

CYPRESS GROVE COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS  
MINUTES

Date: March 16, 2020  
8:00 A.M.

Held at  
8756 Boynton Beach Boulevard, Suite 2100  
Boynton Beach, Florida 33472

**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 were present.

In Attendance:

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

*District Engineer:* Alan Wertepny

*District Attorney:* Peter Breton

*Operations Manager:* 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 Johnson, the Board unanimously approved the minutes of the Board of Supervisors' Meeting of February 18, 2020.

**4. Engineer's Report**

The District Engineer distributed his written report (copy attached). Mr. Wertepny said that there is nothing new to report on the Lake Okeechobee Operating Schedule. He said that the lake level is about 0.6 feet above the water shortage level. He said that there is no activity on the State Road 7 extension. He said that nothing has changed in the County Five Year Road Program.

He then reported on the Yee Farms irrigation permit application. Everything has been completed and the permit has been signed. He has not released it yet. One of the permit special conditions is to give the District a license to use the road on the Yee Farms parcel for canal maintenance of the section line canal, as long as the permit is in effect.

Next, he discussed the FPL solar farm. All issues have been resolved except for the details of the outfall structure. The permit is ready but FPL has to sign it. Supervisor Walsey said that FPL should sign first and then the District sign. Mr. Poyner will deliver copies to FPL for signature. FPL will need to agree to the special conditions. Attorney Breton asked if the outfall structure was fixed or movable. Mr. Wertepny said that it is movable with riser boards. FPL will operate the structure and will coordinate with Mr. Poyner, as part of the special conditions.

Mr. Poyner and Mr. Wertepny discussed the datum measurement for the water level on the FPL property. Mr. Wertepny explained the difference between the old NGVD and the current NAVD. FPL is aware of the difference.

Returning to Yee Farms' permit, the District is requiring Yee Farms to reimburse the District for the engineering and inspection costs. The total is \$1,700. After applying the \$300 application fee, the balance is \$1,400. The current fee schedule provides a credit for the application fee. Attorney Breton has updated the fee schedule so that the application fee is not credited against the District's engineering and inspection costs, and to provide that a cost deposit must be posted. Upon Board approval, this will be applied to future permit applications.

The Engineer then discussed the Indian Trail Improvement District Moss Property Pilot Program. He said there was a meeting with ITID staff, Mr. Poyner and Mr. Wertepny to discuss the pilot program and the District's concerns. The ITID attorney is supposed to send us a draft Memorandum of Understanding (MOU). The Engineer said he obtained some recent LIDAR data from the County and plotted it on the Moss Property. He presented some maps showing the water flow in the Moss Property. He described the areas with potential of impacting our system. He said there are three areas that need to be filled to prevent water from flowing into our system. Supervisor Elsner said that when we receive the MOU from ITID, we will start a dialogue on this issue. Mr. Wertepny said that there is time to address the issues.

#### **5. Operations Manager's Report**

The Operations Manager discussed his written report, a copy of which is attached. He said that he has not been able to pump at the south pump station for 2 weeks because of the low water level in the L-8. He described his contacts with the SFWMD water managers.

The Treasurer asked Mr. Poyner to re-order the capital projects in his reports in order of priority in the future.

Mr. Poyner reported on the work he did at Santa Rosa Groves to plug the pipes and prevent irrigation water from entering Santa Rosa Groves.

#### **6. Treasurer's Report**

The Treasurer reported that the bank account had \$413,000 at the end of February 2020.

#### **7. Attorney's Report**

The District Attorney suggested that since there was no urgent business for the April meeting and in light of the coronavirus emergency, the Board should consider cancelling the April meeting. After discussion, Supervisor Walsey made a motion to delegate the decision on cancelling the meeting to Supervisor Portnoy. Supervisor Duhaney seconded and the motion was unanimously approved.

The Attorney said he had made some revisions to the permit fee schedule. Mr. Wertepny explained the effect of the changes. Supervisor Portnoy moved to approve the revised fee schedule. Supervisor Duhaney seconded and the motion was unanimously approved.

#### **8. Comments by Supervisors**

Chair Walsey said that the insurance company did an appraisal of the property being insured, primarily the pump stations. The appraised value increased about \$8,000 since the last appraisal. The increase in premium is \$67.00 per year. He asked Mr. Poyner to estimate what it would cost to replace the pump stations if a catastrophic event occurred. Mr. Poyner said to replace the pumps and motors would be about \$50-60,000, assuming that the concrete boxes were not damaged. If the boxes needed to be reset or replaced, it would be much more. Supervisor Walsey suggested we should increase the

coverage, even though it would cost a few hundred dollars. Supervisor Elsner wants to know how much of the overall insurance premium is for the property coverage and how much for liability coverage. Supervisor Walsey said he would find out. Attorney Breton said that the most likely casualties that would lead to claims are lightning strikes, fires, tornadoes, theft and vandalism, not floods. The Board authorized the higher appraised value and premium.

There were no additional comments by Supervisors.

**9. Comments by Public**

There were no members of the public present.

**10. 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 (subject to possible cancellation) would occur on March 16, 2020 at 8:00 A.M. at 8756 Boynton Beach Boulevard, Suite 2100, Boynton Beach, Florida 33472.

**11. Adjournment**

Upon motion by Supervisor Portnoy and second by Supervisor Johnson, the Board unanimously voted to adjourn at 9:28 A.M.

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Charles C. Walsey, Chair

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Peter L. Breton, Secretary