

MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT
HELD ON SEPTEMBER 20, 2012

The regular meeting of the South Indian River Water Control District was held on September 20, 2012, at 7:30 p.m. at Jupiter High School, 500 N. Military Trail, Jupiter, Florida. Present were Supervisors Tom Powell, Tom Rice, Dave Beane, Michael Danchuk and Michael Ryan. Also present were Len J. Lindahl, engineer; Charles Haas, treasurer; William Capko, attorney; Mike Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Ten landowners were also present.

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

Mr. Haas presented the treasurer's report and recommended Board approval of the monthly disbursements. Mr. Rice made a motion approving the disbursements; Mr. Beane seconded the motion and it carried unanimously.

Mr. Capko announced the results of the road referendums as follows: 151st Lane North failed, 127th Drive North passed, 126th Terrace North failed, 90th Trail North passed, 175th Road North failed, 73rd Terrace North passed, 79th Terrace North passed, 75th Way North passed, 78th Drive North failed, 67th Trail North failed, 77th Trail North passed, and 82nd Terrace North failed. Mr. Danchuk made a motion to accept these results. Mr. Beane seconded the motion and it carried unanimously.

Mr. Powell then noted that Mr. Beane is retiring from the Board after serving for 28 years and presented him with a Distinguished Service award. Mr. Beane thanked the Board and stated it has been a pleasure to work with the Board, staff and employees of the District. He stated he is proud of the District's record of keeping the annual assessments less than inflation, saving the landowners millions of dollars by refinancing capital improvement bonds, and obtaining government grants to improve the District's infrastructure. He noted the Board has achieved everything planned for the 8th Plan of Reclamation without cost to the landowners. He mentioned his personal friendship with Gale English and acknowledged Mike Dillon as an excellent manager. He then welcomed Steve Hinkle as his replacement on the Board.

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 AUGUST 16, 2012

The regular meeting of the South Indian River Water Control District was held on August 16, 2012, at 7:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Tom Powell, Michael Ryan and Michael Danchuk. Also present were Len J. Lindahl, engineer; William Capko, attorney; Charles Haas, treasurer; Michael Dillon, manager of operations; and Laura Bender, public information. Several landowners were present.

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

Mr. Powell stated the first part of this meeting is the public hearing for the 2012-13 budget. Mr. Haas presented a brief overview of the budget. He noted that the total assessments from ongoing programs decreased \$107,000 from \$5,243,000 in 2011-2012 to \$5,136,000.00 for the 2012-2013 budget year. The major decrease was in the debt assessments, specifically the assessments for Phase II and Phase IIA Jupiter Commerce Park. There will be an increase of \$30,000 in the PBCE Water Distribution System Bonds. There is a need to balance carry over funds for Water Control – East Basin (PBCE, Egret Landing and JCP), which is projected to have insufficient carryover funds. As a result a \$15,000 increase in assessments is proposed for PBCE that amounts to approximately \$6.50.

Everyone mentioned that the new format was easy to read and interpret this year. There were no questions from the Board and Mr. Powell then opened the floor to landowner comments. Mr. Hinkle said that it was very helpful to have the budget on the website to review ahead of time. There were no other landowner questions regarding the proposed budget and the public hearing was closed.

Mr. Powell called for approval of the consent agenda which included approval of minutes from June 21st, and approval of the monthly disbursements. Mr. Danchuk made a motion to approve the consent agenda; Mr. Ryan seconded the motion and it carried unanimously.

The public information report was presented by Ms. Bender. She reported that news releases were sent to local publications and the website was updated. The Summer issue of the newsletter has been mailed out and includes the landowner questionnaire as discussed at a previous meeting. Ms. DeNinno will be attending the StormCon 2012 Stormwater Conference in Denver this month.

Mr. Haas presented the treasurer's report. As discussed at the last board meeting, the Park Maintenance Fund is in a deficit position, due to the unanticipated costs of securing and complying with permits from Palm Beach County. The original budget for the initial year's maintenance was funded by a transfer of \$150,000. The current years revenue is \$27,038 (primarily assessments budgeted at \$25,000), for a total of \$177,036. Total expenditures in the fund for the two-year period are estimated at \$200,000. The major expenditures were the construction items of approximately \$133,000 and the professional fees involved with legal services and design and permitting services totaling approximately \$56,000 resulting in an anticipated deficit of \$23,000. Mr. Haas recommended that \$25,000 be transferred from the PBCE Road Maintenance Fund to the PBCE Park Maintenance Fund in order to offset the deficit and restore the fund's integrity. Mr. Danchuk made a motion to accept Mr. Haas' recommendation. Mr. Ryan seconded the motion and it carried unanimously.

Mr. Haas recommended establishing a "cafeteria plan" to provide certain benefits to the Employees of the District. There would be no cost to the District. Mr. Danchuk made a motion to adopt the resolution. Mr. Ryan seconded the motion and it carried unanimously.

Mr. Haas recommended the Board adopt the budget for the fiscal year 2012-2013. Mr. Ryan made a motion to adopt the 2012-2013 budget. Mr. Danchuk seconded the motion. Mr. Danchuk discussed some points of the budget. He stated that he liked this year's presentation, especially the line items. He was concerned with the \$25,000 allocated for maintenance for the Palm Beach Country Estates Park. He would like to reduce it to \$20,000. Mr. Powell noted there is no budget history of the park and suggested keeping it at \$25,000. Mr. Ryan wanted to see a year's track record before considering reducing the number. Mr. Powell called for the approval of the 2012-2013 budget. Mr. Ryan made the motion. Mr. Powell and Mr. Ryan accepted; Mr. Danchuk declined. A motion was made by Mr. Danchuk to accept the Resolution to adopt the 2012-2013 Budget. Mr. Ryan seconded the motion and it carried unanimously.

Mr. Dillon presented the manager of operations report. At the board's request, quotes for the Canal 3 extension project were received with construction cost at approximately \$200,000. Ballots for the proposed 17th Plan of Improvement road project are being returned to the District office. Mr. Dillon reported that out of the 198 ballots mailed, 119 have been received. Mr. Dillon commented that the questionnaires that were sent out with the district newsletter are being returned to the district office with the majority of the feedback being positive. Mr. Danchuk stated that he has received calls from landowners who loved the questionnaire.

Bids for a two-year maintenance agreement for Palm Beach Country Estates Park are being collected. Mr. Ryan stated that some of the fence at the PBCE Park was scratched up and that sand and gravel was left on the sidewalk. Mr. Dillon said he would follow up.

Mr. Lindahl presented the engineer's report. Lynch Construction is taking care of the punch list for the Palm Beach Country Estates Park and the pay request has gone in. He stated that the Road Improvement Ballots were mailed Aug. 3rd and should be returned to the District office no later than Sept. 5.

Mr. Lindahl stated that the Canal 3 extension that runs through Riverbend Park will run approximately \$200,000 and needs authorization to move forward. Some of the permits needed are from the Town of Jupiter, Army Corps of Engineers, and Palm Beach County. They also will need an archeologist on site. Mr. Powell called for a motion to approve moving forward with permits. Mr. Danchuk made a motion to move forward on the Canal 3 extension. Mr. Ryan seconded the motion and it carried unanimously. Mr. Ryan noted the Canal 2 Hatcher project and questioned if these two projects could be joined together. Mr. Lindahl noted that the two projects are on two different canals and could not be joined together.

Mr. Lindahl stated that Harbour Branch is doing the monthly quality water testing and recommended extending their contract for the next three years at the same cost. Mr. Powell called for a motion to renew the contract with Harbour Branch. Mr. Ryan made a motion to extending Harbour Branch's contract for the next three years. Mr. Danchuk seconded the motion and it carried unanimously.

Mr. Capko presented the attorney's report. Mr. Hinkle wanted to make sure that there was nothing to a report that the Town of Jupiter would require annexation of Palm Beach Country Estates in order to hook up to the potable water. Mr. Capko assured him that Mr. David Brown, Town of Jupiter Utilities Director, said that it was a one-time mistake. Mr. Hinkle also wanted to know the status of adding the word "improve" to the District's legislation regarding the recreational facilities on the east side of the District.

Mr. Capko stated that they would be going to the legislature late this fall to initiate adding the word. Mr. Hinkle asked about the procedure for the Board of Supervisors election and Mr. Capko responded that the ballots were to be sent out on Aug. 20 and are to be returned to the District office.

Under New Business Mr. Ryan asked if the board should take up the idea of changing the way we hold the elections and pre-empt the Supervisor of Elections (Ms. Susan Bucher) from requesting change in the legislation.

Under Landowner items, Ms. Dorothy Taylor, landowner handed Mr. Powell a letter with some items she wanted to put on the SIRWCD next agenda. A landowner stated that the name and address line on the questionnaire should have been eliminated so that people would feel free to express their true thoughts.

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 21, 2012

The regular meeting of the South Indian River Water Control District was held on June 21, 2012, at 7:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Tom Powell, Tom Rice and Michael Danchuk. Also present were Len J. Lindahl, engineer; William Capko, attorney; Charles Haas, treasurer; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Several landowners were present.

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

Mr. Powell called for approval of the consent agenda which included approval of minutes from April 5th and May 17th, and approval of the monthly disbursements. Mr. Danchuk made a motion to approve the consent agenda; Mr. Rice seconded the motion and it carried unanimously.

The public information report was presented by Ms. DeNinno. The website has been updated. The next District newsletter is being finalized and will include the landowner questionnaire as discussed at a previous meeting.

Mr. Haas presented the treasurer's report. The annual audit report has been received and contains a recommendation for more frequent budget transfers in the form of budget amendments. Mr. Haas concurs with this recommendation. In reviewing the budget for the park, Mr. Haas expects an overage in the maintenance budget by approximately \$20,000 and will formally request a budget transfer at the next Board meeting.

Mr. Haas presented the proposed 2012-2013 budget for Board review and noted this needs to be adopted in August. He suggested that the August meeting be advertised as a budget hearing and the Board agreed. Mr. Danchuk noted a proposed \$6 increase in the PBCE assessments and requested this be addressed. Mr. Haas stated this increase is necessary in order to maintain the same level of service in the east side water control budget; no services are being increased.

Mr. Dillon presented the manager of operations' report. He recommended renewing the Terra-Tech aquatic weed spraying contract for 2012-2013 at the same price. Mr. Rice made a motion to renew the Terra-Tech contract; Mr. Danchuk seconded the motion and it carried unanimously. Mr. Rice suggested entering into a two-year contract with Terra-Tech if they will continue at the same rate. Mr. Dillon will make the inquiry.

Mr. Lindahl presented the engineer's report. The certification for the park is done and the fence will be installed in July. Regarding NPDES, a new standard operating procedure will be developed over the next year. Mr. Lindahl has survey information regarding the Canal 3 extension and is working on excavation plans prior to going through the permitting procedure.

Mr. Capko presented the attorney's report. The roadway referendum is ready to go out and discussions continue with the Supervisor of Elections (Ms. Susan Bucher) regarding its processing, as well as the handling of the election ballots for Board supervisor. Ms. Bucher's concern is the upcoming primary in August and the general election; she has requested the District's referendum be postponed until January. Mr. Capko noted there will be a maximum of 200 ballots for the referendum and only two candidates for supervisor in a two-seat election. Ms. Bucher has also requested that all ballots be mailed to the SIRWCD office as provided for in the Special Acts. Mr. Capko is working on developing a procedure for this, coordinating with the Supervisor of Elections. The Board unanimously agreed to proceed with the referendum mailing as soon as possible, without delay, and staff was so instructed.

Mr. Haas reported he has been working with Mr. Capko to address the problems associated with receipt of election ballots by the landowners. In the past, ballots have been mailed out in July using the most current tax roll. By postponing the mailing, a more current mailing list may be available. Mr. Haas noted he would need the tax roll information by August 1st in order to prepare the mailing. Mr. Capko noted there is a 30-day requirement.

Mr. Bob Berman, landowner, requested that the Board take action to amend the legislation regarding the recreational facilities on the east side of the District, adding the word "improve." This would alleviate future problems there were encountered this past year with the park. Mr. Capko noted there is usually a reluctance to add powers to special districts but this is a minor change that would allow SIRWCD to make improvements in the park. Mr. Capko will review other existing legislation so it is clear that the Board is not seeking the authority to conduct capital improvements without a referendum. Mr. Danchuk made a motion authorizing and instructing the staff to proceed with the requested change in the legislation. Mr. Rice seconded the motion and it carried unanimously. Mr. Capko was specifically instructed to check other legislation as discussed.

A landowner commented that a longstanding flooding problem of pasture land was recently reported to Mr. Dillon. The following day the swale was cleared and the problem corrected.

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 MAY 17, 2012

The regular meeting of the South Indian River Water Control District was held on May 17, 2012, at 7:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Tom Powell, Tom Rice, Michael Danchuk and Michael Ryan. Also present were Len J. Lindahl, engineer; Tara Duhay from Lewis, Longman & Walker, attorney; Charles Haas, treasurer; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Fifteen landowners were present.

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

Mr. Powell introduced Mr. Rob Robbins from Palm Beach County Department of Environmental Resources Management. Mr. Robbins presented an update on the Jupiter-Venture/Hatcher Restoration Project. He noted that a year ago SIRWCD wrote a letter of support for the project; he requested a similar letter of support at this time for the redesigned project. Mr. Robbins explained that changes to the project include additional expansion of the existing lake. The natural area will be rainfall driven with overflow into the lake. No additional structure for discharge is planned. This revised simplified plan will result in less operation and maintenance. Mr. Robbins confirmed this will be a gravity flow system. The plan provides significant additional surface water storage for the District. The staging area will become a parking lot for non-motorized boats. The County retains ownership of the pump. Structures will be maintained by the County and there will be no additional cost to the District. Mr. Lindahl recommended that the Board provide a letter of support for the redesigned project. Mr. Danchuk made a motion directing the staff to prepare the appropriate letter of support. Mr. Rice seconded the motion and it carried unanimously.

Mr. Powell called for approval of the consent agenda which included approval of minutes from March 15th and April 5th, and approval of the monthly disbursements. Mr. Danchuk requested an addition to the April 5th minutes and this item was withdrawn from the consent agenda. Mr. Rice made a motion to approve the revised consent agenda; Mr. Danchuk seconded the motion and it carried unanimously. Mr. Danchuk requested that his specific comments regarding rejecting the landowners' petition be included in the April 5th minutes. The secretary was instructed to make the appropriate corrections and resubmit the minutes for approval at the next meeting.

The public information report was presented by Ms. DeNinno. The website has been updated. Work is ongoing for the next District newsletter. Ms. DeNinno is working with Mr. Rice on a landowner survey/questionnaire. Mr. Rice commented that the survey will ask for opinions regarding items that the Board has control over. He requested input from the Board and staff. The survey/questionnaire will be included in the newsletter and on the website.

Mr. Haas presented the treasurer's report. He noted that the extension agreement with the Town of Jupiter has been executed and the protocol necessary for landowners to sign up for a water service account is being established. The Town of Jupiter will be forwarding documents to SIRWCD for approval.

Mr. Dillon presented the manager of operations' report. He requested Board approval to declare an HP computer and keyboard as surplus, removing them from inventory. Mr. Danchuk made a motion to declare these items surplus; Mr. Ryan seconded the motion and it carried unanimously. Mr. Dillon reported that Lynch Construction has

the permit for the fence in the park in Palm Beach Country Estates. He also reported there are two culverts east of Jupiter Farms by Riverbend Park (Canal #3) that are obstructing water flow. He is working with the County to remedy this problem. Mr. Rice made a motion authorizing and instructing staff to move forward on this issue and obtain cost estimates. Mr. Danchuk seconded the motion and it carried unanimously.

Mr. Lindahl presented the engineer's report. He is finalizing the referendum for the proposed 17th Plan. Ms. Duhy reported no change to date regarding discussions with the Supervisor of Elections.

Mr. Rice congratulated Mr. Berman on the dedication of the park in Palm Beach Country Estates. Mr. Berman noted that the process has taken 28 years.

Mr. Ryan suggested that a note be included with the road referendum ballots stating another ballot will be sent out shortly for the election of supervisors. The Board agreed to do this in an attempt to avoid confusion by the landowners.

Mr. Powell then opened the floor to landowner discussion. Ms. Dorothy Taylor, landowner, stated that her family and some of their neighbors are being harassed over the issue of paving Winterhawk Trail. She had a lengthy discussion with the Board regarding the issue of the petitions. She stated because of certain comments from the Board at the March 15th meeting, it was assumed by the landowners that the petition for paving Winterhawk & 175th was rejected. Mr. Powell stated, regardless of discussion, only the formal action with a vote taken by the Board is decisive. He also noted that the Board does not vote to take a negative action. That is why the petition removed from the motion made at the March 15th meeting was then addressed at the next meeting in April. It was further explained that the referendum will contain cost estimates, including financing costs, and this is usually over-estimated. Ms. Taylor was concerned that the landowners on Winterhawk have no control. Mr. Powell stated the referendum vote gives landowners control. He also stated that it was the District landowners who put into law the requirement for a landowner-initiated petition and subsequent referendum for capital improvements. Without this language in the law, the District could conduct traffic surveys and put together a good road paving plan. As the law stands now, the Board can only act on landowner petitions. Mr. Powell noted that the Board established a policy whereby a stand-alone road cannot be paved when it does not connect with another paved road. The landowners initiating the petition followed Board policy. Mr. Powell also explained how benefited areas are determined. Mr. Rice stated there has not been a time when the Board has separated a petition once it has been presented. It was his opinion that the Board needs to conduct a workshop for the purpose of establishing a policy for this type of situation. Mr. Rice explained that the decision to accept this petition after the cut-off date was done in an effort to cooperate with the landowners.

Mr. Danchuk clarified that the Board's policy states if a road is not attached to another paved road, the Board will vote against proceeding to a referendum. He believed this is different than telling landowners who want a paved road that they have to attach to another paved road. Mr. Danchuk also stated the Board has the right to reject a referendum even if it passes. Ms. Taylor then pointed out that Winterhawk Trail from Indiantown to 177th Road is a "standard road." However, at the corner of 177th and Winterhawk the road bends and becomes a "half road." The fence lines, hedges, driveways, etc. are actually on the road at that location. Mr. Lindahl stated the design and cost will be discussed in detail at the two public hearings and these issues will be addressed at that time.

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 5, 2012

The regular meeting of the South Indian River Water Control District was held on April 5, 2012, at 7:30 p.m. at the District Work Center, 15600 Jupiter Farms Road, Jupiter, Florida. Present were Supervisors Tom Powell, David Beane, Tom Rice, Michael Danchuk and Michael Ryan. Also present were Len J. Lindahl, engineer; William Capko, attorney; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Eleven landowners were present.

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

The public information report was presented by Ms. DeNinno. The website has been updated. The 21st annual Landowners Family Day was held on March 17th with over 900 attendees, approximately 15% more than last year. Work has begun on the next newsletter.

In Mr. Haas' absence, Mr. Powell reported that the extension agreement with the Town of Jupiter has been executed.

Mr. Dillon presented the manager of operations' report. He requested Board approval to declare two Motorola radios, a computer and a scanner as obsolete. Mr. Rice made a motion to declare these items obsolete; Mr. Danchuk seconded the motion and it carried unanimously. Mr. Dillon reported that the irrigation and landscaping for the Palm Beach Country Estates park is progressing. May 12th is the tentative date for dedication of the park.

Mr. Lindahl presented the engineer's report. An additional petition for asphalt paving on 82nd Terrace has been received and satisfies the 35% requirement. He requested Board direction as to including this petition in the current referendum, increasing the total to 2.6 miles of asphalt paving. Mr. Danchuk made a motion to include this petition. Mr. Ryan seconded the motion and it carried unanimously.

Mr. Danchuk requested clarification of the status of the petition for paving Winterhawk and 175th Road North. The Board confirmed this petition is not included in the referendum at this time but the issue needs to be addressed at this meeting. Mr. Powell stated those landowners filed a petition and have the right to vote. Mr. Lindahl briefly recounted that the petition for paving satisfies the 35% requirement. At the last Board meeting, it was decided not to include it in the referendum at that time. The benefited area includes the entire petition, i.e. both Winterhawk and 175th. Mr. Powell briefly recounted the discussion at the last Board meeting when landowners requested a splitting of the petition. He called for further Board discussion at this time.

Mr. Danchuk questioned if the Board can allow the two separate roads to vote, even though there are not two separate petitions. Mr. Capko stated the Board has the discretion to accept a petition as submitted and proceed to referendum, to not move ahead with the petition or referendum, or to decide that some segment of the petitioned area should have a separate referendum. He reiterated that the petition is only to show interest, and noted there is support from both roads in the petition. Mr. Beane stated that the District has established policies and procedures that should be followed. These procedures were updated recently at a workshop meeting. It was Mr. Beane's opinion that the Board has an obligation to follow those established procedures. Mr. Rice agreed with Mr. Beane's comments. Mr. Danchuk made a motion to allow the two roads to vote individually. Mr. Rice seconded the motion for purposes of further discussion. Mr. Ryan was concerned that one road may be overruled by another road. He noted that if landowners on Winterhawk do not vote to pave, the landowners on 175th can repetition, connecting with either 112th or 113th. Mr. Danchuk was concerned that combining the two roads in a single referendum could create animosity among those landowners. He was also concerned about the financial responsibility that would impact the landowners who are not in favor of paving. Mr. Danchuk noted that the Board has the right to allow the landowners to vote independently without harm to either side. Mr. Rice questioned why the Board would change the way the petition was presented. Mr. Powell again stated the District is not authorized to conduct

traffic studies. The Board is authorized to respond to landowner petitions.

Before calling for a vote on the motion, Mr. Powell opened the floor to additional landowner comments. A landowner on Winterhawk stated he never received a petition. Mr. Powell stated that petitions are originated and distributed by landowners; the Board has no involvement. However, if a referendum is carried out, every affected landowner will be sent a ballot for voting. Another landowner questioned why 112th or 113th are not options to connect with 175th. Mr. Danchuk stated it is up to the landowners to decide what they are going to use as their access roads. Several landowners thought that at the last Board meeting Winterhawk was "tossed out" and other feeder roads would be added. Mr. Powell stated that no action was taken regarding Winterhawk at that meeting; it was simply removed from the referendum at that time, to be discussed later. He explained the Board is now discussing the issue of whether the two roads will vote independently or together.

After Board and landowner discussion, a vote was taken on Mr. Danchuk's motion. Messrs. Danchuk and Ryan voted in favor; Messrs. Rice, Beane and Powell voted against and the motion failed to pass. Mr. Rice again commented the Board should be following longstanding established policies. He then made a motion to include Winterhawk and 175th Road North in the referendum. Mr. Beane seconded the motion. Mr. Rice emphasized that landowners have the opportunity to make their feelings known to their neighbors prior to voting on the referendum. He also reiterated that all landowners in a benefited area will be sent ballots. In response to a landowner, Mr. Capko explained that the petition and referendum process is for landowners who want to have an improvement, not for landowners who do not want improvements. He also commented that the Board has always followed a petition as it is submitted by the landowners, unless the engineer determines the improvements cannot be done. Mr. Powell commented that if a referendum passes, that gives the District the authority to assess, but not the obligation to assess. After Board and landowner discussion, a vote was taken on Mr. Rice's motion. Messrs. Danchuk and Ryan voted against; Messrs. Rice, Beane and Powell voted in favor and the motion passed. The engineer was authorized and instructed to include that benefited area into the referendum package.

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 15, 2012

The regular meeting of the South Indian River Water Control District was held on March 15, 2012, at 7:30 p.m. at the Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Tom Powell, David Beane, Michael Danchuk and Michael Ryan. Also present were Len J. Lindahl, engineer; William Capko, attorney; Charles Haas, treasurer; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Nine landowners were present.

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

Mr. Powell called for approval of the consent agenda which included approval of minutes from January 19, 2012, and approval of the monthly disbursements. Mr. Beane made a motion to approve the consent agenda. Mr. Danchuk seconded the motion and it carried unanimously.

The public information report was presented by Ms. DeNinno. The website has been updated. The March issue of the newsletter has been mailed to all landowners. Work continues on the 21st annual Landowners Family Day scheduled for March 17th. The updated photo gallery of the Board of Supervisors and staff is on the wall at the Work Center.

Mr. Haas presented the treasurer's report. He discussed the status of the proposed extension agreement with the Town of Jupiter; the original agreement expires in June 2012. He explained that the Town of Jupiter will take over the hook-ups in Palm Beach Country Estates to the Town's water system; SIRWCD will make the annual assessment and forward the funds to the Town of Jupiter. Landowners who have not yet hooked up will be able to hook up during the three-year term of this extension agreement at the same connection fee in place in 2005. SIRWCD will be reimbursed for construction costs in the amount of \$550,000 in 2012. This amount will be offset by unpaid hook-ups. Mr. Danchuk made a motion to extend this agreement with the Town of Jupiter; Mr. Ryan seconded the motion and it carried unanimously.

Mr. Dillon presented the manager of operations' report. Regarding the park in Palm Beach Country Estates, the parking lot has been paved, complete with drainage. The striping and chain link fence still need to be completed. The landscaping is on hold due to a permitting issue. Mr. Dillon reported that the east end of canal #3 has two pipes that require replacement. He also reported that two landowners in PBCE have reported rust in their water. The Town of Jupiter has been notified and a representative will be contacting those landowners.

Mr. Lindahl presented the engineer's report. Regarding the upcoming plan of improvements, petitions have been received from landowners: five for OGEM on the west side (2.3 miles) and six for asphalt in PBCE (2.2 miles). The estimated cost for OGEM is \$260,000/mile and for asphalt is \$375,000/mile. Mr. Lindahl explained that the petitions have met the required 35%. The estimated costs have been determined for purposes of a referendum. If the Board proceeds with a referendum, all landowners in the benefited areas will have the opportunity to vote. If the referendum passes by more than 50%, a plan of improvements will then be prepared by the engineer, after which there will be two public hearings. If the project continues, bids will be obtained, plans will be developed and construction will begin.

Mr. Lindahl reported that petitions have been submitted for Winterhawk Trail and 175th Road North combined: one is against improvements and one is in favor of improvements. Out of a total of 31 lots, 11 are petitioning against improvements and 13 are petitioning in favor of improvements. Mr. Powell explained that the purpose of a petition is only to demonstrate if there is enough interest to proceed with a referendum. Several landowners on Winterhawk stated the majority of landowners on their road are against paving. They were primarily concerned with speeding and safety issues. They suggested that 175th could connect with 112th or 113th instead of Winterhawk, and requested that the two roads (Winterhawk & 175th) be separated. Mr. Powell stated a road can't be paved if it does not connect to another paved road; thus a benefited area is not always determined to be street-by-street. He also noted that if the landowners are not in favor of paving, they should vote "no" in the referendum. It was Mr. Ryan's opinion that if Winterhawk can be paved on its own, then landowners on 175th could later submit a separate petition to connect to it. Mr. Powell stated that the Board has no authority to conduct traffic studies; by law the Board can only respond to the landowners' petitions and subsequent referendum. Mr. Danchuk noted that speeding on his street decreased after it was paved. It was his opinion that each road should be able to decide separately. He also suggested that the Board has the option to reject a petition. Mr. Powell was concerned with following procedure and the law; he was not in favor of changing the benefited area after it was defined by the engineer. After a lengthy discussion, Mr. Danchuk made a motion authorizing and instructing the engineer and staff to proceed at this time with a referendum for paving 1.7 miles of OGEM and 2.2 miles of asphalt, excluding 175th and Winterhawk at this time. Mr. Beane seconded the motion and it carried unanimously.

Mr. Len Lindahl, Sr. commended Mr. Haas and the staff for the terms of the extension agreement with the Town of Jupiter.

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 19, 2012

The regular meeting of the South Indian River Water Control District was held on January 19, 2012, at 7:30 p.m. at the Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Tom Powell, Tom Rice, David Beane, Michael Danchuk and Michael Ryan. Also present were Len J. Lindahl, engineer; William Capko, attorney; Charles Haas, treasurer; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Seven landowners were present.

Mr. Powell called the meeting to order. He then called for approval of the consent agenda which included approval of minutes from October and November, 2011, and approval of the monthly disbursements. Mr. Rice made a motion to approve the consent agenda. Mr. Ryan seconded the motion and it carried unanimously.

The public information report was presented by Ms. DeNinno. The website has been updated. The winter newsletter has been mailed to all landowners. Letters are being mailed to PBCE landowners who participated in the FEMA flood map program. Work continues for the 21st annual Landowners Day scheduled for March 17th.

Mr. Haas presented the treasurer's report. He is currently working with the Town of Jupiter regarding the extension agreement. The renewal and replacement budget is being reviewed.

Mr. Dillon presented the manager of operations' report. Crews continue to install signs along the drainage canals regarding ATV and other unauthorized motor vehicles. A horse gate has been installed at the Alexander extension. Mr. Danchuk thanked Mr. Dillon for his attendance at the PBCE homeowners' meeting. Mr. Rice also thanked Mr. Dillon and his staff for participation in the annual parade.

Mr. Lindahl presented the engineer's report. The permit for the PBCE park has just been issued and will include the parking area, sidewalks and walkway paths. He noted that no structures are included in this permit. The District is responsible for opening and closing the park. Mr. Lindahl reported on the completion of the 16th Plan of Improvements (OGEM) project. Roadway Management has completed all of the punch list items.

Petitions for OGEM have been received for 1.4 miles of roads and for asphalt on 2.2 miles of roads. All requests have been re-confirmed according to the Board's guidelines. This proposed plan is now closed for new petitions. The benefits and costs will now be evaluated in preparation for a referendum. Mr. Danchuk made a motion to authorize and instruct the engineer and staff to define the benefited area, establish costs and proceed with the referendum. Mr. Rice seconded the motion. During discussion, the Board had some concerns with the small size of this project. It was agreed that any petitions submitted in the next month or two will be accepted and incorporated into this project. The motion carried unanimously.

Mr. Lindahl reported there will be a Florida DEP hearing in February regarding the EPA nutrient standards. Mr. Capko presented the attorney's report. He noted that the Governor has issued an executive order for a thorough review of all 1600 special districts in the state. No details are available yet but issues expected to be reviewed include the reason the special district was created, whether its goals are being met and finances. Mr. Capko's office has responded on behalf of the Florida Association of Special Districts. He will monitor this matter and keep the Board advised.

Mr. Capko reported there has been no indication to date that the Supervisor of Elections is taking any further action regarding SIRWCD's voting procedures. Mr. Steve Hinkle, landowner, suggested holding the road paving petitions for a year. Mr. Powell noted that the Board does have that option and will make a decision when the costs are evaluated. Mr. Ken Trapasso, landowner, was concerned about OGEM not lasting, as demonstrated on 160th. Mr. Haas noted that the life cycle cost for OGEM is approximately the same as for asphalt; there is no substantial difference between maintaining OGEM and asphalt.

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 9, 2011

The regular meeting of the South Indian River Water Control District was held on November 9, 2011, at 6:00 p.m. at the District Work Center, 15600 Jupiter Farms Road, Jupiter, Florida. Present were Supervisors Thomas Powell, Michael Danchuk, Michael Ryan and David Beane (by telephone). Also present were Len J. Lindahl, engineer; William Capko, attorney; Charles Haas, treasurer; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Several landowners were also present.

Mr. Powell called the meeting to order. Due to a timing issue, he stated the Board needs to adopt a resolution for the refinancing of the 2001 bonds for Egret Landing at this meeting. Mr. Capko explained that Regions Bank submitted a favorable bid to the District for this refinancing which will result in a savings of approximately \$600,000 (a 14% reduction in assessments) for the landowners. The loan closing is scheduled for November 14th with funding to take place on the following day. He presented copies of the note resolution. Mr. Haas noted that landowners will have the option to prepay their assessment on an annual basis. After a brief discussion, Mr. Danchuk made a motion to adopt the note resolution. Mr. Ryan seconded the motion and it carried unanimously.

Mr. Capko presented a request from Supervisor of Elections Susan Bucher to amend the District's Special Act to remove her office from SIRWCD's election process. She cited difficulties with SIRWCD's handwritten ballots, issues with landowner questions and complaints, and concerns about the general election occurring at the same time as SIRWCD's election. She has expressed her intent to demand that the legislative delegation make these changes to the District's Special Act. Mr. Capko noted that SIRWCD is the only District that has a Supervisor of Elections involved in this process. He suggested hiring a forensic accounting firm to mail and tabulate the ballots. Mr. Ryan noted that the ballots are not coming from registered voters and signatures must be verified by Ms. Bucher's office. Mr. Danchuk was concerned about not using a government entity to count votes and how the landowners would react to this change. Mr. Powell noted that SIRWCD has a longstanding history of allowing the County to use the Work Center facilities as a voting location, providing personnel at no charge, and in turn the Supervisor of Elections counts the District ballots. He suggested that if changes are to be made to the Special Act, the District should also benefit. Mr. Beane stated he was inclined to follow the attorney's opinion. Mr. Capko stated this is not a legal issue but a policy decision. Mr. Steve Hinkle, landowner, was concerned about the mistrust by landowners and noted a change in voting procedure would not be well received.

Ms. Carol Ryan, landowner, commented there should be a Q&A section on the website regarding election procedures, as well as standard answers for persons calling the office. After further discussion, the Board agreed to monitor the situation and if Ms. Bucher proceeds with an attempt to modify the Special Act, the Board should be notified immediately.

Mr. Dillon requested that an item be declared surplus and removed from inventory. The Board unanimously agreed.

Mr. Lindahl reported that a building permit is being obtained in order to complete landscaping for the park in Palm Beach Country Estates. He also reported that FDEP has submitted rules regarding phosphorus and nitrogen for our area. The Board will be kept advised about this issue.

Mr. Lindahl noted that, as requested, FEMA has removed 58 lots from flood zone AO; they are now flood zone B. Three additional lots are in question and this is being discussed with FEMA.

Mr. Danchuk noted that the Palm Beach Country Estates HOA has invited Mr. Dillon to its January meeting. Mr. Danchuk also noted there is a gathering planned at the park on December 11th; he was concerned with rules affecting such a gathering. Mr. Lindahl stated all permitting is expected to be finalized within a week or two.

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 OCTOBER 19, 2011

The regular meeting of the South Indian River Water Control District was held on October 19, 2011, at 7:30 p.m. at Jupiter High School, 500 North Military Trail, Jupiter, Florida. Present were Supervisors Thomas Powell, Tom Rice, Michael Danchuk and Michael Ryan. Also present were Len J. Lindahl, engineer; William Capko, attorney; Charles Haas, treasurer; Michael Dillon, manager of operations; Donna DeNinno, public information; and Jane Woodard, secretary. Three landowners were present.

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

It was announced that the election results certified by the Supervisor of Elections Office reflect Thomas Powell as the winner over Susan Kennedy. Mr. Danchuk made a motion to accept these results. Mr. Ryan seconded the motion and it carried unanimously. Mr. Powell was then sworn in for a three-year term as Supervisor.

Mr. Rice made a motion to renew the current officers and committee appointments. Mr. Danchuk seconded the motion and it carried unanimously.

Mr. Powell called for approval of minutes from August 18th and September 15th, 2011. Mr. Danchuk made a motion to approve the minutes as submitted. Mr. Ryan seconded the motion and it carried unanimously.

The public information report was presented by Ms. DeNinno. News releases were sent out to the local newspapers and community publications. The website has been updated. The next newsletter is in progress and will include annual reports and election results.

Mr. Haas presented the treasurer's report. Proposals have been received from several banks to fund the call of the 2001 Egret Landing bonds. He recommended accepting the proposal from Regions Bank which would result in a savings of approximately \$600,000 for the landowners. Mr. Rice made a motion to obtain the loan from Regions Bank. Mr. Danchuk seconded the motion and it carried unanimously. The Board thanked Mr. Haas for his efforts in obtaining this savings for the landowners.

Mr. Haas then reported there are some terminology changes related to the treatment of fund balances and a new requirement that a written policy be established for spending fund balances. He presented a policy which basically codifies practices already followed by the District. Mr. Danchuk made a motion to adopt this formal policy. Mr. Rice seconded the motion and it carried unanimously. Mr. Haas then presented the monthly disbursements and recommended Board approval. Mr. Rice made a motion approving the disbursements. Mr. Danchuk seconded the motion and it carried unanimously.

Mr. Dillon presented the operations manager's report. He requested approval to declare a Motorola radio and electronic typewriter as surplus and remove them from inventory retroactively to September 30th. Mr. Rice made a motion declaring the items as surplus. The motion was seconded and carried unanimously. Mr. Dillon

recommended renewing the contract with Terra Tech for aquatic vegetation control under the same terms as previously. The Board unanimously agreed.

Mr. Dillon reported bids were received for the park in Palm Beach Country Estates and recommended acceptance of Paul Leffler's bid of \$36,754 for trees, shrubs and irrigation. He noted the bid does not include mulch or sod. Mr. Danchuk made a motion to accept this bid. Mr. Ryan seconded the motion and it carried unanimously.

Mr. Danchuk expressed his concerns with the aquatic weed spraying killing all the vegetation and would like to find alternative ways to control the weeds. He will discuss this issue with Mr. Dillon.

Mr. Lindahl presented the engineer's report. He reported that the asphalt paving project in PBCE will be finalized within the next few weeks. The road bumps in the OGEM project have been repaired with a better product and this will result in an additional year's warranty for that area.

Mr. Lindahl reported receipt of three petitions for OGEM in Jupiter Farms (1.2 miles) and two petitions for asphalt in PBCE (1.1 miles). He noted that according to Board policy, all petitions must be acted upon within 12 months, there is a one-year waiting period if a referendum fails, and 35% of the affected landowners must approve. All current petitions have greater than 35% approval. However, two petitions now exceed one year and he requested Board clarification. Mr. Powell noted that these petitions were received after the previous cut-off date and this is the first opportunity they have had to proceed. The Board discussed the issue of combining paving projects to be more cost effective for the landowners. They discussed options for finding contractors to handle smaller projects and setting cutoffs. The Board also discussed the issue that original petitioners may no longer be the current owners. After further discussion, Mr. Danchuk made a motion establishing a policy requiring verification that petitioners are still the current owners if a petition exceeds one year. Mr. Ryan seconded the motion and it carried unanimously. It was clarified that these petitions will be fluid until accepted by the Board; e.g. if an original petitioner has sold the property, the current owner can take his place on the petition. The motion passed unanimously. The Board agreed to set annual cut-offs for the end of December.

Mr. Capko presented the attorney's report. He noted that the refunding of the Egret Landing bonds must close by November 15th and suggested rescheduling the regular monthly Board meeting to facilitate the execution of the loan documents. The Board agreed to reschedule the meeting for November 9th at 6:00 p.m. at the Work Center. Mr. Capko presented the Board with a revised employment agreement for Mr. Dillon which eliminates any automatic increases; it will be an annual decision of the Board to make any salary changes. Mr. Rice made a motion to accept the revised agreement. Mr. Danchuk seconded the motion and it carried unanimously.

Mr. Rice suggested that the Board's policies and procedures be updated and ratified annually.

Mr. Danchuk noted Mr. Capko and Mr. Lindahl are putting together a formal policy regarding paving projects/assessments that involve corner lots.

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