

MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON OCTOBER 16, 2014

The regular meeting of the South Indian River Water Control District was held on October 16, 2014, at 7:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Michael Danchuk, Tom Rice, Thomas Powell, Michael Ryan and Stephen Hinkle. Also present were Amy Eason, engineer; Charles Haas, treasurer; William Capko, attorney; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Three landowners were also present.

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

The election results for Supervisor were announced: Rick Lee 324, John Meyer 612, and Thomas Powell 810 (Certification from Supervisor of Elections attached). Mr. Powell was sworn into office by Attorney Capko. Mr. Powell made a motion to retain the same officers for the upcoming year. Mr. Rice seconded the motion and it carried unanimously.

Mr. Danchuk called for approval of the August and September minutes. Mr. Hinkle requested that his entire comment regarding the RV Park be included in the August minutes. Mr. Rice made a motion to add Mr. Hinkle's typed comments as an attachment to the August minutes, making them part of the official record. Mr. Powell seconded the motion and it carried unanimously.

Mr. Ryan made a motion to approve the September minutes as presented. Mr. Powell seconded the motion and it carried unanimously.

Ms. DeNinno presented the public information report. News releases and notices were sent out to the local media. The website was updated. The District's logo has been redesigned and new shirts will be ordered for the Board and staff. A new website is being prepared which will include animation, a landowner photo gallery, multiple links, budget information, etc. This should be ready in about one month.

Mr. Haas presented the treasurer's report. He discussed the School Board's exemption from SIRWCD assessments. However, since they receive services and benefits from SIRWCD, a contract with the District was entered into initially in 1995. The contract calls for SIRWCD to bill the School Board and charge them a service fee based upon the adopted budget assessment rate for one parcel or one acre. This year the School Board has requested a discount since they are paying in October. Mr. Haas explained that it is not an assessment but a service fee and he did not recommend that the Board give them a discount. The Board agreed this is a contract fee, not subject to a discount. Mr. Rice made a motion to continue handling this as a contract fee. Mr. Powell seconded the motion and it carried unanimously.

Mr. Dillon presented the manager of operations report. He requested that the 16-year-old Rhino mower be declared as surplus. Mr. Hinkle made a motion declaring this as surplus. Mr. Ryan seconded the motion and it carried unanimously. Mr. Dillon commented that the mower does have some monetary value and will be sold.

Ms. Eason presented the engineer's report. She presented slides of the Canal #1 and #2 stabilization project which has been completed at a total cost below estimate at \$63,200. A problem north of this site was also addressed with riprap; the Change Order was \$52,600. Ms. Eason also presented slides of the Alexander Run-Canal #7 project which was completed for \$55,460, also under the estimate. Mr. Hinkle commented that Jupiter Farms residents have made positive comments about these improvements.

Ms. Eason reported on the 128th Trail North drainage improvement project which includes installing swales on both sides of the road and clearing existing drainage easements. An application was submitted to LRPI in August requesting \$58,000, with SIRWCD contributing an additional \$84,500. SIRWCD ranked 7th out of 13 projects submitted. Mr. Hinkle questioned if there is going to be a drainage canal placed on the east border. Ms. Eason

stated there is an existing 50' drainage easement in that location but funding for this was not included in the grant request.

Ms. Eason then presented an update on the Hatcher project. The County installed two 42" pipes and a metal weir with operable gates on wheels that can be opened by SIRWCD. She noted that the elevation is slightly higher than what was originally permitted, and is working with the County to be sure there is no adverse effect on the District.

Ms. Eason reported on the proposed Plan of Improvements which includes one-half mile of OGEM and 7.6 miles of asphalt. Two additional petitions have just been received for 64th Way and 149th Place, each with more than 50% support. These petitions still need to be verified before adding them to the project. She does not anticipate proceeding with the OGEM paving petition. The estimated cost for the asphalt is \$2,926,000. The referendum should be ready for mailing in January.

Regarding the "no roadway" petitions, Ms. Eason reported four have been received and only one of them met the over-50% requirement. She is concerned that petitions are being received with duplicate signatures from landowners who are asking for both paving and no paving. Those landowners are being asked to submit their intention in writing to the District office. Mr. Powell commented that the petitions are only for the purpose of showing sufficient interest in proceeding with a referendum; nothing is decided by the petitions.

Mr. Hinkle commented that the referendums are slanted toward paving. A referendum will pass based on the majority of the votes, not the majority of the actual number of landowners. Mr. Danchuk commented that the majority of the votes could also be against a project so the "slant" can work either way. Mr. Hinkle was concerned that landowners are throwing away their ballots and not voting. He wants to have votes from 51% of the actual landowners before a decision is made to proceed with a project. Mr. Ryan was concerned that absentee owners are not voting, making it easier for residents to pass a paving project. He was also concerned that when a landowner is on a side road that is already paved, he will not be assessed for the next road. He also suggested that only those landowners voting should pay for the project.

Mr. Powell noted that in the 1980s, landowners wanted paved roads so a Bill was drafted giving SIRWCD the authority to pave roads. Landowners were then concerned that the Board had too much power, so a referendum requirement was established. Later a petition was required as a safeguard for the referendums. It was Mr. Powell's belief that if those requirements had not been established, the Board could have made better decisions regarding paving under an engineering plan, and less paving would have been done. It was his opinion that it is now out of control because the Board does not have the authority to make decisions; it is all decided by the landowners. Mr. Capko commented that landowners have called the District office saying they signed a petition because they felt obligated, but this was not their true intent. Mr. Rice noted those landowners should submit a written statement of their intent.

Mr. Danchuk called for Board action regarding establishing a 51% requirement from the actual landowners, and action regarding the "no paving" petition for 88th Trail from over 50% of the landowners. Mr. Hinkle made a motion that more than 50% of the actual landowners affected must vote in favor of a project for a referendum to pass. Mr. Ryan seconded the motion. A landowner commented that all landowners on a street need to indicate one way or the other. Mr. Powell commented that all the landowners have the right to vote one way or the other, and they also have the right to not vote. Mr. Rice commented that this is a rule change affecting the entire District and the Board should conduct a mailing explaining the change and requesting their opinion. Mr. Danchuk called for a vote on Mr. Hinkle's motion. Messrs. Hinkle and Ryan voted in favor; Messrs. Rice, Powell and Danchuk voted against and the motion failed. Mr. Hinkle commented that, in his opinion, the Board members voting against his motion are doing a disservice to the community.

Mr. Hinkle requested that all future referendums should be put on hold until the landowners voice their opinion on the proposed rule change. It was Mr. Danchuk's opinion that the paving projects already in progress should continue to referendum, and the majority of the Board agreed. There was further lengthy discussion by the Board.

Mr. Capko was directed to prepare a mailing to the landowners which will be presented for Board review/approval at the next meeting. Mr. Hinkle then made a motion to remove 88th Trail from the referendum, based on the “no road paving” petition received from more than 50% of the landowners. Mr. Ryan seconded the motion and it carried unanimously. In further discussion by the Board, Mr. Hinkle was concerned with referendums that “force” landowners to pave their road. Mr. Powell noted that Chapter 298 requires that the benefited area must be established by the engineer. However, the petitions are defining the benefited area, not an engineering analysis. Mr. Danchuk noted that the Board still has the authority to deny proceeding with a paving project. Ms. Eason will bring an analysis of petitions and parcels to the next meeting.

Mr. Ryan noted that the petition for paving 71st crosses a canal right-of-way. The canal right-of-way is technically privately owned and he questioned if the landowner should be assessed since they were not assessed with the paving of 79th. Ms. Eason believed this landowner was previously assessed and agreed to review this issue. Mr. Powell noted that the landowners’ response to the rule change may be significantly different on the west side than on the east side.

Ms. Eason reported on the Motor Coach Resort issue. The forced main and water main permit application has been withdrawn, but the petitioner is still asking for the drainage connection. The plan is for an 18” pipe across Indiantown Road into Canal #1 that provides for 1 c.f.s. into the District’s system. When the details have been reviewed, a drainage permit can be issued. Mr. Hinkle commented that the Board should submit another letter to Loxahatchee River District stating that the sewage main needs to go on the north side of Indiantown Road and not underneath the sidewalk on the south side. He is concerned that putting it on the south side could lead to them extending sewer service into Jupiter Farms which is a rural tier designed for no water or sewer connection. He questioned why the Board does not stand up for the Jupiter Farms landowners. Mr. Danchuk commented that at the meeting with LRD they did agree to what SIRWCD wanted. It is now up to the petitioner. Mr. Danchuk stated he did not have a problem suggesting the north side to them and saying this is where we think it should be, but with the understanding that we have no authority to make them do what they don’t want to do. Mr. Hinkle made a motion that SIRWCD write a letter to the Loxahatchee River District stating we prefer the sewage main be on the north side of Indiantown Road to service only the RV Park. Mr. Ryan seconded the motion. Mr. Rice suggested a petition from the opposing landowners would be more effective than a letter. The vote was called for on Mr. Hinkle’s motion and it carried unanimously.

Mr. Dillon reported there are other canal crossings in the District which would benefit from LRPI grant funds, specifically the west side of Randolph Siding at Canal #8, a walkover pedestrian bridge at Canal C and 85th, Canal #6, Canal #13, Canal #16 and the west perimeter canal. Requests must be submitted by February. Mr. Dillon will prepare a proposal that documents the needs and benefits, complete with exhibits.

A landowner questioned why the petitions for “no paving” require more than 50% but the petitions for paving require only 50%. Mr. Danchuk stated if a petition has more than 50% support, the Board can decide if it should proceed to a referendum.

Mr. Kevin Baker, landowner, questioned when access to the park will be unavailable. Ms. Eason stated the contractor is getting prepared to submit for a building permit. Mr. Baker stated the “Trunk-or-Treat” event will be held in PBCE on the canal bank on 160th and requested mowing of the area. Mr. Ryan announced there is a fundraiser going on for Twisty Pines and asked if the Board would be a sponsor. Messrs. Hinkle and Rice made individual contributions.

There being no further business to come before the Board at this time, the meeting was adjourned.

ADJOURNED.

MINUTES OF THE REGULAR MEETING
OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON NOVEMBER 20, 2014

The regular meeting of the South Indian River Water Control District was held on November 20, 2014, at 7:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Michael Danchuk, Tom Rice, Michael Ryan and Stephen Hinkle. Also present were Amy Eason, engineer; Charles Haas, treasurer; William Capko, attorney; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Several landowners were also present.

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

Mr. Danchuk called for approval of the October 16th minutes. Mr. Hinkle noted corrections regarding the specific canal crossings that would benefit from LRPI grant funds. Mr. Rice made a motion to approve the minutes as corrected. The motion was seconded and it carried unanimously. Mr. Danchuk called for approval of the monthly disbursements. Mr. Rice made a motion to approve the disbursements. The motion was seconded and it carried unanimously.

Ms. DeNinno presented the public information report. She distributed the new polo shirts for the Board and staff. She reported that news releases and notices were sent out to the local media. The website has been updated, and its redesign is almost ready. It was reported that the next Landowners Family Day is set for March 14th. Information will be sent out to exhibitors and added to the website. Ms. DeNinno reported she is working with the engineer and attorney on the landowner poll concerning the current policy for landowner-initiated capital improvements. Cost estimates for the printing and mailing range from \$3,500 to \$4,500. The Board discussed several options for distributing the poll, including online, a separate mailing, inclusion in the District's newsletter, and inclusion in the *Jupiter Farmer*. Mr. Kevin Baker, landowner, commented that there are landowners who will consider this expenditure a waste of money. The Board discussed the content of the letter which will be prepared and distributed to the Board for final approval. After further discussion, the Board agreed to prepare a separate first class mailing labeled official District business, customized with the PCN and including a return unstamped envelope.

Mr. Haas presented the treasurer's report. In the process of closing the books on last year's activity and reviewing the budget, he noted there should be some budget amendments. He recommended four amendments which are outlined in a separate memo attached to these minutes. Mr. Haas confirmed that there is no additional tax consequence. Mr. Hinkle made a motion to accept the budget amendments as presented. The motion was seconded and it carried unanimously.

Mr. Dillon presented the manager of operations report. He requested that the New Holland tractor and rotary mower be declared as surplus. Mr. Hinkle made a motion declaring this as surplus. The motion was seconded and it carried unanimously. Mr. Dillon reported that there are grant funds available for the District's canal crossings as previously discussed, but these funds are not available until 2018. He noted there are funds currently available in the west side budget for two projects, and he will obtain bids to present to the Board for consideration.

Ms. Eason presented the engineer's report. She has received additional petitions for roadway improvements in Palm Beach Country Estates, now totaling 8.2 miles of asphalt. The estimate is \$385,000/mile. Additional petitions have also been received for "remaining as dirt roads" for a total of eight such petitions. Only one meets the discussed "over 50%" which is 88th Trail North between 155th Place North and 159th Court North. She discussed discrepancies in the petitions, noting that some landowners signed both types of petitions, some petitions were not signed by the actual landowner and some petitions were signed by a corporation with no proof of authority. Mr. Hinkle made a motion that 154th Court be removed from the referendum. Mr. Ryan stated he would like to see all five roads removed. After a lengthy discussion by the Board and engineer, Mr. Hinkle amended his motion to include all five roads be removed from the referendum. Mr. Danchuk asked Mr. Hinkle to consider amending his motion further to take 85th Avenue out of it and discuss this road separately. Mr. Ryan was very concerned that

some of the streets included in the referendum were a result of parasitical attachment, and not part of an original petition from landowners. Mr. Rice asked the Board to table this discussion until the petition discrepancies can be resolved. Mr. Capko noted that the petitions only represent the intent of the landowners; the Board should take the evidence provided, i.e. the petitions, and make a decision as to whether or not to proceed with a referendum. Mr. Danchuk was concerned with denying landowners on 85th the right to vote in a referendum. Mr. Hinkle agreed to amend his motion to take out 85th Avenue. He clarified that his motion now includes two sections of 76th Trail North, 85th Way and 154th. Mr. Rice seconded the motion and it carried with three in favor and Mr. Ryan opposed. Mr. Hinkle then made a motion to remove 85th Avenue North between Canal C and Canal D from the referendum because of petition discrepancies. Mr. Ryan seconded the motion, stating that these four lots were not included in the original petition but were added by the engineer. There was further discussion by the Board and staff. Mr. Danchuk called for a vote on the motion, which passed 3:1 with Mr. Danchuk voting against it.

Mr. Hinkle then discussed paving petitions for 64th, 67th, 68th and 149th Place in Palm Beach Country Estates. This leaves one road with eight parcels that are on a dirt road. Only six of those eight would be required to pay for paving. It was his opinion that those six landowners should be notified that if they joined the referendum to pave now it would be less expensive. Messrs. Danchuk and Rice expressed their concern that any notice should be very clear that paving is not being recommended by the Board. Mr. Rice suggested that the HOA give this information to the landowners rather than the Board. Mr. Capko commented that any letter to these landowners should clearly state that the Board is not recommending anything but is only making them aware of the situation. Mr. Hinkle made a motion to notify the residents on 66th that there is a major paving project which could include their street if they so desired. Mr. Rice seconded the motion and it carried with three in favor and Mr. Ryan opposed. The staff was instructed to prepare the notice for Board approval. Mr. Hinkle then discussed paving for 71st Drive North between 155th Place North and 160th Street North, which he believes should end at 159th Court North. After further discussion by the Board, Mr. Hinkle made a motion that the section between 159th and 160th be removed from the referendum. The motion was seconded and carried unanimously. Mr. Ryan noted that there is a canal right-of-way that is privately owned there, and questioned if it would ever be included in a referendum or be assessed. Ms. Eason noted that the right-of-way is on an unbuildable lot so it would not be assessed.

Mr. Capko reported that there will likely be a number of Special District-related bills filed during this session of the legislature, which he will bring to the Board's attention.

Mr. Hinkle requested a uniform petition for maintaining a dirt road which the staff will prepare for Board approval. He also requested an updated map of roadways in the District that will be available for the public.

There being no further business to come before the Board at this time, the meeting was adjourned.
ADJOURNED.

**MINUTES OF THE REGULAR MEETING
OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON JANUARY 15, 2015**

The regular meeting of the South Indian River Water Control District was held on January 15, 2015, at 7:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Michael Danchuk, Tom Rice, Tom Powell, Michael Ryan and Stephen Hinkle. Also present were Amy Eason, engineer; Charles Haas, treasurer; William Capko, attorney; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Three landowners were also present.

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

Mr. Danchuk called for approval of the November 20th minutes. Mr. Hinkle requested that the references to petitions for "no roadway improvements" be changed to petitions for "remaining as dirt roads." He also noted corrections in the roads listed to be removed from the referendum. Mr. Ryan requested that his opposing votes on two motions be reflected in the minutes. Mr. Hinkle made a motion to approve the minutes as corrected. Mr. Ryan seconded the motion and it carried unanimously.

Mr. Danchuk called for approval of the monthly disbursements. Mr. Hinkle made a motion to approve the disbursements. Mr. Rice seconded the motion and it carried unanimously.

Ms. DeNinno presented the public information report. She reported that the appropriate news releases and notices were sent out. The website has been updated and the new website should be uploaded on February 1st. Ms. DeNinno discussed preparation of the landowner poll which will be mailed via first class mail and will also be available on the website. It will be requested that the *Jupiter Farmer* include it in their publication. The poll responses are due back on February 16th. Preparations continue for Landowners Family Day scheduled for March 14th. The annual newsletter has been sent out and work has begun on the next newsletter. Mr. Hinkle commented that landowners want references made to "dirt roads" rather than "no roadway improvements." Ms. DeNinno acknowledged this request.

Mr. Haas presented the treasurer's report. He noted there is a major debt payment due February 1st, but he has not yet received invoices on the four notes that have interest due on that date. He requested Board approval of payment on the four notes prior to February 1st. Mr. Rice made a motion approving payment on the notes. Mr. Hinkle seconded the motion and it carried unanimously.

Mr. Haas discussed the District's Premium Only Plan whereby the employees can use pretax dollars to pay their share of medical premiums. It has been recommended by the Plan administrator that the Plan be upgraded to conform to the Affordable Care Act. He requested Board approval of an amendment to the Plan. Mr. Hinkle made a motion approving the amendment as recommended. Mr. Ryan seconded the motion and it carried unanimously.

Mr. Dillon presented the manager of operations report. Bids have been received for the two canal crossing projects. Construction Technology was the low bidder and work will commence in a few weeks. He also reported that maintenance on existing OGEM roads in Jupiter Farms will begin by the end of the month.

Ms. Eason presented the engineer's report. She discussed the roadway improvement project consisting of 14 roads for approximately five miles of asphalt in Palm Beach Country Estates. The estimated cost is \$1.9 million, which is approximately \$1,200/parcel. The referendum has been sent to the attorney for review. Mr. Capko noted he will coordinate with the Supervisor of Elections so we do not interfere with the municipal elections. Ms. Eason also reported that a letter was sent out on January 5th advising landowners on 66th Trail of a possible cost increase to them. No responses have been received to date.

Construction has begun in the Margaret Berman Park in Palm Beach Country Estates at an estimated cost of \$273,355. The concrete footers have been poured for the racquetball court. The contractor estimates construction will be completed by the end of March.

Mr. Ryan questioned why the road improvement project costs went up after several roadways were removed from the plan. Ms. Eason explained that the cost depends on density and some of the roads had corner lots that had been assessed in a prior project.

Mr. Hinkle inquired about the status of the RV Park and the Reynolds property. Ms. Eason stated she has no new information regarding the RV Park. As soon as there is an impact to the District, she will notify the Board. She also stated she has no new information regarding the Reynolds property. In both cases, permits must be obtained prior to any impact to the District.

Mr. Capko presented the attorney's report. He presented a petition form for landowners who are opposed to paving. Mr. Hinkle noted there are landowners who want to maintain dirt roads and want to be "on record" that this is what they want. Mr. Powell noted that a referendum is about assessing for a capital project. Dirt roads are already maintained by the maintenance assessments so there is no need for a process of authorizing additional funding. Mr. Hinkle stated this petition is not for a referendum; it is a way for the landowners to state to the District that they do not want anything other than a dirt road. After further discussion, the Board agreed that this form should be considered a "request," not a "petition," and the wording on the form should reflect this change. Mr. Ryan suggested changes in the law to address the issue of repeated referendums on the same roads. Mr. Rice suggested the policy could require that 51% of the landowners would have to be heard before moving forward with a paving program. The Board instructed Mr. Capko to change the form to state it is a "request to remain a dirt road."

Mr. Ryan requested that the Board prepare a wish list for changes in the District, including a way to vote for a dedicated dirt road. He also suggested that the District get out of the financing business and have the landowners pay for projects. He suggested a change in the way the Board is structured, i.e. requiring all members to be residents and registered voters. Mr. Ryan also commented that he would like to see a change from voting by acreage. He suggested modeling SIRWCD after Indian Trails and requested the Board consider some of these changes. Mr. Hinkle was concerned that voting by registered voter rather than by acreage could affect the rural tier status in Jupiter Farms. He also noted his wife would be unable to vote because she is Canadian.

Mr. Ryan briefly discussed a letter from landowner Frank Detmer regarding the Board's rejection of the petition to pave 85th Avenue. Mr. Danchuk noted Mr. Detmer was a gentleman when speaking to the District office. Mr. Ryan thanked Mr. Dillon and the staff for their efforts in the Christmas parade.

Mr. Kevin Baker, landowner and president of the Donald Ross Landowners Association, relayed a request from landowners that trash be removed from the canal banks. The Board suggested that the landowners organize a clean-up day. Mr. Dillon agreed to look into this issue.

Ms. Carol Sue Ryan, landowner and vice-president of the Donald Ross Landowners Association, presented shirts to those who had donated to the Sandhill Crane Run/Walk which netted over \$2,200.

Ms. Shannon Fredel, landowner on 85th Way North, stated she put a petition in motion which met all requirements. However, the Board decided against it and she questioned why it will not go to referendum. She believed the landowners should be able to vote on the issue. Mr. Danchuk explained that the Board can always say no to paving, even if a referendum passes. The Board felt that a referendum on this particular road would not pass and decided not to proceed. Mr. Ryan noted that if the Board required 50% on a petition, this would not be a problem.

There being no further business to come before the Board at this time, the meeting was adjourned.
ADJOURNED.

**MINUTES OF THE REGULAR MEETING
OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON MARCH 26, 2015**

The regular meeting of the South Indian River Water Control District was held on March 26, 2015, at 5:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Michael Danchuk, Tom Rice, Michael Ryan and Stephen Hinkle. Also present were Amy Eason, engineer; Charles Haas, treasurer; William Capko, attorney; Terry Lewis, attorney; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Approximately 15 landowners were also present.

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

Mr. Danchuk called for approval of the January 15th minutes. Mr. Hinkle clarified two items in the minutes and made a motion to approve as corrected. Mr. Rice seconded the motion and it carried unanimously. Mr. Danchuk called for approval of the monthly disbursements. Mr. Hinkle made a motion to approve the disbursements. Mr. Danchuk seconded the motion and it carried unanimously.

Ms. DeNinno presented the public information report. The appropriate news releases and notices were sent out. She reported there were 725 attendees at Family Day on March 14th. The new District website is now live with 40 pages of information. Ms. DeNinno reported that the return rate for the landowner poll was approximately 27%. The next newsletter is in progress.

Mr. Haas presented the treasurer's report. The bond issue for water distribution in Palm Beach Country Estates expires in August 2016, and the original underwriter has suggested an advance refunding this year. However, it was Mr. Haas' opinion that this is a complex issue and advance refunding could cost the District money. He noted it would be advantageous to use the original underwriter but his own analysis indicates a savings if the District waits until 2016. He requested guidance from the Board and was instructed to pursue discussions with the original underwriter to insure the best financial decision.

Mr. Haas noted that the audit report for the fiscal year ending September 30, 2014, was sent to the Board members. They all acknowledged receipt of same. The Board also approved the debt service payment which is due on April 1st. Mr. Dillon presented the manager of operations report. Construction Technology has completed the canal crossings at Randolph Siding and Canal #11 in Section 33. Road maintenance on existing OGEM roads has been completed by North Florida Emulsions. Mr. Dillon noted that last month's County auction did not offer anything the District could use.

Ms. Eason presented the engineer's report. The referendum for roadway improvements in Palm Beach Country Estates was mailed and the ballots were to be returned by March 5th. Results from the Supervisor of Elections Office have not yet been received. Two additional petitions have been received meeting the minimum 35% requirement for 159th Court North and 76th Trail North. There are eight other petitions still out that have not yet been returned. Ms. Eason discussed the paving for 75th between 150th and 154th, and suggested that an additional section be added from 154th through to 155th. Three additional properties would be subject to assessments. Mr. Dillon noted it would make it easier if maintenance does not have to start and stop for such a short section of road. After a discussion by the Board and staff, the Board agreed to end the paving at 154th.

Ms. Eason then discussed SFWMD's request that the District take over ownership of the Reese bridge. The District uses this bridge to access Palm Beach Country Estates for maintenance purposes. The bridge is in good condition but needs repairs that could be done in stages, i.e. riprap and gates. The estimated cost for repairs is \$35,986, but this does not include parapets and guardrails. Mr. Rice was concerned about liability if anyone uses the bridge, i.e. emergency vehicles. Attorney Terry Lewis stated the District would have limited liability if proven negligent. Keys to the gates could be provided to approved entities. Ms. Eason noted that SFWMD plans to tear down the bridge if

SIRWCD does not want it. Mr. Ryan questioned if grant money might be available for a new bridge connecting to the clubhouse. Mr. Hinkle noted that the grant process takes three to four years. After further discussion, Mr. Rice made a motion to take ownership of the bridge. Mr. Hinkle seconded the motion and it carried unanimously.

Ms. Eason reported on the Margaret Berman Park in Palm Beach Country Estates. She requested Board authorization for a change order in the amount of \$2,581 for anti-graffiti paint. Mr. Hinkle made a motion authorizing the change order. Mr. Rice seconded the motion and it carried unanimously. Construction is expected to be completed in April.

Ms. Eason briefly reviewed the status of several projects. The RV Park's connection to Canal #1 is the only item permitted by SIRWCD. Additional information has been requested regarding the Jupiter Farms pathway from 167th. No application has been received yet regarding the Burt Reynolds property which is still in its design phase. Ms. Eason reported she has been attending meetings regarding the Everglades and requested a letter from the Board stating she is a representative for SIRWCD so it has a "voice" at these meetings. Mr. Hinkle made a motion approving this request. Mr. Rice seconded the motion and it carried unanimously.

Mr. Capko presented the attorney's report. He confirmed there is no report yet from the Supervisor of Elections Office regarding the referendum results. Mr. Lewis reported on items of interest to the District which are being considered by the legislature. Under Chapter 189 there is clean-up of the Accountability Act. Lobbyists for special districts must be registered; this affects large water managements districts. Auditors must change every five years. Terms may be amended regarding money in surplus funds which are received by a CFO.

Mr. Danchuk then called for Board discussion regarding the recent landowner poll on a potential policy change for capital improvements in the District. He noted that the results of the poll included 1240 who are in favor of a policy change and 595 who are not in favor of a policy change. Mr. Rice requested clarification on how to take into account those landowners who did not respond to the poll. Mr. Capko noted that the Board can legally decide that more than 50% landowner approval is required to proceed with a project, but it also has the right to refuse to proceed with a project regardless of landowner approval. Mr. Danchuk noted that only 17% of all the landowners in the District were in favor of a change in policy, and only 27% of the total landowners actually responded. He was concerned about changing the voting policy based on 17% and about setting a precedent. It was Mr. Hinkle's opinion that even if a petition has more than 50% landowner approval, there should still be a referendum requirement of more than 50% of the affected landowners, whether they vote or not.

Mr. Danchuk opened the floor to discussion by the landowners. Mr. Kevin Baker asked about the breakdown of responses by area, and suggested different requirements for different areas. The breakdown was as follows: In Palm Beach Country Estates, 271 were in favor of change, 214 were not. In Jupiter Farms, 925 were in favor of change, 354 were not. Mr. Dave DeMay noted that the timing of the poll was confusing as it coincided with a referendum vote. He also did not feel that a non-vote should be considered as a vote "against" a referendum. Mr. David Pahl was also concerned with non-voters being counted as "against" a referendum. He noted some landowners do not receive their ballots. He stated the policy should not be changed because a majority of the landowners did not vote, and the poll was confusing. Ms. Jennifer Gusikoff noted that many of the landowners did not understand the poll; it was thought to be a petition for paving. She did not feel there were enough votes to change the policy. Mr. Todd Rozzo stated it was hypocritical to require more than 50% of all the landowners to pass a referendum, but the voting policy can be changed based on only 17% of the landowners. He also did not feel nonvoters should be considered to be "against" a referendum. He noted a landowner on his street lives in Aruba and did not receive a ballot. He felt this change would compromise the integrity of the process and is designed to make it more difficult to pave roads in the District. Ms. Lois Taylor stated if a referendum affects the landowners financially, it should be approved by more than 50% of those affected. Ms. Dorothy Taylor felt it is immoral that a minority of the affected landowners can pass a referendum. Mr. Brian Murphy asked for a maintenance cost comparison between paved and unpaved roads. Ms. Beth Bauman noted there are a lot of variables with the voting process. She cited several roads that did not meet the 50% requirement. It was her opinion that the financial burden should be on those initiating the capital improvement.

Mr. Hinkle made a motion that the referendum in place should follow the current policy, but anything in the future should require a vote from 51% of the affected landowners in order to pass. He commented he would prefer 75% on both the petition and referendum, and noted this puts the onus on those wanting paving. He did not want a minority of landowners to force the majority to pave. Mr. Todd Rozzo (landowner) commented that this had been merely an opinion poll and there should be a vote by the landowners before changing the policy. Mr. Rice stated he wanted to have all five Board members present to vote on changing the policy. Mr. Danchuk was concerned with changing the policy based on the poll, but noted that the Board always has the right and authority to turn down a petition. Mr. Ryan seconded the motion. Messrs. Hinkle and Ryan voted in favor; Messrs. Rice and Danchuk voted against. Mr. Hinkle stated that the two supervisors who voted against his motion are not residents of the District and therefore don't know what the landowners in the District want. Mr. Rice disagreed, commenting he has spent considerable time working on District business.

The Board then discussed residency requirements. Mr. Danchuk suggested the Board should have a representative from Egret Landing as well as a representative from outside the District with no economic interest in the District. Attorney Terry Lewis stated the District's Special Act requires that a minimum of three Board members must be residents. Any change would require legislative approval. The legislature meets next in January and February, 2016. He also stated it could be specified that all must be residents, one from Palm Beach Country Estates, one from Jupiter Farms, one from Egret Landing and one at large. Mr. Ryan stated SIRWCD should follow Indian Trail's requirements. Mr. Danchuk stated he will not leave the Board before the end of his term.

Mr. Ryan requested a binding referendum process to designate roads as dirt roads. Mr. Hinkle stated the agricultural status in the District allows for conservation and preservation to maintain that status. Mr. Lewis stated this would be binding on all future owners.

Board discussion followed regarding the elections and counting of ballots by the Supervisor of Elections. The Board agreed to discuss this further after the recent referendum results are received. The Board will also consider a forensic auditor.

Mr. Hinkle stated if a referendum fails, the landowners should be required to wait five years before another referendum is conducted. Alternatively, those landowners could obtain their own financing and pay 100% up front. Mr. Rice felt this would be denying certain rights of the landowners. After a brief discussion, Mr. Hinkle made a motion that landowners must wait three years before a second referendum is conducted. Mr. Ryan seconded the motion and it carried unanimously.

Mr. Hinkle noted there are low-lying lots being filled in, draining to the sides and back, not into the swales. As a result, neighbors are getting flooded. Mr. Lewis stated the County sets the elevation for the pads. Existing lots cannot be changed but this can be addressed on new construction.

There being no further business to come before the Board at this time, the meeting was adjourned.
ADJOURNED.

MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT HELD ON APRIL 16, 2015

The regular meeting of the South Indian River Water Control District was held on April 16, 2015, at 7:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Michael Danchuk, Tom Rice, Michael Ryan and Stephen Hinkle. Also present were Amy Eason, engineer; Ketty Labossiere for Charles Haas, treasurer; William Capko, attorney; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Approximately 15 landowners were also present.

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

Mr. Danchuk called for approval of the monthly disbursements. Mr. Hinkle made a motion to approve the disbursements. Mr. Rice seconded the motion and it carried unanimously. Mr. Danchuk then called for approval of the March 26th minutes. A correction was made in the percentage of landowners responding to the recent poll. The minutes were unanimously approved as corrected.

Ms. DeNinno presented the public information report. The appropriate news releases and notices were sent out. The new website has been updated. The next newsletter is in progress. Mr. Ryan requested that information regarding previous Plans of Improvement be added to the website.

Ms. Ketty Labossiere presented the treasurer's report. The budget process has begun. Mr. Hinkle noted that an increase in the budget for swale maintenance may be necessary as a result of many low-lying lots being filled in. Mr. Haas has met with representatives regarding the refunding of the Water Distribution Bonds; he will present a report to the Board when discussions have been completed.

Mr. Dillon presented the manager of operations report. He noted that a landowner plans to construct a fence that will block SIRWCD's access to SIRWCD's C18 for maintenance purposes. There is now a written agreement with that owner who will allow access for maintenance purposes. The District will continue with the rock riprap that will provide access. Mr. Danchuk will send a thank you letter to the landowner and he will be acknowledged in the next newsletter. Mr. Dillon reported that SFWMD is still working on the agreement for SFWMD's C18 bridge and SFWMD may also be willing to participate in cost sharing for the gates. Murray Logan Construction has submitted a bid in the amount of \$36,000 for improving the bridge. Mr. Rice made a motion to approve the expenditure, subject to receiving the agreement from SFWMD. Mr. Hinkle seconded the motion and it carried unanimously. Mr. Ryan discussed the need for a railing and this will be considered.

Mr. Danchuk brought up the subject of capital improvements that was discussed at the last Board meeting. He stated he received many calls after that meeting and as a result he now suggests considering two changes: (1) Petitions originally required 25% participation. This was later changed to 35%. He suggested changing this again to 50% plus one of the total number of eligible landowners. He believes this will give the Board a better feel for what the landowners want. (2) Once a capital improvement project goes to referendum, 60% of the landowners who vote must support it in order to pass it. Mr. Capko stated the Board has the discretion to make those changes. Mr. Danchuk called for discussion regarding his proposals. Mr. Hinkle was still concerned that a few landowners would be able to tell their neighbors what they have to do financially. Mr. Ryan suggested that those wanting a capital improvement should pay for it themselves. The financial burden should be on the residents and a debt should not be imposed on their neighbors. Mr. Danchuk stated that in our society we all pay for things we may not use personally, i.e. schools, courthouse, airport, etc. Mr. Rice commented that these issues will never go away.

Mr. Todd Rozzo, landowner, commented that a 50% plus one requirement is making it more difficult to pave roads. He inquired about the cost of a referendum that would give everyone the right to vote. It was his opinion that this requirement on a petition is too high just to get the Board to discuss the requested improvement. Mr. Hinkle commented that this requirement tells the Board that the majority of the landowners agree. Ms. Dorothy Taylor,

landowner, commented that landowners want to keep a certain lifestyle with dirt roads. She was in favor of both proposals. Another landowner commented that the Board can still decide not to pave even after a referendum passes. Mr. Hinkle made a motion to accept the 50% plus one requirement for a capital improvement petition. Mr. Ryan seconded the motion. The motion carried 3:1 with Mr. Rice voting against. Mr. Ryan made a motion to require 60% of the voters to support a capital improvement referendum in order for it to pass. Mr. Rice seconded the motion. The motion carried 3:1 with Mr. Hinkle voting against.

Ms. Eason presented the engineer's report. The certification from the Supervisor of Elections Office regarding the referendum for roadway improvements in Palm Beach Country Estates has been received. The results include the following 12 roads that passed (4.2 miles): 64th Way N. (78%), 67th Trail N. (77%), 68th Drive N. (77%), 74th Avenue N. (69%), 75th Way N. (53%), 77th Trail N. (57%), 78th Drive N. between 150th Court N. and 154th Court N. (55%), 78th Drive N. between 155th Place No. and 159th Court N. (65), 81st Terrace N. (80%), 149th Place (100%), 163rd Court N. (75%), and 163rd Court N. (78%). Ms. Eason reported that 71st did not pass (64%) and 159th did not pass (60%). Mr. Danchuk noted he received a notarized statement from a landowner on 78th between 150th and 154th stating there was one unsigned ballot for that street; the person who did not sign their ballot voted against paving. Ms. DeMers, a landowner on 75th Way N. between 150th and 154th, stated she voted in favor of paving but did not sign the ballot. Ms. Eason requested Board direction on this project. After further discussion, Mr. Danchuk made a motion to proceed with the project, but delay the decision on 78th between 150th and 154th until further verification of the votes. Mr. Rice seconded the motion and it carried unanimously. Mr. Hinkle made a motion to amend the earlier motions regarding petition and referendum requirements, clarifying that they would not be retroactive and would not affect the current capital improvement projects. Mr. Rice seconded the motion to amend and it carried unanimously.

Ms. Eason reported petitions have been received for asphalt paving of four roads totaling 1.3 miles. One of these roads also has a petition for OGEM (0.4 miles). Ten other petitions are still being circulated. Mr. Hinkle requested clarification of the road locations and Ms. Eason agreed to bring a map showing the location of the petitions at the next meeting.

Ms. Eason discussed the Margaret Berman Park and reported that the contractor has been unable to obtain the anti-graffiti paint now but it may be available in approximately 45 days. She will research with the contractor to see if there is an alternative brand. The pavilions and ball courts are being finalized.

Ms. Eason noted that landowners have been storing things on two easements and it was suggested that a hold harmless agreement should be obtained. She clarified that SIRWCD owns the property and the landowners have an easement over it. Mr. Capko agreed to review the easement language to determine what the landowners are authorized to do on the District's property. Mr. Capko commented that his office received the certification from the Supervisor of Elections Office on the day after last month's Board meeting.

Mr. Hinkle requested discussion to establish and clarify who pays for road paving, especially on corner lots. He suggested this should be based on the address provided on the Property Appraiser's roll. Mr. Hinkle also suggested that the Board should look for alternatives to using the Supervisor of Elections Office, i.e. an accounting firm. Mr. Capko stated this would require an amendment to the District's Special Act. The Board requested a cost estimate to change this legislation. The Board clarified that all new petitions for road paving will be subject to the new requirements as outlined tonight.

Mr. Kevin Baker, landowner, inquired if the pavilions in the Margaret Berman Park will include benches. The Board stated benches are not included due to limited funds. Ms. Carol Sue Ryan, landowner, inquired about the three-year wait for re-petitioning and the Board confirmed this is now the policy. The Board briefly discussed the need for a permit to have exercise stations in the Park and this will be checked on.

There being no further business to come before the Board at this time, the meeting was adjourned.
ADJOURNED.

**MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON JUNE 11, 2015**

The regular meeting of the South Indian River Water Control District was held on June 11, 2015, at 6:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Michael Danchuk, Tom Rice, Thomas Powell and Stephen Hinkle. Also present were Amy Eason, engineer; William Capko, attorney; Terry Lewis, attorney; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Approximately 68 landowners were also present.

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

Mr. Danchuk then called for approval of the May 14th minutes. Mr. Hinkle made a motion to approve the minutes as submitted. The motion was seconded and it carried unanimously.

Ms. DeNinno presented the public information report. News releases and notices were sent out. The website has been updated. The next newsletter is in progress.

Due to Mr. Haas' absence, the treasurer's report was deferred until the next Board meeting on June 18th.

Mr. Dillon presented the manager of operations report. Construction has been completed along the C18 and 176th. Maintenance work on Canal #1 has also been completed. A letter was received from Matthias and Maria Krastel thanking the Board members for their letter of appreciation.

Ms. Eason presented the engineer's report. The 18th Plan of Improvements consists of approximately 3.8 miles of asphalt in Palm Beach Country Estates for an estimated cost of \$385,000/mile. This will be approximately \$1,200/lot for 12 years for 166 assessable lots. The next Plan of Improvements currently consists of approximately 1.4 miles of asphalt. There are also 10 other petitions circulating.

Ms. Eason reported the Berman Memorial Park's construction costs are estimated at \$273,466. A punch list has been given to the contractor and the work is expected to be completed next week.

Ms. Eason reported the Reynolds' Ranch has submitted a permit application for a culvert connection into SIRWCD's Canal #5. Additional information has been requested from the Ranch.

Mr. Capko had no new items to report at this time.

Mr. Powell discussed the issues raised during the Board's recent workshop meeting on May 14th. He proposed a compromise and made the following motion: From this date forward, for the purpose of any and all SIRWCD elections or referendums, and for the purpose of capital improvement projects within the District, that a distinction be made between those lands lying east of the C18 canal and those lying west of the C18 canal. For the lands on the east side, the rules for voting shall be as defined in the Florida Statutes and the District's Special Act (51% of those that vote) with the exception that the number of signatures required to initiate a road improvement petition be raised from 25% to 35%. On the west side, the requirement shall be 51% of all the affected landowners, and 35% for petition signatures. Mr. Rice seconded the motion and discussion followed. Mr. Rice stated this reflects the recent landowner poll results, noting that the east and west sides of the District are totally different. He also noted that the issue of electing supervisors so there is true representation on each side of the District has been discussed. It was his opinion that Mr. Powell's motion addressed these issues. Mr. Hinkle stated the poll results are not properly reflected in Mr. Powell's motion as the majority from both sides of the District were in favor of a change in policy. He believes there is an inequality when a minority of landowners can force their way onto a majority. He stated the Board needs to represent every single landowner, whether they vote or not. Mr.

Danchuk stated the poll was helpful, but only 33% responded, and only 18% of the landowners in Palm Beach Country Estates indicated they wanted a change in policy. He believes there is a difference between the two sides of the District, and this compromise would solve some of the concerns. Mr. Powell noted that setting such a high standard would be crippling to the landowners and make it more difficult for them. He believed Palm Beach Country Estates should be consistent with the provisions in the Florida Statute. Mr. Danchuk stated the Board always has the right to reject a project even if the landowners are in favor of it. Mr. Capko requested clarification of the requirements for a petition and Mr. Powell confirmed his motion requires 35% for both east and west sides of the District. Mr. Danchuk called for a vote on the motion. Mr. Hinkle raised a point of order. He requested that the other three supervisors recuse themselves because they are related to the real estate industry. He explained that at the last meeting, it was noted that the sole purpose of capital improvements is to improve property values. Mr. Rice stated that unless there is legal clarification, his career has no bearing on this issue. Mr. Danchuk commented that real estate is not his primary source of income. Mr. Powell then restated his motion which carried 3:1, with Mr. Hinkle voting against.

Mr. Hinkle requested a legal explanation of why a Board member only has to be a property owner at the time of his election. Mr. Lewis stated that neither the District's Special Act nor F.S.298 addresses whether a Board member must continue to be a resident once elected. He noted this question has been raised before and review of legislation and election law statutes are silent as to this issue. He could not offer an opinion that any member of the Board should have to resign.

Mr. Hinkle discussed the definition of a road in a paving project, and stated he would allow the engineer to provide that definition. He requested that when a petition is presented to the Board, the engineer will present a description of the location of all lots involved prior to the Board accepting the petition. Ms. Eason and the Board agreed. Mr. Danchuk suggested adding two members to the Board. Representatives from the east and west sides would make decisions for their respective capital improvements; all other decisions would be made by the full Board of seven. He also suggested consideration of an independent entity to handle the counting of ballots. Mr. Hinkle was not in favor of this because of the necessity for two separate elections. He maintained the District needs five members who are residents and property owners during their entire tenure. Mr. Powell noted there are various issues involved and these could be discussed easier with a prepared draft. Mr. Rice was in favor of whatever gives the landowners the best representation. However, he was concerned with the cost of proceeding with legislative changes when there is no guarantee that the legislature will respond positively and the possibility that the governor could veto a bill. Mr. Hinkle stated the District should have a referendum prior to making any major changes. After further discussion, Mr. Powell made a motion authorizing and instructing the staff to prepare draft legislation to amend the District's Special Act. Mr. Rice requested the attorneys also provide pros and cons. The motion was seconded and carried 3:1 with Mr. Hinkle opposed. Mr. Danchuk believed the issue of residency should be a separate issue and that only four members need to be residents. The attorney confirmed that he will consider the residency issue in his drafts.

The floor was then opened to landowner discussion. Mr. Michael Howard believed the Board has alienated a majority of the landowners. He noted a survey will not have the same returns as an election ballot and many landowners chose to ignore the survey. Mr. Matt Gitkin was interested in what the attorney will present in terms of residency requirements and involvement of the County's Supervisor of Elections. Mr. Jason Gusikoff stated landowners should simply vote "no" on the ballot if something is not wanted. Ms. Beth Brunman questioned if Mr. Powell's recent election to the Board was valid in view of the fact that Mr. Danchuk was not a resident at the time of Mr. Powell's election. Mr. Capko stated that no one from the Board or staff was aware Mr. Danchuk had moved out of the District. There is a 10-day period in which to challenge an election. It was Mr. Capko's opinion that all supervisors are validly holding office until the end of their terms. Ms. Brunman also asked if Board members are permitted to discuss District issues between meetings. Mr. Rice stated certain matters came up at the end of the recent workshop meeting and that is when they were discussed. Mr. Kevin Baker thanked the Board for what has been done with the park. He stated there are many questions on how an election is conducted and who is qualified

to run. He again questioned the status of Mr. Danchuk's position on the Board and also asked if anyone validates the candidates' residency since it is noted on the ballots. He suggested the ballot language should be reviewed as it is misleading and unclear. Attorney Terry Lewis stated if a candidate swears he is a resident and provides an address that complies, no one checks further to confirm this information. It is also not the responsibility of the Supervisor of Elections to do this. Mr. Lewis did not believe anyone did anything wrong in the recent election. Mr. Mike Seemen asked that a majority of affected landowners be required to approve a referendum and also felt that all Board members should be residents. Ms. Frances Mulane noted that many things get done by the inaction of landowners and noted that the recent survey was a good example. Only 18% of landowners in Palm Beach Country Estates responded. She also questioned why a residency issue is not addressed just because no one has challenged it within the 10-day period. She also did not want to see different rules for the two sides of the District. Mr. Bill Denison questioned if Mr. Powell's proposal was discussed beforehand because his motion was immediately seconded by Mr. Rice. He also questioned why someone would want to be on the Board if they do not own land in the District. Ms. Valerie Rozzo was concerned about the differences in terms of improvements. She also requested the Board respond to questions regarding the election process. Ms. Vicki Brune asked about the survey results. Mr. Danchuk stated about 30% responded; 55% of those responding wanted to change the policy to require a majority of landowners in order to decide a referendum. Ms. Brune noted that a majority of those who returned the survey want change and she did not believe the Board was listening to that majority. Ms. Jennifer Gusikoff appreciated the effort the Board makes to be fair to both sides of the District. She was concerned that Mr. Hinkle and Mr. Ryan are trying to "push their own agenda" and mentioned the calls she has received from the Ryans who state they want to stop all residents from paving. Ms. Gusikoff believed the Board should be fair, respectful and work together. She also believed the two sides of the District should be separate. She then noted that the three-year moratorium on paving after a failed referendum is a very long time and many of the landowners do not want this. Mr. Alvarez stated it is not about what the Board wants but about representing the landowners. He felt there should be three members from each community and one member at-large. He also noted that the Board cannot represent those landowners who remain silent. Changes are made based on votes, not on an assumption of what other people want. Ms. Jennifer Kerlin noted some landowners not getting ballots yet they have to pay for paving when a referendum passes. She was concerned about paying for something that was not wanted. She also believed all Board members should be residents.

Mr. Hinkle apologized to the landowners on how the Board voted tonight. He wished he could have changed the Board's opinions. He hoped the landowners continue to show the Board what they actually want.

Mr. Rice stated he had previously discussed with the staff the same issues that Mr. Powell brought up tonight and that was the reason he immediately seconded the motion, even though he had not seen or discussed this motion prior to the meeting. He stated this was on his own agenda two months ago.

Mr. Danchuk thanked the landowners for their input. There being no further business to come before the Board at this time, the meeting was adjourned.

ADJOURNED.

**MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON JUNE 18, 2015**

The regular meeting of the South Indian River Water Control District was held on June 18, 2015, at 6:30 p.m. at the District Office, Jupiter Farms Road, Jupiter, Florida. Present were Supervisors Michael Danchuk, Tom Rice and Stephen Hinkle. Also present were Charles Haas, treasurer; Terry Lewis, attorney; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. One landowner was present.

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

Mr. Danchuk called for approval of the monthly disbursements. Mr. Hinkle made a motion to approve the disbursements. Mr. Powell seconded the motion and it carried unanimously.

Mr. Haas presented next year's proposed budget and asked the Board to provide feedback on projects or changes in level of service. July 24th is the deadline for submitting assessment rates to the Property Appraiser for the TRIM bill. He stated the only changes in assessments are the changes the Board adopted in August to be assessed over a five-year period. Mr. Hinkle asked if the budget for equipment was sufficient to take care of acquiring another dump truck and other equipment. Mr. Haas stated this would not be a problem. Mr. Hinkle also asked about the two projects for canal crossings and Mr. Haas confirmed there will be sufficient resources. Attorney Terry Lewis clarified that Senator Meyers passed a bill requiring special districts to report assessments on the TRIM notice. Mr. Haas stated there is no prohibition on being higher than what is on the TRIM notice but it is not a good thing to do.

Mr. Danchuk noted the road maintenance revenue is lower than the expenditures. Mr. Haas explained there are sufficient carry-forward funds and the District is spending down some previously assessed funds. Mr. Hinkle noted that by using micro-overlay, the District is saving money. He also noted that the only roads with problems in Jupiter Farms are the county roads because they are not sufficiently maintained.

Mr. Hinkle reconfirmed Mr. Dillon's bonus and salary; the Board agreed.

Mr. Hinkle made a motion to accept the budget as presented by the treasurer. Mr. Powell seconded the motion and it carried unanimously. Attorney Lewis will prepare a formal resolution and present it at the next Board meeting for signature.

Mr. Haas reported he is continuing to work with Chase Bank regarding the refunding of the 2006 Palm Beach Country Estates water distribution bonds. The first time the District can do this is August 1, 2016. To get around that, the underwriting industry uses an advance refunding technique, i.e. selling bonds today to replace the ones to be sold. The current bond issue goes into an escrow account designed for government securities. The proceeds are the funds used to call the bonds and then the old bonds are taken off the books. Mr. Haas discussed the savings if an advance refunding is done now vs. waiting until next year. The net savings now would be approximately \$576,000. Mr. Haas does not anticipate any major changes in long-term interest rates and waiting until next year would give a net savings of approximately \$600,000. The individual landowner would save about \$25. Mr. Haas recommended continued monitoring of this matter.

There being no further business to come before the Board at this time, Mr. Hinkle made a motion to adjourn. Mr. Powell seconded the motion and it carried unanimously. The meeting was adjourned.
ADJOURNED.

**MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON AUGUST 20, 2015**

The regular meeting of the South Indian River Water Control District was held on August 20, 2015, at 7:30 p.m. at the Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Michael Danchuk, Thomas Powell, Tom Rice, Michael Ryan and Stephen Hinkle. Also present were Amy Eason, engineer; Charles Haas, treasurer; Terry Lewis, attorney; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Approximately 50 landowners were present.

Mr. Danchuk called the meeting to order. He stated the first part of the meeting will be the hearings for next year's budget and for the current roadway project. The second part of the meeting will be the Board's regular monthly meeting. The Pledge of Allegiance to the flag was given.

Mr. Haas presented the proposed budget and explained the separate assessments. The total budget is approximately \$5.3 million. Major programs include water control, road maintenance, and park maintenance. He explained the capital outlay portion of the budget. Mr. Haas then discussed the expenditure trends. All of the individual programs were broken down to show the amounts assessed to the various areas in the District. Landowners asked how the deficit gets funded. Mr. Haas explained there is a debt service fund that covers this. All debt is a fixed amount. He answered several other questions regarding equipment purchase, road maintenance assessments, Egret Landing assessments, and park maintenance. He also explained that maintenance is charged based on the actual work performed, not as a flat amount. He further explained the method for assessing water control, flood control, road maintenance and park maintenance. Mr. Haas noted there is an annual increase of \$46 in Palm Beach Country Estates over a five-year period. There were no further questions and the budget hearing was adjourned.

After a short break, Mr. Danchuk convened the hearing for the 18th Plan of Improvements roadway project. Ms. Eason explained the Plan which consists of 3.8 miles of asphalt paving in Palm Beach Country Estates. She presented a map showing the proposed improvements which include 166 lots and a cost estimate of \$385,000/mile for a total of \$1.4 million. The roads will be built to County standards but not turned over for maintenance.

The next step is to prepare an engineer's report which designates the benefitted area. The engineer then designs and prepares contracts. Another public hearing is planned for October. A landowner questioned how this referendum passed when a previous referendum to pave the entire Palm Beach Country Estates did not pass. Ms. Eason explained that this referendum is for specific roads as requested by landowners, and only the landowners on those roads will be assessed. Another landowner believed they were misled by mailers stating property values would increase if they voted for paving. Mr. Danchuk stated that petitions come from landowners and the Board cannot stop a landowner who wants to promote a cause. Mr. Kevin Baker clarified that the homeowners' association did not generate any mailing regarding this issue.

In answer to landowner questions, Ms. Eason briefly explained the bid process. Mr. Danchuk stated landowners are assessed equally for road maintenance, regardless of whether the roads are dirt, paved or OGEM. Ms. Eason stated an OGEM road will last approximately eight to 12 years, depending on traffic. There is no provision in the Plan for pathways. There were no other questions and the 18th Plan of Improvements hearing was adjourned.

After another short break, Mr. Danchuk convened the regular Board meeting. He called for approval of the June 11th and June 18th minutes. Mr. Hinkle requested a change in the wording in the June 11th minutes, and clarifications in the June 18th minutes. Mr. Rice made a motion to approve the minutes as corrected. Mr. Hinkle seconded the motion and it carried unanimously.

Mr. Rice requested clarification of one of the disbursements on the warrant list. Mr. Hinkle then made a motion to approve the disbursements. Mr. Rice seconded the motion and it carried unanimously.

Ms. DeNinno presented the public information report. The website has been updated. Two newsletters were sent out which included the roadway referendum results and information regarding the two public hearings tonight.

Mr. Haas presented the treasurer's report. He requested Board approval of a resolution to adopt the budget and levy assessments. Mr. Rice made a motion to ratify the budget and adopt the resolution to assess. Mr. Hinkle seconded the motion and it carried unanimously.

Mr. Haas discussed the water distribution system agreement with the Town of Jupiter (TOJ) regarding the payment of an annual revenue on unused connections. He reviewed the history of the agreement with the Board. The TOJ required an advance of 50% of the fees. Bonds were sold to reserve 1,500 connections. SIRWCD agreed to pay an annual revenue to maintain these connections. This was beneficial at the time but now there are over 500 reservations unused and SIRWCD continues to pay a guaranteed revenue for these. Mr. Haas recommended negotiating a sliding scale downward over the remaining three years of the agreement. The current hookup rate is guaranteed until 2018. If it is not guaranteed, it could cost a landowner an extra \$1500. Mr. Haas requested guidance from the Board before starting negotiations with the TOJ. Mr. Danchuk noted the need to do a full disclosure to the landowners. The Board had no objection to starting discussions with the TOJ.

Mr. Haas updated the Board on the refunding of the 2006 bonds. He again explained the possibility of an advance refunding. He is working with an underwriter and noted that the cost would be offset by the savings. This will affect landowners in Palm Beach Country Estates for the next 15 years. Mr. Haas requested Board authorization to involve the attorney and the Board agreed.

Mr. Haas discussed the Manager of Operations' contract, noting that the anniversary date is based on the hiring date of October 1st. The current contract expires next year and Mr. Haas recommended extending it for another four years for a total of five years under the same terms. Mr. Rice made a motion to extend Mr. Dillon's contract as discussed. Mr. Hinkle seconded the motion and it carried unanimously.

Mr. Dillon thanked the Board for their support. He presented the Manager of Operations' report. A 2006 International dump truck has been purchased. Material has been excavated from Canals 7, 8 and 12, and the canal banks are being restored. Jupiter High School has requested that the District use the Media Room for future Board meetings which will cost an extra \$20/meeting. The School has also requested that the meetings end by 9:00.

Mr. Dillon suggested starting the meetings at 7:00 in order to accommodate this request. The Board agreed to the School's requests.

Ms. Eason presented the engineer's report. She requested Board authorization to proceed with preparation of the engineering report for the 18th Plan. Mr. Powell made a motion authorizing and instructing the engineer to proceed. Mr. Rice seconded the motion and it carried unanimously.

Ms. Eason has received petitions for another improvement project consisting of approximately 2.7 miles of asphalt paving. There are nine petitions circulating. She noted there are petitions for both OGEM and asphalt paving on 93rd Lane North between 155th and 159th. She presented an exhibit showing the areas involved: 75th Avenue North, 76th Trail North, 78th Drive North, 85th Way North, 93rd Lane North, 159th Court North, 175th Road North, and 179th Court North. These petitions have been verified and meet the minimum requirements. The petition for 159th Court North is a new petition.

The description was changed and now includes only 12 lots. Ms. Eason requested Board guidance as to moving forward. It was Mr. Hinkle's opinion that this petition would have to wait three years before being considered again. Mr. Lewis stated that a benefitted area is whether it is available to you, not whether you actually use it. Mr. Powell stated the Board should listen to how the engineer defines a benefitted area, not how the landowners define a benefitted area. The Board agreed that parcels will still receive a benefit whether they are included in the petition or not.

Ms. Eason reported that the work on the Margaret Berman Park has been completed. She presented pictures of the Park.

Ms. Eason reported on the Reese Bridge. SFWMD will give SIRWCD a permit for the bridge subject to repairs being made. She is working with a contractor who has provided a \$53,566 cost estimate. There will also need to be a safety feature on the bridge. Mr. Rice made a motion to proceed with applying for the permit and then making the repairs. Mr. Hinkle seconded the motion. Mr. Ryan suggested requesting cost sharing with SFWMD. After a brief discussion, the motion carried unanimously.

Mr. Lewis discussed residency requirements for Board members. He presented draft amendments to the legislation, providing three different versions of modifications to the District's Special Act. These included requirements that all Board members must be landowners and residents; two members must be from the east side, two from the west side and one at large, each voting on issues affecting their area; three members from the east side, three from the west side and one at large; tabulations by a forensic auditor who has no relationship with the District. Mr. Lewis suggested scheduling a workshop to discuss these proposed amendments. He noted an amendment would have to be filed by September 20th to be considered in the next legislation. The Board agreed to schedule a workshop at the District Office.

Mr. Hinkle was concerned that major changes be subject to a referendum from the landowners. Mr. Lewis noted the current charter obligates the Supervisor of Elections to tabulate the votes. Once the results are certified, any challenge would stay the results of the election, and would need to be resolved by the Circuit Court. A challenge must be made within seven days after the results are certified. The challenger must be able to claim fraud or have a bona fide cause.

It was agreed that term limits will also be discussed during the workshop. Mr. Lewis assured the landowners that the Board wants to cure this issue. It was his opinion that if a Board member was a resident at the time of the election, the election is valid. He also noted that SIRWCD is the only water control district where the Supervisor of Elections is required to tabulate the votes.

There being no further business to come before the Board at this time, the meeting was adjourned.

ADJOURNED.

**MINUTES OF THE REGULAR MEETING
OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON SEPTEMBER 17, 2015**

The regular meeting of the South Indian River Water Control District was held on September 17, 2015, at 7:00 p.m. at Jupiter High School, 500 N. Military Trail, Jupiter, Florida. Present were Supervisors Michael Danchuk, Tom Rice, Tom Powell, Michael Ryan and Steve Hinkle. Also present were Amy Eason, engineer; Charles Haas, treasurer; Tara Duhy, attorney; Mike Dillon, manager of operations; Laura Bender, public information; and Jane Woodard, secretary.

Approximately 67 landowners were also present.

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

Mr. Hinkle made a motion to approve the monthly disbursements presented by the treasurer. Mr. Rice seconded the motion and it carried unanimously.

The Board agreed to defer approval of the August minutes until the next meeting.

Mr. Danchuk made a motion to adjourn the meeting. Mr. Hinkle seconded the motion and it carried unanimously.

ADJOURNED