

**Minutes of the Regular Meeting
of the South Indian River Water Control District
Held on December 5, 2024**

The regular meeting of the South Indian River Water Control District was held on December 5, 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, John Meyer and Susan Kennedy. Also present were Karen Brandon, engineer; Charles Haas, treasurer; Seth Behn, attorney; Donna DeNinno, public information; and Jane Woodard, secretary. Chad Kennedy, Executive Director, and Dustin Fazio, Supervisor of Operations, were present via Zoom video conferencing. Ten landowners were present in person and seven landowners were present via Zoom video conferencing.

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

Mr. Behn presented the certification of election results received from the Palm Beach County Supervisor of Elections which named Susan Kennedy and John Meyer as the elected candidates for supervisor. **Mr. Powell made a motion to ratify the election results. Ms. Kennedy seconded the motion and it carried unanimously.** Mr. Meyer and Ms. Kennedy were then sworn into office.

The Board then addressed the need to fill Mr. Jones' seat on the Board. Mr. Powell stated that Mr. Bob Berman was the recent east side resident who received the majority of the votes, and he has been a Board supervisor in the past. **Mr. Powell nominated Mr. Berman to fill the vacancy on the Board.** Ms. Kennedy asked to hear from both candidates who submitted applications for the seat. Mr. Berman stated he has been a landowner since 1980. He served on this Board for several years and on the Board of another water control district for 20 years. He is very knowledgeable about the history of Palm Beach Country Estates. He noted he would like to fill the current vacancy on the Board that will expire in September of 2025, at which time he expects another candidate from Palm Beach Country Estates may show an interest in being on the Board and be successful in the election. The second candidate, Ms. Elizabeth McElroy, stated she is familiar with the issues in the community. She is retired from South Florida Water Management District and knows about water resources and water quality. She stated she knows the challenges and can share what she has learned. Ms. McElroy has been a resident of the District for 30 years. Mr. Howard stated he asked Ms. McElroy to apply for the position. He believes she is experienced and can serve the landowners by modernizing issues with planning for emergencies, safety and security, as well as modernizing drainage, water quality issues and flood protection. **Ms. Kennedy then nominated Ms. McElroy to fill the vacant seat on the Board. Mr. Meyer noted that the Board is replacing Mr. Jones who was elected by the landowners, and he believes that person should have the same perspective of the District as Mr. Jones. There was no other discussion and Mr. Behn pointed out that the Board needs to act on the first motion made by Mr. Powell. There was no second to that motion. Mr. Meyer then seconded Ms. Kennedy's nomination which carried with Mr. Powell opposed.** Mr. Howard thanked Mr. Berman for his ideas and involvement. Ms. McElroy was then sworn into office.

Mr. Howard called for the election of officers. **Mr. Powell made a motion to continue with the same officers. Ms. Kennedy seconded the motion and it carried unanimously.** Mr. Howard then called for committee appointments. Currently Mr. Powell is on the Budget Committee, Ms. Kennedy is on the

Communications Committee, and Mr. Howard and Mr. Meyer are on the Policies and Procedures Committee. **Mr. Powell made a motion to continue with the same committee appointments, adding Ms. McElroy to the Budget Committee replacing Mr. Jones. Mr. Meyer seconded the motion and it carried unanimously.** The Board determined there was no need for the Parks, Recreation and Water Committee at this time.

Mr. Meyer made a motion to approve the consent agenda. Ms. Kennedy seconded the motion and it carried unanimously.

Mr. Howard opened the floor to landowner discussion. Mr. Tom Dinsmore discussed a problem in Palm Beach Country Estates that affects everyone there. The fire station is more than five miles away and it recently took 12 minutes for them to arrive for a house fire. The Town of Jupiter has purchased the station on Military Trail that services Palm Beach Country Estates. Mr. Dinsmore noted that if the station is within five miles of Palm Beach Country Estates, more insurance companies will write homeowner policies. Residents cannot get bank loans without fire protection. If the park could be converted to have a fire station, everyone in Palm Beach Country Estates could be serviced. Mr. Berman has agreed to take the land back and sell it to the County for conversion to a fire station. The park could be moved to another area. There is some urgency because the County is currently looking to buy land for a station. Ms. Kennedy stated if the District is approached by the County Fire Rescue, the Board would be agreeable to a discussion. Mr. Dinsmore will have the fire chief contact the District. Mr. Howard noted this has always been a problem with no solution and it should be looked into. Mr. Berman clarified that if the landowners vote to do away with the park, there are provisions in the agreement that if the land is no longer used as park, it reverts to Mr. Berman. He stated he would entertain selling it to the County to be used as a fire station. However, Mr. Berman did not believe the majority of residents are in favor of having a fire station there, and Fire Rescue has stated this is not the most ideal location. He also noted this is not a decision for the Board, but it is up to the landowners in Palm Beach Country Estates.

Mr. Berman asked the Board to address the issue of supervisor compensation at the next meeting. In addition to what the landowners vote on, there needs to be some substantiation of what work is performed. Mr. Berman stated he would also like to be involved with budget planning for next year. He believes that over the last few years, there has been a sense of “bloated bureaucracy”. Also, the policy of requiring 90% approval for land paving was erroneously developed as being the same policy as the County’s. He believes this policy is contrary to legislation and would like to see it revisited. Also, since 2010, Board representation east of the C-14 has not been determined by a majority of residents in Palm Beach Country Estates. Mr. Berman would like to have this issue addressed.

Ms. DeNinno presented the public information report. She stated the Tom Jackson Band will again be available for Family Day. Also, Ms. DeNinno assisted Mr. Kennedy in the job search for a mechanic/shop manager.

Mr. Haas presented the treasurer’s report. He is receiving assessments as expected from the Tax Collector’s office. There was nothing to report that required Board action at this time.

Mr. Kennedy presented the Executive Director’s report via Zoom. He reported on the impact of Solid Waste Authority’s clamshells leaving holes on the side of the road. Photos have been taken of locations in Palm Beach Country Estates. The map of these 130-140 locations quantifies the impact to the District

by Solid Waste Authority. Jupiter Farms has not been documented yet. Mr. Kennedy will move forward when all information and evidence has been gathered, along with cost estimates to re-sod.

Regarding vegetation management in the canals, the new contractor has worked on several canals on the Jupiter Farms side. All is going well with the treatment.

Mr. Kennedy reported on the Natural Resources Conservation Service application for financial support after the hurricane. He is waiting to see to what extent they will support the District.

Mr. Kennedy stated that a package is being put together to submit to the County regarding an agreement for road maintenance for county roads and swales that provides for an increased payment to South Indian River Water Control District from the current \$39,000 to \$75,000 annually. He noted this does not include maintenance on paved roads.

Mr. Fazio presented the Supervisor of Operations report via Zoom. He noted the U.S. Department of Agriculture contacted the District inquiring about air potatoes on the canals. This is an invasive vine that has been found in the District. Subsequently, a colony of air potato beetles has been released at one site as a biological control at no cost to the District.

Mr. Fazio reported that 1500 driveway culverts have been placed since the beginning of the program in 2016.

Regarding Rocky Pines, work is being coordinated with the contractor who had to double patch some parts. The work is expected to be finished on Monday.

Mr. Fazio reported that materials are ready for the work in the Jupiter Park of Commerce. He will provide an updated report at the next meeting.

The identification of damage to the road easements said to have been caused by the Solid Waste Authority in Palm Beach Country Estates has been completed. The Jupiter Farms area is now being addressed and all locations will be mapped by the engineer.

Ms. Brandon presented the engineer's report. Revisions to clarify the language in the road paving petitions have been made and were presented to the Board for review and approval. Mr. Howard noted that the cost per mile will change significantly from time to time. He also noted that Open-Graded Emulsified Mix prices recently have been comparable to asphalt. Mr. Powell noted that lesser options, below County standards, are available and should be considered. Mr. Kennedy stated it is difficult to get contractors to provide that standard. He is aware of only two vendors, including North Florida Emulsions, who provide that type of material (which is typically used in northern climates), and they are both out-of-state companies. He stated the District needs to use materials that can be provided by more vendors, so prices are more competitive. Mr. Powell stated that asphalt has always been to county standards, and he questioned if it could be used to a lesser standard if the County is not expected to take over the road. Ms. Kennedy stated that Florida law provides that roads must be constructed at a standard so the contractors are not liable. The District would need to obtain insurance if the road is built to a lesser standard. Mr. Meyer stated Open-Graded Emulsified Mix lacks quality. It needs an asphalt overlay after five years. After further discussion by the Board, **Ms. Kennedy made a motion to adopt the changes to the paving petition as discussed. Mr. Meyer noted that since the petition form will be placed in the**

Policies & Procedures Manual, it should not contain prices that are subject to constant change. However, the form placed on the website may contain prices that can be updated yearly. Ms. Kennedy revised her motion to state that the petition form for the Manual will not include any cost numbers. Mr. Powell seconded the motion and it carried unanimously.

Ms. Brandon discussed changes in the road paving ballot notice. She added additional information clarifying bid pricing, current interest rates, adding additional roads to be combined into a single Plan of Improvements, and estimates that are subject to change. After a brief discussion, the Board agreed with the changes presented.

Regarding the Palm Beach Country Estates modeling plan, Ms. Brandon is still waiting for stage data from the Town of Jupiter so she can complete calibrations.

Ms. Brandon reported that the Busch Wildlife Sanctuary engineer will follow up with South Florida Water Management District regarding the spreader swale option.

The water quality update showed E.coli was still high at SW-10 in October, but not as high as previously. This is where the dog park is located in the Jupiter Commerce Park. There was no sample collected here in November due to lack of rainfall and no discharge. November readings for E.coli at SW-5 were higher.

Mr. Behn presented the attorney's report, reminding the Board of the required four hours of ethics training annually.

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

ADJOURNED.