

Law Offices
NEILL, GRIFFIN, TIERNEY, NEILL & MARQUIS

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Fort Pierce, FL 34950

Richard V. Neill+
Richard V. Neill, Jr. +☆
Renée Marquis-Abrams*
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Mailing Address:
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Fort Pierce, FL 34954-1270
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June 16, 2017

*Board Certified Wills, Trusts, & Estates Lawyer
☆Certified Circuit Civil/County Court Mediator
+ Board Certified Civil Trial Lawyer
° Of Counsel

Mayor William G. Thiess
2512 Lightlewood Lane
Fort Pierce, Florida 34946

Mr. Dale Reed
2811 North Indian River Drive
Fort Pierce, FL 34946

Mr. James Grimes
3203 North Indian River Drive
Fort Pierce, FL 34946

Mr. John Langel
2511 North Indian River Drive
Fort Pierce, FL 34946

Ms. Ingrid M. Van Hekken
304 Anchor Way
Fort Pierce, FL 34946

Mr. Timothy Ritter
2513 Lightlewood Lane
Fort Pierce, Florida 34946

RE: Town of St. Lucie Village

Gentlemen and Ms. Van Hekken:

Please accept the following as our attorney's report for the June 20 meeting.

1. Vegetation encroaching from neighboring property: I made inquiry per your direction and did get the enclosed response from St. Lucie County, which I interpret to say they don't directly regulate this problem. I still need to reach out to the cities and see what they do.
2. Clearing vegetation on Old Dixie mulching quote: Enclosed are Bill's email and quote from Clear Zone Maintenance regarding mulching along Old Dixie property. This matter is on the agenda.
3. Financial Disclosure Form 1: Please make sure your disclosure has actually been filed with Mrs. Walker's office.
4. Church Lease: Spirit Wind Evangelistic advised that they will no longer be renting the Town Hall. This item will not be carried forward unless you direct it.

6. Water Supply Plan update: An update is due and, as authorized, Mr. Cooper has been working on it. It will come to you eventually for approval.
7. Marijuana dispensaries: Unless there's an expression of further interest, I will drop this matter.
8. Communications with Accountant: Bill's enclosed response has been sent to the Joint Legislative Auditing Committee.
9. Caribee Colony: I drafted correspondence to the DEP and consulted informally with Mimi Drew, who told me the petition for administrative review had been dropped, because the DEP had reversed the denial and granted the extension. A copy of the order is enclosed.

Also enclosed is a copy of my letter to Robert Schwerer.

10. All Aboard Florida: The Mayor and I did attend two days of the administrative hearing on the South Florida Water Management District permitting. I made a brief opening statement the one day and showed the Judge something about the Village; and, on the next day we attended, Bill took the witness stand and testified about the pertinent facts and concerns of the Village. (I had a couple of maps created for our use which I will bring to the Village Hall.)

I understand that the proceedings concluded yesterday.

We did also have further communications with the County in relation to settlement and I may need to talk to you about that.

Additionally, I have sent, or will send, you communication about the Programmatic Agreement that the Army Corps of Engineers has been working on. It has been finalized, apparently, and is being signed.

11. 2970 US 1 (Kurusis - Marine Connection): I'm dropping this item. See the vegetation clearing item above.
12. 2815 N. Indian River Drive (Mary Casper): A sale has been set for August.

13. 2928 Indian River Drive (Jones): It appears that a sale did go through.
14. 474 Peninsula Drive (King): I will submit a notice for trial before our meeting.
15. 2450 N. US Highway 1 (Top Notch Marine): I need to follow up with the Mayor and Mr. Sabia.
16. Mangroves in River Prado canal: I still have not heard back from the DEP on this. Bill had followed up.
17. Comprehensive Plan/Village Marina: I've reached out to Javier Cisneros on the mapping work.
18. 305 Chamberlin (Smith/Dicks): I need to research the property appraiser's records.
19. 2879 Old Dixie (Shore/Davignon): I've gathered from Mr. Hatcher's list report that this is resolved, so I'll drop it.
20. Outdoor Storage: You have decided to revisit the Zoning Ordinance provision on outdoor storage.
21. 2499 N. Indian River Drive (Jones): This item was addressed last time.
22. 4050 and 4058 N. U.S. 1 (Zito): Enclosed is a copy of my letter to Joseph Zito. I expect that we'll address this matter this month. My associate spoke to Mr. Zito and tells me the following:

Mr. Zito claims that nothing has been expanded on the property. He did indicate that both structures on the US 1 side are being used for residential purposes. Also, six years ago he purchased a FEMA trailer and put it on the property 50/50 on the commercial and residential side (now his maintenance person is residing there).

Mr. Zito was not aware of any requirement to have a permit for a mobile home. He stated that the trailer is not on a foundation (but it is on self-levelers with the wheels raised up). Also, the mobile home has been in place for six years, at some point he did put up a small white picket fence around the trailer and he does not believe that he needs a permit for that.

Mayor and Board of Aldermen
Page 4
June 16, 2017

Mr. Zito indicated that the reason that there is a meter on the garage is because it used to be utilized to house a business. It no longer is but he does not want to pay to have it removed. Currently, the garage is being utilized by the residential tenants for storage.

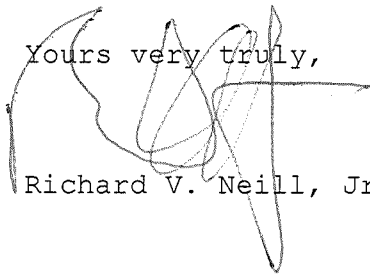
Concerning the driveway, Mr. Zito indicated that this is not really a driveway but is actually a sand path. Also he indicates that the driveway does not go all the way through from Old Dixie to US 1.

23. Heritage Preserve: I'm enclosing my email to and from Bill, which includes an email to Ingrid, as well as my follow up to Ms. Griffin.
24. Village Palm Subdivision: I had an inquiry from Cindy Wilhoite and enclose my response with attachments for your information. I'll drop this matter.

Do feel free to call if there's anything you want to discuss with me before the meeting.

With best regards.

Yours very truly,



Richard V. Neill, Jr.

RVNjr/hg
Enclosures

cc: Ms. Diane C. Orme, Clerk (w/encls.)
Cathy Townsend (w/encls.)
Wesley Taylor (w/encls)

Richard V. Neill, Jr.

From: Katherine Barbieri <Barbierik@stlucieco.org>
Sent: Wednesday, May 31, 2017 11:53 AM
To: Richard V. Neill, Jr.
Cc: Daniel McIntyre; Stephanie Bush
Subject: Question

- Hi Richard

The County also has these issues. Sometimes, staff believes it to be a civil matter. The County has the Code below that is frequently cited. It does only apply to exotics.

If I can be of further assistance, please let me know.

Katherine

7.09.05. - Removal of Exotic Vegetation.

A.

General.

1.

Any developer submitting a site plan for site plan approval or in conjunction with a Conditional Use Permit, Planned Unit Development, Planned Non-Residential Development, or Planned Mixed Use Development shall be required to remove, and chemically treat any remaining stumps, of all of the exotic vegetation listed as a "Category I" in the latest edition of the Florida Exotic Pest Plant Councils "List of Invasive Species."

2.

No person shall plant or cause to be planted or permit to be planted, anywhere within the area of unincorporated St. Lucie County, any species listed as a "Category I" in the latest edition of the Florida Exotic Pest Plant Councils "List of Invasive Species."

B.

Exotic Pest Plants; Maintenance and Removal.

1.

Nuisances declared and prohibited:

a.

It is found and declared to be expedient and necessary to the preservation of the public health, comfort, safety and welfare of the inhabitants of St. Lucie County that all lots in recorded subdivisions of St. Lucie County, outside of municipalities, be required to be kept free from any species listed as a "Category I" in the latest edition of the Florida Exotic Pest Plant Councils "List of Invasive Species," which, by reason of height, proximity to neighboring structures, physical condition, or other peculiar characteristics, might cause damage to life or property within the immediate area surrounding the same. The existence of vegetation which create a

hazard is declared to be a public nuisance. Erosion control measures or reseeded of the area from which the exotic vegetation was removed may be required.

b.

No person shall plant or cause to be planted or permit to be planted, anywhere within recorded subdivisions of unincorporated St. Lucie County, any species listed as "Category I" in the latest edition of the Florida Exotic Pest Plant Councils "List of Invasive Species."

c.

Existing individual species listed as "Category 1" in the latest edition of the Florida Exotic Pest Plant Council's "List of Invasive Species" located within recorded subdivisions of unincorporated St. Lucie County shall be maintained at a height not to exceed the distance between the tree and the nearest property line, minus ten (10) feet. The existence of any such trees is hereby declared to be a public nuisance.

(Ord. No. 16-004, Pt. A, 3-1-2016)

Sent from my iPad

Please Note: Florida has very broad public records laws. Most written communications to or from County officials regarding County business are public records available to the public and media upon request. It is the policy of St. Lucie County that all County records shall be open for personal inspection, examination and / or copying. Your e-mail communications will be subject to public disclosure unless an exemption applies to the communication. If you received this email in error, please notify the sender by reply e-mail and delete all materials from all computers.

Richard V. Neill, Jr.

From: Bill Thiess <bbthiess@gmail.com>
Sent: Wednesday, May 24, 2017 7:16 AM
To: drorme@comcast.net
Cc: Richard V. Neill, Jr.
Subject: FW: SL Village Old Dixie Property - Mulching Quote
Attachments: IMG_7282.JPG; RT Skidsteer Mulcher.JPG; Bill Thiess SL Village Old Dixie Mulching.pdf

Diane,

FYI – This can be discussed at the next Board meeting. The earlier proposal from Environmental Land Development (\$2,700) was much lower. Letting the County continue this maintenance seems like a good option.

I will most likely miss that meeting if our vacation plans stay on track. I am working with two contractors to get proposals for further ditch cleaning, but I doubt that I will have their proposals prior to the June meeting.

Bill

From: Ralna Lindsey Reel [<mailto:clearzonemaint@hotmail.com>]
Sent: Tuesday, May 23, 2017 3:19 PM
To: bbthiess@gmail.com
Subject: SL Village Old Dixie Property - Mulching Quote

Hi Bill,

I have attached a quote for the vegetation clearing along the Old Dixie Hwy property limits. I am also attaching a photo of the machine we would use to complete the project as well as a recent before and after picture of us reclaiming right-of-way. Please confirm receipt of this quote and be in touch soon to let me know if this is a project you would like us to complete.

I will have to come down to take a look at the ditch cleaning tomorrow or later in the week. I will be in touch to reschedule.

Thanks so much,
Ralna Lindsey Reel
Vice President
7300 4th Street
Vero Beach, FL 32968
Office: 772-567-4566
Cell: 772-473-9335



Clear Zone Maintenance, Inc.

May 23, 2017

To: Bill Thiess, SL Village

From: Ralna Reel, Clear Zone Maintenance, Inc.

Re: SL Village Old Dixie Property Line - Vegetation Mulching

QUOTE

- Mulching exotic (primarily Brazilian Pepper) underbrush and small trees within property limits along Old Dixie.
- Vegetation will be mulched in place utilizing a skid-steer mulching machine, and mulch will be left onsite.

Price

\$4,700.00/Lump Sum

Clear Zone Maintenance, Inc. will not be responsible for any tree trimming/mulching of contaminated vegetation. Clear Zone Maintenance, Inc. will not be responsible for damage to fence, utilities, sidewalks or other structures that surround the trees to be cleared. This quote does not include any hand work, trash removal, or additional maintenance of traffic (MOT), beyond standard moving operation MOT, necessary to complete this project. Clear Zone is not responsible for any permits or surveys regarding this project. Clear Zone Maintenance, Inc. cannot be held responsible for unforeseen situations, such as hurricanes and other acts of God. If work is temporarily stopped, at no fault to Clear Zone Maintenance, Inc., we will reschedule completion of the project at our next available time and levy reasonable remobilization charges. Method of Payment: Net 30 – no retainage to be withheld. This proposal is good for 30 days.



Michelle Franklin, CFA
Property Appraiser

May 26, 2017

Mayor William Thiess
Town of Saint Lucie Village
Post Office Box 3878
Fort Pierce, FL 34948

RE: 2017 Estimated Taxable Value

Dear Mayor Thiess:

Pursuant to Section 200.065 (8), Florida Statutes, this letter is to advise you of the estimated 2017 taxable value of real and personal property within your jurisdiction. This information is submitted to you for budget planning purposes.

As stated above, this is an estimate and is subject to change upon final certification of the tax roll.

The estimated taxable value within your jurisdiction for 2017 is \$59,591,019; this represents a 4.00% increase in taxable value from the 2016 final taxable value.

I trust this information will be helpful to you as you proceed with your budget planning.

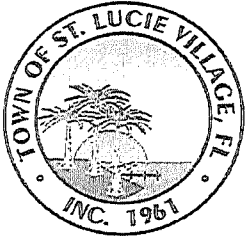
Respectfully,

A handwritten signature in cursive script, appearing to read 'Michelle', is written over a faint horizontal line.

Michelle Franklin
PROPERTY APPRAISER

cc: Richard V. Neill, Jr., Attorney

f 5/26



Town of St. Lucie Village

P.O. BOX 3878 • FORT PIERCE, FLORIDA 34948 • (772) 466-6900

May 31, 2017

VIA FAX AND EMAIL

The Honorable Debbie Mayfield, Chair
Joint Legislative Auditing Committee
111 W. Madison St., Rm. 876
Tallahassee, FL 32399-1400

Re: Joint Legislative Auditing Committee ("Committee")

Dear Senator Mayfield:

The Town of St. Lucie Village ("Town") acknowledges your letter dated March 27, 2017, on behalf of the Committee and respectfully offers the following corrective actions undertaken by the Town to the finding regarding the Town's organizational structure. The finding indicates that the size of the Town's accounting and administrative staff precludes certain internal controls that would be preferred if the office staff were large enough to provide optimum separation of duties.

As you know, the Town is a 2.6 mile by 0.4 mile area populated by approximately 600 residents, faced with the challenges of a small, part-time staff. The Town continues to keep its governing Board involved for oversight and creating mitigating controls.

Currently, the Board receives monthly account registers as well as other financial data that are reviewed and approved at the monthly meetings. In addition, the Town maintains a dual signature policy on issued checks as a means of mitigating control. The Town is in the process of reviewing and implementing additional procedures that include the Budget Committee Chair physically reviewing the bank statements and monthly expenditure files and evidencing that review through supporting documentation/sign offs. It has also been recommended that the review include a review of randomly selected journal entries and period close entries. As far as addressing the segregation of duties, in addition to the items that have been noted, it is the intention of the Town to strengthen those areas through the use of committees, the Town Board and outside parties where feasible.

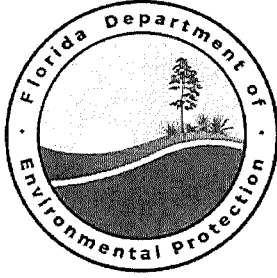
With these procedures and oversight, we are confident that adequate safeguards are in place to ensure protection of the Town's resources. Should additional information be helpful to you as you undertake this important review, please do not hesitate to let me know.

Very truly yours,

William G. Thiess, Mayor

WGT

cc: Diane C. Orme, Clerk



Florida Department of Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, Florida 33406
561-681-6600

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Ryan E. Matthews
Interim Secretary

ORDER GRANTING EXTENSION OF TIME TO SUBMIT REQUESTED INFORMATION AND WITHDRAWING CONSOLIDATED NOTICE OF DENIAL

May 19, 2017

Indian River Lagoon Waterfront Cottages, LLC
C/O Robert Pruitt
6601 S. Indian River Drive
Ft. Pierce, FL 34982
Robert.pruitt@pruittindustrial.com

Re: St. Lucie County – Environmental Resource Permit
Site Name: Indian River Lagoon Waterfront Cottages Dock
Site ID: 0171407
DEP Application No.: 56-0171407-004-EI

On March 29, 2017, the Department issued the attached order denying Indian River Lagoon Waterfront Cottages LLC's application for an environmental resource permit and letter of consent/lease to use sovereign submerged lands (see Exhibit A). The denial was based on the applicant's failure to respond to the Department's request for additional information.

On February 16, 2017, the applicant requested a 90-day extension to submit the requested information and explained the circumstances that required the additional time (see Exhibit B). Section 5.5.3.5 of Volume I of the Environmental Resource Permit Applicant's Handbook allows for an extension to the 90-day response deadline of up to an additional 90 days when the applicant notifies the Department in writing of the circumstances that require additional time. Because this request is timely and sufficient, it is hereby granted and the Department's order denying the application is hereby withdrawn. The applicant has until August 17, 2017 (90 days) to submit the attached requested information (Exhibit C).

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

A handwritten signature in black ink, appearing to read "Jason Andreotta".

Jason Andreotta
Assistant District Director
Southeast District


CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this letter and all copies were sent on the filing date below to the following listed persons:

FDEP – Diane Pupa, Monica Sovacool, Cindy Lott, John Renfranz, Chad Stevens

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

May 19, 2017

Date

Attachments:

Exhibit A – FDEP Permit Denial, 3/29/17

Exhibit B - Applicant's 90-day Time Extension Request, 1/20/17

Exhibit C – FDEP Request for Additional Information, 11/22/16

LAW OFFICES
NEILL, GRIFFIN, TIERNEY, NEILL & MARQUIS

CHARTERED

311 SOUTH SECOND STREET

SUITE 200

FORT PIERCE, FLORIDA 34950

RICHARD V. NEILL¹
J. STEPHEN TIERNEY, III
RICHARD V. NEILL, JR.²
RENÉE MARQUIS-ABRAMS³

¹ BOARD CERTIFIED WILLS, TRUSTS & ESTATES LAWYER
² CERTIFIED CIRCUIT CIVIL/COUNTY COURT MEDIATOR
³ BOARD CERTIFIED CIVIL TRIAL LAWYER
OF COUNSEL

June 8, 2017

MAILING ADDRESS:
POST OFFICE BOX 1270
FORT PIERCE, FL 34954
TELEPHONE (772) 464-8200
FAX (772) 464-2566

Robert V. Schwerer, Esquire
Hayskar, Walker, Schwerer,
Dundas & McCain
Renaissance Financial Center
130 S. Indian River Drive, Suite 304
Fort Pierce, Florida 34950

RE: Caribee Colony/
Indian River Lagoon Waterfront Cottages

Dear Rob:

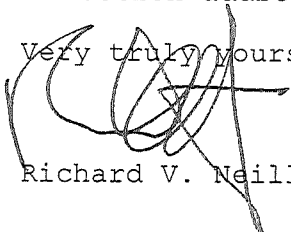
Back in November, I wrote the enclosed letter to Mr. Pruitt making clear the Village's position that he would either need to get a permit or remove the dock.

As you and Mr. Pruitt are aware, construction of such a dock expansion/addition requires permits under the Village Ordinance, and State law, and it doesn't have them. At the same time, I'm sure it has been noted that the Village has not taken any specific action to require removal of the unpermitted addition.

My reason in writing is to make clear that the Village's lack of action should not be interpreted as permission, license or acceptance of the status quo. It's not acceptable. This expansion occurred in violation of both our Ordinance provision governing docks and those governing non-conformities.

Since the Village doesn't have a code enforcement board, I have suggested to my Board that, rather than taking the matter to court, we let the Department of Environmental Protection address the issue.

Very truly yours,



Richard V. Neill, Jr.

RVNjr/hg
Enclosure

cc: William G. Thiess, Mayor
Diane Orme, Clerk

LAW OFFICES
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OF COUNSEL

MAILING ADDRESS:
POST OFFICE BOX 1270
FORT PIERCE, FL 34954
TELEPHONE (772) 464-8200
FAX (772) 464-2566

November 16, 2016

Mr. Robert Pruitt
Caribee Colony, Inc.
6601 S. Indian River Drive
Fort Pierce, Florida 34982

RE: Caribee Colony/Indian River Lagoon Waterfront Cottages

Dear Mr. Pruitt:

As you can imagine, there was considerable discussion of the dock and the use of the property. I am copying you with a related letter to the DEP.

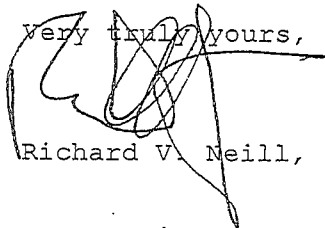
The thing that I need to make clear at this point is that the Village will require that you either (a) get a permit as provided under the dock ordinance or (b) remove the dock.

That's exactly what we would tell anyone with an unpermitted structure.

For the moment, I've been tasked with further reviewing the situation; and, I will proceed in that regard. I will welcome, and presumably want, input from you and Speedy. I will, however, be out of town until next week so I don't expect to progress in any fashion until then.

I think you can plan on the matter being on the Board's agenda at its regular meeting in December. At this point, I don't know if I'll be suggesting they make a decision or if I'll just be giving them an update.

Very truly yours,



Richard V. Neill, Jr.

RVNjr/hg
Enclosure

cc: Frank H. Fee, III, Esquire
William G. Thiess, Mayor
Diane Orme, Clerk

LAW OFFICES
NEILL, GRIFFIN, TIERNEY, NEILL & MARQUIS

CHARTERED

311 SOUTH SECOND STREET

SUITE 200

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² CERTIFIED CIRCUIT CIVIL/COUNTY COURT MEDIATOR
³ BOARD CERTIFIED CIVIL TRIAL LAWYER
OF COUNSEL

June 8, 2017

Mr. Joseph Zito
118 South U.S. Highway 1
Fort Pierce, Florida 34950.

RE: Town of St. Lucie Village
- property located at 4050 and 4058 N US Highway 1

Dear Mr. Zito:

I am writing as the Town Attorney for St. Lucie village.

As you are aware, the above referenced properties are located within the Village and have come to the attention of the Village Building Official and, through him, the Village Board of Aldermen.

The Board asked me to follow up with you and point out certain obvious issues that were observed and will need to be addressed.

Those include:

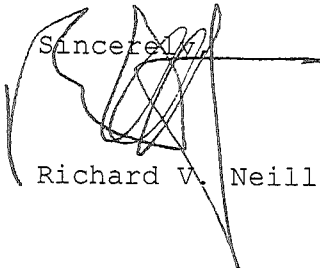
1. The property is zoned commercial and, accordingly, residential use is non-conforming and cannot be expanded.
2. There has been an unpermitted mobile home and fencing added to the property without a permit and which probably cannot be permitted.
3. There also appears to be an electric meter on a garage which suggests improper use of that structure for residential purposes.
4. Additionally, there is an unpermitted driveway through the property to Old Dixie Highway. That violates Village ordinance which prohibits connection of the commercially zoned property on US 1 with Old Dixie Highway. I also understand that the driveway was not permitted.

Mr. Joseph Zito
June 8, 2017
Page 2

I had indicated to the Board that I would have you come to our next meeting which will be on June 20, 2017, at 6:30 p.m., at the Village Hall at 2841 Old Dixie Highway, Fort Pierce (St. Lucie Village).

I will be giving them a report on any information that I have developed, further thoughts about any violations or issues, and maybe getting some direction on how to proceed; so, it would be in your interest to appear and discuss the situation with the Board.

Also, if you want to provide any information/explanation to me in the interim, I'll be glad to take it into consideration.

Sincerely,


Richard V. Neill, Jr.

RVNjr/hg

cc: William G. Thiess, Mayor
Diane C. Orme, Clerk
William Hatcher, Building Official

Richard V. Neill, Jr.

From: Bill Thiess <bbthiess@gmail.com>
Sent: Tuesday, June 06, 2017 7:31 PM
To: Richard V. Neill, Jr.
Subject: RE: Heritage Preserve

Richard – I am fine with deferring. With the wet season upon us, I do not see a significant fire hazard there.

Bill

From: Richard V. Neill, Jr. [mailto:RNeillJr@neillgriffin.com]
Sent: Tuesday, June 6, 2017 5:52 PM
To: Bill & Beverly Thiess <bbthiess@gmail.com>; drome@comcast.net
Cc: Helen Green <HGreen@neillgriffin.com>
Subject: FW: Heritage Preserve

Bill, I'm forwarding the below for your review and input to me separate from Ingrid. I responded to her because it was her issue. Richard

From: Richard V. Neill, Jr.
Sent: Tuesday, June 06, 2017 5:50 PM
To: 'ingrid@a-1mortgageloans.com' (ingrid@a-1mortgageloans.com)
Cc: 'Ingrid' (ingrid@tlcexperts.com); Helen Green
Subject: FW: Heritage Preserve

Ingrid,

See below from Amy Griffin. Would you prefer they come this month or defer as she suggests. I'll ask Bill for input too, but separately.

I did speak to Mike Middlebrook. He said that the standard is to treat and leave in place. He feels the preserve is wet and these are not a fire danger. This is grant funded work and he hopes they'll be through to retreat as needed. Also, thinks that they'll be overgrown before you know it.

He also said that they're hoping to address some Australian pines up at Torpey.

Regards,

Richard

Richard V. Neill, Jr., Esquire
Neill Griffin Tierney Neill & Marquis
Post Office Box 1270
Ft. Pierce, FL 34954
Telephone: 772-464-8200
Fax: 772-464-2566
rneilljr@neillgriffin.com

CONFIDENTIALITY

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From: Amy Griffin [<mailto:griffina@stlucieco.org>]
Sent: Monday, June 05, 2017 2:26 PM
To: Richard V. Neill, Jr.
Cc: drome@comcast.net; 'Bill Thiess'; Helen Green; Mike Middlebrook; Amanda Thompson
Subject: RE: Heritage Preserve

Mr. Neill,

I am so sorry for not getting back with you sooner!

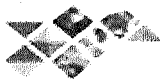
Mike Middlebrook, our Natural Resources (Lands) Division Manager will contact you to give you an update on the exotic removal you have been seeing out there. We have been the fortunate recipients of State funding to help us accomplish all of that work.

I am happy to attend your June 20th Alderman meeting to give an overall update if you would like but if we push it out a month or so more I should have much more to report on. We have recently contracted with a fence company to redo the fence. We have also hired a company called Environmental Land Design to help us with the parking lot (removing the shell from old parking lot, pushing it to new parking area & providing new shell rock for entire new parking area).

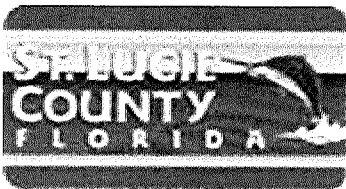
Again, thank you for your patience and let me know when you'd like us to present to your board.

Amy Griffin, Director

Environmental Resources Department | 2300 Virginia Ave | Ft Pierce, FL 34982
Office: 772.462.2531 | Fax: 772.462.1684 | Cell:772.579.1172| [ERD Website](#)



ST. LUCIE COUNTY



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Please take our short survey to let us know how we're doing.
www.StLucieCo.gov/CustomerSurveyERD*

From: Richard V. Neill, Jr. [<mailto:RNeillJr@neillgriffin.com>]
Sent: Tuesday, May 02, 2017 3:07 PM
To: Amy Griffin <griffina@stlucieco.org>
Cc: dorme@comcast.net; 'Bill Thiess' <bbthiess@gmail.com>; Helen Green <HGreen@neillgriffin.com>
Subject: Heritage Preserve

Amy,

You'll recall that I'm the town attorney for St. Lucie Village.

The work that is ongoing at the Heritage Preserve has been noted and generated some questions.

As I understand it, peppertrees have been cut and sprayed at the boundary with River Woods Subdivision. Concern has been expressed about whether they will be removed, whether they present a fire hazard, etc.

We've also had interest expressed by the Board on another update concerning ongoing projects and status. Is this something you might be able to do at an upcoming meeting? Our next meetings are on May 16, and June 20. Perhaps something leading up to the grand re-opening?

Let me know.

Thanks.

Regards,

Richard

Richard V. Neill, Jr., Esquire
Neill Griffin Tierney Neill & Marquis
Post Office Box 1270
Ft. Pierce, FL 34954
Telephone: 772-464-8200
Fax: 772-464-2566
rneilljr@neillgriffin.com

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Richard V. Neill, Jr.

From: Richard V. Neill, Jr.
Sent: Friday, June 16, 2017 9:05 AM
To: 'Amy Griffin'
Cc: drome@comcast.net; 'Bill Thiess'; Helen Green; Mike Middlebrook; Amanda Thompson
Subject: RE: Heritage Preserve

Amy,

I did speak to Mike and appreciate your putting us in contact.

I think that it would be good to have you address the board before major work is contracted or, if contracted, begins. What does that tell us about when I should ask you to come to the Board?

Richard

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Post Office Box 1270
Ft. Pierce, FL 34954
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From: Amy Griffin [mailto:griffina@stlucieco.org]
Sent: Monday, June 05, 2017 2:26 PM
To: Richard V. Neill, Jr.
Cc: drome@comcast.net; 'Bill Thiess'; Helen Green; Mike Middlebrook; Amanda Thompson
Subject: RE: Heritage Preserve

Mr. Neill,

I am so sorry for not getting back with you sooner!

Mike Middlebrook, our Natural Resources (Lands) Division Manager will contact you to give you an update on the exotic removal you have been seeing out there. We have been the fortunate recipients of State funding to help us accomplish all of that work.

I am happy to attend your June 20th Alderman meeting to give an overall update if you would like but if we push it out a month or so more I should have much more to report on. We have recently contracted with a fence company to redo

From: Richard V. Neill, Jr.
Sent: Tuesday, June 13, 2017 4:06 PM
To: cindywilhoite@comcast.net
Cc: drome@comcast.net; Bill Thiess; Helen Green
Subject: Village Palm
Attachments: 12-9-15 ltr to Blake Davis w-encls.pdf

Cindy:

I am attaching my most recent correspondence related to the issue, which includes the referenced ordinance revision.

I am of the opinion that, unless there is something in the public records indicating that the subdivision owners acted and actually took the road private, that the road would be public if so dedicated in the plat.

I'm also of the opinion that the Village is not responsible for maintenance or repair of the road and that purchasers are on notice of that.

Regards,

Richard

Richard V. Neill, Jr., Esquire
Neill Griffin Tierney Neill & Marquis
Post Office Box 1270
Ft. Pierce, FL 34954
Telephone: 772-464-8200
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LAW OFFICES
NEILL, GRIFFIN, TIERNEY, NEILL & MARQUIS

CHARTERED
311 SOUTH SECOND STREET
SUITE 200

FORT PIERCE, FLORIDA 34950

RICHARD V. NEILL^P
J. STEPHEN TIERNEY, III
RICHARD V. NEILL, JR.^{*°}
RENÉE MARQUIS-ABRAMS^{*}

^{*}BOARD CERTIFIED WILLS, TRUSTS & ESTATES LAWYER
[°]CERTIFIED CIRCUIT CIVIL/COUNTY COURT MEDIATOR
[†]BOARD CERTIFIED CIVIL TRIAL LAWYER
[□]OF COUNSEL

December 9, 2015

MAILING ADDRESS:
POST OFFICE BOX 1270
FORT PIERCE, FL 34954
TELEPHONE (772) 464-8200
FAX (772) 464-2566

Mr. Blake Davis
4308 Village Palm Lane
Fort Pierce, Florida 34949

RE: Town of St. Lucie Village

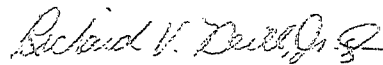
Dear Mr. Davis:

The discussion of Village Palm Subdivision at last month's Village meeting led me to review my file.

In relation to the road being private, I do not have a copy of a recorded plat in my file so I don't know what it says. I do, however, have a copy of a recorded Agreement signed by the Lightles. It references the road going private upon amendment of the Village Subdivision Ordinance to allow a private road; and, we did amend the Subdivision Ordinance.

I am enclosing copies of those two documents; however, my file does not indicate if the developer followed through.

Sincerely,


Richard V. Neill, Jr.

RVNjr/hg
Enclosures

cc: William G. Thiess, Mayor
Diane C. Orme, Clerk

AGREEMENT CONCERNING DEDICATION OF ROADWAY AND EASEMENTS
IN VILLAGE PALM SUBDIVISION

WHEREAS, ROGER LIGHTLE, LINDA LIGHTLE and JEFF LIGHTLE ("the Owners"), own certain real property located within the municipal limits of the TOWN OF ST. LUCIE VILLAGE, FLORIDA;

WHEREAS, the Owners' desire to subdivide and plat that property as "Village Palm Subdivision";

WHEREAS, the TOWN OF ST. LUCIE VILLAGE, FLORIDA is willing to approve the plat but is not willing to undertake the maintenance of the roadway and other easements referenced thereon;

WHEREAS, Ordinance 62-8, the Village's current subdivision ordinance, requires dedication of said roadway and easements to the public but the ordinance may be amended so as not to require said dedication;

NOW THEREFORE, in consideration of the foregoing, the parties agree as follows:

1. The Owners, for themselves and their successors, agree that the TOWN OF ST. LUCIE VILLAGE, FLORIDA shall not be responsible for the maintenance of the roadway and easements in the Village Palm Subdivision.
2. The Owners, for themselves and their successors, agree that if the subdivision ordinance is amended to permit private roadways and easements, the Owners shall establish a property owner's association and amend the subdivision plat to reflect that the roadway and easements are private and will be maintained by the property owner's association.

TOWN OF ST. LUCIE VILLAGE, FLORIDA

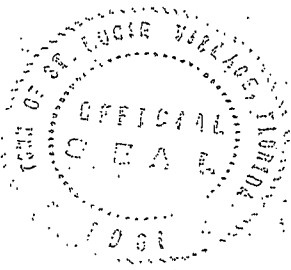
By: *William G. Thies*
William G. Thies, Mayor

ATTESTED:

By: *Diane Orme*
Diane Orme, Clerk

File Number: 2490432 OR BOOK 20E2 PAGE 170B
Recorded: 10/21/04 15:31

Return to: Richard V. Nail, Jr., Esq.
PO Box 1270
FORT PIERCE, FL 34945



Roger Lightle
ROGER LIGHTLE
Linda Lightle
LINDA LIGHTLE
Jeff Lightle
JEFF LIGHTLE

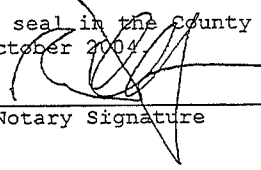
STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared ROGER LIGHTLE and JEFF LIGHTLE, who are known by me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, and that an oath was not taken.

Witness my hand and official seal in the County and State last and aforesaid this 19th day of October, 2004.

(SEAL)




Notary Signature

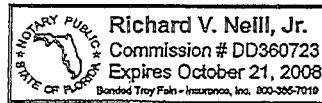
Printed Notary Signature

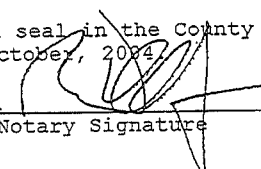
STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared LINDA LIGHTLE, who is known to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following forms of identification of the above-named person: Florida driver's license and that an oath was not taken.

Witness my hand and official seal in the County and State last and aforesaid this 19th day of October, 2004.

(SEAL)




Notary Signature

Printed Notary Signature

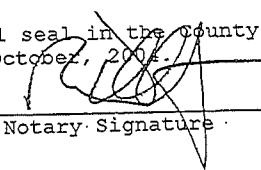
STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared WILLIAM G. THIESS and DIANE ORME, as Mayor and Clerk of the Town of St. Lucie Village, respectively, who are known by me to be the person described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, and that an oath was not taken.

Witness my hand and official seal in the County and State last and aforesaid this 19th day of October, 2004.

(SEAL)




Notary Signature

Printed Notary Signature

ORDINANCE 2004-9

AN ORDINANCE OF THE TOWN OF ST. LUCIE VILLAGE, FLORIDA AMENDING ORDINANCE 62-8, TO PERMIT DEDICATION OF RIGHTS-OF-WAY AND EASEMENTS IN PROPERTY BEING SUBDIVIDED/PLATTED TO A PROPERTY OWNERS ASSOCIATION RATHER THAN THE PUBLIC AND PROVIDING FOR RELIEF FROM THE REQUIREMENTS OF THE ORDINANCE FOR SAID RIGHTS-OF-WAY AND EASEMENTS IN THAT EVENT.

WHEREAS, paragraph 1.f. of Section D of said Ordinance currently provides as follows:

- f. Dedications to Public Required.--Rights-of-way for roads, streets and alleys, easements for utilities, and rights-of-way and easements for drainage shall be dedicated to the public. The following widths shall be required:
1. State Roads - as required by State Road Department, but not less than 50 feet each side of center line.
 2. County Roads - 40 feet each side of center line.
 3. Arterial Streets - 40 feet each side of center line.
 4. All other streets - 30 feet each side of center line unless proper drainage requires wider right-of-way in which event such wider right-of-way must be dedicated.
 5. Alleys - 10 feet each side of center line.
 6. Utility Easements - 5 feet wide on the rear of each parcel and shall be identified on plat as "utility easement".
 7. Drainage easements and Rights-of-way.--Easements and rights-of-way for drainage shall be of such widths as to adequately accommodate the drainage facilities to be put on them, plus 15 feet on one side to permit equipment to enter for maintenance by normal methods of maintenance. Drainage easements shall be identified on the plat as such.

WHEREAS the Board of Aldermen of the Town of St. Lucie Village, Florida desires to permit dedication of rights-of-way and easements in property being subdivided/platted to a property owners association rather than the public and to provide for relief from the requirements of the ordinance for said rights-of-way and easements in that event,

NOW, THEREFORE, the Board of Aldermen of the Town of St. Lucie Village, Florida hereby ordain as follows:

1. That paragraph 1.f. of Section D of said Ordinance 62-8 is amended to read as follows:

f. Dedications to Public Required.--Rights-of-way for roads, streets and alleys, easements for utilities, and rights-of-way and easements for drainage shall be dedicated to the public. The following widths shall be required:

1. State Roads - as required by State Road Department, but not less than 50 feet each side of center line.

2. County Roads - 40 feet each side of center line.
3. Arterial Streets - 40 feet each side of center line.
4. All other streets - 30 feet each side of center line unless proper drainage requires wider right-of-way in which event such wider right-of-way must be dedicated.
5. Alleys - 10 feet each side of center line.
6. Utility Easements - 5 feet wide on the rear of each parcel and shall be identified on plat as "utility easement".
7. Drainage easements and Rights-of-way.--Easements and rights-of-way for drainage shall be of such widths as to adequately accommodate the drainage facilities to be put on them, plus 15 feet on one side to permit equipment to enter for maintenance by normal methods of maintenance. Drainage easements shall be identified on the plat as such.

Notwithstanding the foregoing, in the event that the owner(s) of property to be platted and subdivided establishes a property owner's association and the proposed plat reflects that said association (and not St. Lucie Village or St. Lucie County) shall be responsible for maintenance of rights-of-way for roads, streets and alleys, easements for utilities, rights-of-way and easements for drainage, and the like, said rights-of-way and easements need not be dedicated to the public but may be dedicated to the property owner's association and, subject to engineering review and recommendation approved by the Board of Aldermen, the various requirements of this Ordinance for such rights-of-way and easements may be modified. All dedications of utility easements are subject to the requirements of the service providers.

Furthermore, if the owners of the property within a previously established plat or subdivision desire to amend the filed plat to reflect such a dedication of rights-of-way and easements to a property owners association, such an amendment may be approved by the Board of Aldermen of the Town of St. Lucie Village, Florida.

PASSED AND APPROVED by the Board of Aldermen of the Town of St. Lucie Village on this 16th day of November, 2004.

APPROVED:
BOARD OF ALDERMEN OF THE TOWN OF
ST. LUCIE VILLAGE, FLORIDA

By: William G. Thiess
William G. Thiess, Mayor

ATTESTED:

By: Diane Orme
Diane Orme, Clerk

I, DIANE ORME, Clerk of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, do hereby certify that this is a true and accurate copy of Ordinance 2004-9 which was duly introduced, read and adopted at the regular meeting of the Board of Aldermen of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, held this 16th day of November, 2004.

Diane Orme
DIANE ORME, CLERK