

MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT HELD JANUARY 18, 2018

The regular meeting of the South Indian River Water Control District was held on January 18, 2018, at 7:00 p.m. at Jupiter High School, 500 N. Military Trail, Jupiter, Florida. Present were Supervisors Steve Hinkle, Tom Powell, John Meyer, Michael Howard and John Jones. Also present were Charles Haas, treasurer; Amy Eason, engineer; William Capko, attorney; Mike Dillon, manager of operations; Laura Bender, public information; and Jane Woodard, secretary. Six landowners were also present.

Mr. Hinkle called the meeting to order and the Pledge of Allegiance to the flag was given.

A motion was made by Mr. Powell to approve the consent agenda. Mr. Howard seconded the motion and it carried unanimously.

Ms. Bender presented the public relations report. The annual newsletter has been mailed to the landowners. The Policies & Procedures Manual continues to be reviewed by staff.

Mr. Haas presented the treasurer's report. It was noted there are a number of debt payments due on February 1st but the invoices have not yet been received from Regions Bank. Mr. Haas reported he is in communications with the bank regarding financing for the 19th Plan.

Mr. Dillon presented the manager of operations report. He requested ratification of the purchase of a new Kubota U35 and the trade-in of the Kubota U25. Mr. Howard made a motion approving this action. Mr. Powell seconded the motion and it carried unanimously.

Mr. Dillon reported the culvert program is ongoing. Landowners are being notified by certified letter and door hangers. Currently there are six culverts on the schedule. Five landowners have not yet responded. Mr. Hinkle asked if the District could proceed with the work and bill these landowners in order to avoid delays. Mr. Capko stated that staff is working on deciding what additional fees should be assessed. Mr. Haas noted there is a cost associated with time spent separating out particular parcels. Mr. Capko suggested sending an invoice that states what penalty the landowner will be assessed if they don't pay the cost. Mr. Meyer noted this is a voluntary program for culvert placement, but if someone is heeding drainage, the District should assess a penalty. Mr. Capko stated the Board can assess double the actual cost of installation in such a situation.

Mr. Dillon reported that landowner feedback regarding landscaping in the park has been positive. The landscaping contract ends next month and he requested Board approval to renew it for an additional year. He noted that eight contractors submitted bids and it was his opinion that this company was the most qualified, even though they were not the low bidder. Mr. Hinkle noted it would cost more if District employees did the work. Mr. Powell made a motion to renew the contract at the same rate. Mr. Howard seconded the motion and it carried unanimously. Mr. Capko noted that these services can be renewed at this time without going to bid. He will add public custodial language to the new contract.

Ms. Eason presented the engineer's report. The design process has begun on the 19th Plan with the expectation that it will go to bid in March. She noted there is a utility pole in the middle of an easement on 175th that needs to be relocated. This will take AT&T 30-60 days but she does not expect this will be a problem.

Ms. Eason reported on the lack of funding available for debris removal due to Hurricane Irma. She met with FEMA again to start the process with them. Bids must be submitted by February 2nd. She noted there are 29 locations affected, 140 trees, and an estimated cost of \$250,000. Since the contract needs to be awarded prior to the next Board meeting, Ms. Eason requested Board approval for a bid at the upper limit of \$250,000. She expects 75% to be reimbursed by FEMA. She noted this estimate is only for debris removal and does not include Mr. Dillon's

time during and after the storm, engineering fees or inspection fees. Mr. Haas noted the District's share is within the budget, even if the District has to pay the entire amount. Mr. Howard made a motion to approve the upper limit of \$250,000 as requested. Mr. Meyer seconded the motion and it carried unanimously.

Mr. Jones inquired about the status of the fill permit process. Ms. Eason reported they are working on Code issues and she will provide an update at the next Board meeting.

Mr. Capko presented the attorney's report. He discussed the District's authority regarding water quality and water retention issues. He reported that subsections of Chapter 298 authorize the District to implement water quality protection and improvement, and to have water retention basins. If no increase in assessments is required, the District has this authority. However, if additional assessments are required, the District must go through a Plan of Reclamation amendment process. Mr. Powell was concerned about the District's ability and authority to assess for various projects being discussed by the Board. He would like to be assured this issue is being tracked by the attorney at all times. Mr. Haas noted that banks look at the District's ability to assess and its legal ability to put assessments on the tax roll. Mr. Capko stated there needs to be more definition to the project before amending the Plan. There needs to be a benefit and cost analysis as determined by the engineer. The Board discussed benefits and the cost of land acquisition. Mr. Matt Gitkin, landowner, inquired if this could be accomplished with a landowner-initiated project.

Ms. Eason discussed the enhanced stabilization policy. She noted a petition review fee was discussed but not approved. In order to allow landowners to obtain petitions February 1st, Ms. Eason needs to prepare the petitions; she requested approval of a petition review fee and recommended \$600 if the petition covers more than one-half mile and \$300 if less than one-half mile. She noted if the landowners do not get the required 50%, they do not have to pay a fee because the project will not proceed. Dirt road petitions will have the same requirement. Mr. Howard made a motion to approve the review fees of \$300 and \$600 as recommended. Mr. Meyer seconded the motion and it carried unanimously.

There being no further business to come before the Board at this time, Mr. Powell made a motion to adjourn. Mr. Howard seconded the motion and it carried unanimously.

ADJOURNED.