

MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT HELD FEBRUARY 15, 2018

The regular meeting of the South Indian River Water Control District was held on February 15, 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. Four 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. Howard to approve the consent agenda. Mr. Jones seconded the motion and it carried unanimously.

Ms. Bender presented the public relations report. They are working on this year's Family Day preparations. The next newsletter is in production. The website has been updated.

Mr. Haas presented the treasurer's report. He introduced a guest representative from Bank United, a principal in the refunding that the District participated in last year. Mr. Haas noted there are no action items in his report.

Mr. Dillon presented the manager of operations report. He discussed the existing purchasing categories set forth in the District's current procurement policy. He noted that materials are being purchased on a daily basis for the culvert program, and he is often required to obtain bids from several vendors, even though the bidders have been consistent with their prices. Mr. Dillon requested establishing new purchasing limits of \$20,000 (Category 1), \$35,000 (Category 2) and \$65,000 (Category 3). Mr. Dillon stated he would still request bids when deemed necessary. Mr. Hinkle stated this should save time by eliminating the need to go to vendors that, by history, will not be a low bidder. It was noted that these category guidelines are supported in the statute. Mr. Jones made a motion to change the purchasing categories as recommended. Mr. Powell seconded the motion and it carried unanimously.

Mr. Dillon reported he has been sending out certified letters to landowners who have inoperable culverts, but noted a price has not been established yet for non-compliance. He suggested following the provisions in the statute which allow for assessing double the cost. An invoice for \$300 would be sent with a letter stating if the invoice is not paid within 45 days, the landowner will be assessed double that amount, i.e. \$600. He confirmed that several hangers would be placed on doors, a notice sent by regular mail, and then the certified letter would be sent to those landowners who have not responded. Mr. Meyer made a motion to adopt this policy for handling driveway culverts and swales. Mr. Jones seconded the motion and it carried unanimously. Mr. Capko stated this policy should be added to the Policies & Procedures Manual.

Ms. Eason presented the engineer's report. She discussed the 19th Plan. Documents will be prepared for obtaining bids in March. One permit is still required from the County for 175th which may take another month to obtain. There is also a utility pole for AT&T to deal with on 175th which should take three to four weeks to relocate.

Ms. Eason reported on the hurricane-related debris removal. This went to bid on January 9th and four bids were received. The contract was awarded to Edens Construction Co. in the amount of \$114,400 for removal of trees.

Ms. Eason reported on her attendance at the LRMCC meeting on January 29th. They are moving forward with RAP and the current modeling. The preliminary model of projects in the past showed reduction in pollutants.

Requests for petitions for roadway improvements have been received. Petitions have been provided to the District office so landowners can obtain signatures. Mr. Dillon commented that some of the petitioners have indicated they will not go forward if they do not obtain signatures from 90%.

Mr. Capko presented the attorney's report. He met with attorney Terry Lewis and noted special district legislation has no problematic issues. Mr. Capko discussed legislation presented that would prohibit cities and counties from enforcing requirements for removal of trees and obstructions within rights-of-way. He explained that if the county has a tree protection ordinance, the District can continue to remove trees from swales and easements if this is required in order to maintain rights-of-way and drainage.

Mr. Meyer questioned the status of the county's fill permit. Ms. Eason reported the county is telling landowners to present an engineer's plan prior to filling in their property. Work is still being done to develop a fill permit.

Mr. Dillon reported he is still looking into purchasing property in Jupiter Farms for a retention area. There is 19.45 acres of vacant land available on Randolph Siding. This area experiences flooding issues and has no structures to deal with. The wetlands issue still needs to be explored. The asking price is \$995,000 but it is believed the seller would entertain \$800,000. Ms. Eason commented this is an ideal location but the District will have to do its due diligence as to environmental, wetlands and wildlife issues. Mr. Meyer expressed the need to set a minimum threshold, and obtain an analysis of water treatment, flood protection and water quality. Ms. Eason discussed some of the benefits as related to flood protection, and also whether there is a possibility of grants. Mr. Powell expressed concerns about the District's authority to purchase land and the need for a Plan of Improvements. Mr. Powell was also concerned about the need to change the law in order to assess landowners for meeting requirements imposed by an unfunded mandate. Mr. Haas estimated the west side assessment for purchase of this land would be \$20/parcel over a 10-year period. Mr. Howard questioned the timing and cost for an analysis of the benefits received. Ms. Eason stated the flood analysis would be simple but analysis of the water quality would be more difficult. She will review this and report back to the Board with more information. The Board agreed that the staff should continue to pursue and establish parameters, analyze the costs of this project, and decide what will be beneficial district-wide as it pertains to storm control, flood protection, and water quality. Mr. Howard also questioned if this will benefit the District by providing storage during storm events. Mr. Powell noted the need to obtain a cost benefit analysis. Mr. Hinkle also saw this as an aid in fire protection in Jupiter Farms. Mr. Meyer made a motion instructing the staff to investigate these issues further, and to prepare an analysis of water quality and flood protection. Mr. Howard seconded the motion and it carried unanimously.

Mr. Matt Gitkin, landowner, asked if landowners would have the opportunity to pay up front, and Mr. Haas confirmed they would. Mr. Gitkin also inquired as to how the benefit of flood protection will be shown. Mr. Powell explained there is a requirement for a cost benefit analysis within the Plan. Mr. Capko also stated that the District has the authority, under Chapter 298, to pursue water quality and flood control projects, and an analysis to show benefits in terms of cost is required.

Mr. Gitkin then discussed the Loxahatchee River District project regarding the elementary school in Jupiter Farms. He asked if there are any engineering drawings and if LRD is planning on crossing any easements. Ms. Eason stated no preliminary plans have been received yet. Mr. Gitkin was concerned with the effect this project would have on the Jupiter Farms neighborhood plan. Mr. Hinkle stated that LRD has failed to show any environmental problem at the school. Mr. Meyer was not certain anything will be required from SIRWCD. After a brief discussion regarding this matter, Mr. Meyer suggested a meeting be scheduled with the School Board and LRD. Ms. Eason agreed to meet with the parties and report back at the next meeting.

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

ADJOURNED.