

Jacob Veagh

From: Office of Commissioner Passidomo
Sent: Friday, March 11, 2022 8:08 AM
To: Commissioner Correspondence
Subject: Docket No. 20200226
Attachments: Docket #20200226; DOCKET #20200226; DOCKET #20200226

Please place the attached in Docket No. 20200226.

Thank you!

Jacob Veaghn

From: nina stokes <ninadv3399@hotmail.com>
Sent: Thursday, March 10, 2022 7:28 PM
To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo
Cc: Kit Kat
Subject: Docket #20200226

As family owners on Little Gasparilla Island at 8892 Gulf Street, we are asking that you please deny the wastewater certificate that Environmental Utilities has applied for. There has been no testing of our barrier island waters by Charlotte County, nor Mr. Boyer, that shows problems coming from our septic systems. Dr. Robert Weisberg, Distinguished Professor of Oceanography at USF completely debunked Mr. Boyer's generalized claims. In addition, our island is in the rural service area and not permitted by the Charlotte County Comprehensive Plan for central sewers. There has not been any solid evidence of EU having the means to pay the debt on this huge project. As a start up company, having never attempted a project like this, the Boyers who own Little Gasparilla Water Utility have been the subject of constant controversies (line breaks and no boil water notices). Mr. Boyer has also had ethics problems which makes it very hard to comprehend why Charlotte County is giving him the right to apply for a certificate due to past dishonesty. The outrageous rates are based on estimates that are 3 – 5 years old and "lower" than the low end on many things. Homeowners will be in for huge surprises as this could possibly have huge cost overruns. Finally of great concern is the fact that there is no performance bond and no single point of general oversight. I'm asking you to deny this wastewater certificate and to take into consideration all the many homeowners that have written to you. Thank you, sincerely, *Rodger Stokes*.

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Jacob Veaghn

From: nina stokes <ninadv3399@hotmail.com>
Sent: Thursday, March 10, 2022 7:14 PM
To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo
Cc: Kit Kat
Subject: DOCKET #20200226

As owners of 8892 Gulf Street on Little Gasparilla Island, we are asking that you deny Environmental Utilities application for a wastewater certificate. The financial ability of EU has been shown to be inadequate to pay the debt on this massive construction project. This is a start up company who has never attempted or completed a project of this magnitude. Contrary to Mr. Boyer's claims, there is no verified need for service. The outrageous rates he is proposing are debunked by many parties including the Office of Public Council. Rates of \$256 / month for sewer are ridiculous! The need for homeowners to replace equipment probably within 5 years at their own expense, the need for generators to stem sewer back ups and just handing over easements with no reimbursement by Mr. Boyer is unconscionable. Finally there is no contract and no single point of general oversight. But most importantly no performance bond. Homeowners could be left with overwhelming obligations. Please deny this start up company, the wastewater certificate for these reasons and more.

Thank you for taking the hundreds of homeowner's' pleas into consideration. Thank you very much.
Sincerely, Nina Stokes.

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Jacob Veauhn

From: nina stokes <ninadv3399@hotmail.com>
Sent: Thursday, March 10, 2022 7:02 PM
To: Records Clerk; Office of Commissioner La Rosa; Office of Commissioner Clark; Office of Commissioner Passidomo
Cc: Kit Kat
Subject: DOCKET #20200226

Dear Commissioners,

Upon continuing reading of the afternoon session of the Service Hearing on Feb. 8 th, for EU 's application for a wastewater certificate, I have a few comments. It is a real eye opener for sure and I am asking you to DENY granting the certificate as there are SO many continuing unanswered questions regarding the need, finances, technical expertise, and the outrageous rates and charges.

It was shocking to see the EU 's witness, Ms Swain, say the schedules she worked on were based on the information provided by the utility. The OPC attorney questioned her about BARGING fees, (three different ones, \$12,000 a year, transit \$870 a year, and then \$19,000). She said these were "best estimates at the time". OPC asked if Mr. Boyer was planning a contract for barging at a flat monthly rate? Answer, " I heard that". OPC said is the contract signed? Answer " I'm not aware of that". When asked by OPC if she agreed there were two barge providers she answered , "I'm not aware of how many barges". OPC asked if she included costs for two different barges or just one? Answer" I only have \$1,000 a month for barging... and then \$300 a month for fuel. I only have one cost in there -for barging.

This is HUGE! Eldred's Marina. has a barge, approximately 40-50 ft long that runs from their Marina on Boca Grand Causeway to the island. It is pushed by a boat with an outboard motor and runs when the operator desires to run it. The last price I knew of was \$600 per trip. Builders and contractors wait weeks sometimes to have supplies delivered. How will Mr Boyer manage to get his materials delivered in a timely manner? What will be the TRUE cost? The second barge is the one at Palm Island which all their residents use and they are very concerned about it causing problems for their getting in and off the island if it is loaded with equipment for a sewer project. AND \$ 300 a month for fuel for two barges? That is insane with the price of gas now!

Next the OPC asked about salaries being estimated at below the average range for those positions. Ms. Swain said" yes, we are at the low end". OPC attorney said" Below the low end, correct?" Answer, " I don't remember-I know we were at the low end at least."

OPC asked about bids for the project, were they 3-5 years old? Answer, yes, with 2% added. Really? Costs way up now so costs to homeowners skyrocketing!

More questions for Ms. Swain by Attorney Kelsky about financing for the project. She knew nothing about that. When asked if she had conducted an appraisal of the value of the company, she answered" No, as far as I know, there is really almost NO COMPANY currently until the certificate is granted". Doesn't that speak volumes? Please don't grant a certificate to this "NO COMPANY !"

When Ms Cotherman asked Ms. Swain who developed the numbers she was given to start with, she answered , " The operations and maintenance expenses and other information came directly from the utility - Mr. Boyer. Really?

Then Ellen Hargrove , land planner testified, giving information about the Charlotte County Comprehensive Plan and explained that it demonstrated no need for wastewater service . It is contrary to the County's growth strategy. The area is a bridgeless barrier island, BBI, and the policy specifically discourages development because of the difficulty of providing fire and emergency management services. The area is a Velocity Zone, extreme difficulty for hurricane

preparedness and evacuation from the BBI . The island is not included in any of the 12 areas in the Master plan, so no need!

When Attorney Wharton for EU questioned her she said the Charlotte County Utility director at the time, Craig Rudy, (who wasn't a Planner) dealt with Environmental Utilities and not the County Planning Dept. who is in charge of the Comprehensive Plan. She said the planning Dept. would be the one to make a consistency determination not a public works director.

Some comments about Dr. Robert Weisberg, Distinguished Professor of Physical Oceanography at the USF college of Marine Biology. He gave interesting and compelling testimony to discuss the lack of need for sewer service in the basis that there is no scientific support for the proposition by Mr. Boyer that on site septic tanks exacerbate red tide and algae outbreaks in the barrier island of concern. When Attorney Wharton for EU quoted a Branch Harbor study on septic tanks, Dr Weisberg answered it was conducted up north by a yacht club close to I-75, totally different substrata . Said you can't extrapolate that result to a bridgeless barrier island.

Next was the eye opening statement by Sheri Schultz, CPA, accredited valuation and certified in financial forensics. Her statement said she reviewed EU's financial statement, personal financial statements of the Boyer's , the pre-filed costs estimates of Jonathan Cole, and the pre-filed testimony of Deborah Swain as it relates to the cost of construction for the proposed utility. She concluded that neither EU LLC nor the Boyer's have the financial ability to undertake construction of a wastewater system in the proposed service area, as based on the data provided . Neither the company nor its principals could service the debt associated with the cost of construction .

These are some comments about the afternoon session of the hearing that I believe are very important to review. Then of course the other frightening facts of EU having no contract, no single point of general oversight and no performance bond. Residents will have no recourse in case of project failure or cost overruns which could very likely happen! Plus what about the equipment that homeowners will very likely have to replace in 5 years at great expense? And the need for generators in case of power outages? And easements? And potential sewer spills in the inland coastal waterway? Just too many questions to give a certificate to this start up company. Please deny the certificate and thank you for taking into consideration the thoughts, and ideas of the hundreds of homeowners expressing their concerns. There is a lot of expertise out there.

Sincerely, Kathleen Stokes
8892 Gulf Street
Little Gasparilla Island

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