

**Minutes of January 16, 2020**  
**Workshop Meeting of Supervisors of**  
**The Central Charlotte County Drainage District**

The Workshop Meeting of Supervisors of The Central Charlotte County Drainage District was held on Thursday, January 16, 2020, at the Charlotte County Public Works Building, 7000 Florida Street, Punta Gorda, Florida 33950. Mr. Robert "Bucky" McQueen, President of the District, called the Meeting to order at 2:00 o'clock p.m. All of the Supervisors were present as follows: David Anthony, Carol M. Nevling, and Robert "Bucky" McQueen (via telephone). Also present at the meeting were Judy Uhland, Secretary/Treasurer, Edward L. Wotitzky, Esq., attorney for the District, and Mr. David Bogle.

Due and proper Notice of the Meeting was established. Attached to these Minutes is the Publisher's Affidavit of Publication of the Notice of the Meeting, verifying the Notice was published on December 27, 2019 and January 4, 2020.

The Supervisors then discussed ongoing maintenance of ditches in the District and the contract with Lake Doctors for bi-annual treatments of ditches in the District. Ms. Nevling and Mr. Anthony expressed some concerns regarding the condition of the ditches. All of the Supervisors felt that the Lake Doctors' Contract should be continued. Mr. Anthony advised he would speak with Matt Lewis, the Regional Manager for Lake Doctors, concerning the contract work.

Ms. Uhland noted the bi-annual payments would be increased for 2020 from \$3,450.00 to \$3,550.00. After further discussion and on motion made by David Anthony, seconded by Carol Nevling, and unanimously carried, it was

RESOLVED to extend the contract with Lake Doctors, Inc. at the adjusted price.

The financial condition of the District was then reviewed by Judy Uhland. Ms. Uhland indicated that expenses for the District are consisted with the adopted budget. She advised that accounts of the District total approximately \$47,000.00.

The Supervisors then considered concerns raised by Mr. David Bogle concerning an obstruction of a road and ditch in the District. He inquired as to whether a determination concerning the width of the ditches and roads in the District is available. The District's attorney advised that the exact measurements of the existing ditches is not of record; however, the District maintains the ditches in accordance with customary practices. He also advised as to the history of the District, and that formal dedications or easements had not been established when the District was formed in the early 1960's. He noted the District takes the same position as the neighboring MSBU regarding the establishment of easements for the District's ditches and canals through prescriptive rights.

A number of options are available to the District to clarify the locations and easement rights concerning the ditches and canals. One option would be to bring an action for declaratory judgment. The purpose of that action would be to have a declaration by a court regarding the location and dimensions of the ditches and canals. Such an action would require an extensive survey of the District's property, with substantial expenses associated with obtaining the survey and processing the litigation. The other option would be to bring an eminent domain or condemnation action to obtain easements or fee simple ownership of the ditches and canals. Such an action would also require the preparation of a survey of the properties to be condemned and would also involve payment of the fair market value or just value for the interest in the properties to be taken. A major concern regarding any such actions involves financing costs for same. While the District can borrow money and issue bonds, bonds may not, pursuant to Section 298.47 of the Florida Statutes, exceed ninety percent (90%) of the total amount of the non-ad valorem assessments. As a result, raising funds to process any of the foregoing actions would

be problematic.

Additional discussion ensued with respect to this matter. In the event a property owner is obstructing any ditches or access to same, an action could be brought to enjoin such obstruction, and to obtain a judgment for damages. Such an action could be brought pursuant to Section 298.66 of the Florida Statutes. The Supervisors decided to allow the District's attorney to further review this matter and authorized the sending of a demand letter to any property owner obstructing access and drainage.

The next matter considered by the Supervisors involved the repair of a culvert at George Road and Poplar. Apparently, when a property owner, Mr. Fred Taylor, was constructing improvements on his property, a culvert collapsed. After discussion and on motion duly made, seconded and unanimously carried, it was

RESOLVED to approve the replacement of the culvert, and to authorize David Anthony to enter a contract on behalf of the District, for the replacement of the culvert with a qualified contractor.

Judy Uhland then advised the Supervisors she is relocating to North Carolina. She noted she would be able to continue as the Secretary/Treasurer of the District remotely. The Supervisors expressed confidence in Ms. Uhland's services and approved her to continue as Secretary/Treasurer of the District.

The Annual Meeting of Land Owners and Supervisors was then scheduled. The Annual Meeting will be held on Thursday, June 4, 2020 at 2:00 o'clock p.m. at the Charlotte County Public Works Conference Room.

There being no further business before the Supervisors, the meeting was, on motion duly made, seconded and unanimously carried, adjourned.

Respectfully submitted,

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Judy Uhland, Secretary

Approved:

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Robert "Bucky" McQueen, President



PUBLISHER'S AFFIDAVIT OF PUBLICATION  
STATE OF FLORIDA COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared **Melinda Dickinson**, who on oath says that she is legal clerk of the Charlotte Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a **Legal Notice** was published in said newspaper in the issues of:

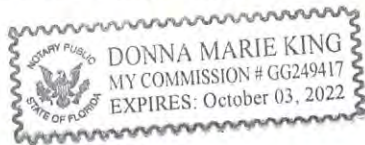
12/27/2019, 01/04/2020

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement ; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Melinda Dickinson*  
(Signature of Affiant)

Sworn and subscribed before me this 4<sup>th</sup>  
day of January, 2020.

*Donna Marie King*  
(Signature of Notary Public)



Personally known X OR \_\_\_ Produced  
Identification

**Notice of Workshop Meeting  
of Supervisors of The  
Central Charlotte County  
Drainage District**

NOTICE IS HEREBY GIVEN that a meeting of Supervisors of The Central Charlotte County Drainage District will be held at the following date, time and place:

Date of Meeting:  
January 16, 2020

Time of Meeting: 2:00 p.m.

Place of Meeting:  
Charlotte County Public Works  
Office - Conference Room  
7000 Florida Street  
Punta Gorda, Florida 33950

The purpose of the meeting and matters will be discussed, considered and acted upon include the following:

1. Consideration and action regarding maintenance projects and a business plan for cleaning and maintaining District ditches.
2. Review and discuss financial condition or status of District
3. Consideration of actions required to increase District's assessment authority.
4. Such other business as may be brought before the Supervisors

Dated the 5th day of December, 2019.

**Board of Supervisors  
The Central Charlotte County  
Drainage District**

By: Judy Uhland, Secretary  
Publish: 12/27/19, 01/04/20  
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