised on how the landowners are notified to vote. Seth stated the County provides a list of all the property owners, the Board approves the letter and proxy and it is taken to the printers and sent out via mail to all landowners. Cheri Nuss continued the subject about the management company as someone had to reach out to them and how the Board did not do any research as this company has law suits, ethic issues, fines, etc. Chad Schwaninger added the only way we knew this was going on was from facebook.

Cheri Nuss asked again who reach out to this company. Kathy Carter read her sent email requesting services since she was the one to reached out to Fred Crawford, FASD Director originally. Cheri added she heard the two Board women had an issue with Linda and this is why you reach out to them and the landowners do not want this man or this company here to handle our tax monies. Meagan asked Linda what does she do here at the District after Kathy Carter re-read her email requesting services from the property management company. Linda replied,

everything listed in their proposal and a lot more, from on site permitting, customer service, HR, Payroll, Invoicing, Employee Benefits, Audit, Budget and Taxes to name a few. Mr. Fisher ended the conversation, adding, we will continued this discussion on January 4th and recorder stopped.

Board Comments:

William Fisher- None

Karen Frenz- None

Kathy Carter- None

Adjournment of Regular Meeting: Mr. Fisher adjourned the meeting at 9:27 P.M.



William H. Fisher - President