

MEETING MINUTES JANUARY 10, 2013

Opening: A public meeting of the Fellsmere Water Control District was called to order at 10:00 a.m. on January 10, 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, Clifford Tyson and Richard Carnell. Others present were, Michael O'Haire, George Simons, Marvin Carter, Rodney Tillman, and Joyce Hertel.

Approval of Minutes:

A motion duly made by Clifford Tyson and seconded by Richard Carnell the Minutes of November 8, 2012 were approved as mailed.

Attorney's Report:

Conversion:

Michael talked about Conversion meeting with the Local Delegation at Vero Beach Chambers. The Local delegation is Debbie Mayfield Representative, Thad Altman, Senator and Joe Negrón Senator attending was Terry Lewis of Lewis Longman Walker PA; Paul Amos of O'Haire, Quinn, Candler, Casalino, PA; Richard Carnell DNE LLC; Rodney Tillman and Joyce Hertel Fellsmere Water Control District. Marvin congratulated Michael stating that he had saw Michael on TV during his presentation to the County and with the exception of Peter O'Brian it seemed that the County accepted the Conversion very well. Michael advised that one downside to the conversion will be that Rodney will have to take over the responsibilities of maintaining the Roads in the future. That was one reason the County was so excited.

Litigation FDOT:

Michael updated the Board on the Litigation with FDOT. Pictures of under I-95/Main Canal Bridge were provided for explanation. It appears that from the new pilings being pounded into the earth 50'+ feet the new road bed is disturbed. The cost to stabilize the new north side road bed and slope and the new south side road bed and slope of the I-95/Main Canal banks is estimated at \$200,000. Michael stated that FDOT does not own the land under the bridge. There are deeds filed by Mr. Walter Seiwert in Brevard County showing FWCD ownership. Michael stated that there are five different FDOT Attorneys and he doesn't know who he will be working with.

The Board issued a legal emergency for a strategy meeting and tour of the Bridge site to prepare for future litigation starting at the District office at 10:00 A.M. Thursday January 17, 2013.

Michael also stated that the FDOT/FWCD litigation is in the discovery process now and that he filed a bill in Indian River County and that the Bridge is in Brevard County so he may have to move the litigation to Brevard County. He also asked that Rodney and Joyce continue to take pictures of the progress of the Bridge.

Engineer's Report:

George stated that he had received asbuilts from B & W Quality Growers and Dollar General. George stated that Dollar General raised the floor up 3" from the 100 year flood plan as opposed to water proofing the store. After lunch he and Rodney will be taking a tour of both the sites.

George also stated that he had received a permit application from the Indian River School District for the Fellsmere Elementary expansion that he is looking over. He stated that there will be a new lake across the street from the school where the Australian trees are now south of the Marion Fell Historical Library and north of the handball courts. The water will be piped under Cypress Street to the new lake. The COF wants the lake to look ascetically pleasing without a fence, so that the lake can be maintained and it will be over dug so that mitigation rights to other developers will be available if they cannot meet the FWCD cut fill requirements.

Marvin reported that Masteller, Molar has done a re-bore of the raw water line under S.L. 12 that is now acceptable to the District and that Rodney has sent a letter to Masteller advising that the permit is now complete.

Richard asked George if he had received anything regarding FEMA Certifying the Western Levee. He stated that the levee was almost 90 percent complete now and that action needs to be taken to get SJRWMD to work with FEMA on the Certification.

George replied that he had sent a letter about six (6) months ago to SJRWMD regarding FEMA certification of the western levee and District boundary, and that he had resent the letter again regarding this subject.

A motion was made by Richard and seconded by Clifford that a new letter needs to be sent to SJRWMD by George and copied to Michael O'Haire to get the FEMA Certification of the Western Boundary Levee for the Landowners in the District. The City of Fellsmere and City Manager Jason Nunemaker also needs to be encouraged to join in this action for the benefits of the people of the City of Fellsmere that will be living behind this levee.

Superintendent/Treasurer Report:

Rodney stated that during the Local Delegation meeting with Debbie Mayfield and Terry Lewis at the Vero Beach Chambers, Debbie expressed that she would like a meet and greet in Fellsmere to be introduced to voters in Fellsmere for her campaign in 2014. She might be

considering running for Senator Thad Altman's seat when his term limit expires. After much discussion a motion was made;

A motion was made by Richard and seconded by Mike that Rodney meet with Jason Nunemaker and FJV to investigate having a meet and greet for Debbie Mayfield in the Fellsmere Area.

Supervisor's Comments: no further comments

Public Comments: No public comments.

Meeting was adjourned at 10:55 a.m. by Mike Monroe.

The next general meeting will be at March 14, 2013 @ 10:00 A.M. at the District's Office.

Mike Monroe President
Board of Supervisors

Joyce Hertel
Secretary