

**ANNUAL LANDOWNERS MEETING
MAY 14, 2015 @10:00 A.M.**

The annual public meeting of the Landowners of the Fellsmere Water Control District was held at the office of the District 109 N. Willow Street, Fellsmere at 10:00 a.m., Thursday May 14, 2015, pursuant to public notice published in the Vero Beach Press Journal on April 27, 2015 and May 4, 2015. The meeting was called to order by the Secretary of the Board of Supervisors, Joyce Hertel.

She welcomed everyone to the 96th Annual Landowners Meeting.

Others present were Jeff Bolling, Richard Carnell, Mike Monroe, Michael O'Haire, Marvin Carter, George Simons, Rodney Tillman and Joyce Hertel. Michael Monroe was elected temporary chairman and Joyce Hertel temporary secretary of the meeting, whereupon they assumed the duties of their offices.

Joyce reported representation of 17,564 acres present.

Upon motion duly made, seconded and carried, Chairman Mike Monroe 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 at the office of the District 109 N. Willow Street, Fellsmere, Florida Thursday May 14, 2015 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, her 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 9, 2013 were waived as copies were circulated and adopted with no corrections noted. Joyce then read the roll call of the Landowners presented as follows:

Personal Acres

Mike Monroe	1
Marvin Carter	1
Richard Carnell	1
Jeff Bolling	2
<u>Total individuals in person</u>	<u>5</u>

Michael Monroe Proxy for:

• Fellsmere Joint Venture	15,551
• Bernard Egan Groves	2,008
<u>TOTAL Corp. by</u>	<u>17,559</u>

TOTAL Acres 17,564

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, Nuttall, 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 reported on the ongoing litigation with the Department of Transportation and the I-95 Bridge. He also talked about the upcoming depositions and that the Trial will begin in August with a new Judge Charley Crawford.

Engineers Report:

Marvin presented the written Engineer's Report and then turned the report over to George Simons who briefly explained several of the items covered. George talked about the FOA permit, the Department of Transportation permit that was never approved, the City of Fellsmere and BMAP process allegation issues and that the District as a stake holder will more than likely receive an allocation this time.

The Annual report of Marvin Carter and 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, Chairman Richard Carnell 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. Michael Monroe 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 17,564 acres in behalf of Michael Monroe for a three (3) year term.

Oath of Supervisor
State of Florida
Indian River County

I, Michael Monroe, 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.

Michael Monroe
Signature

Sworn to and subscribed before me this 14th day of May 2015.

Personally Known
Produced Identification
State of Florida

Notary Public

My commission expires

Statement of Net Assets
September 30, 2014

Assets

Cash collateralized	\$ 1,549,491
Capital Assets	124,162
Total assets	\$1,673,653

Liabilities

Accounts Payable		<u>5,399</u>
Total Liabilities	\$	5,399

NET Assets		
Invested in capital assets		124,162
Unrestricted, reported in:		
Governmental Activities		954,092
Designated for contingencies		<u>590,000</u>
TOTAL Net Assets		\$1,668,254

**Statement of Revenues, Expenditures, and
Changes in Fund Balance-General Fund
Year Ended September 30, 2014
General Fund**

Revenues

Taxes, net of discounts	\$	269,646
Interest		2,370
Other income		23,438
TOTAL REVENUE		<u>295,454</u>

Expenditures

Current operating:		
• Aquatic Weed Control		199,430
• Ditch Maintenance		94,609
• General Administrative		410,325
Capital outlay		
Total Expenditures		704,364
Net Decrease in Fund Balance		(408,910)
Fund Balance beginning of year		<u>1,953,022</u>
Fund Balance end of year	\$	1,544,092

**ANNUAL ENGINEER'S REPORT
MAY, 2015**

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

As reported by the National Oceanic and Atmospheric Administration in their 2014 Atlantic Hurricane Summary, the 2014 Atlantic Hurricane Season ended on November 30, 2014 with the 8 tropical cyclones being named in the Atlantic Basin. This is much lower than average, primarily due to persistent, unfavorable atmospheric conditions over the Gulf of Mexico, Caribbean Sea and Tropical Atlantic Ocean.

This unexpectedly low activity is linked to an unpredictable atmospheric pattern that prevented the growth of storms by producing very strong vertical wind shear, combined with increased atmospheric stability, stronger sinking motion and drier air in much of the main hurricane formation regions. Also, the West African monsoon was near to below average, making it more difficult for African easterly waves to develop.

Fortunately, much of the U.S. Coastline, including Florida, was spared this season with only one land falling hurricane (Hurricane Arthur, made landfall in North Carolina on July 4, 2014).

Hurricane Bertha brushed the Lesser Antilles with relatively minor impacts. Hurricane Cristobal's rip currents affected the states of Maryland and New Jersey, resulting in one fatality in each state. Tropical Storm Dolly made landfall in eastern Mexico and triggered flooding conditions. Hurricane Edouard became the first major hurricane of the season and never made landfall, two deaths near the coast of Maryland were attributed to strong rip currents from the storm. Hurricane Fay affected Bermuda, though its impacts were minimal. Hurricane Gonzalo was the most intense hurricane (Category 4) of the season, with destructive impacts in the Lesser Antilles and Bermuda. It caused 5 direct fatalities and at least \$200 million in damage. The last storm of the season made landfall in Central America in late October producing minimal impact.

According to Colorado State University Climatologists Dr. William Gray and Dr. Phil Klotzback, the 2015 Atlantic Basin Hurricane Season will be one of the least active seasons since the middle of the 20th Century. In their extended-range outlook, they note the likelihood of a moderate to strong El Nino will develop in the equatorial Pacific this summer and fall. This pattern, coupled with anticipated cooler temperatures of the tropical and subtropical temperatures in the Atlantic, is known to suppress tropical storm development in the Atlantic.

The extended range outlook mentioned above may already be challenged with the formation of Tropical Storm Ana off the East Coast of Florida during the first week of May. Ana's formation is the earliest appearance of a named storm in the Atlantic since a previous incarnation of Sub-tropical Storm Ana on April 20, 2003.

As a Tropical Storm, Ana had sustained winds of 50 MPH. When it made landfall just north of Myrtle Beach, South Carolina at 6 A.M. Sunday, (May 10, 2015), winds were at 45 MPH, producing heavy rainfall and storm surges. After making landfall, Ana was downgraded to a Tropical Depression as it moved northward over Eastern North Carolina.

Here's hoping the predicted El Nino forms quickly, that Ana is one of the "few" storms anticipated, and that long range outlook of "a least active hurricane season" is not severely modified through the upcoming hurricane season.

Once again, the F.W.C.D. has been blessed for another year without suffering a tropical storm event. Unlike much of the rest of the United States, the Lower Peninsula of Florida enjoyed a mild winter with the exception of one freeze warning event occurring on February 19th and 20th, immediately following a full moon, when temperatures dropped into the high twenties and low thirties for a few hours.

Total rainfall, as measured and recorded at the F.W.C.D. office/shop complex for the Year 2014, totaled 56.61 inches, nearly 5 inches above long term average annual rainfall. Soil moisture and water stage conditions remain good thus far during the current dry season with above normal rainfall in January (2015) of 1.04"; February 3.46"; March 1.99" and April 7.41".

WATER QUALITY IN MAIN CANAL

Water quality samples for F.W.C.D. are taken quarterly (every three months) from the County Road 507 (Babcock Road) bridge over the Main Canal.

The F.W.C.D. water quality readings, over the past year, for the most part, indicate a good water quality, with some exceptions. The dissolved oxygen (D.O.) concentration normally drops lower during the warmer months of the year due to increase in water temperature. The low D.O. concentrations observed this year were 40.9% on May 30, 2014 and 47.5% on September 2, 2014 and remain slightly above the minimum 38% acceptable under current numeric limits. The numeric nutrient thresholds for nitrogen have been met but are close to the upper limits. The numeric thresholds for phosphorous is a problem, with two of the reports indicating significant exceedances during the past year.

MAY 8, 2014 ANNUAL LANDOWNERS AND BOARD OF SUPERVISORS MEETING

At the May 8, 2014 annual landowners meeting, Jeff Bolling was elected to the Board of Supervisors of the District for a three year term.

At the following Board of Supervisors organizational meeting the following officers were elected/appointed to serve for the following year.

President	Richard Carnell
Vice-President	Mike Monroe
Secretary	Joyce Hertel
Treasurer	Rodney Tillman
Deputy Secretary	Jeff Bowen
Deputy Treasurer	Judy Warga

F.W.C.D. ANNUAL PERMIT SUMMARY

Fifteen (15) permit applications (Numbers 128-13 through 142-15) have been submitted/issued since the prior annual engineer's report.

Two (2) utility permits were issued, the first to AE Com for gas main extension, and the second to Florida Organic Aquaculture for electrical service. One (1) permit issued to the City of Fellsmere for construction of new entrance road to Florida Organic Aquaculture sites. Seven (7) new driveway crossing culverts, one (1) replacement crossing culvert, and two (2) outfall drainage culverts were issued to various landowners. One (1) ownership transfer permit was issued. A permit for proposed Fountains of Fellsmere project remains open pending receipt of additional information requested and permit compliance criteria established by F.W.C.D.

A permit for the proposed Florida Organic Aquaculture site plan was issued in 2013 and work was started. The F.O.A. applicant/developer decided to revise the plan and submitted a permit modification request with plans and calculations prepared by a new Engineer. We have reviewed plans and issued "request for additional information" for multiple submittal revisions. The permit modification has not been issued. This is due to the lack of an adequate response to the FWCD concerns about the potential discharges into the FWCD system of the salt water used in the shrimp raceways and the developer's on-going redesign of the site plan. The process has been frustrating for all and policy guidelines to prevent developers from building before permit modifications are approved are being pursued with the City of Fellsmere Planning Department.

A permit application from the F.D.O.T. from 2012, pertaining to replacement of the I-95 Bridge over the Main Canal remains 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. The matter was taken to a hearing in front of a Judge and the Judge issued a court finding that the F.D.O.T. would submit plans (including the requested rip rap) for approval by the F.W.C.D. The F.D.O.T. resubmitted the same plans that were submitted early on and ignored the request for additional rip rap.

The Judge has now retired and the case will be continued before a new Judge. Unfortunately the needed additional rock rip rap was not constructed in conjunction with the FDOT Contractor's base contract. Therefore the as-built condition is not acceptable and through the F.W.C.D. Attorney, the matter is being scheduled for trial.

CITY OF FELLSMERE (C.O.F.)

The City of Fellsmere continues to develop strategies and implement improvements to its street and drainage infrastructure, including additional paving and drainage grants and developing a city-wide drainage swale plan for driveway culverts.

During 2012, the C.O.F. adopted a Flood Plain Management and Stormwater Utility Ordinance (Ordinance Number 2012-19), entitled, "Stormwater Management Program" for the purpose of delivering to that area exclusive stormwater services, and exercising within that area the powers provided for by law. The stormwater reserve area contains all the lands lying within the corporate limits of the City.

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 drainage ditches, canals and flood protection functions.

The F.W.C.D. entered into an agreement with the City of Fellsmere to participate in the funding of an update to the F.W.C.D. East Master Drainage Plan and Stormwater Hydrologic Analysis of the Gravity Drainage System in late 2012. The update was then used in the development of the City of Fellsmere Master Stormwater Plan, which includes a system of regional lakes. The City of Fellsmere retained Carter Associates in the spring of this year to prepare construction plans and obtain the permits to construct the South Regional Lake. The City of Fellsmere is also pursuing the design of the North Regional Lake in conjunction with the Fountains of Fellsmere Site plan development. The City of Fellsmere is currently pursuing Grant opportunities to help fund the construction of the north and south regional lakes

The F.W.C.D. update was completed as of May 2014, and was adopted by the F.W.C.D. Board of Supervisors to replace the current model at the May 8, 2014 meeting. The model update improvements include the conversion of the study to the NAVD datum, the use of recent Lidar topographic information, and the update of culvert pipe replacement data. The Lidar survey method of estimating the existing ground elevations is a significant improvement over the aerial photography method used in the original model and has improved the accuracy of the model results.

The City of Fellsmere has also completed the design and permitting associated with the Fellsmere CDBG Phase 6 Project. This project includes the paving and drainage improvements along Wyoming and South Carolina Avenues and Hickory and Pine Streets. The City is currently re-applying for Grant funding during this year's CDBG Grant Application Cycle.

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 most recently acquired from Fellsmere Joint Venture (FJV) is nearing completion. The construction of the "Fellsmere Water Management Area" is scheduled for completion some time in 2015. 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 levee is reported to be constructed to U.S.A.C.O.E. standards, and as such, designated as a U.S.A.C.O.E. certified levee, may be possible when the project is completed. The U.S.A.C.O.E. certification is important for F.E.M.A. flood zone mapping, as the levee will be recognized for flood protection and result in F.W.C.D. landowners receiving reduced flood insurance rates. The F.E.M.A. flood insurance rate maps will not be changed to recognize the benefits of a levee protected flood zone until a "certified levee system" is completed around the entire F.W.C.D. levee system. The balance of the perimeter levee system including the north, south and portion of the east boundary will have to be upgraded and certified to complete the F.E.M.A. certification process. At some point in the future, we anticipate this land will be developed and the benefits of the F.E.M.A. certification will justify the cost.

The proposed construction of roadway access along Ditch 24 east of Willow Street to and southerly along the "east boundary levee" alignment, to the Sand Lake Conservation Area still remains held in abeyance. Apparently, departmental issues between F.D.E.P. and S.J.R.W.M.D. have delayed permitting and construction of this project.

ANNUAL ENGINEERING RELATED ACTIVITIES

Engineering 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 under construction across the F.W.C.D. Main Canal. As-built topographic survey was performed at the bridge site. As described above, this matter currently remains unresolved and Carter Associates, Inc. continues to assist F.W.C.D. and legal counsel in on-going litigation.

Continue to represent and assist the F.W.C.D. in the public/stakeholders forums as scheduled and conducted by the FDEP on an annual basis to review progress on reducing the pollution currently being discharged into the Indian River Lagoon. The FDEP is in the process of developing pollution reduction allocations for each stakeholder which will take effect in the adoption of the second five year phase of the Best Management Action Plan. FDEP has notified stakeholders that the pollution allocations will be necessary due to the less than desirable sea grass inventories obtained recently.

Permitting issues with the Florida Organic Aquaculture project continues to remain unresolved. Technical engineering review and assistance to F.W.C.D. on this matter continues.

We performed a topographic survey and hydraulic modeling analysis of Sub-lateral Canals U-22 and U-23 (not previously included in the F.W.C.D. East Master Drainage Plan) to determine proper size and grade of culverts for City of Fellsmere roadways being constructed to the F.O.A. site. The Board approved the adoption of the proposed pipes for this drainage basin area.

Attended a pre-application meeting for the Fountains of Fellsmere project and provided FWCD drainage permit requirements to the applicant's engineer. The proposed project included a proposal to culvert a section of the North By-Pass Ditch. This proposal was to improve the aesthetics of the site landscaping and to provide additional area for road improvements. A permit criteria memo was prepared to summarize the design requirements of the "culverted" section of the ditch.

FWCD Board of Supervisors authorized Carter Associates to prepare a permit manual. We expect to provide the first draft of the permit manual at the May 2015 meeting. When completed and adopted the manual will be posted on the FWCD website and be available for land owners and developers to review.

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 Superintendent Rodney Tillman, 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 FWCD. Also, provide limited construction inspection to check compliance with FWCD permit conditions and to minimize the discharge of turbidity from construction sites.
- 5) Review the County wide alternative water supply report.
- 6) Review the quarterly stormwater quality analysis from the District.
- 7) Monitor and review the actions and activities of other jurisdictional agencies and related organizations that may affect the operations and functions of the District.
- 8) Review records and files in preparation of the Annual Engineer's Report as required under Florida Statutes – Chapter 298.

Once again, we are pleased to report that Superintendent Rodney Tillman and his 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.

Respectively submitted,

CARTER ASSOCIATES, INC.

By: _____
George Simons, P.E.

Marvin E. Carter, Consultant

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, 2015](#)

A public meeting of the Fellsmere Water Control District was held at the office of the District 109 N. Willow Street, Fellsmere, Florida at 10:00 a.m. Thursday May 14, 2015, pursuant to public notice published in the Vero Beach Press Journal.

Present were Supervisors: Richard Carnell, Michael Monroe and Jeff Bolling. Also present were Michael O'Haire, Marvin Carter, George Simons, Rodney Tillman and Joyce Hertel.

Motion was made by Marvin Carter and seconded by Mike Monroe that the Minutes of January 8, 2015 were approved as mailed.

The Election of Officers is as follows:

President Richard Carnell 1 year

Vice President Mike Monroe 3 year

Supervisor Jeff Bolling 2 year

Secretary Joyce Hertel

Treasurer Rodney Tillman

Deputy Secretary Dawn Cosner

Deputy Treasurer Judy Warga

The Appointment for the ensuing year was:

District Engineer will be Marvin Carter and his Engineer firm will be Carter Associates.

District Attorney will be Michael O'Haire, and his firm being Law Offices O'Haire, Quinn, Candler and Casalino Chartered.

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 \$450.00 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 2015 - May 2016.

Accepted May 14, 2015

Accepted May 14, 2015

Richard Carnell, President

Michael O'Haire

Corporate Seal

Attest: _____ District Secretary

Joyce Hertel

Updated 5-14-15

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	\$ 145.00 per hour
Engineer (consultant)	140.00
Engineer I registered	135.00 per hour
Engineer II	125.00 per hour
Engineer III	100.00 per hour
Engineer Tech	90.00 per hour
Surveyor I Principal	145.00 per hour
Surveyor (Consultant)	140.00 per hour
Surveyor I registered	135.00 per hour
Surveyor II registered	125.00 per hour
Survey Crew (4men)	150.00 per hour
Survey Crew (3men)	140.00 per hour
Survey Crew (2men)	130.00 per hour
CADD technician	85.00 per hour
Secretary/Word Processor	45.00 per hour
Inspector	62.50 per hour
Recording and permit fees	cost plus 10%
Materials	cost
Travel	Current standard IRS rate
Sub consultant	cost plus 10%
Reimbursable expenses:	
Postage long distance calls.	
Federal express	cost
Blue prints	.025 sf.
Mylar	1.75 sf.
Photocopy 8.5x11	.15 ea
Photocopy 8.5x14	.25 ea
Photo copy 11x17	.35 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 2015 to May 2016.

Accepted May 14, 2015

Accepted May 14, 2015

Richard Carnell /President

George Simons/Principle, Carter Associates

Corporate seal

Joyce Hertel
Secretary

The Repositories for the Funds of the District are:
Bank of America and P.N.C.

Engineer's Report:
Yield to the report given in the annual meeting.
Attorneys report:
Yield to the report given in the annual meeting.

Treasurer's report:
Rodney reported that the affairs of the District are the same as reported in the Landowners meeting. Rodney recommends that Kmetz, Nuttall, 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 various budgets, one reflecting a \$10.00 through \$12.00 assessment rate for FY 2015-2016.

Richard Carnell spoke regarding the Budget and that the District has been supplementing the assessment rate with moneys derived from the sale of District right-of-ways to SJRWMD and the funds are now being depleted to a point where some action will be needed to balance the budget. He will be working with Staff regarding the future budgets.

He asked Michael O'Haire about Chapter 298 and converting the District in different assessment units and how that could be done. Michael said that it would be a very expensive for Engineers to calculate the assessment for the new units. There was much discussion regarding this subject and also the conversion from a water control District to an Improvement District during the next legislation in 2015-2016. Rodney was instructed to contact Terry Lewis of Lewis Longman and Walker to get the process of conversion started.

Motion duly made by Mike Monroe and seconded by Richard Carnell that the non ad-valorem assessment rate will be \$10.00 per acre for the land located in Fellsmere Water Control District for third year.

**Annual Budget: \$10.00 per acre
October 1, 2015—September 30, 2016**

Revenue

3100 taxes	\$	260,389	
3101 less tax discount			
3200 interest income		30,731	
3601 appropriation/contingency		125,000	
3600 revenue		421,333	
Total revenue			837,453

Expense

4002 aerial spraying		37,845	
4003 mech. /contract maintenance		37,322	
4005 Water Testing		1,210	
Total Contract Services			76,377

4031 Equipment R & M		2,070	
4032 Supplies Services		880	
4033 Gas & Oil		2,000	
4036 Insurance		2,000	
TOTAL Spray truck Control			6,950

4063 Rodeo		108,000	
4067 Invert Blend		4,400	
4068 Chemicals Misc.		9,776	
TOTAL Chemicals			122,176

4111 Labor - Equipment Operator		43,460	
4121 Payroll Taxes		3,350	

4122 State Retirement	3,723	
4123 Workers Compensation	1,900	
4124 Group Medical Life Ins.	9,907	
4131 Equipment R & M	50,000	
4132 Supplies & Services	4,500	
4133 Diesel Gas & Oil	12,000	
4136 Insurance	7,200	
4137 Transportation	4,000	
TOTAL Ditch Maintenance		140,040

4502 appropriation/contingency _____ 125,000

5001 Salaries Administration	132,000	
5006 Payroll Taxes	11,000	
5007 State Retirement	20,000	
5008 Workers Compensation	6,100	
5009 Group Med, Life Ins.	50,000	
5013 Legal & Professional	55,000	
5014 Insurance	20,000	
5037 Transportation	21,000	
5053 Prop Appraiser Fees	3,000	
5074 Property Taxes	1,500	
5075 Sundry	500	
5076 License, Permits	1,500	
5077 Memberships	6,500	
5078 Advertising	500	
5082 Maintenance Build & Grounds	19,500	
5083 Utilities	2,500	
5086 Telephone	7,350	
5090 Office Supplies	8,960	
TOTAL General Administration		366,910

TOTAL Expense _____ **\$ 837,453**

NON AD VALOREM RESOLUTION

WHEREAS, BE IT RESOLVED THAT

THE BOARD OF SUPERVISORS OF FELLSMERE WATER CONTROL DISTRICT;

There is hereby levied for the year 2015-2016, a Non-Ad Valorem Assessment of the rate of \$ 10.00 per acre against all land in the Fellsmere Water Control District, in order to maintain and preserve the ditches, drains and drainage works of this District, and to repair, and to 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, and the minimum Non-Ad Valorem Assessment shall be not less than one acre rate established above the minimum Maintenance tax shall apply to any one parcel separately assessed. And 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 this 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 the Indian River County, Florida.

Resolution adopted at the Fellsmere Water Control District Board of Supervisor meeting
May 14, 2015.

Richard Carnell

Mike Monroe

Jeff Bolling

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 2015 until the following Supervisors Meeting in May 2016, 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 2015.

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 2015-2016.

May 14, 2015

Richard Carnell

Michael Monroe

Jeff Bolling

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 5-20-15- 5-20-18 and remains in force until cancelled by either the principal (Jerry R. Tillman) the oblige (Fellsmere Water Control District).

May 14, 2015

Richard Carnell

Michael Monroe

Jeff Bolling

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.

Richard Carnell

Michael Monroe

Jeff Bolling

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 contributions 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 employees 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 physicians 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 entitled 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.

Richard Carnell

Michael Monroe

Jeff Bolling

Supervisor's Comments:

Public Comments: No Comments

A motion was made and seconded to adjourn this meeting. Meeting adjourned at 11:20 A.M.

The Next Board meeting will be July 9, 2015 at 10:00 A.M.

Richard Carnell
President

Joyce Hertel
District Secretary