

NOTICE OF MEETING OF THE BOARD OF
SUPERVISORS OF DEVIL'S GARDEN WATER CONTROL DISTRICT

YOU ARE HEREBY NOTIFIED that the Meeting of the Board of Supervisors of DEVIL'S GARDEN WATER CONTROL DISTRICT will be held on Wednesday, January 9, 2019 at 1:45 P.M. at the offices of Barron Water Control District, 3293 Dellwood Terrace, LaBelle, Florida, for the purpose of:

The purpose of this meeting is to transact any and all business which may come before the Board.

If a person decides to appeal the decision of the Board of Supervisors with respect to any matter considered at the public meeting herein referred, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this proceeding should contact the District at (561) 655-0620 at least five (5) days prior to the date of the proceeding.

DATED this 21st day of December 2018.

BOARD OF SUPERVISORS OF
DEVIL'S GARDEN WATER CONTROL DISTRICT

PUBLISH: The Clewiston News
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Mary M Viator

From: David Genho <dgenho@sreland.com>
Sent: Monday, December 17, 2018 10:19 AM
To: Mary M Viator
Cc: mmoore@alicoinc.com
Subject: Resignation as President of the Devil's Garden Water Control District

Mrs. Viator & Devil's Garden Board of Supervisors,

Please accept this as my letter of resignation as the President of the Devil's Garden Water Control District effective immediately.

Thanks,
David Genho

**MINUTES OF THE BOARD OF SUPERVISORS MEETING
OF DEVIL'S GARDEN WATER CONTROL DISTRICT
JUNE 22, 2018**

The Meeting of the Board of Supervisors of Devil's Garden Water Control District was held at the office of Barron Water Control District, 3293 Dellwood Terrace, Labelle, Florida, at 2:30 P.M. on Friday, June 22, 2018 following announcement at the close of the Landowners' Meeting.

Present were David Genho, Rusty Hyslope and Ray Hull, Supervisors; Ms. Jayne Hildreth; Mr. Tommy Perry, P.E. and Ms. Sommer Foster, P.E. of Johnson-Prewitt and Associates, Inc., District Engineer; Jeff Tuscan of Tuscan & Company, PA, Auditor for the District; and Ms. Mary M. Viator, Caldwell Pacetti Edwards Schoech & Viator LLP, Attorney and Secretary for the District were also present. Also in attendance was Mr. Bob Howard, Tommy Walker and Mr. Carl Perry.

CALL TO ORDER

The Board of Supervisors Meeting was called to order.

ADMINISTER OATH OF OFFICE

The Oath of Office was administered to Mr. Ray Hull.

ESTABLISHMENT OF QUORUM

It was announced that a quorum was present and that it was in order to transact any business to come before the Board.

APPROVAL OF MINUTES

Board of Supervisors Meeting of June 8, 2017: A motion was made by Mr. Hull, seconded by Mr. Hyslope and unanimously passed approving the Minutes of the Board of Supervisors' Meeting of June 8, 2017.

ELECTION OF OFFICERS

The Attorney called for the election of officers for the District who were duly elected as follows:

President	David Genho
Secretary	Mary M. Viator
Treasurer	Jayne Hildreth

TREASURER'S REPORT AND AUDIT

The Treasurer and Auditor presented the respective Treasurer's Report and Audit.

A motion was made by Mr. Hyslope, seconded by Mr. Hull and unanimously passed accepting the Treasurer's Report and General Purpose Financial Statements together with Reports of the Independent Auditors for the Fiscal Year ending September 30, 2017.

The Board accepted the following Reports which had been discussed in detail at the recently adjourned Landowners Meeting:

- A. Devil's Garden Water Control District Combined Balance Sheet dated June 10, 2018.
- B. Devil's Garden Water Control District Projected Cash Carry Forward.
- C. Devil's Garden Water Control District Projected Combined Statement of Revenues, Expenditures and Changes in Fund Balance – Actual and Budget – General Fund from October 1 through September 30.
- D. Devil's Garden Water Control District Statement of Revenues & Expenditures 2018/2019 Proposed Budget – General Fund.

Motion to Adopt Resolution Transferring Budget Allocations

A motion to adopt a Resolution Transferring Budget Allocations was presented to the Board.

There was a discussion as to the budget containing certain allocations and that in some instances the allocations will be insufficient to meet the District's needs. In other cases the allocations provided will not be needed to meet the expenses as budgeted. The Treasurer requested the Board

A motion was made by Mr. Hull, seconded by Mr. Hyslope and unanimously passed adopting the following Resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF DEVIL'S GARDEN WATER CONTROL DISTRICT ADOPTING THE DISTRICT BUDGET AND NON-AD VALOREM ASSESSMENT ROLL AS PROVIDED HEREIN AND THE LEVYING OF THE NON-AD VALOREM ASSESSMENTS FOR THE DISTRICT.

(Copy attached.)

A motion was made by Mr. Hull, seconded by Mr. Hyslope and unanimously passed authorizing the District's assessments be included on the Non-Ad Valorem Assessment Roll and further authorizing the Hendry County Property Appraiser and Tax Collector to effectuate this matter.

CONSIDER APPROVAL OF DEPOSITORY AND APPOINTMENT OF AUTHORIZED SIGNATORIES ON THE DISTRICT ACCOUNTS

A motion was made by Mr. Hull, seconded by Mr. Hyslope and unanimously passed, authorizing the First Bank of Clewiston as the District's Depository and further designating the following signatories on the District accounts:

David Genho
Ray Hull
Rusty Hyslope

(Copy attached.)

CONSIDER REQUEST FOR PARTIAL RELEASE FOR WATER CONTROL EASEMENT, GAL HOG PROPERTY, HENDRY COUNTY.

The Engineer explained that the Gal Hog Property is an approximate 1,980 acre parcel located within the legislative boundaries of the District (see attached aerial survey). The Property owner through its counsel has requested partial abandonment of two District Drainage Easements within the Property boundaries, as shown on the attached Descriptive Drawing.

The Drainage Easements were originally recorded on March 8, 1974 in Official Record Book 177 Page 246, of the Official Records of Hendry County, Florida (copy attached).

The District Engineer has determined that the Drainage Easements within the Property proposed to be partially abandoned are not required Works of the District.

The Board of Supervisors has authority to approve this request for Partial Abandonment of the identified Drainage Easements.

Mr. Perry indicated that he was related to the new owner of the Property.

There following discussion by the Board. A motion was made by Mr. Hull, seconded by Mr. Hyslope and unanimously passed approving the Partial Release of Easement as recommended by the District Engineer. (Copy attached.)

DISTRICT OPERATIONS

The Board discussed the operations of the District and the need for some of the culverts to be replaced.

DISPERSED WATER STORAGE PROJECT UPDATE

Mr. Bob Howard, on behalf of Alico, reported that Alico is still pursuing the Disbursed Water Storage Project. The concept is to provide pumping from the Caloosahatchee River which would capture rainwater. Mr. Palmer asked if there are any studies as to impacts on the adjacent landowners so they are not adversely impacted. Mr. Howard indicated this is a program for the capture of water. The funding mechanism is through FDEP in a Basin Management Action Plan. Mr. Howard explained the Proposed Treatment Plan. Mr. Palmer inquired as to how much water is involved. It was reported that it was less than the allowable discharges. Mr. Palmer further asked if the Project would include the use of the Canal 4. It was indicated that Alico would not be using Canal 4 for the Project.

DISTRICT ENGINEER REPORT

The District Engineer reported during the past year, assistance to the Devil's Garden Water Control District has consisted mostly of providing information as requested and responding to

inquiries. During the past year, assistance to the Devil's Garden Water Control District consisted primarily of providing information as requested and responding to inquiries.

The District Engineer continues to monitor Hendry County's progress on the Airport-Sears MSBU. As mentioned last year, the County submitted a new application in January 2017 proposing to use Canal 1. There were significant concerns with the proposed project and the plans have been revised. Over the last year the Engineers have attended meetings with the County and County's Consultant and provided flow information as requested by the County's Consultant. The Engineers continue to urge the County to direct the flows into Canal 2 and communicate with the County's Consultant as needed.

Alico continues to pursue their Disperse Water Storage project. As the Board is aware, the District Engineers are working on the project for Alico.

The rehabilitation work to the Collins Slough irrigation pump station has been completed.

A larger landowner within the District sold a portion of its lands, frequently referred to as Gal Hog, to SP 3 Holdings. The property will continue to remain in agriculture.

(Copy of District Engineer's Report on file)

ATTORNEY'S REPORT

Financial Disclosures: The Attorney explained the Supervisors were required to file Financial Disclosures by July 1st and informed the Supervisors of their obligations as elected officials to file certain financial disclosure forms with their respective Supervisor of Elections.

ADOPT SUPERVISORS' MEETING SCHEDULE

Upon motion by Mr. Hull, and seconded by Mr. Hyslope, the Board unanimously approved, the Board of Supervisors Regular Meeting Schedule for the fourth Monday of each month at 3:00 P.M. at the Offices of Barron Water Control District, 3293 Dellwood Terrace, Labelle, Florida. In the event the fourth Monday of the month fell on a holiday, the Meeting would be held on the next

