

MEETING MINUTES NOVEMBER 14, 2013

A public meeting of the Fellsmere Water Control District was called to order at 10:00 a.m. on November 14, 2013 held at the office of the District 109 N. Willow Street, Fellsmere, Florida. Mike Monroe called the meeting to order.

Supervisor's present was Mike Monroe and Richard Carnell.

Others present were, Michael O'Haire, George Simons, Marvin Carter, Jeff Bolling, Rodney Tillman, and Joyce Hertel.

Approval of Minutes:

A motion duly made by Mike and seconded by Richard the Minutes of September 12, 2013 were approved as mailed.

Attorney's Report:

Michael updated the Board on the I-95 lawsuit and that there would be a hearing December 9, 2013 in Titusville and he will at that time ask the Judge to stop construction.

Richard asked if there had been any mediation and Michael replied yes that it had occurred earlier this year at Mr. Nicholas esquire office in Satellite Beach and resulted in an impasse.

Engineer's Report:

George Discussed the Master Drainage Plan model he is working on and he feels that because of LIDAR he is getting a much better model and that with the future two lakes the water level should go down. He discussed the lots along Main Street and that developers could get points for buying into the two new lakes so that they could develop on smaller lots and not have to provide a retention pond on site. Under the BMAP, the District received a 50/50 share with the City of Fellsmere for the Hall, Carter and James Lake. Richard asked if George is working with the City to help the District get future points for the projects proposed. George answered yes he could work with the City in the future to protect the interest of Fellsmere Water Control District. Michael Monroe asked had there been any negative impacts as the result of the LIDAR information in any of the areas. George Replied that there were a couple areas of suspicion the way the LIDAR was flown but it does not appear, at this point of the model.

George reported on the Florida Organic Aquaculture site and that under the redesign the flood plain storage appears to be wrong. He has been working with Melissa Corbin the new engineer for FOA. He is asking for more information about the flood plain storage and grades. George also added that it appears the new large building might drain directly into S.L. 23 with no site retention. He will also address this matter with Engineers.

George stated that the stormwater system to attenuate the runoff from a storm event is not built. FOA has built a swale to direct the runoff into an existing pasture ditch that is connected to the FWCD Sub-lateral 23. It appears that the runoff from the building roof and the staging area around the building simply sheet flows away from the building and is directed offsite via this swale.

George stated that FOA needs to eliminate the connection from the pasture swale to the FWCD ditch(s) and hold their water onsite until they construct the permitted stormwater system. The onsite pasture ditch may hold the runoff from a small rainfall event but not much capacity there.

The entrance driveway was discussed and Richard advised George that he could send information to his office and he would help George work with the FOA.

Richard also stated that the road in question will be deeded to the City of Fellsmere Council at the meeting 11-14-13.

Mike asked George what was going on out by CR 512 and I-95 where the towers are. George replied that they are building a road and parking area for the City of Fellsmere welcome center where a kiosk with information about the area and the Trail can be viewed by the public. There will also be a tower to view the wetlands and a campground.

Superintendent/Treasurer Report:

Rodney presented a written Treasurer's Report and stated that the District is still undergoing audit. Mike Monroe asked how long does the Audit last. Rodney answered usually a week or more.

Resolution: Rodney then brought to the Boards attention the need to add and delete signers from the District checking account.

RESOLUTION:

At a regular meeting of the Board of Supervisors of the Fellsmere Water Control District held on November 14, 2013, the following resolution was unanimously adopted by the board;

WHEREAS, Fellsmere Water Control District holds a general checking account with Bank of America to write checks for general expenses incurred by the District;

WHEREAS, several District Member are listed on the account and have authority to write checks;

WHEREAS, the District is required to change some of the signatories on said account;

WHEREAS, the previous signatories are no longer necessary on the account:
Clifford D. Tyson.

WHEREAS, THE District needs to replace signatories on the account, the following individuals are to be named new signatories to the account:
Michael Monroe, Jerry R. Tillman, Richard Carnell, Jeff Bolling, Dawn Cosner, Judy Warga.

RESOLVED, that Clifford D. Tyson will be removed as a signatory on the Bank of America checking account and Michael Monroe, Richard Carnell and Jerry R. Tillman, Jeff Bolling, Dawn Cosner, Judy Warga shall be included as the new signatories on the checking account.

State of Florida

County of Indian River

I, Joyce Hertel, as Secretary of the FELLSMERE WATER CONTROL DISTRICT, certify the foregoing to be a true copy of Resolution duly adopted by said District at a meeting thereof held on the 14th day of November 2013.

Rodney then stated that since Mr. Tyson passed away it was now time to remove his nametag and meeting packet from the table. Rodney asked for a moment of silent reflection in memory of Mr. Tyson and his 21 years of service to the District. As this point Rodney removed Mr. Tyson's nametag to present it to Mrs.

Joan Tyson at a future meeting and the meeting packet was passed to Joyce Hertel secretary to the Board of Supervisors.

Supervisor's Comments:

Richard Carnell introduced Jeff Bolling, Chief Operating Officer of the National Elephant Center, Fellsmere Florida. Mr. Carnell addressed Jeff Bolling's qualifications to serve the remainder of the term of Clifford D. Tyson until the Annual Landowners May 8, 2014. Mr. Carnell then asked Mr. Bolling if he would be willing to serve as a supervisor of Fellsmere Water Control District until May 8, 2014. Mr. Bolling agreed and the Board then voted unanimously to elect Jeff Bolling for the remainder of the term of Mr. Tyson.

Michael O'Haire then administered the oath of office to Jeff Bolling.

Oath of Supervisor

State of Florida

Indian River County

I, Jeff Bolling do hereby solemnly swear that I will honestly, faithfully and impartially perform the duties involving upon me in office as Supervisors of Fellsmere Water Control District to which office I have been elected, and that I will not neglect any of the duties imposed upon me, Chapter 6458 of laws of Florida (acts of 1913), and all amendments thereto.

Signature

Sworn to and subscribed before me this 14th day of November 2013.

Personally Known

Produced Identification

State of Florida

Notary Public

My commission expires

The necessary forms, and proof of residence in FWCD boundaries, were completed as required by Florida Statute for Mr. Jeff Bolling to assume the remaining term of Clifford D. Tyson due to the death of Mr. Tyson.

RESOLUTION:

WHEREAS, Fellsmere Water Control District is a water control district duly organized under Chapter 298, Florida Statutes, and

WHEREAS, Clifford D. Tyson passed away November 5, 2013, and,

WHEREAS, Chapter 298.12(1) requires the remaining supervisors to fill the vacancy within 30 days, and,

NOW THEREFORE, the Board of Supervisors of Fellsmere Water Control District hereby adopts the following resolution.

BE IT RESOLVED, that the Board of Fellsmere Water Control District does hereby appoint Jeff Bolling to fill the vacancy created by the death of Clifford D. Tyson until the next Annual Landowners meeting May 8, 2014.

Joyce L. Hertel, Secretary
Fellsmere Water Control District

Corporate Seal

Mr. Carnell discussed the legislation to convert the District to a Community Improvement District that previously had failed and that he has been in contact with Mr. Terry Lewis, Lobbyist and Megan Demartini of the Governor's office. Should the Governor's office give a favorable review that the legislation might pass next session the District needs to do a resolution to move forward to local delegation if favorable? Michael O'Haire asked if the local delegation was still receptive to moving forward with the legislation. Richard answered yes, that while in Tallahassee Representative Mayfield was very receptive to moving forward with the legislation.

Resolution duly made by Richard and seconded by Mike that the District will move forward with the local delegation to re-file the legislation for the conversion of Fellsmere Water Control District to Fellsmere Improvement District if the Governor's office gives a favorable indication that the legislation could pass.

Public Comments: No public comments

Meeting was adjourned at 11:25 a.m. by Mike Monroe.

The general meetings for 2014 will be every other month on the second Thursday at January 9, March 13, May 8, Landowners Meeting, July 10, September 11, November 13, 2014 @ 10:00 A.M. at the District's Office.

Mike Monroe President
Board of Supervisors

Joyce Hertel
Secretary