

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

The regular meeting of the South Indian River Water Control District was held on October 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 Amy Eason, engineer; Charles Haas, treasurer; William Capko, attorney; Mike Dillon, manager of operations; Janice Aponte, public information; and Jane Woodard, secretary. Thirteen landowners were also present.

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

Mr. Jones made a motion to approve the consent agenda which included approval of the monthly disbursements and minutes of the previous meeting. Mr. Howard seconded the motion and it carried unanimously.

Ms. Aponte presented the public information report.

Mr. Haas presented the treasurer's report. He requested Board consideration of a budget amendment to transfer \$220,000 from road maintenance funds to water control funds effective September 30th. He explained that on October 1st the funds will be transferred back, and noted that if FEMA had reimbursed the District for Hurricane Irma, this transaction would not be necessary. Mr. Jones made a motion to accept the treasurer's recommendation, and Mr. Howard seconded the motion. Mr. Meyer questioned how much will be reimbursed by FEMA. Mr. Haas stated the District made application for approximately \$225,00, but that money can't be counted in last year's budget unless it is received by September 29th as required by governmental accounting procedures. The net expected from FEMA is \$193,000. Mr. Dillon stated he spoke with FEMA but it is not known when the check will be sent. After a brief discussion, the motion carried unanimously.

Mr. Dillon presented the manager of operations report. According to Murray Logan Construction, the box culvert installation at 175th will start in November and be finished by Christmas. There could be a savings of \$12,000-15,000 if the box culvert at 176th is done at the same time, and he requested direction from the Board. Mr. Howard inquired if there is money in the budget for this. Mr. Haas stated there was a one-time assessment years ago for this and there is \$150,000 available. Mr. Hinkle stated it would be advantageous to do both culverts at the same time for flood control. Mr. Meyer made a motion to install both culverts at the same time. Mr. Jones seconded the motion and it carried unanimously.

Mr. Dillon reported bids were received for the new shop facility. He recommended awarding the bid to Triple Crown in the amount of \$267,000 which covers everything but permitting, engineering fees, surveying, etc. which is expected to be an additional \$25,000. Mr. Haas stated the District budgeted \$400,000, which included additional alterations to the existing work center such as expanding the conference room, a sprinkler system, and security. Mr. Jones made a motion to proceed with the contract with Triple Crown. Mr. Meyers seconded the motion and it carried unanimously.

Ms. Eason presented the engineer's report. The 19th Plan has been under construction since July. Work is currently underway on 159th, the last road in Palm Beach Country Estates. Paving will begin on 175th in November and be completed in January.

A referendum for 74th Avenue North has been prepared and is in the hands of the Supervisor of Elections.

The NRCS funding as result of Hurricane Irma last year has 18 specified areas. Ms. Eason presented before and after photos of the affected areas. The District has requested \$240,000 in funding.

Regarding the County fill permit, a draft policy regulating lot filling has been received. There is now a policy for receiving permits. Minor fill has been defined. A permit will be required for all filling activity including ponds. New construction must not adversely impact the adjacent property. SIRWCD is to disclose how much storage will be needed. Mr. Meyers discussed the need for stage storage. After a brief discussion, Ms. Eason suggested linking to the County's website for specific requirements when they are established.

Mr. Capko presented the attorney's report. No election results are available yet from the Supervisor of Elections Office. That Office has indicated a willingness to assist SIRWCD with an amendment to the Special Act if the Board desires to remove them from the District's election process. Mr. Capko also reported that, in anticipation of a lawsuit being filed regarding the election results, the District's insurance carrier has been contacted regarding defending litigation. He has requested a copy of the full policy. Based on initial information, the likelihood of a successful lawsuit against the District is minimal, but the Board would still have to deal with it. Mr. Hinkle inquired if the insurance company will work to recuperate the costs involved with the ethics complaint. Mr. Capko stated the individual supervisors will ultimately need to request reimbursement from the District. He will be reviewing the full policy regarding this issue. Mr. Capko also noted that if there is a threat of potential litigation, the insurance company does not need to be notified, only if an actual lawsuit is initiated.

Mr. Hinkle discussed the possibility of changing the location for meetings because sometimes the time limitation at the high school does not permit landowner discussions. He suggested the Jupiter Farms Pavilion may be available for a nominal fee of \$25. Mr. Meyers inquired if the expanded conference room at the work center will accommodate landowners attending the annual meeting, and Mr. Dillon confirmed it will. Mr. Howard was also concerned with having to adjourn the monthly meetings before landowners have their discussion. There was a brief discussion regarding changing the start time for the meetings. Mr. Hinkle noted the contract with the high school terminates in May, 2019, and suggested discussing this issue again at a future meeting.

Mr. Matt Gitkin, landowner, had questions regarding what assessments are on a per-parcel basis and what are on a per-acre basis. Mr. Haas agreed to provide this information to Mr. Gitkin. Mr. Gitkin also discussed the annual landowners' meeting. He suggested that the manager of operations, treasurer and engineer have copies of their reports available at the meeting, and present a more broad-based live presentation followed by questions from the audience. He noted that would allow more time for landowners to ask questions and have discussion. Mr. Powell stated that the landowners control the annual meeting and can always suspend the reading of reports at the beginning of the meeting. Mr. Gitkin also expressed concerns that a candidate for supervisor can level claims at the sitting supervisors, costing the landowners up to \$25,000. He felt this should be considered a frivolous lawsuit.

Mr. Hinkle announced that Holly Rigsby had been working for the District for the past ten years. On behalf of the Board and staff, he presented her with a plaque of recognition.

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.