

**MINUTES OF THE WORKSHOP MEETING  
OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT  
HELD ON NOVEMBER 21, 2019**

The workshop meeting of the South Indian River Water Control District was held on November 21, 2019, at 7:00 p.m. at Jupiter Farms Pavilion, 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; Seth Behn, attorney; Mike Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Six landowners were also present.

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

Mr. Haas discussed the history of road construction in the District. In the late 1970s the District obtained the ability to pave roads through legislation. The 1983 bond issue basically paved Palm Beach Country Estates. The Board wanted to continue with road paving because shellrock was failing. In 1985, the main major road plan was adopted and benefitted Palm Beach Country Estates, Jupiter Farms and other individual sections. The idea was that original roads would be collector roads benefitting everyone and everyone would pay for them. Mr. Haas presented a visual display of the roads affected by the bond issue and what was assessed for road maintenance. The Plan of Reclamation assessed all landowners for the roads. He stated that maintenance costs must follow that same Plan of Reclamation. Bonds have since been paid off and road maintenance costs have remained. Mr. Powell recalled that initially feeder roads were paid for by everyone because everyone benefitted from them. The only County roads were Jupiter Farms Road and Donald Ross Road, so they were never assessed. The second type of paving was for individual roads and those were assessed differently because they did not serve the entire community. Neighborhood roads were paid for by those fronting the roads. Other roads were considered community roads because everyone was within one-half to one mile of a paved road. The cost of maintaining paved roads was very close to the cost of maintaining dirt roads. Ms. Eason noted that from a project standpoint, everyone receives a benefit. A Plan of Reclamation for new paved roads looks at property values and ancillary benefits. Mr. Howard was concerned about assessing for a benefit not received. He questioned if the road in front of someone's house is not maintained, how can they be assessed? Mr. Haas stated that the original Plan said all parcels benefitted from the Plan, and all those landowners received individual notices. That gave the District the authority to sell bonds and make assessments for maintenance. There would be an annual assessment based on the Plan of Reclamation. Mr. Haas stated the District definitely has the authority to continue with the current method of assessment. However, since the bonds have been paid off, there is no longer an obligation to the bond holders. It is now up to the Board if it wants to change the method of assessment. Mr. Jones asked if Randolph Siding was part of the original Plan. Ms. Eason stated a portion of it was, but not the portion that was already paved with Jupiter Farms Road (the northern part). Mr. Jones also asked about a debt service line item. Mr. Haas explained this was the amount if only the landowners fronting the road were assessed. Mr. Hinkle stated that if the entire community paid for a road, it belonged to everyone and they should have a say in the maintenance. Mr. Haas stated the issue of paying for road maintenance is not in the Plan, but in Chapter 298 that deals with the process of making assessments. The District is authorized to build, construct and maintain same. That is where there is authority to make assessments equal to benefits assessed. Mr. Meyer asked if there is anything in writing

that states everyone pays equally. Mr. Haas explained the Plan passed by referendum and then went to the Circuit Court for a hearing regarding the process. Mr. Powell stated that the road paving was designed to parallel water control. It was an area-wide program and authority was given to the District. Mr. Behn noted that landowners who did not live on County roads still had to pay to maintain those roads. Mr. Meyer noted that the 1985 referendum contained estimates of costs. It was explained there would be maintenance in addition to the cost of paying off the bond. It was Mr. Meyer's opinion that paying for maintenance in perpetuity should be changed, and the Board should also consider reimbursement for past payments. Mr. Powell stated the District has an obligation to maintain the works of the District, and that activity is not uniform. For example, maintenance of canals is covered by the entire District because the entire community benefits. Mr. Howard questioned why Egret Landing does not pay these assessments. Mr. Haas stated it has its own Plan of Reclamation. Mr. Howard also asked about Randolph Siding, noting it is a County road that those landowners never paid to pave or repave; they are being assessed for maintenance that they not receiving. He questioned the authority to assess for a road the District is not maintaining. Mr. Haas stated the ability to assess is within the Plan of Reclamation and is ongoing. Mr. Powell also noted that the definition of the benefitted area is in the Plan. Mr. Howard asked how the benefits are defined for the west basin. Mr. Haas stated the original Plan states every individual parcel is benefitted, and that gives legal authority to assess for road maintenance. Mr. Behn stated the Board can reassess the benefits. A study would entail a finding of fact and could come up with a new Plan to redistribute benefits. Mr. Powell noted a lot of work would go into redefining a benefitted area. If the County takes over maintenance, that benefit is distributed to all in the benefitted area. Mr. Howard noted that it would relieve landowners of the cost of maintenance where the District is not spending any resources to maintain roads because it does not have to grade the roads.

Ms. Stephanie Duncan, landowner, was concerned about corner lots, and road striping that the County has not done. Mr. Matt Gitkin, landowner, noted that ownership on a County road stops at the fence line. After 130th was resurfaced, landowners were asked to pay County taxes for maintenance as well as an assessment on the land not owned. He stated the project was paid for but the assessments are in perpetuity. It was his opinion that ongoing maintenance for land not owned does not seem fair. That portion that was turned over to the County should relieve the landowners of future maintenance cost. Mr. Haas noted that landowners on Jupiter Farms Road were not in the Plan of Reclamation. The District has been assessing based on the Plan of Reclamation. It was concluded that the District will have to go through a legal process to change this, which will involve approximately 884 parcels. Mr. Hinkle stated further discussion of the matter will be put on the agenda for the next Board meeting on December 12th.

Mr. Hinkle then called for discussion regarding updating the website to be compliant with ADA goals. The Board and staff discussed the minimum amount that can be done in order to be compliant. Ms. DeNinno noted that a lot of the information can be combined, and statistics, for example, do not need to be provided. Mr. Howard stated he looked at other websites and noted most municipalities use CivicPlus. He noted the website can meet the needs of 95% of the people without doing away with a lot of the information. He discussed items that are not required but may still be good for the community to know about. He also discussed the use of hyperlinks. He stated it is unclear why there is a need to remediate when the material could be run through a PDF generator. Mr. Hinkle asked if there is information as to who is looking at what pages on our website. If certain pages are not being accessed, they could be cut from the site and added

back in later, instead of migrating everything over. Ms. DeNinno stated there is mandatory content that has to be there and pointed out several old District projects that could be removed. The Board discussed the option of a new site with just the mandatory information, migrating new information later. Mr. Meyer requested a breakdown of remediating costs and the legal consequences of including more information than necessary on the website. Mr. Hinkle stated this issue will be discussed again at the next Board meeting.

Mr. Behn stated they are waiting for a response from Mr. Berman's attorney regarding his lawsuit.

There being no further discussion at this time, Mr. Powell made a motion to adjourn. The motion was seconded and carried unanimously.

ADJOURNED.