

MINUTES OF THE ANNUAL LANDOWNERS' MEETING
OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON SEPTEMBER 20, 2018

The annual landowners' meeting of the South Indian River Water Control District was held on September 20, 2018, at 7:00 p.m. at Jupiter High School, 500 N. Military Trail, Jupiter, Florida. Present were Supervisors Steve Hinkle, John Meyer, Michael Howard and John Jones. Also present were Amy Eason, engineer; Charles Haas, treasurer; William Capko, attorney; Terry Lewis, attorney; Mike Dillon, manager of operations; and Jane Woodard, secretary. Approximately 40 landowners were also present.

Attorney William Capko called the meeting to order. The Board and staff members took their seats in the audience. Mr. Capko was nominated for chairman of the meeting by Mr. Matt Gitkin. Mr. Steve Hinkle seconded the nomination and Mr. Capko was unanimously elected as chairman. Mr. Gitkin nominated Ms. Jane Woodard for secretary. Mr. Hinkle seconded the nomination and Ms. Woodard was unanimously elected as secretary.

Mr. Hinkle made a motion to accept the minutes of the 2017 annual landowners' meeting as presented. The motion was duly seconded and carried unanimously.

Mr. Capko opened the floor to nominations for supervisor. Mr. Hinkle nominated Bob Berman, Stephen Hinkle and John Meyers, the three candidates appearing on the formal ballot. Mr. Bob Berman nominated Ken Trapasso. Mr. Gitkin made a motion to close the nominations. Mr. Hinkle seconded the motion and it carried without objection. Mr. Hinkle made a

motion to close the balloting for supervisor. The motion was seconded and it carried without objection.

Mr. Gitkin made a motion that compensation for the supervisors will remain at \$50/day for a maximum of 15 days per month and the motion was seconded. Mr. Capko explained that Florida state law allows for compensation to be up to \$50/day for a maximum of 15 days/month. Landowners may also choose to give no compensation to the supervisors, or any amount up to the \$50/day. He also explained there is no requirement that it be an 8-hour day. It can be any amount of time spent during the day. Mr. Bob Berman stated that compensation at \$50/day is \$750/month for each supervisor. No other water control district in the state compensates that much. He noted that many supervisors serve with no compensation, and many are compensated at \$50/meeting. Mr. Capko noted that while a recent case heard by the Ethics Commission is confidential, it was determined that there was not enough evidence to move forward on this issue. The Commission did not speak to whether or not there needed to be an accounting by the supervisors. Mr. Berman stated he will vote against Mr. Gitkin's motion, noting that \$45,000/year is not only a lot of money but it is 1% of the total budget for the District. He also noted that South Florida Water Management's Board of Governors meets twice a month for no compensation. He encouraged the landowners to vote against Mr. Gitkin's motion. Mr. Gitkin noted that a similar motion was seconded and carried unanimously last year. He asked about the other districts surveyed by Mr. Berman. Mr. Gitkin also noted that in a complaint filed against four of the supervisors, Mr. Berman acknowledged

that he followed the same procedure when he himself was a supervisor. Mr. Haas noted there is a provision in the law that requires the board members to receive a W2 form as elected governmental officials. A landowner noted that SFWMD officials meet twice a month. They have no responsibilities whatsoever, and do not get called at home at night, etc. Supervisor responsibilities in a water control district are more extensive. Another landowner stated he was glad to have board members who are available and who put forth an effort for the landowners. A landowner questioned how much other supervisors are receiving. Mr. Capko stated there are all types of special districts in the state so it is impossible to determine an average. Attorney Terry Lewis stated that some water control districts approve compensation without setting a limit. That compensation will vary from month to month. There are approximately 100 water control districts statewide and all are different. There was no further discussion regarding Mr. Gitkin's motion for compensation, and Mr. Capko called for a vote. There was a roll call by Attorney Seth Behn. Mr. Capko stated the meeting would continue with the annual reports while the results were being tabulated.

Mr. Haas presented the annual treasurer's report. He gave a brief background of how the District operates and how assessments are determined. The District's fiscal year ends September 30th. Special assessments are levied over 12,500 acres with 11,089 assessments. There are assessments for water control and road maintenance in Jupiter Farms, Palm Beach Country Estates, Egret Landing and Jupiter Park of Commerce. His office must comply with various accounting regulations and

accountability acts, and file annual reports with the State of Florida. There are assessments for the East and West Basins for water control. Road and park maintenance assessments are separated into individual areas. Mr. Haas reported a total of \$5,486,109 in revenue. He listed expenditures which left a balance of \$3,285,417 as of Sept. 30, 2017. He also listed detailed revenues and expenditures. Mr. Haas explained he uses a cash basis type of accounting for governmental purposes. He explained carry-over funds and debt service. He noted when funds remain after a construction project, those funds have to be used for future construction. The Renewal and Replacement fund is for future expenses. Mr. Haas presented a graph of the detailed expenditure history. Three primary areas (Palm Beach Country Estates, Egret Landing and Jupiter Farms) showed a history of assessments in those areas. In answer to a landowner's question, Mr. Haas stated the number of parcels assessed for revenue is 1,555 in Palm Beach Country Estates, 670 in Egret Landing, and 30-40 in Jupiter Park of Commerce. Mr. Haas noted approximately 4,500 lots in Jupiter Farms are assessed for maintenance in the amount of \$1,798,000; water control revenue is currently \$1,300,800. In addition, there is currently \$795,000 for road maintenance. He confirmed there is no cross-funding. It was noted that the level of service has increased dramatically in terms of water control, specifically improved drainage. Ms. Susan Kennedy questioned when it was approved to impact assessments this year by \$250 as part of operations. Mr. Haas explained this was done as a cautionary approach to the water control budget possibly going over budget. This was based on estimates in the summer. Ms. Kennedy

questioned if water control was over budget last year, when was it approved and why does it have to be paid back in total, thus impacting the large landowner. Mr. Haas stated that in March he starts working on the next fiscal year and works with estimates. Another landowner asked about the savings on road maintenance. Mr. Haas explained that money used to finance other projects is being paid back. The total fund balance is approximately \$900,000. There were no other questions or comments from the landowners, and Mr. Haas concluded his report.

Ms. Eason presented the annual engineer's report. She stated the District is in compliance with all regulatory requirements that affect the works of the District and their operation. She discussed capital improvements, resource regulations, intergovernmental coordination, and operations and maintenance. Ms. Eason stated the 19th Plan of Improvements currently covers 2.3 miles at an estimated cost of \$470,000/mile. Substantial completion is expected in January, 2019. Ms. Eason presented photos of the work to date. Ms. Eason then discussed the proposed landowner-initiated roadway projects. There was one petition submitted for 0.4 miles on 74th Avenue North. She noted the Board is looking more at water control this year rather than road paving. The five- to ten-year plan is to see what improvements can be made for an increased level of service in the district as a whole. She noted the Board also approved a section-by-section analysis to see where additional storage can be added, starting with Section 7. NPDES was discussed. Ms. Eason asked that landowners report if they see anything illegal being discharged into the waterway. She briefly discussed the Waters of the

U.S. Rule (WOTUS), and will be monitoring this Rule. Ms. Eason discussed intergovernmental coordination and presented a list of entities that communicate with SIRWCD during the year. She also discussed LRPI, SFWMD Everglades Restoration Strategy and Loxahatchee River Watershed Restoration Project. The Reasonable Assurance Plan (RAP) was explained with a map and slides. Under Operation and Maintenance, Ms. Eason noted that last year's hurricane damage was minimal. Grant funding has been received from NRCE and FEMA for debris removal and bank repair along perimeter canals. Ms. Eason was also concerned with water quality monitoring. She reported rainfall has been 105" throughout the year with the average rainfall being 66.15". Ms. Eason displayed a graph of the level of service of operation and maintenance.

In answer to landowner questions regarding water quality monitoring, Ms. Eason noted that certain waterways can only have certain levels due to established nutrient criteria. Regarding septic systems, Ms. Eason stated an analysis was conducted in Martin County. The need to convert depends upon the situation. Ms. Eason also stated there is currently testing on a well in Jupiter Farms. She was aware of a USGS program approximately 15 years ago and agreed to check on that status and provide a copy of the report. Ms. Eason stated there are locations in the District where water quality is monitored on a monthly basis. Drinking water is not monitored, only the water in canals. Phosphorus and nitrogen are the most dangerous pollutants. Several landowners thanked the District for focusing more on water, monitoring water quality, and canal clearing.

Mr. Mike Dillon presented the annual Operations & Maintenance report. He reported 61" of rainfall between April and August which has impacted daily operations. Dirt roads have potholes because they became saturated, and road surfaces became destabilized. Mr. Dillon reported on the driveway culvert program, noting that 450 culverts have been installed since March, 2016. He has purchased equipment and has a crew just for these installations. He noted that every street is different with regards to drainage. Culverts are now being set at proper elevations. Mr. Dillon explained that one culvert can affect many parcels, so the benefit is not isolated. He also explained that recent heavy rains have affected the swale and canal mowing.

Mr. Dillon discussed the secondary drainage system. The outfall drainage system is a priority. He noted a concern about swales between properties, particularly in Palm Beach Country Estates. A project has been started to improve drainage, with secondary ditch reclamation. He discussed this issue, noting that some drainage outfall swales have impeded maintenance, especially in Palm Beach Country Estates. Several landowners questioned why the total water maintenance budget was increased to cover this project rather than targeting specific areas. Mr. Dillon stated the secondary swale system is a priority, and there is no large acreage that can be designated as storage. There were no other comments or questions from the landowners and Mr. Dillon concluded his report.

Mr. Capko stated there was no more time for discussion. He asked that landowners who have other issues to discuss bring them to the monthly Board meetings.

Tabulation of the votes on Mr. Gitkin's motion regarding compensation was completed, and the motion carried with 331 in favor and 84 opposed.

Mr. Hinkle made a motion to adjourn the meeting. The motion was seconded and carried.

ADJOURNED.

Recording Secretary

APPROVED: _____