

NEWSLETTER#35

For those of you without e-mail or who don't have a lot in Banyan Village this is what we had to do to get Hendry County to finally agree to start the two year project to put the water lines to Units 10, 11, 12 and 13 (Banyan Village). Back on June 24th, 2003 a letter was sent to 2160 lot owners in Banyan Village asking them to help me to help them get the water lines installed to their lot or lots. What I asked them to do was send a letter saying they feel discriminated against because no water lines are installed to their lot. So now I will tell you what has happened since your hundreds of letters and e-mails were received. With the help of Maggie and Steve of the office staff at CHL Holdings Inc. and C.F.S. Properties we made copies of everything and then Steve put them into a legal size folder with an identifying color label on the front. Then I was ready to go to the PLUS (Port LaBelle Utility System) board meeting armed with all the help from all of you plus copies for all board members of two very helpful letters.

One was sent directly to the Board of Hendry County Commissioners from a lot owner in Brandon, FL with copies to the Florida Land Sales Division and by name to the Director and Assistant Director and I was honored to also get a copy. In their two page e-mail letter David and Judy said Hendry County's failure to comply with the terms of the **Utility Transfer Agreement of 1996** required them to purchase property elsewhere in Florida which created undue hardship and unnecessary expense for them. They go on to say they pay the taxes but feel it is very discriminatory of the County to tax property when a deeded owner of the taxed property can't get a building permit until the water lines are installed. They say the principle here is not whether they want to build but that they can't build or sell at a reasonable price.

The second letter was sent by Roger Greer, the Utility Director, dated January 15, 2002 in response to a letter from a lot owner in Banyan Village. The following is the exact letter.

In response to your letter dated January 4, 2002, Hendry County Board of County Commissioners purchased Port LaBelle Utility from General Development Utilities, Inc., on February 29, 1996.

Since that time, Hendry County has installed water lines to 7,118 lots within the Port LaBelle area. Unfortunately, due to the low demand for Units 10, 11, 12 and 13, it is not feasible to run water lines to this area. At some time in the future, water lines will be installed to this area. Dates for this project have not been determined at this time.

Sincerely,

Roger B. Greer
Utility Director

This letter makes it very clear to me that the County had no intention of installing water lines to Banyan Village. So with all of the above I was ready to go to the PLUS meeting and because we had a long agenda the meeting started one hour earlier than normal with all five board members present with the usual other County people in

normal with all five board members present with the usual other County people in attendance. Utility Director Roger Greer, Lester Baird the County Administrator, Jennifer Davis the County Financial Officer along with the County employee who is in charge of the escrow funds. The President, Vice President and Chief Engineer from Craig A. Smith & Associates were there with the Master Plan for Water lines to Banyan Village. One of the County Commissioners (Kevin McCarthy) and the editor of our local paper were there because both of them had been given information before the meeting.

The engineer for Craig A. Smith & Associates presented their plan and the cost of \$5,800,000 to install water lines to 3894 lots in Banyan Village. At this time Chairman George Davis said we didn't have the money so just forget it and Ken Downing said it wasn't practical to run water lines out there and I said lets go on with the agenda.

Next on the agenda was Chuck Svirk, the owner of CHL Holdings and C.F.S. Properties with both companies having about 1,400 lots in Banyan Village, he passed out three sheets of paper to everybody. What these sheets showed was that the money was there to do the project without one penny of cost to Hendry County and he closed by saying the Board and the County is obligated to provide these water lines and is three years overdue and we the people ask this board to complete its obligation and stop its discrimination today. Before he got sat down Kevin McCarthy was at the microphone and said we have no choice and we must get it done. John Capece read a resolution recommending to the County Commissioners that the water lines to Banyan Village be installed. I seconded the motion presented as a resolution and George asked for all in favor to vote yes and to our great surprise Terry Kester voted yes with Ken and George not saying a word. Without a no vote heard it passed unanimously.

At the next meeting of the County Commissioners one Commissioner, Darrell Harris, from our 2 Districts in Port LaBelle moved that a financial study be done to make sure the money was there to do the Project this passed. Then Kevin McCarthy our other Commissioner moved that the engineers be advised to proceed so no time would be lost and that passed also. I can't tell you if one thing or everything together was what prompted our board and then the County Commissioners to vote to go ahead with the plans to install water lines to Banyan Village but the important thing is it's started so now all we have to do is just keep everything moving forward.

Much of the above doesn't directly affect you if your lot isn't in Banyan Village but I think anything that is good for Port LaBelle is good for all of us regardless of where our lot is. I have struggled with the Utility issue even before Hendry County agreed to purchase the Utility from General Development Utilities, Inc. in late 1995 with the closing on February 29, 1996. Highway 80 is in the works to be four lanes from LaBelle east to Highway 27 so this will cause the Engineers to be very careful where they put the 12 inch water line which will have a 2 inch water line for a return line to keep the water flowing back to the water plant. This was what the engineers said was the best and in the long run the cheapest way to get water to all lots in Banyan Village. They said to even consider building another water treatment plant in Banyan Village, which would require labor 24 hours a day for all the days of the years to come, was not even financially feasible.

With the road west to Ft. Myers and I-75 soon to be four lanes with planning for four lanes east I can see great promise for Port LaBelle.