

## Draft

### **March 11, 2021 Board of Supervisors Meeting at 10:00 a.m.**

A public meeting of the Fellsmere Water Control District was called to order at 10:00 a.m. March 11, 2021 held at the office of the District 109 N. Willow Street, Fellsmere, Florida. Frank Sakuma called the meeting to order.

**Supervisor's present** were Rodney Tillman and Greg Nelson.

**Other's present** were George Simons, Michael O'Haire, Frank Sakuma, Ned Biggs and Joyce Hertel.

### **Approval of Minutes:**

A motion duly made by Rodney and seconded by Greg the Minutes of September 10, 2020 were approved as emailed.

**City of Fellsmere SL 14:** Mark Mathis City Manager of Fellsmere updated the Board on the grants that the City is seeking is Infrastructure repair funds from Florida Dept of Economic Opportunity under the Community Development Block Grant Disaster Recovery program to complete numerous improvements around the water plant to improve road conditions and reduce flood levels for future events. They are as follows;

- Regrade and enlarge the flood conveyance ditch 14 that runs along the north side of 97<sup>th</sup> avenue.
- Pave a portion of 97<sup>th</sup> Avenue from N. Willow street to the eastern limit of the water plant as the primary means of access;
- Improve the remaining dirt portion of 97<sup>th</sup> Avenue from the east end of the proposed paved to CR512 as a secondary means of access;
- Improve drainage along 97<sup>th</sup> Avenue to collect run-off from the road and adjacent properties through swales, pipes and inlets;
- Create large flood mitigation areas for the temporary storage of flood waters to reduce flood waters along 97<sup>th</sup> Avenue; and,
- Reconstruct the protective berm at the eastern limit of 97<sup>th</sup> Avenue to meet FEMA levee.

**Attorney's Report:** Michael stated that he has nothing to report except the District law suit. Michael stated that he has resigned as the District Lawyer for the FDOT case. The new Attorney is Michael Tomkeiwicz of the firm Gray-Robinson in its Tallahassee office.

Michael stated that FDOT has a lawyer that her only case is FWCD vs FDOT and he can't put all the time that is needed for this case.

**Engineer's Report:** George updated the Board on the following open items:

- **Parabel and Shrimp Farm** have many Code enforcements issues with the City of Fellsmere.
- **100<sup>th</sup> Lane:** Improvement Permit issued. No work as such.
- **97<sup>th</sup> Street:** Project: 2 grants that the City of Fellsmere has for improvement of the property.
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**Treasurer Report:** Rodney gave a Treasury report. As of January 31, 2021, the checking account has \$ 931,102.73 the Money Market has \$462,279.48 for a total funds of \$1,425,382.21.

Rodney updated the Board on the LLW information referring to the below:

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Greg asked how much does the District pay for this information. Rodney said that we are members of the Florida Association of Special District and we get this information free.

Rodney presented the Budget for 2020-2021.

**Managers' Report:** Frank Sakuma of Special District Services reported to the Board regarding E-Verify. And would recommend that the District have E-Verify in place and adopt this resolution that follows.

A Resolution of the Board of Supervisors of the Fellsmere Water Control Directing the District manager to register the District with and use the E-Verify system pursuant to the requirements of section 448.095, Florida Statutes; authorizing execution of the E-Verify memorandum of understanding for employers between the District and the Department of homeland Security (DHS); providing for severability; and providing for an effective date;

**Whereas**, section 448.095, Florida Statutes, required public employers like the Fellsmere Water Control District (the "District") to register with and use the E-Verify system of the United States Department of Homeland Security (The E-Verify system") to verify the work authorization status of newly hired employees; and

**Whereas**, section 448095, Florida statutes also mandates that the District may not, on or after January 1, 2021 enter contracts with a contractor unless the contractor and its subcontractors have registered with and are utilizing the E-Verity system; and

**Whereas**, in order to register with the E-Verify system, the District is required to enter into the E-Verify Memorandum of Understanding for Employers with the Department of Homeland Security (OHS), a copy of which is attached hereto and made a part hereof as Exhibit "A" the E-Verify MOU) and

**Whereas**, in accordance with the requirements of Section 4489.095, Florida Statutes, the District Board of Supervisors finds it to be in the best interest of the District to register with the E-Verify system, authorize execution of the E-Verify MOU, and utilize the E-Verify system in connection with its hiring practices and for new and renewed agreements entered into on or after January 1, 2021 with contractors ,service providers, and others providing labor, supplies or services to the District.

**NOW, THEREFORE, BE IT RESOLVED BY TH EBOARD OF SUPEVISORS OF THE FELLSMERE WATER CONTROL DISTRICT THAT,**

**Section 1.** The above recitals are true and correct and incorporated herein as if set forth in full herein.



**Section 2.** In Accordance with the requirements of Section 448.095, Florida Statutes, the District Manager shall register the District with and utilize the E-Verify system, and shall administer agreements entered into on or after January 1,2021 with contractors, service providers and others providing labor supplies or services to the District to monitor and enforce E-Verify compliance.

**Section 3.** The District Manager is authorized to execute the E-Verify MOU on behalf the District.

**Section 4.** The District Manager of the District is hereby directed to take other actions necessary and consistent with the intent of this Resolution, including but not limited to, completing the tasks needed to otherwise comply with the provision of Section 338.095, Florida Statutes and the terms, conditions and requirements of the District as set forth the E-Verify MOU.

**Section 5.** All sections, or parts thereof, which conflict herewith, are, to the extent of such conflict, superseded and repealed. In the event that any portion of this Resolution is found to Unconstitutional or improper, such portion shall be severed herein and shall not affect the validity of the remaining portions of this Resolution.

**Section 6.** This Resolution shall take effect immediately upon its adoption.

Passed and Adopted this 11 day of March, 2021, by the Board of Supervisors of the Fellsmere Water Control District.

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Secretary of Board

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Chair/ Vice Chair

**Supervisor's Comments:** There were not comments.

**Public Comments:** no comments at this time.

The next Board of Supervisors meetings will be May 13, 2021 at the District office.

This will be the Landowners meeting. Please remember your proxies.

Meeting was adjourned at 11:03 a.m. by Greg and seconded by Rodney.

Greg Nelson  
Vice President

Joyce Hertel  
Secretary

