

MINUTES
PORT LABELLE COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS' MEETING

December 12, 2024

A meeting of the Board of Supervisors of the Port LaBelle Community Development District was called to order at 5:30 p.m. on Thursday December 12, 2024 by Chairman Martinez who verified a quorum was present and the meeting had been legally advertised.

Those present at the meeting were:

Jason Martinez - Chairman & Board Member
David Capitanio – Vice Chairman & Board Member
Liz Garcia – Secretary & Board Member
Nancy Imhoff – Treasurer & Board Member
Judi Kennington-Korf – General Manager
Lupe Taylor – District Recording Secretary
Ryan Berden – Field Supervisor (excused absent)
Amy Thibaut– District Attorney
Andy Higginbotham – District Accountant
Several residents and guests

The meeting opened with prayer led by Judi Kennington-Korf followed by the Pledge of Allegiance.

Chairman Martinez the Board needs to consider the appointment of Seat 2 Supervisor held by Nancy Imhoff.

Ms. Kennington-Korf advised due to glitch with the paperwork in Tallahassee Ms. Imhoff was not on one of the two ballots of the counties the district serves. Ms. Imhoff would like to remain on the Board.

After discussion, the Board supported the reappointment of Ms. Imhoff.

Upon motion duly made by Chairman Martinez seconded by Vice Chairman Capitanio, it was RESOLVED AND APPROVED the Board appointed Nancy Imhoff to serve as the Seat 2 Supervisor for the term of office 2024-2028.

Ms. Taylor, notary public, administered the Oath of Office to Ms. Imhoff, Seat 2.

Chairman Matinez advised election of officers and the appointment of a recording secretary is needed before proceeding with meeting.

Attorney Thibault advised the Board had three options for electing officers. The Board reviewed and discussed all options and opted to elect a chairman and recording secretary.

Upon motion duly made by Vice Chairman Capitanio seconded by Supervisor Garcia, it was RESOLVED AND APPROVED the officers of the Board are Chairman Jason Martinez and Recording Secretary Maria Taylor.

Consent Agenda:

- a. Verification of proper meeting notice
- b. Approval of meeting minutes [September 12, 2024 and September 30, 2024]

- c. Ratify termination of agreement with ADA Site Compliance, LLC
- d. Ratify agreement with Merit for ADA website host
- e. Approve Fund Balance Policy 2024-25
- f. Approve revised Streetlight Policy
- g. Accept Actuarial Report
- h. Approve revised General Fund and Capital Fund Budget to reflect road bid (does not change millage rate or budget amount)

Upon motion duly made by Chairman Martinez seconded by Vice Chairman Capitanio, it was RESOLVED AND APPROVED the Consent Agenda was accepted as presented.

Chairman Martinez asked if there was any public comment, there was none

Ms. Kennington-Korf advised Seat 4 Supervisors Seat was vacated by Sherry Parantha. Ms. Parantha ran unopposed and was elected to the position for the four-year term 2024-2028. The vacated position was advertised in the Okeechobee News (legal paper of record), posted on the District website and bulletin board with a deadline for receiving letters of interest or resume by December 6th, 2024 at 12 PM. Three letters of interest were received. The Board will need to schedule a date to conduct interviews so that a new member can be selected and appointed prior to the March 13th Board meeting.

Chairman Martinez advised Ms. Kennington-Korf to send out an email with dates available in January for interviewing the three candidates.

General Manager's Report:

Item A Road report with road millage and lane millage

Ms. Kennington-Korf requested Tommy Perry, District Engineer, to provide a report depicting the accurate road - and lane millage. Mr. Perry reviewed the report with the Board and advised there are a total of 121.58 road miles. In units 1 through 9 there is 64.31 miles, in units 10 through 13 there is 39.39 miles, unit 102 there is 16.16 miles and Ranchettes 1.72 miles. Hendry County has 103.70 miles and Glades County has 17.88 miles for the total of 121.58.

Upon motion duly made by Chairman Martinez seconded by Vice Chairman Capitanio, it was RESOLVED AND APPROVED the road milage report submitted by Engineer Tommy Perry is accepted as presented.

Mr. Svirk requested clarification of road miles verses lane miles. The road projects are reported in road miles, not lane miles. Concerns were also raised over Banyan Village roads.

Mr. Cochrane asked for clarification of the difference between county roads and District roads.

Mr. Brent Stevens commented county roads have stripes and blue road name signs, the Districts roads do not have stripes and have green road name signs

Ms. Kennington-Korf there are exceptions, such as a few District roads that are striped.

Item B Bid for elevation of road on Castle, Unit 8

Mr. Perry provided the background for improvement needed in Unit 8, South Castle Circle, a road that floods to the point that it must be elevated.

There are several homes within the reach of the flooded area, it drains incorrectly and needs attention. The road needs to be raised a minimum of 8 inches. The work will require removing and replacing the asphalt which will include a new base core of lime rock and new asphalt on the road matching the

existing road. There is a culvert that will need to be replaced and some driveways that will need to be redone as well. It is recommended that the project be put out for bid.

Mr. Svirk requested the length of the road and the number of homes it would affect.

Mr. Perry advised the length of the road is 750 feet plus or minus and 5 homes.

Mr. Stevens asked if the District would be entitled to any impact fees as a special district. Ms. Kennington-Korf advised Special Districts are not entitled to any impact fees. Attorney Thibault advised the purpose of impact fees is to address growth and not existing projects.

Upon motion duly made by Chairman Martinez seconded by Supervisor Imhoff, it was RESOLVED AND APPROVED the Board approved creating a Bid to elevation Castle Circle. The General Manager is provided authority to award the bid to the lowest qualified bidder the action of which will be ratified at the following Board meeting.

Item C Authorization for 2024-25 road improvement bid

Ms. Kennington-Korf advised that during the final budget hearing, the Board approved approximately \$850,000 for the annual road improvement bid. A list of roads totaling approximately 5.3 miles was provided. The Field Supervisor, Ryan Berden, created the list. The District Engineer reviewed and approved the list. Authorization from the Board is needed to advertise the bid and for the General Manager to award the bid to the lowest qualified bidder. The Board will need to ratify the executed bid. The road improvement bid will follow the Castle bid. There could be changes to the road improvement bid subject to the cost of the Castle bid.

Upon motion duly made by Chairman Martinez seconded by Supervisor Imhoff, it was RESOLVED AND APPROVED the 2024-25 road bid is authorized to be advertised; the general manager is provided authority to award the bid to the lowest qualified bidder the action of which will be ratified at the following Board meeting.

Item D Request field staff position

Ms. Kennington-Korf expressed concern that meeting the demands required of field operations has been challenging and were not being met given the staffing shortage. Work is continually behind due to a staffing shortage and to equipment failure. The Districts most recent overtime was utilized specifically on road repair. Issuing and inspecting driveway and general permits continue daily. As houses are built and the population increases, so does the impact to our services. A request was made for a new field staff position,

Mr. Svirk voiced his concern regarding the District staff doing county mowing. He questioned whether the District needed to use their resources for the county's benefit.

Chairman Martinez provided an historical background that when the District did not mow the rights-of-way, District residents complained the mowing provided by the county's was inferior, they preferred the Districts service. Engineer Perry also echoed Chairman Martinez comments.

Upon motion duly made by Chairman Martinez seconded by Supervisor Imhoff, it was RESOLVED AND APPROVED the Board approves the addition of a position to serve as a field staff employee.

Upon motion duly made by Chairman Martinez seconded by Vice Chairman Capitanio, it was RESOLVED AND APPROVED the Board authorizes the acquisition of a tractor and mower for the newly created position.

Item E Update Human Resources Policy

The current Human Resources Policy manual was adopted in 2018. Recently, a situation arose concerning the need to review our drug screening procedures. If an individual possesses a CDL license, they are required to be drug tested using a Federal screening form. Non-CDL license holders are screened using a State drug screening form. Florida law does not require random testing for non-DOT employees. The HR update of current policies is to comply with the suggested language from our Insurance Attorney, Brian Koji:

*I've been advising employers they **should not do random drug testing for employees who are not in a "safety sensitive/mandatory testing" position.** A public employer is legally allowed to do random drug testing for employees who hold a safety sensitive/mandatory testing position. It looks like the District is testing some of its employees due them holding those types of positions. While it is legally permissible to test those employees, keep in mind that, **except for CDL drivers (where it's required by federal law) and job applicants (required by Florida law) the District is not required to conduct random drug testing.** It's just optional.*

Upon motion duly made by Vice Chairman Capitanio seconded by Supervisor Imhoff, it was RESOLVED AND APPROVED the Board accepts the revision of the 2025 human resources policy manual and adopts Resolution 2025-03.

Item F FYI

- i. Reminder that Supervisors must take the annual ethics training per Chapter 2023-121.
- ii. The Board was advised the office would be closed the week of December 23, 2024.

General Counsel Report

No new business.

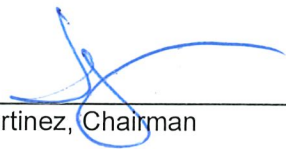
Field Supervisor's Report

Field report was provided for Board review, with no other business reported.

Other Business

There being no further business to come before the Board, the meeting was adjourned at 6:55 PM.

ATTEST:



Jason Martinez, Chairman



Maria Taylor, Recording Secretary

