

ANNUAL LANDOWNERS MEETING

MAY 14, 2020 @10:00 A.M.

The annual public meeting of the Landowners of the Fellsmere Water Control District was held via phone call in number 877 873-8018 access code 7344194 on Thursday May 14, 2020, pursuant to public notice published in the Vero Beach Press Journal on April 26, 2020 and May 3, 2020. The meeting was called to order by the Secretary of the Board of Supervisors, Joyce Hertel.

She welcomed everyone to the **101th Annual Landowners Meeting**.

Present were Frank Sakuma from SDS., Inc., Richard Carnell, Greg Nelson Michael O'Haire, Ned Biggs of Nuterra Organics, George Simons, Rodney Tillman and Joyce Hertel.

Frank Sakuma was elected temporary chairman and Joyce Hertel temporary secretary of the meeting, whereupon they assumed the duties of their offices.

Joyce reported representation of 17,573.98 acres present.

Upon motion duly made, seconded and carried, Chairman Frank Sakuma and Secretary Joyce Hertel were made permanent officers of the meeting.

Notice of Landowner's Meeting

Notice is hereby given to all it may concern that the Annual Meeting of the Landowners of the Fellsmere Water Control District will be held via phone call in number 1877 873 8018 access code 7344194 Thursday May 9, 2019 at 10:00 a.m. At such meeting, one Supervisor will be elected. Each owner shall be entitled to one vote in person or by proxy in writing, duly signed for each acre of land owned by him in said District. The Department of Environmental Protection, at any such meeting, may represent the state, and shall have the right to vote for Supervisors or upon any matter to come before said meeting to the extent of acreage owned by the state in such District, provided such acreage is subject to assessment to water control district, which vote may be cast by any person designated by said Department.

Guardians may represent their wards, executors, administrators & personal representatives may represent estates or deceased persons and private corporations may be represented by their officers or duly authorized agents. The owners and proxy holders of District acreage who are present at a notice meeting shall constitute a quorum for the purpose holding such election. If a person decides to appeal any decision made by the Board, with respect to any matter considered at such meeting or hearing, she/he will need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. Anyone who needs a special accommodation for this meeting may contact the District's office at (772)571-0640 at least 48 hours in advance of meeting. There will be a meeting of the Board of Supervisors immediately following adjournment of the Landowners Meeting.

Board of Supervisors

Richard Carnell

Mike Monroe

Jeff Bolling

The Secretary stated that said call had been published according to law in the Vero Beach Press Journal and that she had received affidavit of publication, and the District Attorney Michael O'Haire reviewed the affidavit.

Upon motion duly made, seconded and unanimously carried, reading of the minutes of the previous Landowners Meeting of May 10, 2018 were waived as copies were circulated and adopted with no corrections noted. Joyce then read the roll call of the Landowners presented as follows:

Richard Carnell Proxy for:		
•	Fellsmere Joint Venture	15,551
•	Bernard Egan Groves	2,008
	Fellsmere Estates	14.98
	TOTAL	17,573.98

Chairman then stated the meeting was now in order to proceed with the nomination and election of one Supervisor for a three-year term, and called for nominations.

Jerry R. Tillman was nominated for a three-year term. There being no further nominations made, the Secretary was instructed on motion duly made, seconded and unanimously carried to cast the entire vote of 17,573.98 acres in behalf of **Jerry R. Tillman** for a three (3) year term.

Oath of Supervisor

State of Florida

Indian River County

I, Jerry R. Tillman 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 May 2020.

Personally Known

Joyce Hertel

Produced Identification

Notary Public

State of Florida

My commission expires

The annual report of the Treasurer was given by Rodney Tillman. It was reported to the Landowners that the financial affairs of the District are in order. Mr. Tillman stated that according to the audit by Kmetz, Etwell, Graham and company CPA the District is in reporting compliance with Chapter 120.553.C of the rules of the Auditor General. Mr. Tillman brought to the Boards attention, the Statement of Revenue and Cash Disbursement" noting there was one posted on the Bulletin Board and in the District's master file and website. This report has been approved and sent to the proper agencies. The report was ordered filed and spread upon the minutes.

Attorney's Report: Michael O'Haire stated that FDOT lawsuit at I-95 and Main Canal is still underway.

FELLSMERE WATER CONTROL DISTRICT ANNUAL ENGINEER'S REPORT MAY 2020

We are pleased to submit this annual engineer’s report as a yearly summary of the engineering related activities involved in the operations and functions of the Fellsmere Water Control District (F.W.C.D.), as required under Chapter 298 of the Florida Statutes.

CLIMATOLOGICAL REVIEW

For the fifth consecutive year, hurricane activity began prior to the official June 1st start of the season, with Subtropical Storm Andrea forming on May 20. Andrea was a short-lived storm that never made landfall and dissipated over the Atlantic one day after it formed. For the second consecutive year, no storms formed during the month of June. The 2019 hurricane season became the fourth consecutive season to feature at least one Category 5 hurricane (Dorian and Lorenzo) and one of seven seasons to feature multiple Category 5 hurricanes.

Overall activity in the Atlantic basin in 2019 was above average, with 18 named storms, six hurricanes, three major hurricanes and at least \$8.38 billion in damages. This compares to the long-term averages of 12 named storms, six hurricanes, and three major hurricanes. The initial NOAA forecast outlook for the 2019 season called for 9-15 named storms, 4-8 hurricanes and 2-4 major hurricanes. Two unnamed tropical depression also formed in 2019.

In terms of Accumulated Cyclone Energy (ACE), which measures the combined strength and duration of tropical storms and hurricanes, preliminary data indicate that the 2019 season was above normal. As a comparison, the 2019 season’s ACE was nearly identical to that of the 2018 season.

Storm Name	Dates	Storm Category at Peak Intensity	Max Wind [mph]	Min. Pressure [mbar]
Andrea	May 20 – 21	Tropical storm	40	1006
Barry	July 11 – 15	Category 1 hurricane	75	993
Three	July 22 – 23	Tropical Depression	35	1013
Chantal	August 20 – 23	Tropical storm	40	1007
Dorian	August 24 – Sept. 7	Category 5 hurricane	185	910
Erin	August 26 – 29	Tropical storm	40	1002
Fernand	September 3 – 5	Tropical storm	50	1000
Gabrielle	September 3 – 10	Tropical storm	65	995
Humberto	September 13 – 20	Category 3 hurricane	125	951

Storm Name	Dates	Storm Category at Peak Intensity	Max Wind [mph]	Min. Pressure [mbar]
Jerry	September 17 – 25	Category 2 hurricane	105	976
Imelda	September 17 – 19	Tropical storm	40	1005
Karen	September 22 – 27	Tropical storm	45	1002
Lorenzo	September 23 – October 2	Category 5 hurricane	160	925
Melissa	October 11 – 14	Tropical storm	65	995
Fifteen	October 14 – 16	Tropical depression	35	1006
Nestor	October 18 – 19	Tropical storm	60	996
Olga	October 25 – 26	Tropical storm	40	998
Pablo	October 25 – 28	Category 1 hurricane	80	977
Rebekah	October 30 – Nov. 1	Subtropical storm	45	987
Sebastien	November 19 – 25	Tropical storm	65	994

See attached U.S. National Weather Service 2019 North Atlantic Hurricane Tracking Chart.

In late August and early September, Tropical Storm Dorian (a Category 5 hurricane) stalled over Grand Bahamas with sustained winds of 185 M.P.H. and everyone along the Central East Coast of Florida was anticipating and preparing for Dorian to make landfall locally. Fortunately for us, after total devastation of Northern Grand Bahamas, Hurricane Dorian shifted to a northerly course, just off shore of Florida's coast line, and made landfall on Cape Hatteras, N.C. as a Category 1 hurricane on September 6, 2019. The near miss of Hurricane Dorian presented the only threat of a tropical storm to this area for the entire 2019 Hurricane Season.

Fortunately, the F.W.C.D. and the East Coast of Florida did not suffer any destructive forces of a hurricane during the 2019 hurricane season.

The 2019 total yearly rainfall observed and recorded at the Vero Beach Municipal Airport was 49.76 inches. According to the National Weather Service records, this amounts to 2.11" below the normal average rainfall of 51.87" for the Vero Beach area.

A below average rainfall during the past summer and fall wet season has continued through the current "dry" season.

Measured monthly rainfall, at the FWCD office, during 2019 is as follows:

January	– 4.23"
February	– 1.56"
March	– 1.67"
April	– 2.15"
May	– 2.49"
June	– 5.41"
July	– 2.60"
August	– 10.84"
September	– 4.08"
October	0.87"
November	– 0.0"
December	– 4.08"

Total annual rainfall measured at the District office is estimated to be 39.98 inches for 2019. This amounts to approximately 12" +/- below the long term annual average rainfall (52") for the area.

Observed rainfall during the current dry season through the first four months of 2020 are: January – 0.0"; February – 2.79", March – 0.0", April - 2.25".

During this past winter, F.W.C.D. had a couple of mornings with scattered light frost but did not suffer any freeze warnings or freeze events.

MAY 9, 2019 – ANNUAL LANDOWNERS AND BOARD OF SUPERVISORS MEETING

At the May 9, 2019, Annual Landowners Meeting, Richard Carnell was nominated and re-elected to the Board of Supervisors for a three-year term.

At the following Board of Supervisors Organizational Meeting, the following officials were elected/appointed to serve for the following year:

President	Richard Carnell
Vice-President	Mike Monroe, note Mike resigned 11/14/2019, and Greg Nelson replaced Mike per vote
Secretary	Joyce Hertel
Treasurer	Rodney Tillman
Deputy Secretary	Dawn Cosner
Deputy Treasurer	Judy Warga

FELLSMERE WATER CONTROL DISTRICT ANNUAL PERMIT SUMMARY

Nine (9) permit applications (Numbers 203-19 through 211-20) have been submitted since last year's annual engineer's report.

One (1) of the permit applications is for a City of Fellsmere project, known as the Meadow field Athletic Field Phase 2. The permit was issued January 23, 2020; the balance of the permit applications are for new culvert driveway crossings, or for outfall/discharge culverts into district canals.

The South Regional Lake, a City of Fellsmere Project permitted on October 23, 2018 is currently under construction. This project will provide water quality improvements and additional flood storage for the FWCD system during large storm events. A structure located in Ditch 18 will divert water flow into the South Regional Lake where it will be cleaned up. The lake is designed to overflow back into the FWCD Ditch 18 at the downstream end during normal flows. During large storm events the water can short circuit by overflowing the diversion structure in Ditch 18 and/or an emergency overflow weir designed into the lake system. The bypass conveyances ensure that the upstream flood elevations are not increased during large storm events after the lake system is placed into service.

The Boys and Girls Club project permitted November 8, 2018 was completed October 24, 2019. This project is part of the City Complex Master Plan which includes a stormwater lake for treatment. The lake located on the south west corner of the City Complex was also completed on October 24, 2019. Stormwater is directed into the lake for treatment then overflows to the CR 512 drainage pipe system.

The 100th Lane Paving Project was permitted May 31, 2019. This project includes the cleaning and regrading of the FWCD Sub-lateral Ditch No PL-12 from the pipe at Willow to the east 680+/- feet. It has come to our attention that the City is set to go out for bids for the project. A request for a permit extension was submitted and the permit has been extended to December 31, 2021.

The permit process for the modification of the Florida Organic Aquaculture site plan has been on-going since 2013. The original permit was issued in 2013 and the site work was started. The F.O.A. applicant/developer submitted a permit modification request with plans and calculations prepared by a new Engineer, The Milcor Group, Inc. Multiple submittals and review comments from the F.W.C.D. occurred over several years. The control of the development has changed hands several times over the years and that has contributed to the delay in addressing the permit process issues. The FWCD adopted a policy of requiring a land owner approval letter before the issuance of a FWCD permit. To date the FWCD has not received the approval letter. Some progress has been made in the last year with a resubmittal in February and review comments provided to the applicant's engineer on April 24, 2020.

Parabel obtained a permit to construct the site plan improvements on June 8, 2016. They completed the first phase of their duck weed production facility just south of Ditch 23 and west of Park Lateral in the spring of 2018 and started the permit closeout process. Based on the review of the as-built survey the site work was not completed as per the approved permit plans. Parabel indicated during 2018 and 2019 that the non-compliances would be addressed. The most recent update from Parabel indicated that the subject Fellsmere site would be shut down and operations will be consolidated into their facility located on 154th avenue south of SR 60.

A permit application dated 2012 from the F.D.O.T., pertaining to replacement of the I-95 Bridge over the Main Canal continues to remain open pending resolution of disputed design and construction issues. The F.W.C.D. requires additional fill and rock rip rap slope stabilization treatment for the transition sections of the realigned F.W.C.D. maintenance road. This requirement is to maintain a safe maintenance road under the bridge for F.W.C.D. The contractor has demobilized without constructing the required rip rap. Therefore, the as-built condition is not acceptable and through the F.W.C.D. Attorney, the matter continues through a legal process.

The FWCD staff held a pre-application meeting with representatives from the Green Carbon Solutions Company. Carter Associates attending the meeting as representatives of the FWCD and provided permit requirements regarding drainage connections to the District system.

CITY OF FELLSMERE (C.O.F.)

The City of Fellsmere continues to develop strategies and implement improvements to its street and drainage infrastructure, including paving and drainage, flood mitigation grants, and developing a city-wide drainage swale plan for driveway culverts. The City has established a Stormwater Utility to aid in funding the projects.

The C.O.F. Stormwater Management Utility Program primarily addresses the secondary drainage system within the City and water quality issues mandated by other jurisdictional agencies, but does not overlap or duplicate the responsibilities of the F.W.C.D. in the maintenance and operations of the District's primary Lateral and Sub-lateral drainage ditches, and flood protection functions.

The City of Fellsmere is currently implementing parts of the Fellsmere Master Stormwater Plan, which was adopted in 2012. The Master Plan includes building regional lakes to provide flood storage and water quality treatment. The City of Fellsmere has obtained grant funding to construct the South Regional Lake. This project is currently in the construction phase. As noted in the Annual Permit Summary above.

The City has obtained grant funds to construct a section of the Rails to Trails Project. This section is located along the North Bypass Canal from Babcock Street on the east to a bridge across the Park Lateral Canal. The preliminary design was presented in the spring of 2018 and FWCD provided review comments. The final design and permitting has not been completed.

The City has obtained grant funds for paving and drainage improvements to the 100th Lane and 100th Place Project as noted in the Annual Permit Summary above.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (S.J.R.W.M.D.)

The construction of the new levee along the eastern boundary of S.J.R.W.M.D. property acquired from Fellsmere Joint Venture (FJV) was completed in 2017. The levee is part of the "Fellsmere Water Management Area" which also is now completed. This levee will be the east levee of the newly created stormwater management area and will serve as the new western levee of the F.W.C.D. The S.J.R.W.M.D. has agreed to provide a levee certification for the completed section of the levee. To date, the levee certification has not been provided.

The S.J.R.W.M.D. Governing Board has budgeted monies for a dispersed water storage pilot project within the F.W.C.D. The land owner, FJV, and the S.J.R.W.M.D. staff have completed contract negotiations and the dispersed water storage project is currently in the permitting phase. When constructed a pump will redirect water from flowing east in the FWCD Main Canal to the Indian River Lagoon and discharge it into an above ground impoundment located west of Lateral U. The goal is to provide significant reductions in the volume of water being discharged to the Indian River Lagoon. This results in two benefits, improvement to the water quality of the Lagoon, and secondly additional fresh water is introduced into the St Johns River.

WATER QUALITY IN MAIN CANAL

Representative Water Quality sampling for the F.W.C.D. are taken from the Main Canal quarterly (approximately every three months) at the County Road 507 (Babcock Road) bridge.

Currently, and for some time now, the sampling, field analyses, and laboratory analyses are conducted by Pace Analytical Services, Inc. out of Pompano Beach, Florida. The discussion of water quality for this report is based on samples taken during: the 2nd quarter of 2019 through the 1st quarter of 2020.

The F.W.C.D. water quality results for phosphorus, from the August 2019 (0.72 mg/l) sample exceed the acceptable Florida Nutrient Numeric Threshold Limits (0.12 mg/L). The May 2019 (0.062 mg/l), November 2019 (0.12 mg/l), and the February 2020 (0.065 mg/l) samples, however, indicate the results are within the limit.

The Nutrient Numeric Threshold Limit for Total Nitrogen in the Florida Peninsula region is a maximum concentration of 1.54 mg/l. This past year, the August 2019 (1.96 mg/l) sample was the only sample above the Threshold Limit. The other samples and results as follows, May 2019 (0.32 mg/l), November 2019 (0.94 mg/l), and February 2020 (0.714 mg/l)

ANNUAL ENGINEERING RELATED ACTIVITIES

Engineering and Survey time during this past year continues to be expended on the non-compliance design and construction issues of the F.D.O.T. Interstate 95 Bridge across the F.W.C.D. Main Canal. This matter currently remains unresolved and Carter Associates, Inc. continues to assist F.W.C.D. and legal counsel in on-going litigation.

Attendance at the public/stakeholder's forums, conference calls conducted by the F.D.E.P, or by watching the webinar recordings to represent and assist the F.W.C.D. in addressing Basin Management Action Plan (BMAP) mandates to reduce the pollution currently being discharged into the Indian River Lagoon. The FDEP has determined that pollution reduction allocations to the F.W.C.D. will not be assigned. Instead the FWCD will be required to report maintenance efforts and support the implementation of water quality improvement projects as may be proposed by other BMAP stakeholders.

On-going annual engineering activities include the following:

- 1) Attend all regularly scheduled meetings of the Board of Supervisors and maintain a District Engineering file.
- 2) Remain on daily call to provide technical assistance and information to District personnel, supervisors, landowners and other governmental and public agencies concerning the operations, functions and regulations of the District.
- 3) Continue to provide technical permit review assistance to the District, and project consultants, in the submission and issuance of all permit applications to assure compliance with F.W.C.D. policies and requirements.
- 4) Attendance at pre-construction meetings for significant site plan or subdivision type projects in the F.W.C.D. Also, provide limited construction inspection to check compliance with F.W.C.D.

permit conditions and to minimize the discharge of turbidity from construction sites.

- 5) Review the quarterly stormwater quality analysis from the District.
- 6) Monitor and review the actions and activities of other jurisdictional agencies and related organizations that may affect the operations and functions of the District.
- 7) Review records and files in preparation of the Annual Engineer's Report as required under Florida Statutes – Chapter 298.

Rodney Tillman, the FWCD Superintendent for many years officially retired on January 2019. Rodney remains associated with the FWCD as the Treasurer and attends most Board meetings. The FWCD Board of Supervisors have entered into a contract with Special District Services to provide some of the District's administrative duties along with Joyce Hertel, another long term District employee who continues to manage the daily office duties.

Once again, we are pleased to report that the District staff, under the direction, guidance and support of the District's Board of Supervisors, continues to maintain and protect the works of improvement of the District, and to provide the landowners within the District a cost-effective level of service for flood protection.

Respectfully submitted,

CARTER ASSOCIATES, INC.

By: _____
George Simons, P.E. District Engineer
Fellsmere Water Control District
May 13, 2020
Florida Registration #40437
C.O.A. / L.B. #205

The Annual Engineer's report George Simons CAI, by motion duly made, seconded and unanimously approved, as submitted was ordered filed and spread upon the minutes.

The Annual report of Board of Supervisors, was unanimously deferred to the report given by the Engineer,

Change numbers once received

Statement of Net Assets September 30

Assets	2019	2018	2017	2016
Cash collateralized	921,094	\$719,652	\$611,462	\$ 885,273
Capital Assets	67,802	79,516	91,900	99,500
Total assets	988,896	79,168	702,692	\$ 984,773
Deferred outflows of pension earnings	85,562	124,038	140,147	128,558
Liabilities				

Accounts Payable	0-	12,664	14,026	12,432
Noncurrent net pension liability	274,475	287,757	298,744	
Deferred inflows of pension earnings	53,295	36,095	16,650	6,358
NET position				
Net Invested in capital assets	67,802	79,516	91,230	99,500
Unrestricted, reported in:				
Governmental Activities	378,886	207,174	122,189	136,286
Designated for contingencies	300,000	300,000	300,000	590,000
TOTAL Net Assets	746,688	586,690	513,419	825,786

**Statement of Revenues, Expenditures, and
Changes in Fund Balance-General Fund**

	General Fund			
Revenues	2019	2018	2017	2016
Taxes, net of discounts	622,757	612,831	\$268,776	268,845
Interest		1,070	954	
Other income	17,804	3,380	9,822	7,235
TOTAL REVENUE	640,561	616,211	279,668	277,034
Expenditures				
Current operating:				
• Aquatic Weed Control	61,074	71,642	55,959	141,894
• Ditch Maintenance	116,292	119,789	107,764	101,713
• General Administrative	303,197	351,509	387,915	362,178
Total Expenditures	450,563	542,940	555,073	605,785
Net Decrease in Fund Balance	159,998	73,271	(275,405)	(328,751)
Fund Balance beginning of year	586,690	513,419	872,841	<u>1,201,592</u>
Fund Balance end of year	746,688	586,690	\$ 597,436	872,841

Annual Report of the Supervisors:

The Board deferred its' report to that information included in the Engineers Report filed above.
The Landowners meeting adjourned at 10:14 a.m. and proceeded into the Supervisors Meeting.

Annual Supervisors Meeting May 14, 2020

A public meeting of the Fellsmere Water Control District was held via phone call in number at 10:00 a.m. Thursday May 14, 2020, pursuant to public notice published in the Vero Beach Press Journal.

Present were Supervisors: Richard Carnell, Greg Nelson, Rodney Tillman.

Also present via phone call in number were Frank Sakuma, Michael O'Haire, George Simons, Ned Biggs Nuterra Organics, Rodney Tillman and Joyce Hertel.

Motion was made by Richard Carnell and seconded Greg Nelson that the Minutes of November 14, 2019 were approved as emailed.

The Election of Officers is as follows:

President Richard Carnell 2

Vice President Greg Nelson 1
Supervisor Rodney Tillman 3 years left
Secretary Joyce Hertel
Treasurer/Supervisor Rodney Tillman
Deputy Secretary Dawn Cosner
Deputy Treasurer Dawn Cosner

The Appointment for the ensuing year was:
District Engineer will be George Simons Principle and his Engineer firm will be Carter Associates.

District Attorney will be Michael O'Haire, and his firm being Law Offices O'Haire, Quinn,
Special District Services, Inc., Frank Sakuma, District Administrator

Employment Agreement with Attorney
(Chapter 298.18 F.S.)

Mr. Michael O'Haire agrees to undertake representation of the Fellsmere Water Control District on an Annual Basis for a monthly retainer of \$650.00 and other services billed at the rate of \$500.00 per hour, must be pre approved. This retainer will cover attendance at meetings and will assure that no-conflicting employment is undertaken by Michael O'Haire, all services performed by his firm.

This agreement will be in affect from May 2020 - May 2021.
Accepted May 14, 2020 Accepted May 14, 2020

President
Corporate Seal

Attest:
District Secretary
Joyce Hertel

Updated 5-14-2020
Employment Agreement with Engineer Rate Schedule
(Chapter 298.20 F.S.)

George Simons of Carter Associates agrees to undertake representation of the Fellsmere Water Control District on an annual basis for a monthly retainer of \$400.00 other work at a rate of:

Engineer (Principal)	\$150.00 per hour
Engineer (Sr. Consultant)	140.00 per hour
Engineer I	150.00 per hour
Engineer II	135.00 per hour
Engineer III	125.00 per hour
Engineer IV	115.00 per hour
Engineer V100	100.00 per hour
CAD/GIS Tech I	115.00 per hour
CAD/GIS Tech II	110.00 per hour
CAD/GIS Tech III	105.00 per hour

CAD/GIS Tech IV	95.00 per hour
CAD/GIS Tech V	85.00 per hour
Surveyor (Principal)	165.00 per hour
Surveyor (Sr. Consultant)	145.00 per hour
Surveyor I	145.00 per hour
Surveyor II	135.00 per hour
Surveyor III	110.00 per hour
Exp. Witness	330.00 per hour
2-Man Survey Crew	130.00 per hour
3-Man Survey Crew	140.00 per hour
4-Man Survey Crew	150.00 per hour
Administrative Staff	50.00 per hour
Inspector	65.00 per hour
Systems Administrator	100.00 per hour
Recording and permit fees	cost plus 10%
Materials	cost
Travel	IRS Standard rate
Drone (Aerial Survey)	150.00 per hour
Sub consultant	cost plus 10%
Postage-long distance calls-Shipping	Cost
Blue prints	.333 sf.
Mylar	1.75 sf.
Photocopy 8.5x11	.15 ea
Photocopy 8.5x14	.25 ea
Photo copy 11x17	.35 ea
Color Copies 8.5x11	1.00 ea
Color Copies 8.5x14	1.25 ea
Color Copies 11x17	1.50 ea
Color Copies 24x36	\$5.00 ea

Note: Hourly rates are (2X) double the above rates for legal proceedings, ie Depositions, trials, hearings. Preparation time will be at standard rate.

All work authorizations not to exceed \$6,000 per year without approval of the Board of Supervisor's.

This retainer will cover attendance at meetings.

This agreement will be in affect from May 2020 to May 2021.

Accepted May 14, 2020

Accepted May 14, 2020

President

George Simons/Principal, Carter Associates

Corporate seal

Joyce Hertel, District Secretary

The Repositories for the Funds of the District are P.N.C, N.A.

Attorneys report:

Michael O'hair updated the board regarding the I-95 lawsuit.

Engineer's Report:

George asked if there were any questions regarding his Engineer's Report:

NON AD VALOREM RESOLUTION

**WHEREAS, BE IT RESOLVED THAT
THE BOARD OF SUPERVISORS OF FELLSMERE WATER CONTROL DISTRICT;**

Resolution

There is hereby levied for the year of 2020-2021, a Non-Ad Valorem Assessment of the rate of \$12.50 per acre against all land in the Fellsmere Water Control District located westerly of Lateral U and County Road 512 and a Non Ad Valorem Assessment of the rate of \$ 29.00 per acre on all lands located easterly of Lateral U in order to maintain and preserve the ditches, drains and drainage works of this District and to repair and restore the same whenever needed, as well as, for the purpose of defraying the current expenses of this District. The said Non-Ad Valorem shall be equal and uniform in amount upon each acre of land assessed separately westerly of Lateral U/ County Road 512 and separately east of Lateral U/ County Road 512 and the minimum Non-Ad Valorem Assessment shall be not less than a one acre rate established above the minimum Maintenance tax shall apply to any one parcel separately assessed.

BE IT FURTHER RESOLVED, that when said Assessment is so levied or extended and assessment by the Property Appraiser of Indian River County, he shall certify the same to the Tax Collector of Indian River County Florida who is directed to demand and collect the Non-Ad Valorem Assessment as levied and to make return of such tax to the District, as provided by law, and,

BE IT FURTHER RESOLVED THAT, a certified copy of this Resolution shall be furnished to the Property Appraiser of Indian River County, Florida, and to the Tax Collector of Indian River County, Florida.

Resolution adopted at the Fellsmere Water Control District Board of Supervisors meeting May 14, 2020.

Richard Carnell

Greg Nelson

Jerry R. Tillman

Treasurer Report

May 14, 2020

**As of March 14, 2020, the Checking account balance is \$850,943.03, Money Market Balance 462,165.81
March 31, 2019 available funds \$1,313,108.84**

Rodney reported that the affairs of the District are the same as reported in the Landowners meeting. Rodney recommends that Kmetz, Etwell, Graham (K.N.E.G.) CPA be appointed the auditors for the next years audit. Upon motion duly made and seconded KNEG, CPA are the auditors for the next years audit.

Rodney presented to the Board of Supervisors a Budget reflecting a \$12.50 west apportionment assessment rate and \$29.00 east apportionment assessment rate for FY 2020-2021.

Motion duly made by Richard Carnell and seconded by Greg Nelson that the non ad-valorem apportionment assessment rate will be \$12.50 per acre for the west and \$29.00 for the East apportionment assessment rate for the land located in Fellsmere Water Control District.

BUDGET 2020-
2021

Acct #	Description	Amount
	Affected accounts	
3100	Tax Revenue	\$594,125.66
	Less Tax	
3101	Discounts	6,336.71
3200	Interest Income	
3600	Revenue, Other	
	Total Revenue	\$ 600,462.37
	EXPENSE	
4002	Aerial Spraying	\$ 37,322.00
4003	Mechanical Contract	\$ 63,269.84
4004	Canal and Ditch Spraying	\$ -
4005	Water Testing	\$ 1,210.00
	Total Contract Services	\$ 101,801.84
4031	Equipment R & M	\$ 2,070.00
4032	Supplies	\$ 2,378.81
4033	Gas & Oil	\$ 20,000.00
4036	Insurance	\$ 2,000.00
	Total Chemical Control	\$ 26,448.81
4063	Rodeo	\$ 17,000.00
4067	Invert Blend	\$ 3,510.80
4068	Chemicals Misc.	\$ 6,400.00
	Total Chemicals Used	26,910.80
	Labor Heavy Equipment	
4111	Operator	\$ 51,000.00
4121	Payroll Taxes	\$ 2,028.41
4122	State Retirement	\$ 4,521.90

4123	Workers Compensation	\$ 1,900.00
4124	Health Insurance, Life	\$ 18,000.00
	Equipment Repair &	
4131	Maintenance	\$ 50,000.00
4132	Supplies	\$ 4,500.00
4133	Gas & Oil	\$ 6,000.00
4136	Insurance	\$ 5,922.00
4137	Transportation	\$ 5,169.15
	Total Ditch Maintenance	\$ 149,041.46

5001	Salaries & Wages	\$ 71,000.00
5006	Payroll Taxes	\$ 13,336.71
5007	State Retirement	\$ 11,677.50
5008	Workers Compensation	\$ 3,777.40
	Health Insurance,	
5009	life	\$ 39,584.66
	Legal &	
5013	Professional	\$ 85,000.00
5014	Insurance	\$ 5,367.67
5037	Transportation	\$ 14,240.47
	Property	
5053	Appraiser	\$ 1,800.00
5074	Property Taxes	\$ 778.55
5075	Sundry	\$ 500.00
5076	Licenses, Permits	\$ 1,896.50
5077	Memberships	\$ 6,500.00
5078	Advertising	\$ 500.00
	Maintenance Bldg &	
5082	Grounds	\$ 19,500.00
5083	Utilities	\$ 2,200.00
5086	Telephone	\$ 7,600.00
5090	Office Supplies	\$ 11,000.00

Total General,
Administration \$296,259.46

Total Expenses \$ 600,462.37

Mr. Tillman presented and read the following resolutions and asked the Board for their approval:

FIXED COMPENSATION RESOLUTION

Whereas, the Board of Supervisors of Fellsmere Water Control District are required by Chapter 298.20 F.S. to Fix Compensation for work and employees, therefore the supervisors adopt the following compensation schedule for work

and employees to be in effect from the Supervisors meeting in May 2020 until the following Supervisors Meeting in May 2021, at which time it can be reviewed and updated:

NOW THEREFORE BE IT RESOLVED THAT:

- a. Supervisors are not compensated
- b. Treasurer is not compensated:

Be it further resolved that the bond amount of \$5,000 is set for the Treasurer and the Travelers Casualty and surety company of United States is hereby approved.

- c. Engineer Retainer \$400.00 per month, Senior Engineer 150.00 per hour, junior engineer 145.00 per hour, Secretary \$45.00 per hour, survey crew 143.00 per hour not to exceed 6,000 per year without approval from Board. A specific engineer rate schedule is in the file.
- d. Attorney Retainer of \$450.00 per month, all other \$500.00 per hour. Legal Assistants range from \$85.00 to \$150.00 per hour: Reimbursement of the firm for all cost advanced and expenses incurred that are directly related to the performance of the legal services undertaken. There include the cost of investigations, filing, etc.

- e. Auditor

Not to exceed \$9,200 per year without Board of Supervisors Approval.

- f. Superintendent

Salary \$55,000 to 75,000 per year

- g. Secretary/Bookkeeper

\$14.00 to \$30.00 per hour 40 hour week

- h. Equipment Operator

1. \$15.55 to \$20.00 per hour 40 hour week

2. \$ 9.45 to \$13.00 per hour 40 hour week

- i. Aquatic Applicator

\$10.00 to \$15.00 per hour 40 hour week

- j. Labor Truck driver

\$10.00 to 15.00 per hour 40 hour week

BE IT FURTHER RESOLVED THAT ALL DISTRICT EMPLOYEE AND PAYROLL POLICIES ARE ADOPTED.

Signed: by the Secretary of the District this 14th Day of May 2020. *Joyce Hertel* District Secretary

Fixed Compensation Resolution

Whereas, the Board of Supervisors must Fix Compensation for work and employees

(Chapter 298.20 F.S.) Relating to Employee Benefits and Payroll policies.

Now therefore, be it resolved that the employee Benefit and Payroll policies as provided at date of hiring and as located in District employee Personnel file will emended for physical year.

May 14, 2020

Richard Carnell

Greg Nelson

Rodney Tillman

Treasurer Bond Resolution

Whereas, the Treasurer is required by (Chapter 298.16 and Chapter 298.17F.S.) to give bond in an amount fixed by the Board of Supervisors and the Supervisors are to approve the surety of the Treasurers bond.

Now therefore, be it resolved that, the Bond of the Treasurer of the District be fixed at the amount of \$5,000. The surety of the bond number 70089834 is with the CNA Insurance Company, Bond Term 5-20-18- 5-20-21 and remains in force until cancelled by either the principal (Jerry R. Tillman) the oblige (Fellsmere Water Control District).

May 14, 2020

Mileage Resolution

Whereas, the Board of Supervisors of Fellsmere Water Control District under the General Provisions of Chapter 112 F.S. may grant the use of privately owned vehicles for official use in lieu of publicly owned vehicles or common carriers, and

Whereas, the Board of Supervisors under the General provision hereby fixes the mileage rate for privately owned vehicles at the federal standard mileage rate that is provided in Chapter 112 at the current rate of \$.55 cents per mile and such District shall increase the per mile rate as the federal rate does for official travel by District employees. This will take effect October 1, 2007.

District Benefits and Payroll policies

Group Insurance:

Will be covered by the Blue Cross Blue Shield of Florida or similar such company as Board selects. The plan is a comprehensive major medical plan with \$250.00 deductible for single coverage. Eligibility is six months of full employment.

Employee contribution:

- A. employee coverage is \$2.00 per week
- B. Family is \$5.00 per week.

Aflac Insurance Policy:

Aflac coverage is voluntary by each individual contribution will be deducted by employee request bi-weekly.

Life insurance:

Vision Insurance:

Prescription Drug benefits:

Covered generic drugs are \$15.00 deductible, all other covered drugs \$20.00 and \$35.00 deductible.

Dental Insurance:

\$50.00 deductible provided subject to cost review each year.

FI Retirement System Employee Contribution:

- 1. 3% of gross PR before taxes

Vacation:

After 1 year of employment	5 working days
After 2 years of employment	10 working days
After 7 years of employment	15 working days
After 12 years of employment	20 working days

Vacation time must be approved by management. After 12 years of employment, five (5) working days must be taken each quarter per year or is forfeited by employee unless extension is granted by the Board of Supervisors or Superintendent. For purposes of termination, retirement or resignation, vacation pay for unused days cannot exceed a total of 20 days in the year the employee leaves district employment.

Any vacation earned but not taken annual employment anniversary date is forfeited by the employee unless an extension is granted by the Board of Supervisors or Superintendent.

Holidays 12 days

Presidents Day

Good Friday

Memorial Day

Independence Day

Labor Day

Thanksgiving Day (2 days)

Christmas Eve and day

New Year's Day

Floating day at employee's discretion six months after continuous employment) Employee must work the day prior to and the day subsequent to be paid for any holiday.

Approved vacation will count as a work day for the purpose of this policy.

Payroll period: fulltime

2 weeks Monday thru Sunday Payday every other Friday

Normal Hours 7:30 a.m. to 4 pm

Monday thru Friday

1-week part time

Overtime Policy

The District as a general policy will pay overtime. The following hours of labor shall be deemed to be overtime hours:

1) All hours over forty (40) per work week

2) All off schedule work

Overtime hours will be paid except as otherwise provided for herein at one and one half ($\frac{1}{2}$) times the regular straight time hourly rate.

Work on second rest day;

A) Nothing in this policy shall be construed as requiring the District to work an employee on both of the employee's rest days.

B) When an employee is required to work on any two (2) consecutive rest days, all hours worked on second rest day thereafter shall be paid for at double the straight-time hourly rate until, such time that the employee has either observed rest day off or works back into the employee's normal schedule

Call out prearranged overtime

When an employee is required to report for work at a time other than the employee's regular work schedule, it shall be considered:

A call out if the employee has less than twelve (12) hours' notice, or

1) prearranged overtime if employee has twelve (12) hours or more notice

- a. On call-out the employee shall be allowed actual time required for traveling from employees home to the job and the actual hours worked shall be allowed.
- b. Any employee called out before the employee has had eight (8) consecutive hours office duty since the end of the employee's last scheduled work period will be paid at the overtime rate for all hours worked thereafter until the employee has had eight (8) consecutive hours off duty.

Work on Holidays

All hours worked on a holiday as observed by the District shall be paid for at double the straight time hourly rate.

Sick leave:

All employees, after one (1) year of continuous service shall be entitled to one and a quarter ($1\frac{1}{4}$) working days paid sick leave per month up to a maximum of fifteen (15) working days per year. All or any remaining portions of unused sick leave days shall be accumulated from year to year until a maximum of ninety (90) days has been reached. For the purpose of compensation at retirement, resignation or dismissal shall not be greater than ninety (90) days. The employee shall advise the District office in writing or by phone before the end of the first day of such absence; otherwise he/she forfeits his/her right to paid sick leave unless it can be shown that it was not possible for him/her to give such notice or cause such notice to be given. Time spent by an employee during a period when he/she is served from the active payroll, due to termination, layoff or unauthorized leave of absence shall not constitute service for the purpose of acquiring or obtaining sick leave benefits. Sick pay will not be paid on holidays, Saturdays, or Sundays even if the employee was scheduled to work. In the application of this sick leave rule, the employer will require evidence of sickness being bonafide in the form of a written statement from a physician if from a physician if the sickness is over 3 days or 24

hours per week (Monday thru Friday). If there is not a physician's written statement the maximum sick leave paid per week will be 3 days.

Bereavement Leave:

All employees with six months of continuous service shall be entitles to paid leave of absence to attend funerals. Three (3) days will be granted for immediate family members. For the purpose of this policy, immediate family members will be defined as the employee's spouse, children, mother, father, sister, brother, mother-in-law, and father-in-law. The day of the funeral will be the last paid day of leave.

One (1) day will be granted for other family members. For the purpose of this policy other family will be defined as the employee's sister in law brother in law aunt, uncle or grandparents. The day of the funeral will be paid day of leave.

Salary review Annual in May each year, to take effect in October.

Public Comments: No Comments

A motion was made Richard and seconded by Rodney Tillman to adjourn this meeting. Meeting adjourned at 11:45 A.M.

The Next Board meeting will be July 9, 2020 at 10:00 A.M.

Richard Carnell _____ Joyce Hertel

President

District Secretary

The annual report of the Treasurer was given by Rodney Tillman. It was reported to the Landowners that the financial affairs of the District are in order. Mr. Tillman stated that according to the audit by Kmetz, Etwell, Graham and company CPA the District is in reporting compliance with Chapter 120.553.C of the rules of the Auditor General. Mr. Tillman brought to the Boards attention, the Statement of Revenue and Cash Disbursement" noting there was one posted on the Bulletin Board and in the District's master file and website. This report has been approved and sent to the proper agencies. The report was ordered filed and spread upon the minutes.

