

**Minutes of the Regular Meeting
of the South Indian River Water Control District
Held on October 21, 2021**

The regular meeting of the South Indian River Water Control District was held on October 21, 2021, 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 Tom Powell, John Jones, Michael Howard, John Meyer, and Susan Kennedy. Also present in person were Amy Eason, engineer; Charles Haas, treasurer; Mike Dillon, manager of operations; William Capko, attorney; Donna DeNinno, public information; and Jane Woodard, secretary. Four landowners were present in person.

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

Ratification of the election results was postponed because the Supervisor of Elections has not been able to provide the results yet.

Mr. Powell opened the floor to landowner comments. Mr. Matt Gitkin asked if the staff can look at alternate means to repairing the roads. He noted that the cost of materials is skyrocketing. He had previously distributed information on Utah's study of culvert rehabilitation to the Board and staff and discussed the issue with Mr. Dillon. Mr. Powell suggested Mr. Dillon discuss viable options with the engineer.

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

Mr. Powell opened the floor to landowner comments. There were no comments or discussion.

Ms. DeNinno presented the public information report. Work has begun on the next newsletter which will include the updated driveway culvert pricing and election results. The 2021-22 budget is now on the website. Ms. DeNinno will be attending an online accessibility and design webinar. The Policies and Procedures Committee met on October 5th; the meeting included Messrs. Meyer, Jones, Capko and Behn, Ms. Eason and three landowners. Several chapters of the manual are being revised.

Mr. Haas presented the treasurer's report. He will be updating the bank signature cards for check-signing purposes.

Mr. Powell noted that historically when the Board gets a pay increase, the Board secretary also gets an increase, and this requires Board action. After a brief discussion, Ms. Kennedy made a motion to increase Ms. Woodard's monthly salary to \$1,000. It was noted that this salary includes her position as recording secretary as well as Board secretary. Mr. Jones seconded the motion and it carried unanimously.

Mr. Meyer requested a way to streamline check signing. Mr. Haas suggested adding Ms. Rigsby, office administrator, to the process. After a brief discussion, Mr. Jones made a motion to add Ms. Rigsby as an authorized signatory. Mr. Meyer seconded the motion and it carried unanimously.

Mr. Dillon presented the manager of operations' report. He requested ratification of the purchase of an excavator. Mr. Howard made a motion to approve the purchase. Mr. Meyer seconded the motion and it

carried unanimously. Mr. Dillon stated he met with Solid Waste Authority to discuss issues regarding debris pickup. There is erosion along paved roads that are starting to be compromised. The plan is to identify the areas that are in rough shape and hold the contractor accountable for repairs. Mr. Dillon also asked Mr. Gitkin to include a request in the Jupiter Farms Residents' newsletter for landowners to contact Solid Waste Authority when they see a problem.

Ms. Eason presented the engineer's report. The agreement information regarding the Florida Department of Environmental Protection grant was submitted. The cost reimbursement grant is \$353,650, and the total approximate estimate is \$707,300. The Florida Department of Environmental Protection has a new project manager who is still processing the agreement. Staff is moving forward with preparation of the construction documents needed to construct the outfalls. Ms. Kennedy made a motion to execute the agreement. Mr. Howard seconded the motion and it carried unanimously.

The surveyor has been on site for the Canal E project. Ms. Eason confirmed they will be using existing culverts.

Ms. Eason stated she has not yet reviewed the draft of the Loxahatchee River Water Management Plan but she will keep the Board informed regarding this matter.

Mr. Capko presented the attorney's report. He discussed combining the November and December Board meetings. It was agreed to combine the meetings and schedule the next Board meeting for December 9th. Mr. Capko noted this week is the beginning of legislative meetings.

Under the heading of old business, there was discussion regarding the fill permits. Prior to the meeting, Ms. Eason had forwarded a draft to the Board for review which addresses the 10-year storm. There is a question regarding the elevation of the swales. Ms. Kennedy asked about the requirement for allowable discharge rates and quantity allowed. Ms. Eason stated 2.5 inches of volumetric discharge is allowed if a landowner discharges directly into the system. Requirements of the canal system limit volumetric discharge. Ms. Eason noted 2.5 inches is in the Plan of Reclamation. That discharge could be applied to the entire system. If that is satisfactory, an adjustment can be made on the roads. This may be something to take a look at. Ms. Kennedy and Mr. Meyer requested clarification on this issue. Mr. Meyer stated he still has questions regarding the discharge rate and storage. Mr. Powell stated all this information needs to be put in writing. Ms. Eason was asked to provide menu items that will satisfy the permit with South Florida Water Management District and see that landowners are equal as to grading. Ms. Eason noted that the District requirements must be met, in addition to the County requirements. She will rely on the permitting model and review the level of service with the Board.

A memorial for Steve Hinkle was discussed. Mr. Dillon stated the original idea was to do something in his honor at the annual Landowners' Day. However, it is uncertain that the District will be able to schedule Landowners' Day in March as planned due to the pandemic. Ms. DeNinno noted there are issues with food and food servers, sanitation, increased cost due to inflation, and the fact that many exhibitors are governmental entities that may have restrictions. Ms. Kennedy stated she recently attended an outdoor event with a large crowd of people who were not required to wear masks. There were no children's games because of physical contact and there was more space allotted between the tents. She stated Landowner's Day is a tradition and suggested just eliminating the children's events. Ms. DeNinno

noted that the biggest draw to the event is the children. She noted attendance is usually between 600 and 700 people. Mr. Meyer noted the District has a centennial coming up. He suggested a smaller event this year, not geared for children, and including a memorial for Mr. Hinkle. The funds normally spent on Landowners' Day could be spent the following year for a centennial event. Ms. Kennedy suggested a memorial be held along with the dedication of the District's new building. The Board agreed on an abbreviated Landowner's Day in March with a memorial to Mr. Hinkle.

Next, the Board discussed the paving petition for 76th Trail North. Ms. Eason stated this petition is not expected to pass. She presented the petitioner with a cost estimate; the petitioner was not happy that costs are so high. Ms. Eason is concerned about meeting the 90% threshold. Only one person on the petition indicated how they wanted the project financed. Mr. Powell stated the method of financing should have been a separate decision from the petition. However, the petitioner went through the appropriate steps and the Board has to honor the petition. Those landowners are entitled to have a referendum. However, the petitioner has the option of withdrawing the petition. Mr. Haas stated he already had a conversation with the petitioner discussing this option, but he would be willing to contact her again and request that she formally withdraw the petition in writing. He also suggested the District refund the \$300 petition fee. Ms. Eason noted that, because of Covid, this petition was not taken door to door as normally happens but was sent out to the individual landowners to complete. The Board discussed at length the issue of refunding the petition fee. Mr. Haas stated if the petition is not formally pulled, it would cost the District more than the \$300. Mr. Jones made a motion that if the petitioner withdraws the petition in writing, a refund will be given. If it is not withdrawn, the Board will go forward with a referendum. Ms. Kennedy seconded the motion. Mr. Meyer was not in favor of refunding the fee. Mr. Powell stated the petition process did not work in this case as there were too many unknowns, such as financing and materials. After further discussion, Mr. Jones withdrew his motion. The Board agreed that the information in the petition form needs to be clarified. Mr. Haas was asked to contact the petitioner again. Mr. Capko stated the Board legally has the ability to decline this petition.

Ms. Kennedy stated the Board should have a better understanding of what the level of service is in the District. There is a statutory obligation for the level of service for drainage. Mr. Powell believed this is a design criteria. Ms. Kennedy stated she would like to start identifying areas of deficiency so the Board can take action. Landowners should be educated on the expectation of drainage. Mr. Meyer agreed the Board should be clear as to the level of service. Mr. Dillon noted that in the culvert program, the landowners have a lot of questions as to their responsibility. Ms. Kennedy suggested an animation of what the system looks like. Ms. DeNinno noted the annual newsletter has this information which is continually repeated in the newsletters. Mr. Meyer stated there was a letter just recently sent to new landowners that could have included this information. Ms. Eason believed South Florida Water Management District has something the District could copy and distribute. Mr. Gitkin, landowner, noted the District does not have a presence on social media, but needs to get this type of information to its audience.

A landowner thanked Mr. Dillon and his staff for doing some culvert work.

Mr. Jones, as a member of the Policies and Procedures Committee, had three park procedures which he presented to Ms. DeNinno.

There was no further business to come before the Board at this time, and the meeting was adjourned.

ADJOURNED.