

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
MINUTES

Date: September 19, 2016  
8:00 A.M.

Held at  
17100 Lyons Road  
Boca Raton, FL 33496

**1. Roll Call**

The meeting was called to order by the Chair, Charles Walsey, at 8:00 A.M.

The Chair then called the roll, and noted that all Supervisors, except Larry Portnoy, were present.

In Attendance:

*Board Members:* Charles Walsey (by speakerphone), Rick Elsner, Pamela Duhaney and Don Johnson

*District Engineer:* Alan Wertepny

*District Attorney:* Peter Breton

*Guests:* Robert Poyner, RLP Property Services, Inc.

**2. Approval of Agenda**

After a motion by Supervisor Elsner and second by Supervisor Johnson, the Board unanimously approved the Agenda.

**3. Approval of Minutes**

By motion by Supervisor Elsner and second by Supervisor Duhaney, the Board unanimously approved the minutes of the Board of Supervisors' Meeting of August 15, 2016.

**4. State Road 7 Update**

The District Engineer submitted and discussed his report.

***State Road 7:***

The CORP has not responded to FDOT District 4 July 2016 submittal. The City of West Palm Beach challenged the SFWMD permit. The administrative hearing started in the last week in August and will continue into October.

***Royal Palm Beach Boulevard:***

Intersection improvements at 60th Street North, M-Canal Bridge expansion and 3 laning of 60th North 0.5 miles west of Royal Palm Beach is scheduled for semi-final review for next week. Final completion date will be in October. Refer to attached photos.

***Seminole Pratt Whitney Road (Seminole Ridge High School to North of M-Canal):***

J. W. Cheatham was awarded contract for 7,400 linear feet of roadway widening (2 to 4 lanes) and expansion of the bridge crossing the City of West Palm Beach M-Canal. Cheatham has not mobilized on site. The City of Westlake has agreed to expand roadway improvements to 6 lanes.

## 5. Engineer's Report / L-8 Basin Study

The District Engineer presented the L-8 Basin report and Engineer's report.

### ***L-8 Basin:***

The Florida Department of Environmental Protection has agreed to delist L-8 Canal as impaired for chlorophyll-a (nutrient) because initial listing (2004-2009) is not representative of current conditions. The final Cycle 3 Group 3 (Lake Worth Lagoon) impaired water listings (verified and delist) is awaiting adoption by the Secretary of DEP.

### ***Illegal Dumping:***

According to Palm Beach County Code Enforcement all three sites (Cioffi Landscaping, Hope Farms Nursery and Charles Green) are no longer in violation of County Ordinances.

### ***Wellington Livestock Waste Hauler Meeting:***

A meeting was held with Wellington livestock waste haulers on September 6, 2016. Attendees included Wellington Staff, Palm Beach County Commissioner McKinlay's aide, CGCDD engineer, Palm Beach County Sheriff's Office, SWA, U.S. Sugar and six waste haulers. SWA mentioned they have come to an agreement with Wellington to change their tipping fees to \$12 to \$13 per ton (\$130 per truckload). Challenges for Wellington waste haulers for transporting to SWA site include tipping fees, travel time to and from the SWA Jog Road site, lost time for weighing in and weighing out, daytime operational hours and number of hauling round trips available in a day. SWA also has limitations on the monthly amount of livestock waste material it can accept.

U.S. Sugar mentioned that they have been accepting horse waste material for the last 4 to 5 years free of charge. U.S. Sugar has experienced additional expense in handling the waste material (spreading, towing services for stuck hauler trucks, preparation of a nutrient management plan as required by FDACS, water quality testing, equipment thefts). U.S. Sugar is making some changes; these include:

1. Establishing a staging area just off the paved roads entrance.
2. Minimizing the potential for equipment thefts by restricting access and reducing hours of operation.
3. Requiring a minimum tipping fee of \$75 per truckload.
4. Restricting the number of haulers allowed to use U.S. Sugar site.

U.S. Sugar and Wellington will be sending out notice to haulers and landowners that disposal fees are going up. Wellington has also contracted with the Sheriff's Office for two deputies to ticket unregistered haulers.

Waste haulers will be notifying their clients that the fees will be increased.

Haulers concerns included:

1. Fees are increasing and competition with unlicensed haulers is also increasing.
2. Need for either a closer transfer station or closer disposal site.
3. Atlas Peat & Soil is already charging \$150 a truckload.
4. Alternative disposal site that converts waste to energy or conversion to dry fertilization material (pellets or bricks) is needed.

**City Manager/Western Communities WCD Meeting:**

Commissioner McKinlay held an annual joint City Managers/Western Communities Water Control District meeting on September 7, 2016 at David Farber Training Center in Royal Palm Beach. Representatives from all the western communities (municipalities and special districts) were in attendance except for the City of West Palm Beach. Most municipalities (Bell Glades, Pahokee, South Bay, Loxahatchee Groves) expressed need for more funding for parks and infrastructure repairs. Wellington concerns included handling of horse waste, enforcement and jurisdictional permitting associated with Waters of the United States. SR 7 is an issue for Royal Palm Beach, Westlake, Indian Trail Improvement District and Palm Beach County. Indian Trail Improvement District also had concerns for the need of an M-Canal crossing for 180th Street and drainage for the L-8 Basin (no outfall).

Commissioner McKinlay covered the following:

**1. Community Development Block Grant Programs (Belle Glade and South Bay)**

Working with Housing Authority on rehab of Grand Lakes, improvements at Covenant Villas and South Bay Villas and Yew Court being developed by Southport Development. (Total of 769 rehabbed or new units in the works).

**2. Code Enforcement**

Ramsay, Johnnie and Lisa met with Tri-Cities managers (Belle Glade, South Bay and Pahokee) and mayors in the Belle Glade office to share successful PBC code enforcement practices, techniques, etc. Board of County Commissioner (BCC) approved request for additional code enforcement funding in 2016 budget cycle.

**3. County Assistance Needed to Help With Building Demolition**

Requested assistance from SWA with demolition/blighted grant from SWA – grant created and executed. Belle Glade and South Bay received funding. New grant package being developed for October. Cities can submit more than one project, so have them ready when new grant comes out later this year.

**4. Farmers Are Having Trouble With Tires Being Dumped On Their Property**

SWA had to stop the tire amnesty program because it was being abused by tire companies. Residents in unincorporated Palm Beach County can dispose of 2 tires (off the rim) per year in their regular curbside pickup. SWA also lowered the tire disposal rate to encourage tire companies to dispose of them properly. \$35.00 per ton for passenger tires, off the rim, roughly .35 center per tire).

**5. Surplus Vehicles**

Tri-City managers sent the link to Palm Beach County (PBC) surplus and notified of the next sale.

**6. Lawrence E. Will Museum of the Glades Needs Funding**

Need \$150,000 for A/C system, planning and design for state-of-the-art museum; landscaping and beautification on the outside.

**7. Road Services**

Need 1.4 million in road services. Wants PBC to do the Construction Engineering & Inspection (CEI) instead of a private company. Johnnie Easton contacted George Webb on South Bay's behalf – he agreed to perform CEI to help save South Bay's funding or more road services.

## **8. Pahokee Bacom Point Road Update**

Project completed.

## **9. Wellington**

Needs a regional solution for equestrian waste. PBC staff have been engaged in roundtable meetings throughout the year and just had another one on August 24, 2016. Working to create a hybrid solution consisting of public and private agencies. PBC is drafting language for the BCC to consider recycling/processing of equestrian waste in agricultural areas. SWA/Wellington working on interlocal agreement to encourage haulers to bring more SWA waste to energy facility.

## **10. Acme Improvement District**

South Florida Water Management District is using Alum Oxide to control plants in canals. It kills everything at the bottom of the lake. Laura Cory is checking with SFWMD Vegetation Department. She was not aware of this concern.

## **11. Royal Palm Beach**

SR 7 extension still in litigation over the SFWMD permit. Trial expected to wrap up in October.

## **12. Loxahatchee Groves**

Folsom and Okeechobee are now under the control of Loxahatchee Groves.

## **13. Seminole Improvement District**

PBC approved permit for widening of Seminole Pratt Whitney by high school. WPB is now holding up the widening over M-Canal, but construction should begin soon on the southern portion of Seminole Pratt Whitney and the canal crossing issue will be resolved by the time they reach that part of the project.

## **14. Indian Trail Improvement District**

Joint meeting was held with PBC/Fire Rescue/PBSO/ITID on the response times and traffic calming. We are all trying to figure out how to handle the traffic from proposed developments. We will continue to work together to make sure resident safety is first and foremost.

## **6. District Manager's Report / L-8 Report and Report on Status of Projects**

The District Manager distributed his written report and discussed it with the Board.

### **District Manager's Report September 18, 2016**

- On September 18, 2016 the offsite L-8 Canal elevation at the North Pump was 13.2 and the onsite elevation was 16.5 The South Pump offsite elevation was 13.1 and the onsite elevation was 16. Lake Okeechobee water level is 15.42 August level was at 14.76.
- Canals – Aquatic herbicide program is almost complete. Most canals are clear of vegetation. There will be some additional spraying required. We also included the west canal in section 30&31 to the aquatic herbicide program.
- 3rd Quarter pump reports will be due October 1, 2016.

- No new activity at Cioffi & Stienman.
- Pipe Projects. All off season pipe projects are installed and complete.
- Fuel tank inspection. There are no leaks and tanks are working properly at this time. We had 7203 gal of fuel delivered in April and have used 1700 gal since delivery. We are still awaiting PBC DERM inspector to inspect tank. No fuel used since 5/16/16. Fuel used for long stick 260 gal.
- Capital Improvement Projects and estimated cost.
  1. Clear and dredge canal between section 29&30 (June-Aug \$6000.00 estimate)ON HOLD
  2. Clear and Dredge West side of canal on the east side section 31 from south outfall canal to section 30. (June-Aug estimate \$6000.00)ON HOLD
  3. Aquatic herbicide to occur in the off season. (Currently under way)
  4. Replace 72" crossing pipe in road (Orange Blvd extension) between section 33&34. (June-Aug \$16,000.00 estimate) (INSTALLED)
  5. Install 72" pipe at main crossing section 19. (Estimate \$7200.00) ;INSTALLED'
  6. Long stick work has been completed.
  7. Repair pipe at south pump station. (Repair & maintenance issue) (COMPLETE)
  8. South pump: Pump has been repaired and being picked up this morning for installation on Wednesday.
  9. Disposal of all metal pipes is complete. Need to dispose of 50' X 48" of black plastic pipe.
- Road repair needed for south main road (Section 29). Should be completed early October.

#### **7. Treasurer's Report**

Supervisor Elsner gave the Treasurer's Report in the absence of the Treasurer. He reported that the bank balance is \$160,000 with \$20,000 in checks written, leaving a balance of \$140,000. The actual is \$139,900, which the Treasurer noted is good estimating. Four more months of operating expenses will be \$70,000 which leaves \$70,000 until next year's assessments start being received.

The Board discussed projected uses of the remaining \$70,000. The Board will discuss further next month. The Board congratulated Supervisor Portnoy on his good financial management.

#### **8. Attorney's Report**

The District Attorney reported that all required forms and reports for the non-ad valorem assessment have been filed with the Tax Collector. He then presented the proposed meeting schedule for the next fiscal year. Supervisor Elsner moved to approve the schedule. Supervisor Johnson seconded and it was unanimously approved.

#### **9. Comments by Supervisors**

There were no additional comments by Supervisors.

#### **10. Comments by Public**

There were no members of the public present.

**11. Announcement of Next Meeting Date**

There being no further comments from Supervisors and no comments by the public, the Chair announced that the next meeting would occur on October 17, 2016, at 8:00 A.M. at 17100 Lyons Road, Boca Raton, Florida 33496.

**12. Adjournment**

The meeting was adjourned at 8:30 A.M.

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Charles C. Walsey, Chair

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Peter L. Breton, Secretary