

**Minutes of the Regular Meeting
of the South Indian River Water Control District
Held on April 21, 2024**

The regular meeting of the South Indian River Water Control District was held on April 18, 2024, at 6:00 p.m. at the District Work Center, 15600 Jupiter Farms Road, Jupiter, Florida, and via Zoom video conferencing. Present in person were Supervisors Michael Howard, Tom Powell, John Jones, and Susan Kennedy. Also present in person were Dustin Fazio, interim manager of operations; Charles Haas, treasurer; Karen Brandon, engineer; Seth Behn and William Capko, attorneys; Donna DeNinno, public information; and Jane Woodard, secretary. Seven landowners were present in person and one landowner was present via Zoom video conferencing.

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

Mr. Powell made a motion to approve the consent agenda. Mr. Jones seconded the motion and it carried unanimously.

Mr. Howard opened the floor to landowner discussion. The landowners had no issues to discuss at this time.

Ms. DeNinno deferred the public information report to New Business items on the agenda.

Mr. Haas presented the treasurer's report. He reported on the negotiations for the sale of the Verizon lease. After due diligence and a site review, a letter of intent was sent to Wireless Propco on April 12th. Mr. Haas deferred the rest of his report to New Business items on the agenda.

Mr. Fazio presented the manager of operations' report. He met with the Coquina Water Control District Board of Supervisors to discuss our operations, procedures, and various projects. They toured South Indian River Water Control District and invited us to tour their District.

Mr. Fazio reported that the John Deere 6430 Boom Mower was sold for \$31,893.75. He requested that it be removed from inventory. **Mr. Meyer made a motion to remove the boom mower from inventory. Mr. Jones seconded the motion and it carried unanimously.**

Ms. Brandon presented the engineer's report. Rio-Bak is revising their bid for the Canal C project to include a third of the work originally bid on. This will now include the section of Canal C from 85th Avenue North to 79th Terrace North, and the installation of riprap on the east end. The revised proposal is expected tomorrow.

Regarding the 20th Plan of Improvements, the petitioner requested that the project be readvertised since only one bid was received. This was done and, to date, four contractors have picked up bid documents. Bids are due May 1st.

Survey work has been completed for the drainage study in Palm Beach Country Estates. The process to generate a model has begun.

Ms. Brandon reported that documents were added to the package for the asphalt overlay on Haynie Lane and the Palm Beach Country Estates “pink” roads. Mr. Behn is reviewing these before they are forwarded to the contractor for execution.

The bid due date for the storm debris removal contract has been extended to April 22nd at the request of one of the contract holders.

Mr. Behn presented the attorney’s report. He reminded the Board that the Association of Special District’s has an online course for the required ethics training. He also discussed self-reporting on the financial form.

Mr. Howard opened the discussion regarding consideration of the Executive Director candidate selected by the Committee. He noted there were excellent candidates who applied and were considered by the Committee. **Ms. Kennedy then made a motion to appoint Mr. Chad Kennedy as Executive Director. Mr. Powell seconded the motion and it carried unanimously.** Mr. Kennedy introduced himself and stated he has lived in Jupiter Farms for 26 years. His wife is a school teacher at Jupiter Farms Elementary School. His work history includes 20 years with Florida Department of Environmental Protection and 16 years with South Florida Water Management District.

Mr. Howard called for discussion of the temporary appointment of an Executive Director until Mr. Kennedy is able to start his employment. He noted that Mr. Dustin Fazio has been handling these duties since April 11th, which was Mr. Dillon’s last day. **Mr. Meyer made a motion to appoint Mr. Fazio as acting Director until Mr. Kennedy is able to take over those duties. Mr. Jones seconded the motion and it carried unanimously.**

Mr. Haas stated that Mr. Dillon’s contract includes a provision for an annual performance bonus, subject to approval by the Board. He recommended that the Board consider a \$10,000 bonus for Mr. Dillon at this time, in appreciation for his years of service to the District. **Mr. Jones made a motion authorizing a \$10,000 performance bonus for Mr. Dillon. Mr. Powell seconded the motion and it carried unanimously.** Mr. Haas also suggested entering into a consulting agreement with Mr. Dillon for an interim period of time at \$150/hour. He noted that the District should be in a position to be able to call on Mr. Dillon as needed during the transition. Mr. Behn suggested the agreement be limited to a term of one year. During the Board’s discussion, a Jupiter Farms landowner voiced his concern about hiring someone on a contract basis who just left the position. He noted that Mr. Fazio has been very capable in handling the duties of the position. Mr. Howard noted that Mr. Dillon could provide institutional knowledge of a complicated government agency and a consulting agreement would give the District access to that knowledge. It was also Mr. Howard’s opinion that this is a practical step from an operational standpoint. Mr. Haas clarified that the scope of services is miniscule, probably not amounting to more than \$2,000. After further discussion by the Board, **Ms. Kennedy made a motion to hire Mr. Dillon as a consultant for 12 months at \$150/hour, with services to be utilized at the discretion of the interim and newly hired Director. The motion was seconded and carried unanimously.**

Mr. Haas recommended that Ms. Jennifer Hammond, who is replacing Ms. Rigsby as Office Administrator, be added as an authorized signatory with Regions Bank. The Board had no objection.

Mr. Behn presented and recommended approval of a Resolution for the Board regarding securing the financial services of Synovus Bank. **Ms. Kennedy made a motion to adopt the Resolution to secure financial services from Synovus Bank, as recommended by the attorney. Mr. Powell seconded the motion and it carried unanimously.**

Ms. Brandon reported on several recent requests for a no-pave petition. She modified the standard request for paving petition, providing for a requirement of 50% plus 1, for a duration of five years. Petitioners will have to be verified and will be subject to the same petition fees as with a paving petition. Mr. Jones noted he has received five inquiries recently about petitions for no paving. He would like to see the five-year duration time be increased to ten years. The Board discussed a discrepancy in the petition fees on several documents and agreed there was a scrivener's error, as it was intended to be \$400 for ½ mile or less, and \$800 for anything over ½ mile. It was noted that changing from five to ten years will require a policy change. This will be on the Board's agenda for next month. **Ms. Kennedy made a motion to accept the no-pave petition form, as corrected. Mr. Jones seconded the motion and it carried unanimously.**

Ms. Kennedy requested that a Memorandum of Law regarding water quality issues and permits be prepared by the attorney. She was concerned about the District's responsibilities under South Florida Water Management District's permit, particularly our authority and any related regulations and laws. She pointed out that neighborhoods are aging, and this could be an issue. Mr. Powell and Mr. Meyer agreed with this request, questioning if the District's authority goes beyond swales, canals, and works of the District if something is affecting those works. Ms. Brandon noted that, as part of the South Florida Water Management District permit, South Indian River Water Control District does not have enforcement authority. In the National Pollutant Discharge Elimination System permit, there may be language that addresses this issue and she will look into it. The Board agreed to the need for a Memorandum of Law regarding water quality issues. A landowner requested that there be a differentiation between the east and west sides of the District.

Mr. Howard inquired about the process for negotiating the employment package for the new Director. Mr. Haas recommended that the Selection Committee put this together. Mr. Howard requested that it be ready for Board approval at the next meeting. Mr. Capko will draft the employment agreement prior to the next meeting and present it for Board approval at that time.

There was no further business to come before the Board at this time, a motion was made to adjourn. The motion was seconded and carried unanimously.

ADJOURNED.