

## MINUTES OF THE REGULAR MEETING OF THE SOUTH INDIAN RIVER WATER CONTROL DISTRICT HELD ON JULY 15, 2021

The regular meeting of the South Indian River Water Control District was held on July 15, 2021, 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 Tom Powell, John Jones, Michael Howard, and Susan Kennedy. Also present in person were Amy Eason, engineer; Mike Dillon, manager of operations; Charles Haas, treasurer; William Capko, attorney; Donna DeNinno, public information; and Jane Woodard, secretary. Three landowners were present in person. Charles Haas and one landowner were present via Zoom conferencing.

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

The approval of minutes was removed from the consent agenda. Mr. Jones made a motion to approve the amended consent agenda. Mr. Howard seconded the motion and it carried unanimously. Mr. Howard requested a correction in the July 1st minutes to reflect that he was present at the meeting via Zoom. The minutes were unanimously approved as corrected.

Mr. Powell opened the floor to landowner comments but there were none.

Ms. DeNinno presented the public information report. Staff reports and presentations have been added to the website. The newsletter will have an overview of the budget and information regarding the candidates for Supervisor, as well as information regarding the grant. Ms. DeNinno met with Messrs. Dillon and Howard to discuss the Policies and Procedures Manual and will meet again in September to prepare a report. She also had discussions regarding the cost of updating a video for the District. The estimate is in the range of \$10,000 and funding is available for this. The video would be kept at the District office and could also be put on the website.

Mr. Haas presented the treasurer's report. There are no issues that require Board action at this time.

Mr. Dillon presented the manager of operations' report. He met with Intercom regarding the telemetry system. They will get back to him with a proposal. Mr. Dillon noted that operator George McGarry has moved to Vermont after 17 years of service with the District.

Ms. Eason presented the engineer's report. She discussed the road paving petition received for 76th Trail North between 165th Street North and 167th Court North. The cost estimate is \$175,000 for .25 miles, based on historical costs. District financing would be one option, with the actual cost assessed over the term of available financing. If the project is not financed by the District, all funds would need to be collected and placed in a non-interest-bearing account before proceeding. She presented different assessment levels and recommended \$2,500 for eight years at 5% interest. **Since a referendum requires 90% approval, Ms. Eason also recommended that the petitioner be made aware of the cost before proceeding.** She noted that current construction costs are up now and there is a 20% contingency included in the estimate. She also noted that four of the lots are already on a paved road, and several are vacant lots. **The Board agreed this is a good idea.** Mr. Haas suggested proceeding cautiously with this project, and Ms. Eason agreed it will be difficult to get bids and obtain financing on such a small project. Ms. Eason updated the Board regarding the Section 7 drainage improvement project. An email from

FDEP was received requesting agreement contact information, a grant work plan, certificate of insurance coverage, location map, and site plan. Estimated project benefits include pollutant reduction, available water, and elimination of septic tanks. Cost reimbursement from the grant will be \$353,650, with the total estimate approximately \$707,300. All information is needed by August 31st. She has requested a sample contract from them so our staff can review it. They also requested a 12-month completion date. Ms. Eason has requested clarification of what they consider to be “complete.” Mr. Dillon pointed out that bids are required even though the work is being done by our engineer.

Mr. Capko presented the attorney’s report. He noted that Ms. Rigsby has always done a good job with the annual election paperwork, and he expects this to continue. He also noted the current Supervisor of Elections is very easy to work with. He stated that although the deadline for nominations that will appear on the ballot has passed, a candidate can always be nominated at the annual meeting.

Mr. Capko announced that his law firm will be in their new offices the first week of August.

Discussing old business, Ms. Eason has spoken with the County regarding the fill permit and the possibility of considering property in Palm Beach Country Estates as special flood hazard areas. She discussed Article 18 of the County’s Code and noted an exception that allows permitting of fill necessary to direct onsite drainage to the roadway. Fill can be used to bring water from the back of a lot to the front. The County is currently revising the Code and asked Ms. Eason to provide them with her notes and information. They are proposing that lots between .5 and 1.5 acres will have dry detention that stores a 10-year 24-hour storm event. Lots between 1.5 and 5.0 acres will have dry detention that stores a 25-year, 24-hour storm event. Lots greater than 5 acres will have dry detention that stores a 100-year 24-hour storm event. Ms. Eason presented a visual display of lots with various retentions and discussed the depth of detention/retention ponds. She noted there is a potential land use issue. This proposal will limit the grading of a lot and it will be up to the landowner to get water to the swale. She discussed bringing a lot’s base level up four feet. With no water retention on the property, water has nowhere to go except the road. It was questioned if the roads would withstand that amount of water. If new development raises their lots, it will be harder to handle drainage. Everyone should be able to drain equitably. Mr. Howard noted that traditional flow does not necessarily go from the back to the front of a lot. There was discussion of berms on the side as well as the use of ditches. Ms. Eason stated the County is waiting for other districts to review the proposal. If SIRWCD agrees with a .3% grade and berms, the County will use that criteria now for interim relief. Ms. Eason noted the retention issue will still need to be decided. This will be put in writing to the County. Ms. Kennedy stated the District-wide level of service should be whatever retention is necessary to keep the roads dry in a 10-year, 24-hour storm event. A landowner inquired if there is a long-term project for expanding the volume of water that can be held in swales. The Board stated this is what the engineer has been looking at in the Jupiter Farms Re-Engineering Project. The results suggest widening and deepening the swales for the best results.

Discussing new business, Mr. Dillon stated he was contacted by the contractor regarding the 20-acre parcel at Randolph and 164th which has recently been purchased. The owner is concerned about liability because of traffic and wants to fence it off. Access for the District on the north side is highly vegetated. The cost to clear the north area is estimated to be about \$16,000. The owner may be willing to work with the District to allow access by deeding an easement, in exchange for clearing the length of the property along Randolph Siding, which would double the cost of clearing to approximately \$29,000. Mr. Dillon

recommended clearing the north side of the property and working with the owner to have access on the south side to allow aquatic clearing or the repair of any erosion, etc. Mr. Dillon has confirmed with Mr. Haas that funds are available. **The Board agreed with Mr. Dillon's recommendation to work with the property owner.** Mr. Capko will be available to prepare a hold harmless agreement.

Ms. Kennedy requested that when a topic is to be discussed at a Board meeting and a decision is expected to be forthcoming, it should be specifically noted on the agenda, so landowners are informed prior to the meeting. Mr. Powell agreed this will be done whenever possible.

Mr. Powell announced he will not be present at the annual landowners' meeting due to travel plans. He further stated that although he was happy to serve as chairman for many years, and currently as interim chairman, it is time for someone else to take a turn and he wanted the Board members to know this prior to the organizational meeting.

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

ADJOURNED.