

## **Minutes of the Regular Meeting of the South Indian River Water Control District Held on March 21, 2024**

The regular meeting of the South Indian River Water Control District was held on March 21, 2024, at 6:00 p.m. at the District Work Center, 15600 Jupiter Farms Road, Jupiter, Florida, and via Zoom video conferencing. Present in person were Supervisors Michael Howard, Tom Powell, John Jones, John Meyer, and Susan Kennedy. Also present in person were Mike Dillon, manager of operations; Charles Haas, treasurer; Karen Brandon, engineer; Seth Behn, attorney; Donna DeNinno, public information; and Jane Woodard, secretary. Twelve landowners were also present. Seven landowners were present via Zoom video conferencing.

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

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

Mr. Howard opened the floor to landowner discussion. The landowners had no issues to discuss at this time.

Ms. DeNinno presented the public information report. She reported on the 30th Annual Family Day and thanked all who helped make it a success. Mr. Dillon and Ms. Rigsby were presented with floral bouquets at the event in acknowledgement of their years of service. A suggestion was made to consider an earlier date for next year's event, possibly in February.

Mr. Haas presented the treasurer's report. In February he received an unsolicited call regarding the purchase of the District's cell tower lease. Currently the lease provides an income of \$36,500/year to the District and there are seven years left on the lease. The purchase proposal from Symphony Wireless would be for an anticipated \$803,000 lump sum amount. They want an easement for the time on the existing lease with Verizon and an additional 250 square feet if they find a second cell tower location. The easement is to be used only for the cell tower. If a second location is not found, the easement reverts back to the District. Mr. Haas researched leases in the area, and they are averaging about \$25,000/year. He discussed more of the details of the offer and stated he was of the opinion that this was a good offer from a reasonable company. He recommended accepting the offer that has a revenue-sharing function which only comes into play if they use the additional 250 square feet. Mr. Behn stated the District can only provide what it still holds. The District's lease with Verizon gives them the right to assign their interest but is silent as to the District's right to assign. There would need to be a caveat as to this issue. Mr. Haas noted that although he is dealing with Symphony Wireless, the letter of intent is from Wireless Propco LLC. He believes this is a corporate structure issue but would want to be indemnified by Symphony, as well as Wireless Propco. The letter of intent provides for an 80-year lease with revenue sharing. The District would receive \$766,521. The cell tower income currently goes into the Manager of Operations' budget and Mr. Haas recommended that this income go into the capital improvement fund. However, the distribution of funds is at the Board's discretion. **After further discussion, Mr. Powell made a motion authorizing Mr. Haas to proceed with negotiations regarding the cell tower lease as**

**discussed. The motion was seconded and carried unanimously.** Mr. Behn will draft the necessary documents and bring them to the Board for approval.

Mr. Dillon presented the manager of operations' report. He discussed the purchase of a new John Deere grader from Dobbs Equipment for four payments of \$82,751/year. Mr. Haas noted there is another proposal that is a little less, but Dobbs is easier to deal with. He would like to take the time to compare options. **After a brief discussion, Mr. Powell made a motion to authorize moving ahead with the purchase of the John Deere grader in the amount of \$304,472. Mr. Jones seconded the motion and it carried unanimously.**

Mr. Dillon reporting he is working with contractors regarding the native vegetation in the District. There is an existing ditch that is not maintained and has no easement. The owner has agreed to deed a drainage easement to the District. Work is being done on Canals 6 and 2. In addition, two bids were received for the resurfacing of Rocky Pines. Mr. Dillon recommended awarding the bid to North Florida Emulsions. **Mr. Jones made a motion approving the bid from North Florida Emulsions for resurfacing Rocky Pines. Mr. Meyer seconded the motion and it carried unanimously.**

Mr. Howard recognized Ms. Greta Foriere, landowner, who had previously submitted a petition for paving 153 Court North in Palm Beach Country Estates. She noted only one bid was received and it was too high. She asked that the project be advertised again to see if more bids will be received.

Ms. Brandon presented the engineer's report. She discussed the quarterly water quality report for November, December, and January, which showed the coliform was a little high. She noted that sucralose was previously reported in nanograms but is now reported in micrograms. The coliform samples at the SW5 location were consistently higher and she suggested walking along Canal 5 to see if there is a reason for this.

Ms. Brandon discussed the Canal C project. Rio-Bak is willing to perform one third of the work and the Florida DEP confirmed that is acceptable. Ms. Brandon requested an extension of the deadline for work to be funded by the grant until December 31st. She is also discussing which section makes the most sense to work on.

Ms. Brandon reported that only one bid was received for the 20th Plan which was very high. At the request of the petitioner, the contractor was asked if the bid could be lower but it could not. Ms. Greta Foriere, the petitioner, noted other contractors were either unable to find the road or decided it was too much work for just one road. Ms. Brandon noted some additional costs (approximately \$500) would be involved if the project goes for bids again. The Board discussed the re-advertising process and agreed it would likely get another contractor's bid. Mr. Behn confirmed it is legal to advertise for a re-bid of the project. **Ms. Kennedy made a motion to readvertise for a bid for the 20th Plan. Mr. Powell seconded the motion and it carried unanimously.**

Four bids were received for the asphalt overlay of Haynie Lane and the "pink roads" in Palm Beach Country Estates. Ms. Brandon recommended awarding the bid to the low bidder, JW Cheatham, in the amount of \$386,100. **Mr. Meyer made a motion to accept JW Cheatham's bid on the asphalt overlay project. Mr. Jones seconded the motion and it carried unanimously.**

Mr. Behn presented the attorney's report. The Bill regarding the 12-year term limit has passed both Houses. There is a new requirement to establish goals and objectives which is due in October. Mr. Behn is working on this and will keep the Board informed. He reminded the Board again about the ethics training that must be completed before the end of the year. The Florida Association of Special Districts has put out an online version. Mr. Behn is also giving a live course in Orlando.

Mr. Howard made a statement to the attendees at the meeting. He stated the public is always welcome and encouraged to attend the monthly Board meetings. The District is in a time of transition. The current staff is capable and professional. The Board of Supervisors is working to find the best leadership for the District. Recent social media posts are citing inaccurate information, implying that there is an agenda "behind the scenes." The next director will have a lot of challenges. Mr. Howard asked everyone to not add to these challenges by spreading misinformation. Any landowner is welcome to call the Board members or Mr. Dillon if they have questions. The Board has a responsibility to the landowners to provide the highest level of service. Five people are interested in the job, and three have sent in their packets.

The application process closes April 8th. The committee will look at the applications as soon as possible after April 8th and then candidate interviews will be scheduled. The goal is to make a selection before the May meeting and have a compensation package approved. A special meeting may be scheduled for May 2nd. Ms. Kennedy stated the Board has been professional in establishing job charts, etc., and she thanked Mr. Howard and the committee for their work. The Board discussed doing an online job search, but decided to first see what the status is after interviewing the current applicants. The Board then discussed the logistics of the committee handling the interviews, and the Sunshine Law guidelines.

Under new business, Mr. Dillon requested approval to purchase a new 10 foot Batwing mower for \$29,000. This would replace the current 2009 model, which will then be salvaged for parts. **Ms. Kennedy made a motion approving the purchase of a new Batwing mower and the salvaging of parts from the old one. Mr. Powell seconded the motion and it carried unanimously.** Mr. Dillon also noted that Murray Logan Construction has fixed the leaks at the Work Center.

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

ADJOURNED.