



**HOBE-ST. LUCIE  
CONSERVANCY DISTRICT**

**MARTIN COUNTY**

**BOARD OF SUPERVISORS MEETING  
APRIL 26, 2017  
9:30 A.M.**

Special District Services, Inc.  
The Oaks Center  
2501A Burns Road  
Palm Beach Gardens, FL 33410

[www.hobestluciecd.org](http://www.hobestluciecd.org)  
561.630.4922 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

**AGENDA**  
**HOBE-ST. LUCIE CONSERVANCY DISTRICT**  
Hobe Sound Polo Club  
2935 SE Bridge Road  
Hobe Sound, Florida 33455  
**BOARD OF SUPERVISORS**  
**BOARD MEETING**  
April 26, 2017  
9:30 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
  - 1. March 22, 2017 Board of Supervisors Regular Board Meeting.....Page 3
- G. Old Business
  - 1. Update Regarding Retreat at Seabranh Homeowners Association.....Page 7
  - 2. Continued Discussion Regarding SFWMD Non-Payment of Assessments
- H. New Business
- I. Administrative Matters
  - 1. Engineer’s Report
  - 2. Attorney Report
  - 3. Manager’s Report
    - Financials.....Page 11
  - 4. Field Operations Report
- J. Board Members Comments
- K. Adjourn

The Stuart News
1939 SE Federal Highway, Stuart, FL 34994
AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA
COUNTY OF MARTIN

Before the undersigned authority personally appeared, Linda Klein, who on oath says that she is Classified Inside Sales Manager of the Stuart News, a daily newspaper published at Stuart in Martin County, Florida: that the attached copy of advertisement was published in the Stuart News in the following issues below. Affiant further says that the said Stuart News is a newspaper published in Stuart in said Martin County, Florida, with offices and paid circulation in Martin County, Florida, and that said newspapers have heretofore been continuously published in said Martin County, Florida, daily and distributed in Martin, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid or 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. The Stuart News has been entered as Periodical Matter at the Post Offices in Stuart, Martin County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

Table with 4 columns: Customer, Ad Number, Copyline, PO #. Row 1: 437915 - SPECIAL DISTRICT SERVICES, INC, 1303642, Meeting Schedule: Hobe-St. Lucie, Meeting Schedule

Pub Dates
October 14, 2016

Sworn to and subscribed before me this day of, October 13, 2016, by
[Linda Klein signature] who is
Linda Klein
(X) personally known to me or
( ) who has produced \_\_\_\_\_ as identification.

[Sandra Coldren signature]
Sandra Coldren Notary Public



Advertiser: 13033642

Ad Number: 13033642

Agency: N/A

Insertion Number: N/A

Section-Page-Zone(s): E-5-All

Size: 1 Col x 90 ag

Description: Meeting Schedule: Hobe-St. Lucie

Color Type: N/A

St. Lucie News Tribune

Friday, October 14, 2016

Notice To Creditors

A copy of this notice is to be served must file their claims with this court WITHIN THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM. All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THIS FIRST PUBLICATION OF THIS NOTICE. ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN SECTION 733.702 OF THE FLORIDA PROBATE CODE WILL BE FOREVER BARRED. NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED. The date of the first publication of this Notice is October 14, 2016.

Personal Representative: Kristen M. Brucker c/o John Joseph McHugh, Jr. 2127 10th Avenue Vero Beach, Florida 32960 Attorney for Personal Representative: John Joseph McHugh, Jr., Esquire Florida Bar No. 444626 John Joseph McHugh, Jr., Esquire 2127 10th Avenue Vero Beach, Florida 32960 Telephone: 772-778-1100 Pub: October 14, 2016 TCN 1312015

Public Notices

HOBE-ST. LUCIE CONSERVANCY DISTRICT FISCAL YEAR 2016/2017 REGULAR MEETING SCHEDULE NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Hobe-St. Lucie Conservancy District will hold Regular Meetings at the Hobe Sound Polo Club located at 2935 SE Bridge Road, Hobe Sound, Florida 33455 at 9:30 a.m. on the following dates:

October 26, 2016

November 16, 2016

December 28, 2016

Public Notices

PROPOSED IMPROVEMENTS AT NORTH COUNTY PARK PUBLIC WORKSHOP NOTICE

The Indian River County Parks Department will host a Public Workshop to discuss proposed improvements to the North County Park including the addition of restrooms, picnic areas and a concession stand for the Sebastian Soccer League Fields. The workshop is scheduled for Tuesday, October 18, 2016, 6:00 PM to 7 PM at the Indian River County Parks office, located at 5500 77th Street, Vero Beach, FL 32963. Pub: October 14, 2016 TCN 1313575

PROPOSED IMPROVEMENTS AT HOSIE SCHUMANN PARK PUBLIC WORKSHOP NOTICE

The Indian River County Parks Department will host a Public Workshop to discuss proposed improvements to the Hosie Schumann County Park including restrooms, a picnic area and other site improvements. The workshop is scheduled for Monday, October 24, 2016, 6:00 PM to 7 PM in the Rec Room at the Gifford Youth Achievement Center, at 4875 43rd Avenue, Vero Beach, FL 32967. Pub: October 14, 2016 TCN 1313610

CITY OF FORT PIERCE HISTORIC PRESERVATION BOARD

NOTICE IS HEREBY GIVEN that the Historic Preservation Board of the City of Fort Pierce, Florida will hold a Public Meeting on Monday, October 24, 2016 at 6:00 p.m. in the City of Fort Pierce, Florida. The agenda items to be considered are: 1) Certificate of Appropriateness 16-61. Application submitted by Tuff Shed Inc. authorized by the Property Owner, Donald Rook, to place a new 320 SF shed on a designated historic site at 200 Avenue E. The requested additional requires a variance to deviate from City Code Section 22-3 Definitions, which requires the accessory

structures be limited in size to no more than twenty-five (25) per cent of the main structure, whereas the existing and proposed accessory structure will combine for a total of thirty-seven (37) per cent, or 472 SF, collectively. The Parcel ID is 2403-705-0071-006-5. The legal description of the property is ASSESSOR'S MAP OF N PART OF FORTPIERCE BLK 7-8- LOT 3 AND THAT PART OF LOT 4 MPDAP: BEG INT OF ELY R/W LJ OF FEC RR AND S RD R/W LJ OF AVE E, TH N 89 10 15 E 38.85 FT, TH S 00 49 45 E 100 FT, TH S 89 10 15 W 21.91 FT, TH N 10 26 30 W 101.42 FT TO POB (MAP 24/10C) (0.18 AC-8.038 SF) (OR 1155-1094 AND 1097: 1184-1705; 3707-1582)

Public Notices

Interested person will need a record of the proceedings made, which includes the testimony and evidence upon which the appeal is to be based. Dated this 10th day of October, 2016.

Pub: October 14, 2016 TCN 1309108

NOTICE OF PUBLIC MEETING

Notice is hereby given of the regular meeting of the Children's Services Council of Martin County (CSCMC) to be held at 101 SE Central Parkway, Stuart, Florida 34984 on Monday, October 24, 2016, at 10:00 AM. Matters affecting your personal and property rights may be heard and acted upon. All interested persons are invited to attend. Assistance for the handicapped may be arranged by contacting the office. IF ANY PERSON DECIDES TO APPEAL A DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETINGS OR HEARINGS OF ANY BOARD, COMMITTEE, COMMISSION, AGENCY, COUNCIL, OR ADVISORY GROUP, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD SHOULD INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. Pub: October 14, 2016 TCN 1286888

2) Certificate of Appropriateness 16-62, an application submitted by the Property Owners, John Morris and Kara Wood to complete extensive renovations to a designated historic site located at 829 1st Avenue. The applicants are seeking to demolish a set of non-original additions, and construct a new addition to the structure. The existing home is classified as non-conforming due to a defunct side yard (set back) at the Georgia Avenue property line, therefore the applicant is concurrently requesting approval of a Special Exception. The Parcel ID is 2410-709-0032-004. The legal description of the property is OAKLAND PARK BLK 6 LOT 1 (MAP 24/10F) (OR 3759-1231)

3) Certificate of Appropriateness 16-62, an application submitted by the Property Owners, John Morris and Kara Wood to complete extensive renovations to a designated historic site located at 829 1st Avenue. The applicants are seeking to demolish a set of non-original additions, and construct a new addition to the structure. The existing home is classified as non-conforming due to a defunct side yard (set back) at the Georgia Avenue property line, therefore the applicant is concurrently requesting approval of a Special Exception. The Parcel ID is 2410-710-0019-004. The legal description of the property is NEBRASKA COURT S/O BLK 4 S 10 FTOF LOT 2 AND ALL LOT 3 AND E S F TO FAC ALLEY ADJ ON W (MAP 24/10F) (OR 3627-1712)

Please take notice and be advised if any interested person desires to appeal any decision made by the Historic Preservation Board with respect to any matter considered at this meeting, such

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PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection Southeast District Office Draft Air Permit No. 0850159-004-AC

Mancil's Tractor Service, Inc., Palm City Asphalt Plant Martin County, Florida

Applicant: The applicant for this project is Mancil's Tractor Service, Inc. The applicant's authorized representative and mailing address is: Mr. Don Mancil, President, Mancil's Tractor Service, Inc, Palm City Asphalt Plant, 8530 SW Jayme Way, Palm City, Florida 34990.

Facility Location: Mancil's Tractor Service, Inc operates the existing Palm City Asphalt Plant, which is located in Martin County at 8530 SW Jayme Way, Palm City, Florida 34990.

Project: The facility proposes to replace the existing Almix Model 6626 Drum Mixer employing a Genco Astra Flame burner with an Astec Double Barrel Counter Flow Drum. Also, to replace the existing 24,000 cfm baghouse with a 58,000 cfm Astec Baghouse PBH-58. The new drum mixer and baghouse will increase the capacity of the asphalt plant from 120 tons per hour (tph) to 250 tph. However, there will be no increase in the facility's current production rate limit of 500,000 tons in any consecutive twelve-month period, and fuel consumption limit of 1.2 million gallons in any consecutive twelve-month period. The changes will result in an estimated potential increase of particulate emissions of 6.76 tons per year.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority's physical address is: 3301 Gun Club Road, Bldg B-2, West Palm Beach, Florida 33406. The Permitting Authority's mailing address is: 3301 Gun Club Road, MSC 7210-1, West Palm Beach, Florida 33406. The Permitting Authority's phone number is (561) 681-6600. Email: SED\_Permitting@dep.state.fl.us.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: <https://fddep.dep.state.fl.us/air/permits/loads/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed Asphalt Plant and Baghouse will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. A petition for administrative hearing must contain the information set forth below and must be filed (received) in the office of the Permitting Authority at the address indicated above. The petitioner shall file a copy of the petition with the Agency Clerk@dep.state.fl.us, before the deadline. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, any email address, telephone number and any facsimile number of the petitioner; the name, address any email address, telephone number, and any facsimile number of the petitioner's representative, if any, which shall be the address for service purposes during the proceeding; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.201, F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available in this proceeding. Pub: October 14, 2016 TCN 1310259



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<p><b>WALLACE CHRYSLER</b> 2755 SE Federal Highway, Stuart 772-220-3690</p>	<p><b>WALLACE DODGE</b> 2755 SE Federal Highway, Stuart 772-220-3690</p>	<p><b>JOHNSON HONDA</b> 4200 SE Federal Hwy 772-220-1190 WWW.johnsonhonda.com</p>	<p><b>WALLACE LINCOLN MERCURY</b> 5555 South US 1 in Ft Pierce 1-888-329-6066</p>	<p><b>GRIECO NISSAN</b> Sales/Service 4815 US 1 1-888-728-4235 GriecoNissan.com (772)464-4645</p>
<p><b>WALLACE CADILLAC</b> 3555 SE Federal Hwy., Stuart 877-606-9562</p>	<p><b>WELDE FORD</b> Vero Beach 488 US Hwy 1 VERO BEACH 772-569-3498</p>	<p><b>VERO BEACH JEEP</b> 855 S. US ONE 800-375-2966 verobeachjcd.com</p>	<p><b>WALLACE MAZDA</b> 3725 SE Federal Hwy., Stuart 888-375-1999</p>	<p><b>WALLACE VOLKSWAGEN</b> 2805 SE Federal Highway, Stuart 772-215-9067</p>
<p><b>WALLACE CHEVROLET</b> 2650 SE Federal Hwy Stuart 772-287-3232</p>	<p><b>VERO BEACH CHRYSLER</b> 855 S US 1 800-375-2966 verobeachjcd.com</p>	<p><b>WALLACE HYUNDAI</b> 3801 SE Federal Hwy, Stuart 772-283-6990</p>	<p><b>WALLACE JEEP</b> 2755 SE Federal Highway, Stuart 772-220-3690</p>	<p><b>WALLACE NISSAN</b> 4313 SE Federal Hwy., Stuart 772-286-8000</p>

MINUTES OF THE BOARD OF SUPERVISORS  
MEETING OF HOBE-ST. LUCIE CONSERVANCY DISTRICT  
MARCH 22, 2017

Pursuant to the above Notice, the Board of Supervisors of Hobe-St. Lucie Conservancy District held its Board of Supervisors Meeting on March 22, 2017 at 9:30 A.M. at the Hobe Sound Polo Club located at 2835 SE Bridge Road, Hobe Sound, Florida 33455.

Present were Rick Melchiori, Edward Weinberg and Robert Brown, Supervisors; Peter L. Pimentel, Michael McElligot and Jason Pierman of Special District Services, Inc.; Bob Higgins of Higgins Engineering; Mary M. Viator, Attorney and Secretary. Also in attendance were Mr. Warren Wilson and Michelle Beninda of Coventry; Mr. Paul Whalen and Mr. Ray Spears.

CALL TO ORDER:

The Board of Supervisors Meeting was called to order by President Melchiori.

ESTABLISHMENT OF A QUORUM:

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

ADDITIONS OR DELETIONS TO AGENDA:

None.

COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA:

None.

APPROVAL OF MINUTES:

A motion was made by Mr. Melchiori, seconded by Mr. Brown and unanimously passed approving the Minutes of the February 22, 2017 Board of Supervisors' Meeting, as amended.

OLD BUSINESS:

1. Discussion regarding SFWMD Non-Payment of Assessments. The District Manager indicated that he had prepared and sent to SFWMD the summary of the services being provided to SFWMD which necessitated the payment of assessments. Mr. Pimentel indicated SFWMD's position is that SFWMD does not need the services and questions why they would be paying assessments to the District for service which they do not want.

Mr. Pimentel addressed the summary of options available. He indicated that the area of Hobe-St. Lucie that is not within an established unit is referred to as the Balance of the District. The majority landowner in the Balance of the District (BOD) is South Florida Water Management District (73 %); however, there are a few smaller landowners in the BOD. The BOD operates as if it was a unit of development and like the duly established units it operates independently from the other four units. District owned facilities within the BOD are operated and maintained by Hobe-St. Lucie Conservancy District. The landowners within the BOD are assessed for the maintenance and other services on the basis of acreage. The District's infrastructure within the BOD consists of 4 lateral canals (approximately 4.3 miles) with controlled structures. Services that the District provides within the BOD include aquatic weed control, manual harvesting of vegetation, canal bank maintenance, mowing, control structure maintenance, security and until recently provided access by permit to SFWMD.

Mr. Pimentel provided a breakdown of the budget for the BOD (as amended) which is \$155,340.00. The SFWMD portion of the assessment for the BOD is \$113,658.00 in addition to being assessed for a portion of the BOD, SFWMD is also assessed its pro-rata share of the overall District maintenance in the amount of \$84,525.00. Therefore the total assessment for SFWMD is \$198,000.00.

There followed discussion by the Board as to the proposed action to be taken after April 1, 2017, at which time the assessments are delinquent; budget for legal issues relating to litigation, as well as, the possibility of forming a separate unit of development. The Board also further directed the District Manger to provide an invoice to SFWMD indicating the past due amounts and further indicating that District services are being discontinued to the SFWMD lands. The Board further authorized revocation of FWWLC parking access.

A motion was made by Mr. Melchiori, seconded by Mr. Brown and unanimously passed authorizing the action discussed above.

2. Update Regarding Retreat at Seabranh Homeowners' Association. The District Manger indicated he had prepared a demand letter which was sent to the Retreat at Seabranh Homeowners' Association for the deficiencies, notifying the HOA that all necessary action to ensure compliance with the terms of the 1998 permit issued by Hobe-St. Lucie Conservancy District to Westerra Seawind LP would be taken including, but not limited to, termination of the Permit and notifying SFWMD of the termination.

NEW BUSINESS:

1. Consider Resolution No. 2017-05 Electronic Approval Process and Authorized Signatories. The District Manger presented for consideration Resolution No. 2017-05:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HOBE-ST. LUCIE CONSERVANCY DISTRICT, AUTHORIZING THE ESTABLISHMENT OF A DISTRICT/OPERATING ACCOUNT, DESIGNATING DISTRICT OFFICIALS AND/OR AUTHORIZED STAFF THE REVIEW, APPROVE AND ISSUE PAYMENT OF EXPENDITURES, SELECTING THE SIGNATORIES; THEREOF; AND PROVIDING AN EFFECTIVE DATE.

(Copy filed in District records)

Following discussion by the Board, a motion was made by Mr. Weinberg, seconded by Mr. Brown and unanimously passed approving Resolution No. 2017-03, as amended, to provide for the addition of all three Supervisors to serve as signatories on the District checking/operating account.

ADMINISTRATIVE MATTERS:

1. Engineer's Report:

a. Retreat at Seabranh Homeowners' Association: The District Engineer reported that he had not received the "as-builts" from the Retreat at Seabranh Homeowners' Association as had been requested.

b. Trailside Homeowners' Association: The District Engineer stated that a particular culvert crossing is the District's access road to the irrigation pump station and the District had requested the Trailside Homeowners' Association to replace this culvert as soon as possible. He reported there had been no response from Trailside Homeowners' Association.

c. Replacement Cost for the Unit 1 Water Control Structure: The District Engineer reported that he would be coordinating with Murry Logan to obtain prices for the replacement.

2. Attorney's Report: Nothing further.

3. Manager's Report: The District Manager indicated that the Landowners' Meeting is scheduled for June 28, 2017 and that Mr. Melchiori's term expires at that time.

4. Field Operations Report: Nothing Further.

ADJOURN:

There being no further business to come before the Board, the Meeting was adjourned.

---

President

---

Secretary



## Tricia Lascasas

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**From:** Pete Pimentel  
**Sent:** Monday, April 17, 2017 3:05 PM  
**To:** Tricia Lascasas  
**Subject:** FW: Retreat - HSLCD RE: Demand Letter

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**From:** Pete Pimentel  
**Sent:** Monday, April 17, 2017 10:34 AM  
**To:** 'Deborah Ross'  
**Subject:** RE: Retreat - HSLCD RE: Demand Letter

Deborah: thanks for the response. The next Board meeting is scheduled for April 26<sup>th</sup> at 9:30 a.m. I will send a notice to you prior to the meeting with the location and the agenda. It will be helpful if you meet with your client prior to the meeting with the hopes of resolving this matter.

Contact me if you have any questions.

Pete

---

**From:** Deborah Ross [<mailto:dlr@reblawpa.com>]  
**Sent:** Friday, April 14, 2017 4:37 PM  
**To:** Pete Pimentel  
**Cc:** Madeline Jones  
**Subject:** Retreat - HSLCD RE: Demand Letter

Pete,

This email apparently arrived while I was in California and I have not discussed it with the Association to date. I'd appreciate a few days to communicate with my client before you take any action in this matter.

Thank you,  
Deborah

***Deborah L. Ross, Esquire***  
***Ross Earle Bonan & Ensor, P.A.***

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**NOTICE:** The undersigned attorney office is a debt collector attempting to collect a debt owed to the Association. Any information obtained will be used for that purpose.

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---

**From:** Pete Pimentel [<mailto:PPimentel@sdsinc.org>]

**Sent:** Tuesday, March 14, 2017 1:41 PM

**To:** Deborah Ross <[dlr@reblawpa.com](mailto:dlr@reblawpa.com)>

**Subject:** Demand Letter

Deborah: please see attached.

Pete

---

Total Control Panel

[Login](#)

To: [ppimentel@sdsinc.org](mailto:ppimentel@sdsinc.org)

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**HOBES ST. LUCIE CONSERVANCY DISTRICT**

c/o Special District Services, Inc.  
2501A Burns Road  
Palm Beach Gardens, Fla. 33410  
561-630-4922

March 14, 2017

Via Certified Mail and Email

Deborah L. Ross, Esq.  
Ross Earle Bonan & Ensor, P.A.  
789 SE Federal Hwy. – Suite 101  
Stuart, Fla. 34994

RE: The Retreat at Seabbranch – Demand Letter

Dear Deborah:

On or about October 1, 2016, an invoice in the amount of \$13,292 was sent to the Retreat at Seabbranch, c/o Capital Realty Advisors in accordance with the provisions of the October 27, 1998 Permit issued by the Hobe St. Lucie Conservancy District to Westerra Sea Wind, L.P. (the “Permit”) Subsequently, a partial payment in the amount of \$3,000 was received but the balance remains unpaid.

On November 30, 2016, we met in your office with representatives of the Retreat to discuss the outstanding invoice and the improvements that were made to the SW “96” Culvert. We noted at the meeting that as-built drawings of the culvert replacement have not been submitted nor has a final inspection of the improvements been conducted.

On February 6, 2017, I wrote to you requesting copies of the final as-built drawings but to date I have not received a reply.

On or about March 10, 2017, I sent a second notice to the Retreat at Seabbranch, c/o Capital Realty Advisors for the outstanding amount of \$10,292 but to date I have received no reply.

Deborah L. Ross

March 14, 2017

Page 2

The purpose of this letter is to (1) demand payment of the outstanding amount of \$10,292 and (2) to demand submittal of as built drawings of the SW "96" Culvert. Failure to comply within thirty (30) calendar days will leave the District no choice but to take any and all action necessary to ensure compliance with the terms of the October 27, 1998 Permit issued by the Hobe St. Lucie Conservancy District to Westerra Sea Wind, L.P. including, but not limited to, termination of the Permit and notifying the South Florida Water Management District of said termination.

Your prompt attention to this matter is anticipated.

Very truly yours,



Peter L. Pimentel  
District Manager

cc: Mary Viator, Esq., District Attorney  
Robert W. Higgins, P.E., District Engineer  
HSL Board of Supervisors

Hobe St. Lucie  
Conservancy District

**Actuals vs Budget**  
**Fiscal Year 2016/2017**  
**October 1, 2016 - April 19, 2017**

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- IV OPERATING AND MAINTENANCE BUDGET - BALANCE OF THE DISTRICT
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**O&M ACTUAL VS BUDGET**  
**HOBE ST. LUCIE CONSERVANCY DISTRICT - UNIT 1**  
**FISCAL YEAR 2016/2017**  
**October 1, 2016 - April 19, 2017**

	UNIT OF DEVELOPMENT #1  2016/2017 ACTUAL 10/1/16 - 4/19/17	UNIT OF DEVELOPMENT #1 1,769.29 ACRES FISCAL YEAR 2016/2017 ANNUAL BUDGET
<b>REVENUES</b>		
Administrative Assessments	21,289	21,285
Overall Maintenance Assessments	51,486	51,486
Maintenance Assessments	0	0
Surplus Carryover	0	0
Carryover Projects Not Completed	0	0
Other Income	0	0
Interest Income	176	36
<b>TOTAL REVENUES</b>	<b>\$ 72,950</b>	<b>\$ 72,807</b>
<b>EXPENDITURES</b>		
<b>ADMINISTRATIVE EXPENDITURES</b>		
Supervisor Fees/Costs	0	0
Management	2,094	4,189
Legal Fees	2,898	5,876
Engineering	2,857	7,190
Assessment Roll	0	691
Audit Fees	0	429
Office Expense	0	0
Insurance	799	862
Legal Advertisements	34	83
Miscellaneous	18	173
Postage	8	44
Office Supplies	52	138
Dues & Subscriptions	24	24
Website	173	346
Contingency	0	0
Shortfall Contingency	0	0
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 8,958</b>	<b>\$ 20,044</b>
<b>MAINTENANCE EXPENDITURES</b>		
Aquatic Weed Control	0	0
Canals & Ditches	0	0
Roadways & Right of Ways	0	0
Pumps & Wells Maintenance	0	0
Electricity/Utilities	0	0
Engineering	0	0
Water Samples	345	0
Law Maintenance / Landscape	0	0
Maintenance Management (SDS)	0	0
Miscellaneous Maintenance	0	0
Repairs & Maintenance - Equipment	0	0
Canal Area Maintenance - Culvert Replacement	0	0
Maintenance Contingency	0	0
Maintenance Management (Grassroots)	1,950	0
Capital Improvements	0	0
<b>TOTAL MAINTENANCE EXPENDITURES</b>	<b>\$ 2,295</b>	<b>\$ -</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 11,253</b>	<b>\$ 20,044</b>
<b>EXCESS/SHORTFALL</b>	<b>\$ 61,697</b>	<b>\$ 52,763</b>
County Assessment Fees	(1,426)	(1,455)
Discounts For Early Payments	(2,911)	(2,911)
<b>Net Excess/Shortfall</b>	<b>\$ 57,360</b>	<b>\$ 48,397</b>
Transfer to Overall Maintenance	(48,396)	(48,397)
<b>Net Excess/Shortfall</b>	<b>\$ 8,964</b>	<b>\$ -</b>

\$ 8,790

Avaiable Cash Balance 10/1/16	\$ 259,479.65
Net Income as of 4/19/17	\$ 8,963.65
Avaiable Cash Balance 4/19/17	\$ 268,443.30

**O&M ACTUAL VS BUDGET**  
**HOBE ST. LUCIE CONSERVANCY DISTRICT - UNIT 2**  
**FISCAL YEAR 2016/2017**  
**October 1, 2016 - April 19, 2017**

	UNIT OF DEVELOPMENT #2 2016/2017 ACTUAL 10/1/16 - 4/19/17	UNIT OF DEVELOPMENT #2 2,833.42 ACRES FISCAL YEAR 2016/2017 ANNUAL BUDGET
<b>REVENUES</b>		
Administrative Assessments	33,973	34,086
Overall Maintenance Assessments	82,162	82,453
Maintenance Assessments	0	0
Surplus Carryover	0	0
Carryover Projects Not Completed	0	0
Other Income	0	0
Interest Income	35	61
<b>TOTAL REVENUES</b>	<b>\$ 116,171</b>	<b>\$ 116,600</b>
<b>EXPENDITURES</b>		
<b>ADMINISTRATIVE EXPENDITURES</b>		
Supervisor Fees/Costs	0	0
Management	3,354	6,709
Legal Fees	4,401	9,410
Engineering	4,575	11,514
Assessment Roll	0	1,107
Audit Fees	0	686
Office Expense	0	0
Insurance	1,279	1,380
Legal Advertisements	55	133
Miscellaneous	29	277
Postage	12	70
Office Supplies	84	221
Dues & Subscriptions	39	39
Website	277	554
Contingency	0	0
Shortfall Contingency	0	0
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 14,106</b>	<b>\$ 32,100</b>
<b>MAINTENANCE EXPENDITURES</b>		
Aquatic Weed Control	0	0
Canals & Ditches	0	0
Roadways & Right of Ways	0	0
Pumps & Wells Maintenance	0	0
Electricity/Utilities	47	0
Engineering	0	0
Water Samples	553	0
Law Maintenance / Landscape	0	0
Maintenance Management (SDS)	0	0
Miscellaneous Maintenance	0	0
Repairs & Maintenance - Equipment	0	0
Canal Area Maintenance - Culvert Replacement	0	0
Maintenance Contingency	0	0
Maintenance Management (Grassroots)	3,900	0
Capital Improvements	0	0
<b>TOTAL MAINTENANCE EXPENDITURES</b>	<b>\$ 4,500</b>	<b>\$ -</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 18,606</b>	<b>\$ 32,100</b>
<b>EXCESS/SHORTFALL</b>	<b>\$ 97,565</b>	<b>\$ 84,500</b>
County Assessment Fees	(2,276)	(2,331)
Discounts For Early Payments	(4,645)	(4,662)
<b>Net Excess/Shortfall</b>	<b>\$ 90,644</b>	<b>\$ 77,508</b>
Transfer to Overall Maintenance	(77,233)	(77,508)
<b>Net Excess/Shortfall</b>	<b>\$ 13,411</b>	<b>\$ -</b>

\$ 13,494

Available Cash Balance 10/1/16	\$ 26,821.08
Net Income as of 4/19/17	\$ 13,411.01
Available Cash Balance 4/19/17	\$ 40,232.09

**CAPITAL IMPROVEMENT PROJECTS**

	UNIT OF DEVELOPMENT #2 CIP 2016/2017 ACTUAL 10/1/16 - 4/19/17	UNIT OF DEVELOPMENT #2 CIP FISCAL YEAR 2016/2017 ANNUAL BUDGET
<b>REVENUES</b>		
Interest Income	178	1,000
<b>TOTAL REVENUES</b>	<b>\$ 178</b>	<b>\$ 1,000</b>
<b>EXPENDITURES</b>		
Capital Improvements	0	0
<b>TOTAL EXPENDITURES</b>	<b>\$ -</b>	<b>\$ -</b>
<b>EXCESS/SHORTFALL</b>	<b>\$ 178</b>	<b>\$ 1,000</b>

Available Cash Balance 10/1/16	\$ 830,866.20
Net Income as of 4/19/17	\$ 178.05
Available Cash Balance 4/19/17	\$ 831,044.25



**O&M ACTUAL VS BUDGET**  
**HOBE ST. LUCIE CONSERVANCY DISTRICT - UNIT 3**  
**FISCAL YEAR 2016/2017**  
**October 1, 2016 - April 19, 2017**

	UNIT OF DEVELOPMENT #3  2016/2017 ACTUAL 10/1/16 - 4/19/17	UNIT OF DEVELOPMENT #3 747.20 ACRES FISCAL YEAR 2016/2017 ANNUAL BUDGET
<b>REVENUES</b>		
Administrative Assessments	8,991	8,988
Overall Maintenance Assessments	21,743	21,744
Maintenance Assessments	0	0
Surplus Carryover	0	0
Carryover Projects Not Completed	0	0
Other Income	0	0
Interest Income	15	15
<b>TOTAL REVENUES</b>	<b>\$ 30,749</b>	<b>\$ 30,747</b>
<b>EXPENDITURES</b>		
<b>ADMINISTRATIVE EXPENDITURES</b>		
Supervisor Fees/Costs	0	0
Management	884	1,769
Legal Fees	1,161	2,482
Engineering	1,206	3,036
Assessment Roll	0	292
Audit Fees	0	181
Office Expense	0	0
Insurance	337	364
Legal Advertisements	14	35
Miscellaneous	8	73
Postage	3	18
Office Supplies	22	58
Dues & Subscriptions	10	10
Website	73	146
Contingency	0	0
Shortfall Contingency	0	0
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 3,720</b>	<b>\$ 8,464</b>
<b>MAINTENANCE EXPENDITURES</b>		
Aquatic Weed Control	0	0
Canals & Ditches	0	0
Roadways & Right of Ways	0	0
Pumps & Wells Maintenance	0	0
Electricity/Utilities	11	0
Engineering	0	0
Water Samples	146	0
Law Maintenance / Landscape	0	0
Maintenance Management (SDS)	0	0
Miscellaneous Maintenance	0	0
Repairs & Maintenance - Equipment	0	0
Canal Area Maintenance - Culvert Replacement	0	0
Maintenance Contingency	0	0
Maintenance Management (Grassroots)	1,950	0
Capital Improvements	0	0
<b>TOTAL MAINTENANCE EXPENDITURES</b>	<b>\$ 2,107</b>	<b>\$ -</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 5,826</b>	<b>\$ 8,464</b>
<b>EXCESS/SHORTFALL</b>	<b>\$ 24,923</b>	<b>\$ 22,283</b>
County Assessment Fees	(602)	(615)
Discounts For Early Payments	(1,229)	(1,229)
<b>Net Excess/Shortfall</b>	<b>\$ 23,091</b>	<b>\$ 20,439</b>
Transfer to Overall Maintenance	(20,439)	(20,439)
<b>Net Excess/Shortfall</b>	<b>\$ 2,653</b>	<b>\$ -</b>

\$ 2,638

Available Cash Balance 10/1/16	\$ 19,348.04
Net Income as of 4/19/17	\$ 2,652.65
Available Cash Balance 4/19/17	\$ 22,000.69

**CAPITAL IMPROVEMENT PROJECTS**

	UNIT OF DEVELOPMENT #3 CIP 2016/2017 ACTUAL 10/1/16 - 4/19/17	UNIT OF DEVELOPMENT #3 CIP FISCAL YEAR 2016/2017 ANNUAL BUDGET
<b>REVENUES</b>		
Interest Income	2	20
<b>TOTAL REVENUES</b>	<b>\$ 2</b>	<b>\$ 20</b>
<b>EXPENDITURES</b>		
Capital Improvements	0	0
<b>TOTAL EXPENDITURES</b>	<b>\$ -</b>	<b>\$ -</b>
<b>EXCESS/SHORTFALL</b>	<b>\$ 2</b>	<b>\$ 20</b>

Available Cash Balance 10/1/16	\$ 800.11
Net Income as of 4/19/17	\$ 1.90
Available Cash Balance 4/19/17	\$ 802.01

**O&M ACTUAL VS BUDGET**  
**HOBE ST. LUCIE CONSERVANCY DISTRICT - BALANCE OF THE DISTRICT**  
**FISCAL YEAR 2016/2017**  
**October 1, 2016 - April 19, 2017**

	<b>BALANCE OF DISTRICT  2016/2017 ACTUAL 10/1/16 - 4/19/17</b>	<b>BALANCE OF DISTRICT 4,042.04 FISCAL YEAR 2016/2017 ANNUAL BUDGET</b>
<b>REVENUES</b>		
Administrative Assessments	8,826	48,626
Overall Maintenance Assessments	21,347	117,623
Maintenance Assessments	19,881	109,539
Surplus Carryover	0	0
Carryover Projects Not Completed	0	0
Other Income	0	0
Interest Income	44	117
<b>TOTAL REVENUES</b>	<b>\$ 50,098</b>	<b>\$ 275,905</b>
<b>EXPENDITURES</b>		
<b>ADMINISTRATIVE EXPENDITURES</b>		
Supervisor Fees/Costs	0	0
Management	4,786	9,571
Legal Fees	6,278	13,424
Engineering	6,526	16,425
Assessment Roll	0	1,580
Audit Fees	0	979
Office Expense	0	0
Insurance	1,825	1,969
Legal Advertisements	78	190
Miscellaneous	42	395
Postage	18	99
Office Supplies	120	316
Dues & Subscriptions	55	55
Website	395	790
Contingency	0	0
Shortfall Contingency	0	0
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 20,122</b>	<b>\$ 45,792</b>
<b>MAINTENANCE EXPENDITURES</b>		
Aquatic Weed Control	0	28,000
Canals & Ditches	0	30,000
Roadways & Right of Ways	3,000	20,000
Pumps & Wells Maintenance	0	0
Electricity/Utilities	0	0
Engineering	0	0
Water Samples	788	0
Law Maintenance / Landscape	0	0
Maintenance Management (SDS)	0	0
Miscellaneous Maintenance	5,449	0
Repairs & Maintenance - Equipment	0	0
Canal Area Maintenance - Culvert Replacement	0	10,000
Maintenance Contingency	0	5,000
Maintenance Management (Grassroots)	7,800	0
Capital Improvements	0	0
<b>TOTAL MAINTENANCE EXPENDITURES</b>	<b>\$ 17,037</b>	<b>\$ 93,000</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 37,160</b>	<b>\$ 138,792</b>
<b>EXCESS/SHORTFALL</b>	<b>\$ 12,939</b>	<b>\$ 137,113</b>
County Assessment Fees	(3,229)	(5,516)
Discounts For Early Payments	(1,880)	(11,032)
<b>Net Excess/Shortfall</b>	<b>\$ 7,829</b>	<b>\$ 120,566</b>
Transfer to Overall Maintenance	(20,066)	(110,566)
<b>Net Excess/Shortfall</b>	<b>\$ (12,237)</b>	<b>\$ 10,000</b>

\$ 101,632

Available Cash Balance 10/1/16	\$ 22,956.41
Net Income as of 4/19/17	\$ (12,237.15)
Available Cash Balance 4/19/17	\$ 10,719.26

**O&M ACTUAL VS BUDGET**  
**HOBE ST. LUCIE CONSERVANCY DISTRICT - UNIT 5**  
**FISCAL YEAR 2016/2017**  
**October 1, 2016 - April 19, 2017**

	UNIT OF DEVELOPMENT #5  2016/2017 ACTUAL 10/1/16 - 4/19/17	UNIT OF DEVELOPMENT #5 3,404.86 ACRES FISCAL YEAR 2016/2017 ANNUAL BUDGET
<b>REVENUES</b>		
Administrative Assessments	19,678	19,680
Overall Maintenance Assessments	0	0
Maintenance Assessments	0	0
Surplus Carryover	0	20,000
Carryover Projects Not Completed	0	0
Other Income	0	0
Interest Income	50	74
<b>TOTAL REVENUES</b>	<b>\$ 19,728</b>	<b>\$ 39,754</b>
<b>EXPENDITURES</b>		
<b>ADMINISTRATIVE EXPENDITURES</b>		
Supervisor Fees/Costs	0	0
Management	4,031	8,062
Legal Fees	5,288	11,308
Engineering	5,498	13,836
Assessment Roll	0	1,330
Audit Fees	0	825
Office Expense	0	0
Insurance	1,537	1,658
Legal Advertisements	66	160
Miscellaneous	35	333
Postage	15	84
Office Supplies	101	266
Dues & Subscriptions	47	47
Website	332	665
Contingency	0	0
Shortfall Contingency	0	0
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 16,950</b>	<b>\$ 38,573</b>
<b>MAINTENANCE EXPENDITURES</b>		
Aquatic Weed Control	0	0
Canals & Ditches	0	0
Roadways & Right of Ways	0	0
Pumps & Wells Maintenance	0	0
Electricity/Utilities	0	0
Engineering	0	0
Water Samples	664	0
Law Maintenance / Landscape	0	0
Maintenance Management (SDS)	0	0
Miscellaneous Maintenance	0	0
Repairs & Maintenance - Equipment	0	0
Canal Area Maintenance - Culvert Replacement	0	0
Maintenance Contingency	0	0
Maintenance Management (Grassroots)	0	0
Capital Improvements	0	0
<b>TOTAL MAINTENANCE EXPENDITURES</b>	<b>\$ 664</b>	<b>\$ -</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 17,614</b>	<b>\$ 38,573</b>
<b>EXCESS/SHORTFALL</b>	<b>\$ 2,114</b>	<b>\$ 1,181</b>
County Assessment Fees	(386)	(394)
Discounts For Early Payments	(769)	(787)
<b>Net Excess/Shortfall</b>	<b>\$ 960</b>	<b>\$ (0)</b>
Transfer to Overall Maintenance	-	-
<b>Net Excess/Shortfall</b>	<b>\$ 960</b>	<b>\$ (0)</b>

\$ 20,959

Avaiable Cash Balance 10/1/16	\$ 61,153.80
Net Income as of 4/19/17	\$ 959.68
Avaiable Cash Balance 4/19/17	\$ 62,113.48

**O&M ACTUAL VS BUDGET**  
**HOBE ST. LUCIE CONSERVANCY DISTRICT - OVERALL DISTRICT**  
**FISCAL YEAR 2016/2017**  
**October 1, 2016 - April 19, 2017**

	<b>OVERALL DISTRICT</b>	<b>OVERALL DISTRICT 9,343.68 ACRES FISCAL YEAR 2016/2017 ANNUAL BUDGET</b>
	<b>2016/2017 ACTUAL 10/1/16 - 4/19/17</b>	
<b>REVENUES</b>		
Unit 1 Transfer	48,396	48,397
Unit 2 Transfer	77,233	77,508
Unit 3 Transfer	20,439	20,439
Unit BOD Transfer	20,066	110,566
Unit 5 Transfer	0	0
Other Income / Carryover	13,292	50,000
Interest Income	0	0
<b>TOTAL REVENUES</b>	<b>\$ 179,426</b>	<b>\$ 306,910</b>
<b>EXPENDITURES</b>		
<b>ADMINISTRATIVE EXPENDITURES</b>		
Supervisor Fees/Costs	0	0
Management	0	0
Legal Fees	0	0
Engineering	0	0
Assessment Roll	0	0
Audit Fees	0	0
Office Expense	0	0
Insurance	0	0
Legal Advertisements	0	0
Miscellaneous	0	0
Postage	0	0
Office Supplies	0	0
Dues & Subscriptions	0	0
Website	0	0
Contingency	0	0
Shortfall Contingency	0	0
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ -</b>	<b>\$ -</b>
<b>MAINTENANCE EXPENDITURES</b>		
Aquatic Weed Control	54,833	40,000
Canals & Ditches	23,525	35,000
Roadways & Right of Ways	12,500	30,000
Pumps & Wells Maintenance	7,306	10,000
Electricity/Utilities	51,236	130,000
Engineering	2,451	0
Water Samples	0	1,500
Law Maintenance / Landscape	0	0
Maintenance Management (SDS)	3,600	5,000
Miscellaneous Maintenance	0	410
Repairs & Maintenance - Equipment	8,828	0
Canal Area Maintenance - Culvert Replacement	0	10,000
Maintenance Contingency	0	15,000
Maintenance Management (Grassroots)	23,400	20,000
Capital Improvements	7,200	20,000
<b>TOTAL MAINTENANCE EXPENDITURES</b>	<b>\$ 194,879</b>	<b>\$ 316,910</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 194,879</b>	<b>\$ 316,910</b>
<b>EXCESS/SHORTFALL</b>	<b>\$ (15,453)</b>	<b>\$ (10,000)</b>
County Assessment Fees	-	-
Discounts For Early Payments	-	-
<b>Net Excess/Shortfall</b>	<b>\$ (15,453)</b>	<b>\$ (10,000)</b>

\$ 122,031

Available Cash Balance 10/1/16	\$ 179,525.56
Net Income as of 4/19/17	\$ (15,452.84)
Available Cash Balance 4/19/17	\$ 164,072.72