

**Minutes of the Regular Meeting
of the South Indian River Water Control District
Held on November 6, 2024**

The regular meeting of the South Indian River Water Control District was held on November 6, 2024, at 9:00 a.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, and Susan Kennedy. Also present were Karen Brandon, engineer; Chad Kennedy, Executive Director; Dustin Fazio, Supervisor of Operations; Seth Behn, attorney; Donna DeNinno, public information; and Jane Woodard, secretary. Seven landowners were present in person and six landowners were present via Zoom conferencing.

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

Ms. Kennedy made a motion to approve the consent agenda which consisted only of the approval of the warrant list. Mr. Powell seconded the motion and it carried unanimously.

Mr. Howard opened the floor to landowner discussion. Mr. Kevin Baker thanked the Board for allowing Palm Beach Country Estates landowners to use the canal bank along 160th. Mr. Matt Gitkin wished Mr. John Meyer a happy birthday.

Ms. DeNinno presented the public information report. She acknowledged the staff and landowners for providing their updates and information during Hurricane Milton. Landowners were kept apprised of preparations for the storm and updates during the event. News reports were broadcast several times from Palm Beach Country Estates.

Ms. DeNinno reported that the next date for Family Day has been moved back to the third Saturday of the month and all Board members were in agreement.

Mr. Howard thanked the staff for their communications during the recent hurricane event. Mr. Meyer also acknowledged Mr. Kennedy and Mr. Fazio for their responsiveness..

Mr. Kennedy requested Board approval of J.W. Cheatham's pay applications. Ms. Brandon stated the pay applications are for \$329,624.89 and \$36,624.89. This is approximately \$20,000 less than the bid amount. She recommended approval of the two payouts. **Mr. Powell made a motion authorizing payment of the two pay applications to J.W. Cheatham. Ms. Kennedy seconded the motion, and it carried unanimously.**

Mr. Kennedy presented the Executive Director's report. Eight responses were received for vegetation management services. Mr. Kennedy recommended entering into a three-year agreement with Wetlands Management LLC. The agreement will have two one-year options to renew. Phase 1 of the agreement will bring the status back to management level at a cost of \$95,000 for year one. After that, the cost will be \$63,000/year for 60 miles of canals. **After a brief discussion by the Board, Mr. Powell made a motion to enter into the agreement with Wetlands Management. Ms. Kennedy seconded the motion and it carried unanimously.**

Mr. Kennedy discussed the District's retirement plan. Currently the plan provides 10% of the employee's annual salary. He suggested including a 2% investment match option. If an employee contributes an additional 2%, the District would provide a match up to 2%, making the total retirement 14% of their annual salary. This has been discussed with the District's treasurer with a positive response. **After a brief discussion by the Board, Mr. Powell made a motion to approve the additional 2% match in the retirement plan. Ms. Kennedy seconded the motion and it carried unanimously.**

Mr. Kennedy discussed the County's maintenance of roads in Jupiter Farms and Palm Beach Country Estates. Currently the District is compensated \$37,000/year to maintain the roads. Negotiations with the County have resulted in compensation to the District in the amount of \$75,000, with stipulations Mr. Kennedy requested Board approval of the road maintenance agreement. **After a brief discussion by the Board, Ms. Kennedy made a motion to approve the road maintenance agreement with the County. Mr. Meyer seconded the motion and it carried unanimously.**

Mr. Kennedy then reported that one week prior to Hurricane Milton, the District received 12" of rainfall. As part of the hurricane preparations, he and Mr. Fazio inspected Egret Landing's stormwater flow which flows west under I-95 and then north into the estuary. Water was coming into Egret Landing, so plywood was used to temporarily block the weir structure in order to prevent this. The situation was discussed with the engineer and Florida Department of Transportation. An internal investigation and inspection are being conducted. Ms. Brandon suggested the possibility of a physical blockage.

The Solid Waste Authority has asked to speak to the District regarding vegetation cleanup. They have subcontractors who need to fill in holes in the roads, but the landowners need to provide proof that the damage was caused by Solid Waste Authority. The Board discussed this Solid Waste Authority policy and Ms. Kennedy suggested our attorney should contact them as landowners are being unfairly damaged. Mr. Berman, landowner, noted there is also a problem in Palm Beach Country Estates with damage being done to the sidewalks. After further discussion, the Board agreed to send a letter to the SWA Board outlining the issues and asking for verification of their current policy which is having an economic impact on the landowners. Mr. Kennedy and Mr. Behn were instructed to prepare a letter for Board approval.

Mr. Kennedy reported on a meeting with Natural Resources Conservation Service to discuss debris in the canals and bank erosion in Jupiter Farms and Egret Landing. He requested Board approval to enter into a cost-sharing agreement for debris removal in Jupiter Farms, and canal bank re-contouring due to heavy storms. Natural Resources Conservation Service would contribute 75% and South Indian River Water Control District 25% to do the work. Existing contractors would be used for vegetation removal. The work has to be completed within 220 days from the event. After Board discussion of this matter, **Ms. Kennedy made a motion authorizing the Executive Director to enter into a cost-sharing agreement with Natural Resources Conservation Service. Mr. Powell seconded the motion.** It was noted this work would be primarily bank stabilization. Mr. Kennedy noted there is mainly some erosion and trees in the canal. Heavy equipment will be needed to re-contour the canal and remove woody obstructions. He also noted that income from the cell tower transaction could be the source of the District's funding. He has had discussions with the treasurer who confirmed funds are available to minimize the impact to the budget. **The motion carried unanimously.**

Mr. Kennedy noted he is trying to move to diesel fuel for the trucks. There is a vehicle that is over 10 years old with service issues and he would like to replace it with a 3/4-ton diesel truck with four-wheel drive under a three-year lease. It will be less than \$20,000 for the three years.

Mr. Fazio presented the Supervisor of Operations report. He coordinated with the Town of Jupiter prior to the arrival of Hurricane Milton. Egret Landing lake levels were brought down by discharging into Jupiter's recharge canal. Jupiter Farms was able to backflow and bring its water level down. He thanked several employees from Belle Glade who had to evacuate their homes but still came to work. Mr. Fazio stated all roads will be graded before the end of next week. Work is still being done to remove debris. He reported that the situation at Canal E south of 150th in Palm Beach Country Estates was too close for comfort. The pump on the eastern side ran for about three to four days and the water dropped down a few feet.

Ms. Brandon presented the engineer's report. Seven paving petitions in Palm Beach Country Estates have been verified. She requested approval to proceed with mailing ballots. Preliminary cost estimates have been prepared. Financing ranges between \$3,500 and \$6,500 per lot, with one assessment possibly being even higher. **Mr. Powell made a motion authorizing the engineer to proceed with mailing the ballots for the paving petitions. Mr. Meyer seconded the motion and discussion followed.** Ms. Brandon noted that the back of the petitions state the typical cost for asphalt is \$1,800 per parcel. This needs to be updated as well as in the Policies & Procedures Manual. Mr. Howard: suggested just removing the estimate from the Manual. Mr. Berman, landowner, noted that in the past, landowners want to have information in case they do not want financing. Mr. Howard noted that financing for smaller projects does not allow for early payoff. Mr. Tim Whelan, landowner on 86th Way North, asked why the cost estimate range is so wide. Ms. Brandon stated it depends on whether financing is for 10 or 15 years. The fewer roads involved, the more likely the term will be shorter. Mr. Howard stated that as much information as possible will be provided to the landowners, but there won't be a lender until the scope of the project is known. The District will attempt to obtain longer terms. **The motion carried unanimously.**

The hydraulic model in the Palm Beach Country Estates modeling project is undergoing a quality control review and calibration, using more recent rainfalls. All surveys are completed.

Ms. Brandon reported on the Busch Wildlife project. The staff reviewed the elevations on the wetlands. A team call with their engineer was held and options were presented to put in a spreader swale on their property that would overflow into our system. They are looking into that and their engineer will follow up.

Water quality data through September was reviewed. E.coli levels were high at Commerce Park. A survey was performed for fencing the area. Mr. Fazio also worked on vegetation at the area of the fencing. Mr. Howard inquired about levels at SW9. Ms. Brandon will get back to him with that information. Mr. Meyer inquired if the sucralose numbers are significant. Ms. Brandon noted a study was done and some samples were from a natural pristine area and communities with septic tanks and/or lakes. The levels are consistent with communities on septic tanks.

Mr. Behn presented the attorney's report. He noted that the election results should be available very soon.

Mr. Behn reported that the District has the responsibility of putting down its goals and objectives for the state and filing a report. He drafted an initial report for the Board to approve which outlines the maintenance of the stormwater management system, flood protections, road improvements and maintaining public awareness. **Mr. Powell made a motion to ratify the goals and objectives set forth in the report. Ms. Kennedy seconded the motion and it carried unanimously.**

Discussing new business, Mr. Meyer brought up the use of proxies. He noted that this year proxies were used at the annual meeting and there were issues. He would like to see a change in policy making it clear what forms are to be used. There are currently two forms, one for election of supervisor and another for supervisor compensation. There is also a need to address how proxies are validated. Ms. Kennedy noted that this year at least 30 landowners were disenfranchised because of a death. Mr. Behn stated that Chapter 298 provides that proxies are permissible and must comply with the corporate proxy section of the statute. The requirements are limited as to what to do. They are good for 11 months unless they specify limitations. They are also assignable, if it says assignable, to a third party. The District sends ballots so there is no reason not to attach a proxy form. It can also be put on the website. Proxies can be provided ahead of time and then held until that night. It was noted that at the last annual meeting, the forms had to be filled in with the number of acres and checked against a master list. A proxy holder can agree to provide a spreadsheet along with the proxies. Mr. Behn clarified all voting must be in person or by proxy. The attorney was instructed to prepare appropriate proxies for Board review.

Ms. Kennedy inquired about the process for filling the vacant Board seat. Mr. Behn stated the Board can appoint someone or wait until the next landowner's meeting. The Board can request candidates, appoint, or advertise; it's up to the Board to decide. Mr. Powell suggested waiting until the results of this election are known. A notice can be posted on the website that a seat is vacant. It was noted that it will have to be an east side resident filling Mr. Jones' seat.

There was no further business to come before the Board at this time. Mr. Powell made a motion to adjourn. Mr. Meyer seconded the motion and the meeting was adjourned..

ADJOURNED.