

MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT HELD ON JANUARY 16, 2020

The regular meeting of the South Indian River Water Control District was held on January 16, 2020, at 7:00 pm at the Jupiter Farms Park Pavilion, 16655 Jupiter Farms Road, Jupiter, Florida. Present were Supervisors Steve Hinkle, Tom Powell, John Meyer, Michael Howard and John Jones. Also present were Amy Eason, engineer; Charles Haas, treasurer; William Capko, attorney; Mike Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Seven landowners were also present.

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

Mr. Hinkle opened the floor to discussion of landowner items. Ms. Sandy Fornier thanked the Board and staff for their work on the culvert program. She was impressed at how well things are moving and draining. Mr. Matt Gitkin reported that the proposed soccer complex along Indiantown Road was voted down during the County's Planning Commission meeting, and he thanked everyone for their help.

Mr. Hinkle opened the floor to discussion of landowner items. Ms. Stephanie Duncan, landowner in Palm Beach Country Estates, requested the appointment of a residents' committee to study the election process and make recommendations as needed. She expressed a need to provide insight into landowner expectations. She suggested the committee be comprised of five landowners, two of them from Jupiter Farms and two from Palm Beach Country Estates, serving with no compensation and selected by the District's legal counsel and operations manager. The goal would be to make voting more transparent and eliminate controversy.

Mr. Matt Gitkin, landowner, speaking for the Jupiter Farms Environmental Council, discussed a proposal for a private commercial recreational soccer facility. He stated the zoning regulations do not provide for commercial recreation in Jupiter Farms. The application mentions SIRWCD to provide drainage but there has been no request for permission to cross the District's right-of-way. Mr. Gitkin requested that the Board consider the Jupiter Farms Landowners Plan. The Board agreed to discuss this issue later in the meeting.

Mr. Jones made a motion to accept the consent agenda. Mr. Powell seconded the motion and it carried unanimously.

Ms. DeNinno presented the public information report. The annual newsletter is in production and will include the engineer's annual report, election results, and Family Day notice which is set for March 14th. She reminded the Board to look at the District's website to be sure everything they want is on there. She noted that the new site will not have email.

Ms. Stephanie Duncan, landowner, inquired when the landowners will have an opportunity to review the Policies & Procedures updates. She was assured by the Board the updates will be available for review prior to finalization.

In Mr. Haas' absence, Mr. Hinkle noted the debt service information was provided.

Mr. Dillon presented the manager of operations report. The quarterly report on the culvert program reflects 38 installs and \$17,366 collected. The culvert program has had over 800 installs since it began. Mr. Dillon noted that the recent rains have led to calls regarding collapsed pipes.

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Two FEMA payments have been processed for a total of \$170,000; the balance is being reviewed.

Regarding the District's shop construction, the Fire Marshall originally wanted sprinklers installed, or a well system, but now there will be automatic monitoring of the fire system. Bids have been received for concrete around the building. Outside security upgrades are being looked at. A bid for the conference room was received, which is within the approved budget.

Mr. Dillon noted there were reports of erosion in Palm Beach Country Estates at Canals D & E. Headwalls were inspected and repairs were completed.

Mr. Dillon also reported that Canal 1 by the ABC School has been breaching onto a neighboring landowner's property. He met with the landowner to discuss remedies. The berm was lowered to drain the property. Raising the berm will have negative consequences for the property. Ms. Eason quoted estimates of \$13,350 to address 0.6 miles, and \$5,500 to address a second .2 mile parcel. Options were discussed by the Board and staff, including filling in the low area, raising the canal bank, and surveying the area that includes the berm along the landowner's property. Mr. Dillon stated that after the survey is completed, all work can be performed by the District. Ms. Eason recommended cross section surveying so the area can be redesigned if necessary. After further discussion, the Board agreed to survey cross sections every 100 feet on the landowner's property and spots of the berm to Jupiter Farms. Ms. Eason will obtain new estimates and report back to the Board.

Ms. Eason presented the engineer's report. Work continues on the analysis of Jupiter Farms outfalls, including proper easements. As soon as this is complete, modeling will begin. Ms. Eason will report back to the Board when the work is completed.

Regarding Canal E, Ms. Eason reported that during the preparation for Hurricane Dorian, the staff explored the connection from Canal E to the C-18. Four culverts were installed for temporary relief for Palm Beach Country Estates. In December, a rain event occurred and the culverts were utilized. She presented a visual display of the area, including the location of the four culverts, as well as a drawing of the 7th Plan of Reclamation. She pointed out where the nonfunctional riser is located and the outfalls. It was her opinion that Palm Beach Country Estates has a good system that is designed to hold some water. She was concerned with a low area that is not part of the 7th Plan, and the need to protect landowners at that location. After further discussion, Mr. Jones made a motion to proceed with a permanent structure. Mr. Meyer seconded the motion and it carried unanimously.

Ms. Eason reported there is still work being done regarding the roadway benefit analysis. Her preliminary list of items to research include property values, access to parcels within the neighborhood, timing of emergency vehicles, and benefits of living on a busy road.

Mr. Capko presented the attorney's report. There is a proposed bill that will limit the amount of documents the District is required to have on its website. If it passes, the website can just provide a link to the financial services where the audit will appear. Mr. Capko also reported he received a Complaint for Declaratory Judgment on behalf of Mr. Berman. Mr. Capko has filed a Motion to Dismiss with a Memorandum of Law, and a Notice to the court that in the event the court finds no merit to the Complaint, attorney fees should be awarded. There has been no further action as of today.

An update on office computer security and email management was discussed. Mr. Howard has consulted with KDT Solutions who reviewed the system in the office. It was determined to be adequate for the District's needs. There is now the issue of moving email from the current website hosting as the new website does not include email hosting. The recommendation is to add a firewall for the network and software on each computer. Email will be moved to Office 365 Business which includes email and cloud storage. Remote monthly monitoring and maintenance are included at an estimated annual cost of \$1,651. This does not include the cost to migrate files to the cloud or moving email to the new server. Other fees include Entrusted Email Archiving for backup of Office 365 and added security to protect against intrusions. Mr. Howard believes the pricing and recommendations are reasonable. He noted that the \$1,651 estimate includes initial hardware installation so next year the cost should be around \$1,000. The Board agreed to proceed with KDT Solutions and these recommendations.

The Board then discussed the use of Palm Beach Country Estate's park for planned events. Mr. Dillon presented a proposed form to be completed by anyone wanting to use the park for a planned event. Since it is an open park, i.e. first come first served, reservations cannot be made. Mr. Howard suggested the form could be clearer regarding the proof of insurance since insurance may not be required in some instances. Mr. Jones was concerned with the use of the term "reservation" and suggested changing it to "usage." Mr. Capko stated if the event includes vendors, they should also fill out a form. The Board suggested that "park usage" language would cover everything. Mr. Meyer was concerned that the form would only be used if someone calls requesting to use the park. After further discussion, the Board agreed that if it becomes a policy to require completion of a form for a planned event, noncompliance would be a violation. The Board agreed to change the term "reservation" to "usage."

Ms. Eason presented a visual display of the area involved in the encroachment agreement with Palm Beach Country Estates School. The property is being redeveloped; expanding the building and driveway is proposed, as well as a one-foot tall berm. A permit will be required to construct in the District's easement. There is no direct drainage connection to the District's system. The School is requesting a letter from the District stating it can construct improvements on the District's ingress-egress easement. Ms. Eason requested permission to write such a letter, including an agreement between the parties stating the District will have the use of the easement regardless of any construction. She noted the property owner has been using the easement as a dirt road with a gate. Mr. Hinkle stated if the County

approves the site plan, the District must have an agreement that it retains the use of the easement. Mr. Capko stated the property

owner must provide a key to the gate that is on the District's easement. Ms. Eason noted there are no existing ditches, and all water is being kept on the owner's site. After a brief discussion, the Board authorized Ms. Eason to work with Attorney Capko to prepare the appropriate agreement.

It was discussed that the Palm Beach County Water Resources Task Force, a four-member committee to identify and evaluate opportunities and impediments to providing future water supply, conservation, waste

treatment and reuse or reclaimed water opportunities, has an opening for a member. The committee has asked if a SIRWCD Board member is interested in serving. After a brief discussion, Mr. Hinkle agreed to serve on the committee.

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

ADJOURNED.