

MEETING MINUTES JULY 11, 2013

Opening: A public meeting of the Fellsmere Water Control District was called to order at 10:00 a.m. on July 11, 2013 held at the office of the District 109 N. Willow Street, Fellsmere, Florida. Mike Monroe called the meeting to order.

Supervisor's present was Mike Monroe and Richard Carnell.

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

Approval of Minutes:

A motion duly made by Mike and seconded by Richard the Minutes of May 9 2013 were approved as mailed.

Attorney's Report:

Litigation FDOT:

Michael updated the Board on the Litigation with FDOT. He stated that there is a mediation hearing with FDOT and FWCD at the office of James Nicholas Mediator Attorney at his office in Satellite Beach Florida on July 26, 2013.

Engineer's Report:

George has asked that the Florida Aquaculture permit be resubmitted because of clay. The large retention area won't perk and will go to the lake, then to the ditch. They have a FDEP permit, but it was not dedicated to SJRWMD because of the type of facility.

George talked about the City of Fellsmere and meeting with John Julianna of SJRWMD about the credits for other areas of development in the City. Patel wants to sell/donate some land to the City of Fellsmere north of the RR r-o-w to turn into a stormwater lake for credits on his other property. George talked about the storm water area and how it would connect to the RR canal. Rodney had concerns because of the volume the RR canal carries from the north diversion ditch. Rodney felt that the stormwater tract being long and narrow would not be an effective system. George explained in further detail how the system would work in regards to the RR canal.

Richard Carnell had some concerns regarding who would maintain the alterations to the canal and the new stormwater system. George replied that would be the responsibility of the City.

George talked about the new stormwater maintenance fee of \$4.00 per unit and that Mark Mathis is working on the credits for the units to determine how much a unit would be required to pay.

Superintendent/Treasurer Report:

Rodney stated that the public has the right to speak before any action is taken by the Board according to new legislation to be signed by the Governor. "What this bill does, simply—it's very

simple—it says every government agency must allow the public a reasonable opportunity to be heard before it takes action on a particular item.”

A motion was made by Richard and seconded by Mike that the public will have the right to speak at the meeting regarding any action but is limited to a three (3) minute time period.

House bill 1009 filed by the District was discussed since it was Vetoed by the Governor Scott July 2, 2013 @7:19 pm.

A newspaper article from the Tampa Tribune was discussed regarding the position the Governor is taking on special districts. In the article he praised the Villages a CDD retirement community near Ocala. The Villages become a magnet for retirees — many of who vote Republican — by financing infrastructure through community development districts with power to issue bonds, backed by assessments charged to Villages homeowners. This is the same concept used in the legislation in HB 1009, filed by this District, which was VETOED by Governor Scott.

Since the legislation filed by the District (HB 1009) was vetoed by the Governor the boundaries and extension of the life of the District were discussed and what action now needs to be taken to cover those problems. Michael O’Haire will research this and report back to the board.

Rodney presented the Board a written Treasurer’s report that consisted of 36 pages of detailed itemized bills. This report can be seen in the district office.

Rodney discussed a mock board meeting that was held at the FASD Annual Conference. He highlighted one particular part of that mock meeting which concerned the use of cell phones during the meeting by Supervisors and that that information discussed on the phone could be requested under the sunshine law as public information.

Supervisor’s Comments: Richard stated that the Governor’s office needs to be contacted and ask what it is that they would like if the legislation is re-filed in the future. Richard volunteered to talk to Terry Lewis.

Public Comments: No public comments.

Meeting was adjourned at 11:10 a.m. by Mike Monroe.

The next general meeting will be at September 12, 2013 @ 10:00 A.M. at the District’s Office.

Mike Monroe President
Board of Supervisors

Joyce Hertel
Secretary