

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT
BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING - SEPTEMBER 14, 2009**

Call to Order at 7:30 P.M.

Roll Call: David DeMarois, Darlene Crawford, John Ryan, and Robert Snowball present. Don Widing absent.

Also Present: Clete J. Saunier, P.E., District Administrator, Mary M. Viator, Esquire, and Lynnette R. Ballard, Administrative Secretary.

Invocation / Pledge of Allegiance led by Mr. Saunier.

SUBJECT: AGENDA APPROVAL. Mr. Saunier requested the addition of Regular Agenda Item 3G, Discussion Regarding a failing bridge culvert at 1805 "C" Road (owned by Tony Patel). There were no other additions, deletions, or substitutions to the Regular Agenda.

MOTION: Mr. Snowball made a motion to approve and adopt the Regular Agenda, to include the addition of Regular Agenda Item 3G as requested by Mr. Saunier. Mr. Ryan seconded the motion.

There were no comments from the Board or the public on this item.

ACTION: **MOTION PASSED 4 TO 0.**

SUBJECT: NOTICE OF ANNUAL MEETING SCHEDULE. Mr. Saunier provided the Board with the Notice of Annual Meeting Schedule for Fiscal Year 2009-2010. The Meeting Notice is required to be published per Section 189.417, Florida Statutes. The Annual Meeting Schedule would be advertised in The Palm Beach Post on Sunday, September 20, 2009, and in The Town-Crier on Friday, September 25, 2009. Mr. Saunier requested Board approval to advertise the Notice.

MOTION: Mr. Ryan made a motion to approve and adopt the Notice of Annual Meeting Schedule for Fiscal Year 2009-2010, and to advertise the Notice in The Palm Beach Post on Sunday, September 20, 2009 and in The Town-Crier on Friday, September 25, 2009. Ms. Crawford seconded the motion.

There were no comments from the Board or the public on this item.

ACTION: **MOTION PASSED 4 TO 0.**

SUBJECT: TOWN-DISTRICT INTERGOVERNMENTAL COORDINATION (IGC) COMMITTEE REPORT. Mr. Saunier stated the Town and District Intergovernmental Coordination (IGC) Committee meetings were held on July 31, 2009 and August 28, 2009. In attendance were Clete Saunier, Ryan Liang, Dr. Irv Rosenbaum, and Darlene Crawford. The topics of discussion included:

1. Water Conservation and Fire Suppression;
2. 40th Street North / North Road Canal;
3. Federal Funding Sources;
4. Coordination of Equestrian Trails;
5. Town Management / Administrative Staff Transition;
6. Portable Emergency Operations Shelter;
7. Palm Beach County Water Utilities Department Western Section Reclaimed Water Pipeline;
8. Hazard Mitigation Assistance Grant Program; and
9. Town's Emergency Operations Plan and Debris Removal Plan

Mr. Saunier stated the next IGC Committee meeting is scheduled for Friday, October 2, 2009. The next Board Supervisor scheduled to represent the District for a two-month term (September / October 2009) is Board Chairman David DeMarois.

There were no comments from the Board or the public on this item.

MOTION: No motion was necessary.

ACTION: NO ACTION WAS TAKEN.

SUBJECT: EMPLOYEE C.O.L.A. AND MERIT PAY - FISCAL YEAR 2009-2010. Mr. Saunier stated that, as part of the adopted budget for Fiscal Year 2009-2010 and upon Board approval, District employees will receive a cost of living increase of 0.8% effective October 1, 2009. The C.O.L.A. increase is based upon the CPI - All Urban Consumers as produced by the United States Department of Labor, Bureau of Labor Statistics.

Mr. Saunier requested Board approval of up to \$6,400.00 (also budgeted) to be disbursed as discretionary merit pay. He stated this is equivalent to an additional 2.2% average increase to reward exceptional job performance.

Mr. Saunier requested a motion to approve the employee cost of living increases and approval of up to \$6,400.00 to be disbursed as discretionary merit pay for Fiscal Year 2009-2010.

MOTION: Mr. Ryan made a motion to approve a cost of living increase of 0.8% for District employees effective October 1, 2009, and to approve disbursement of up to \$6,400.00 to be used as discretionary merit pay to reward employees for exceptional job performance. Ms. Crawford seconded the motion.

A brief discussion by the Board of Supervisors ensued.

Town Council Member Ron Jarriel, 2800 161st Terrace North commented on this item.

ACTION: MOTION PASSED 4 TO 0.

SUBJECT: RESOLUTION 09-11: SUPPORTING THE PETITION FOR RULE-MAKING TO AMEND FLORIDA WATER QUALITY STANDARDS BY REVISING EXISTING WATER BODY CLASSIFICATIONS TO PROVIDE NEW AND MORE APPROPRIATE BENEFICIAL USES AND USE EXPECTATIONS, FILED BY THE FLORIDA STORMWATER ASSOCIATION, INC. WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND PROVIDING FOR AN EFFECTIVE DATE. Mr. Saunier stated the Florida Stormwater Association, Inc. filed a petition for rule-making to amend Florida Water Quality Standards to provide new and more appropriate designated use classifications. Currently, all Class III waters include natural streams, rivers, lakes, etc. and stormwater drainage canals. All Class III waters are considered to be “fishable and swimmable” by the current classification.

Mr. Saunier stated the petition is requesting a revision of the designation for Class III water bodies into several subcategories that more appropriately define, among many other things, what stormwater drainage canals are in relation to DEP’s water quality requirements. The Florida Association of Special Districts’ Water Quality Criteria Task Force fully supports this petition. The District’s attorney (in concurrence with the District Administrator) recommends Resolution 09-11 be adopted by the Board of Supervisors.

Mr. Saunier requested a motion to approve and adopt Resolution 09-11: Supporting the Petition for Rule-Making to Amend Florida Water Quality Standards by Revising Existing Water Body Classifications to Provide New and More Appropriate Beneficial Uses and Use Expectations, Filed by the Florida Stormwater Association, Inc. with the Florida Department of Environmental Protection; and Providing for an Effective Date.

MOTION: Ms. Crawford made a motion to approve and adopt Resolution 09-11: Supporting the Petition for Rule-Making to Amend Florida Water Quality Standards by Revising Existing Water Body Classifications to Provide New and More Appropriate Beneficial Uses and Use Expectations, Filed by the

Florida Stormwater Association, Inc. with the Florida Department of Environmental Protection; and Providing for an Effective Date. Mr. Ryan seconded the motion.

A brief discussion by the Board of Supervisors ensued.

There were no comments by the public on this item.

ACTION: MOTION PASSED 4 TO 0.

SUBJECT: RESOLUTION 09-12: EMERGENCY LINE OF CREDIT - DISASTER RECOVERY. Mr. Saunier stated the Board of Supervisors, at its June 8, 2009 Board meeting, accepted the Guidance Line of Credit proposal submitted by SunTrust Bank to provide a non-revolving Line of Credit note not to exceed \$400,000.00 for emergency disaster response. The Bank's counsel prepared and submitted all required documents and they have been reviewed for legal consistency by Caldwell & Pacetti (District Attorney). One item was noted by the District Attorney as not being mentioned in the proposal, but incorporated in the Line of Credit documents. Section 8 of the Resolution 09-12 notes in addition to FEMA Proceeds and State and Local Proceeds being insufficient to repay the Line of Credit Note when due, "the District shall assess, levy, and collect assessments in such amount as may be necessary to repay the Note when due..." This is understood to be "typical" language for tax-exempt, government financial instruments.

Mr. Saunier requested Board review of all Line of Credit documents and upon acceptance, a motion to approve Resolution 09-12: Resolution of the Board of Supervisors of Loxahatchee Groves Water Control District, Authorizing the Issuance of its Non-Revolving Line of Credit Note in the Principal Amount Not to Exceed \$400,000, to Provide Short Term Financing for Emergency Disaster Response; and Covenanting to Repay Such Note From and Granting as Security Therefor any Local, State or Federal Disaster Relief Payments (or Similar Type of Payments); Further Covenanting to Levy Maintenance Assessments to Repay Such Notes; Prescribing the Form, Terms and Details of the Note; Awarding the Note to SunTrust Bank by Negotiated Sale; Approving the Form of a Line of Credit Agreement Between the District and SunTrust Bank; Making Certain Covenants and Certain Covenants and Agreements in Connection Therewith; Providing for the Adoption of Representations; Providing for an Effective Date; and for Other Purposes.

MOTION: Mr. Ryan made a motion to approve Resolution 09-12: Resolution of the Board of Supervisors of Loxahatchee Groves Water Control District, Authorizing the Issuance of its Non-Revolving Line of Credit Note in the Principal Amount Not to Exceed \$400,000, to Provide Short Term Financing

for Emergency Disaster Response; and Covenanting to Repay Such Note From and Granting as Security Therefor any Local, State or Federal Disaster Relief Payments (or Similar Type of Payments); Further Covenanting to Levy Maintenance Assessments to Repay Such Notes; Prescribing the Form, Terms and Details of the Note; Awarding the Note to SunTrust Bank by Negotiated Sale; Approving the Form of a Line of Credit Agreement Between the District and SunTrust Bank; Making Certain Covenants and Certain Covenants and Agreements in Connection Therewith; Providing for the Adoption of Representations; Providing for an Effective Date; and for Other Purposes. Ms. Crawford seconded the motion.

A brief discussion by the Board of Supervisors ensued.

Town Council Member Ron Jarriel, 2800 161st Terrace North commented on this item.

ACTION: **MOTION PASSED 4 TO 0.**

SUBJECT: REVISED SUPERVISOR ELECTION PROCEDURES - FIRST DRAFT. Mr. Saunier stated the Board of Supervisors, at its June 8, 2009 Board meeting, approved the Supervisor Election Procedures Policy. Board discussion at that time directed District Staff to review and revise the election procedures after the June 22, 2009 Annual Meeting and Election, to simplify the overall process and to incorporate (to the extent permitted by law) campaign finance reporting and other requirements within the Florida Elections Code. Staff has prepared an initial draft of the revised procedures for Board review and comment.

Mr. Saunier requested Board review of the draft Supervisor Election Procedures and direction regarding additional changes (if any).

A lengthy discussion by the Board of Supervisors ensued.

Ms. Viator suggested the following sentence be deleted from Paragraph #1 entitled February Board Meeting: ***“Individuals running for a District Supervisor seat shall comply with the Florida Election Code to the extent it is applicable.”*** Ms. Viator explained that this sentence does not apply to the District.

Mr. Ryan expressed his comments relating to the applicability of the Florida Elections Code.

Town Council Member Ron Jarriel, 2800 161st Terrace North commented on this item.

MOTION: No motion was necessary.

ACTION: **IT WAS THE CONSENSUS OF THE BOARD THAT SUPERVISOR RYAN WOULD DRAFT A LETTER OUTLINING HIS POSITION AS TO THE APPLICABILITY OF THE FLORIDA ELECTIONS CODE TO THE DISTRICT'S ELECTION PROCEDURES, AND FORWARD THE LETTER TO DISTRICT COUNSEL FOR REVIEW. UPON REVIEW BY DISTRICT COUNSEL, MR. SAUNIER WOULD PRESENT THE LETTER TO THE BOARD OF SUPERVISORS FOR APPROVAL AT THEIR NEXT MEETING. UPON APPROVAL BY THE BOARD OF SUPERVISORS, THE FINAL LETTER WOULD BE SENT TO THE FLORIDA DIVISION OF ELECTIONS.**

SUBJECT: BRIDGE CULVERT - TONY PATEL, 1805 "C" ROAD. Mr. Saunier stated there is a failing bridge culvert located at 1805 "C" Road, owned by Tony Patel. Mr. Saunier stated that, on October 7, 2008, Mr. Patel was issued a notice of non-conforming bridge culvert crossing by the District and was advised that the situation must be resolved. There was some work done on the bridge culvert that caused the structure to be more obstructive. As a result of that work, Mr. Patel was placed on notice by the District that he would need to bring the bridge culvert up to District standards.

Mr. Saunier stated as the District Engineer, it is his opinion the bridge culvert would require removal of the work that had been done on the structure, or modification of the work so that it would be in compliance; more specifically, going from a 48-inch opening to a 96-inch opening as required by the District's standards. Subsequently, Mr. Saunier presented this issue to the Board of Supervisors at the January 2009 regular Board meeting and informed the Board that Mr. Patel had requested a time extension. The Board of Supervisors approved the request, and granted Mr. Patel an additional six months to perform the necessary work on the bridge culvert. However, as of August 2009, no work has been done on the bridge culvert.

Mr. Saunier announced that Mr. Patel is in attendance at tonight's meeting to request additional time to resolve this issue.

Mr. Patel appeared before the Board and requested additional time to resolve his failing bridge culvert issue. He stated, although he has hired an engineer and a contractor to perform the required work, he does not have sufficient funds at this time.

Mr. DeMarois asked Mr. Patel how much time he needs to resolve the failing bridge culvert issue. Mr. Patel indicated he needs several months.

Mr. Saunier stated Mr. Patel has been advised that the District may have to remove the entire bridge in the event of an emergency situation, then bill Mr.

Patel for any associated costs. Mr. Saunier suggested the Board extend Mr. Patel's time to resolve this issue to the end of the calendar year (December 2009) and in the interim, submit the permit application for the bridge culvert replacement. Mr. Saunier further suggested that construction of the new bridge culvert would need to be completed within three months following the December 2009 application deadline (March 2010).

Mr. DeMarois asked Mr. Patel whether this proposal sounds acceptable. Mr. Patel replied in the affirmative.

MOTION: No motion was necessary.

ACTION: **IT WAS THE CONSENSUS OF THE BOARD TO GRANT MR. PATEL A TIME EXTENSION UNTIL DECEMBER 2009 TO SUBMIT A PERMIT APPLICATION FOR THE BRIDGE CULVERT REPLACEMENT; AND A TIME EXTENSION TO MARCH 2010 FOR CONSTRUCTION OF SAID BRIDGE CULVERT TO BE COMPLETED.**

Mr. Saunier reiterated that Mr. Patel needs to submit the permit application and acceptable plans to the District office prior to December 31, 2009. Mr. Patel agreed.

SUBJECT: CONSENT AGENDA. There were no additions, deletions, or substitutions to the Consent Agenda.

1. Minutes of July 13, 2009 Regular Meeting
2. Financial Reports
 - A. Warrant Report -- July 2009
 - B. Warrant Report -- August 2009
 - C. Treasurer's Report -- July 2009
 - D. Treasurer's Report -- August 2009
3. District Staff Reports
 - A. Attorney's Report: July-August 2009
 - B. Superintendent's Report -- July 2009
 - C. Superintendent's Report -- August 2009
 - D. District Engineer's Report: July-August 2009
 - E. District Administrator's Report: July-August 2009
4. Notice of Meeting Cancellation – August 10, 2009
5. Administrative

A. District Memberships – Renewals for Approval

1. Florida Association of Special Districts, Inc.
2. Palm Beach County League of Cities, Inc.
3. Palm Beach County Intergovernmental
Coordination Element
4. Palms West Chamber of Commerce
5. Western Communities Council, Inc.

MOTION: Mr. Snowball made a motion to accept and approve the Consent Agenda. Mr. Ryan seconded the motion.

BOARD COMMENTS REGARDING CONSENT AGENDA:

Mr. Ryan commented about the District Engineer's Report regarding a final resolution date to place all affected 40th Street North landowners on notice in order to bring this illegal access issue to conclusion. Mr. Ryan stated the District has held two workshop meetings, and noted there are some individuals who are actively working with the District to resolve the problems. Mr. Ryan stated one title insurance company has indicated it would be willing to pay for an additional bridge crossing. Mr. Ryan asked Mr. Saunier what the District needs to do to bring this issue to a conclusion.

Mr. Saunier replied that he would prefer to withhold any recommendations until after the October 12, 2009 regular Board meeting to receive additional input from the Board. He emphasized the need for a final resolution date for this issue.

Mr. Ryan stated the County has provided \$40,000 to the District for an equestrian trail along 40th Street North. He asked Mr. Saunier if the County could re-claim that money if the District is not making any progress toward that effort. Mr. Saunier replied that he is not prepared to answer that question, but explained the money was given to the District for that purpose.

Mr. Ryan asked Ms. Viator to provide her opinion on the District's ability to hold onto the money that was provided for the 40th Street North equestrian trail. Ms. Viator replied that she was not involved in the negotiations for the Agreement, and therefore did not want to comment at this time. Mr. Ryan asked if Ms. Viator could research this issue prior to the next regular Board meeting. Ms. Viator agreed.

Ms. Crawford stated she would like to see some type of timeline established for a final resolution date of the 40th Street North issue. She stated she would also like to see some type of chart that includes the names of all affected 40th Street North landowners; as those landowners contact the

District, their names could be “shaded out” on the chart. The chart would provide a glance at the progress being made with regard to this issue.

Mr. Saunier replied that the District has received no written correspondence from affected landowners as of this date. However, he has received correspondence by e-mail and letters from two title companies. He stated he would like to discuss this issue with the Board members prior to the October 2009 Board meeting and would like to establish a timeline to resolve this issue.

Mr. DeMarois commented on the Superintendent’s Reports for July 2009 and August 2009. He noted the District has been very aggressive in taking care of the District’s main roads; in addition, the District has performed courtesy grading on 25 non-District roads. He stated the District’s field staff is doing a good job in maintaining all the roads.

Mr. Snowball stated, once the roads that have been approved for OGEM stabilization (North “A” Road, North “C” Road, and North “D” Road) are constructed with OGEM, District field staff will be able to perform several other projects in addition to road maintenance.

PUBLIC COMMENTS REGARDING CONSENT AGENDA:

Jim Rockett, 14153 43rd Road North commented about the Superintendent’s Report regarding courtesy grading. He stated he is aware that the District has discontinued courtesy grading of 43rd Road North due to a threat of litigation by one of the landowners on that road.

Mr. Saunier stated 43rd Road North is a road that the District has been trying to maintain on a courtesy basis for a few years as requested by a majority of the landowners. However, one landowner has threatened litigation in the event the District trespasses on her portion of the road easement. Mr. Saunier stated this particular landowner has submitted letters to the District on two different occasions. Mr. Saunier explained the District’s Courtesy Grading Policy requires that 100 percent of the landowners along a road consent to have that road courtesy graded. Mr. Saunier stated he has directed Field Staff to discontinue courtesy grading of 43rd Road North.

Mr. DeMarois stated he has no problem with the District providing courtesy grading services on 43rd Road North. He stated if a landowner threatens legal action in the future, Ms. Viator can review the situation and provide her comments to the Board at that time.

Mr. Snowball stated the District should resume courtesy grading of 43rd Road North.

Mr. Ryan asked whether all 43rd Road North landowners have an access easement reflected in their deeds. Mr. Rockett explained his deed defines an easement that runs from east to west to serve those landowners for ingress and egress purposes.

Mr. Rockett stated the section of 140th Road North that runs east from Sunsport Gardens is in need of repair. Mr. Saunier replied that, until recently, that section of road has been maintained in good shape; however, with the recent rains, the road has been too wet to grade.

Mr. Rockett stated, on 43rd Road North, west of 140th Road North, the street name signs are continually being stolen. The missing street name signs are a safety concern with regard to emergency rescue situations.

Mr. DeMarois asked Mr. Saunier what can be done about the missing street name signs. Mr. Saunier replied the District has already replaced the signs numerous times, and the signs continue to be stolen. He stated this costs the District material and personnel time expense.

Mr. DeMarois suggested Mr. Rockett present the issue of the missing street name signs to the Town Council.

Ms. Crawford stated the only thing the Board can legally do at this point is direct Mr. Saunier to have 43rd Road North graded, with the grader lifting its blade in front of the property owned by the landowner that threatened litigation.

Mr. Saunier suggested the Board direct him and the District's Counsel to review the situation first. He stated Ms. Viator is unaware of the specific issues surrounding this easement.

MOTION: No motion was necessary.

ACTION: **IT WAS THE CONSENSUS OF THE BOARD THAT THE DISTRICT WOULD RESUME COURTESY GRADING OF 43RD ROAD NORTH.**

Town Council Member Ron Jarriel, 2800 161st Terrace North stated 43rd Road North was raised approximately 1-2 feet prior to a hurricane because the entire area was flooding; the County Commissioner at that time spent \$11,000 of taxpayers' money to improve the road. Mr. Jarriel stated he will present this issue to the Town Council at its meeting on Tuesday, September 15, 2009.

SUPERVISOR COMMENTS

Mr. Snowball stated the District uses too much paper. He suggested the District purchase laptop computers for all Board Members. District Staff could then e-mail any and all Supervisor correspondence (i.e., Board Meeting packets, etc.) to the laptops.

Mr. Ryan stated he would like to see the 40th Street North issues resolved. He stated 43rd Road North deserves some attention to cure the current problem.

Ms. Crawford stated the 40th Street North issue needs to be dealt with, and the Board Members need to stay updated as progress occurs. She commented about the District's website and suggested a section of "Frequently Asked Questions" be created.

Mr. DeMarois thanked the audience for attending tonight's meeting.

PUBLIC COMMENTS

Patricia Danison-Althouse, 15151 Okeechobee Boulevard stated she is concerned about her property at 15151 Okeechobee Boulevard. She stated it is part of a residuary trust for her family, which has owned the property for 46 years. She received correspondence from the District indicating this property is part of the North "C" Road OGEM stabilization improvement project. However, she stated her property does not encroach upon "C" Road whatsoever. The ingress and egress to this property is along Okeechobee Boulevard, and there are no property lines near "C" Road. She stated she would like to have this property deleted from the assessment data regarding the North "C" Road OGEM stabilization improvement project.

Ms. Viator stated the District has completed the entire North "C" Road OGEM stabilization improvement project, with a referendum by the landowners, and all landowners were provided notice of the project. She stated although a particular property might not receive direct benefits, it might receive indirect benefits. As it is right now, this is the referendum that was approved by the North "C" Road landowners.

Mr. DeMarois asked Ms. Viator what would likely be the outcome if the landowner takes legal action against the District and this issue goes to Court.

Ms. Viator replied that the Court would determine whether the District applied the proper procedures. Ms. Viator stated it is certainly the District's position that it went through the proper steps, and there was a final determination by the Board of Supervisors as a result of the landowner referendum to proceed with the project.

Mr. DeMarois stated Ms. Danison-Althouse contacted him regarding this issue and indicated that, although she does not want to take legal action against the District on this issue, she is willing to do so in order to resolve this issue.

Ms. Crawford asked Ms. Viator whether the Board is legally allowed to have Ms. Danison-Althouse's property removed from the North "C" Road OGEM stabilization improvement project assessment. Ms. Viator replied that the District has already gone through the referendum process, and this landowner had the opportunity during that time to object.

Mr. DeMarois stated Ms. Danison-Althouse indicated she contacted the District during the referendum process and expressed her objection. He then asked Ms. Danison-Althouse to provide the District with any documentation that would substantiate her objection. That documentation would then be presented to the District's attorney for legal review.

Marge Herzog, 966 "A" Road asked the Board to consider assisting a landowner at 3830 "C" Road in trimming the overgrown vegetation in her driveway.

Mr. Saunier stated this is the Board's discretion; he indicated to Ms. Herzog that he cannot authorize the use of District equipment on private property.

Ms. Crawford asked if it is a legally viable option for the District to assist this particular landowner, and expressed her concern that this action might set a precedent.

Mr. DeMarois stated that legally it is not permissible to spend public monies on private property.

Ms. Herzog stated the Division of Forestry previously assisted the landowner under the Firewise Fire Safety Program.

Mr. Saunier recommended the Board allow him the opportunity to inspect the property and overgrown vegetation at 3830 "C" Road. He could then recommend options to the Board. Mr. Saunier stated perhaps there are other alternatives such as Fire-Rescue volunteers. Mr. Saunier stated he

would need the Board's approval to use District equipment on private property.

Ms. Crawford stated she does not want to set a precedent. Mr. Snowball agreed.

Mr. Saunier stated he will visit the property, take photographs, and e-mail them to the Board of Supervisors.

Mr. DeMarois suggested the Loxahatchee Groves CERT team assist this landowner.

Mr. Snowball cautioned Ms. Herzog about what she requests from the Board, and stated this particular request places the Board in a bad position.

Mr. Saunier stated he would require that the landowner write a letter to the District requesting assistance, and in that letter, release and hold harmless the District for any incidental damages in the event the District enters onto her property.

Ms. Herzog complimented the District's recent canal mowing efforts, and stated the canal banks look great.

Ms. Herzog commented about aquatic vegetation in the canals.

Morine Simmons, 14676 11th Terrace commented about the condition of South "D" Road and possibly placing OGEM stabilization on South "D" Road.

Town Council Member Ron Jarriel, 2800 161st Terrace North stated Mr. Saunier has always taken great care to ensure the cut-through on 140th near Sunsport Gardens is well-maintained. Mr. Jarriel stated the drainage has always been an issue. When rain occurs, the north side near the Sunsport Gardens entrance holds a lot of water. He stated if the District could correct the situation so the water would run off, and scarify some rock material, the road section might last longer.

Mr. Jarriel stated, with regard to Ms. Herzog's request, he will inspect the property at 3830 "C" Road and perhaps the Fire-Rescue could submit a request to assist this landowner with her situation.

Mr. Jarriel commented about Ms. Danison-Althouse's request to be deleted from the North "C" Road OGEM stabilization project assessment. He stated the assessments will decrease after a number of years.

Pearl Rauberts, 14280 43rd Road North commented about the courtesy grading of 43rd Road North. She thanked the Board for agreeing to resume courtesy grading of that road. She explained that when she moved into the community in 2001, there was no street name sign for 43rd Road North. She chose to personally pay for a street name sign, which lasted until earlier this year.

Jim Berke, 4348 145th Avenue North provided a brief history about the easement of 43rd Road North. He commented about Mr. Saunier's suggestion about making the turn from 145th Avenue onto 43rd Road North, and stated that is right on the corner of his property. He stated the problem is the telephone poles. There is only a 25-foot easement between the poles and emergency vehicles cannot make that turn. He stated the landowner involved in this issue is right in the middle of the easement. Grading on either side of her would not help the ingress and egress access for landowners on the west side of them. Mr. Berke asked whether more rock material could be placed on 145th Avenue North. Mr. Berke thanked the Board for sending Frank Schiola out to 145th Avenue North to trim the vegetation. Mr. Berke commented about the 40th Street North issue.

The Chair adjourned the meeting at 9:35 p.m.

David DeMarois, Chair

Donald P. Widing, Vice Chairman

Darlene Crawford, Secretary-Treasurer

John Ryan, Deputy Secretary-Treasurer

Robert Snowball, Supervisor