

# DELTA FARMS WATER CONTROL DISTRICT

### **INDIAN RIVER COUNTY**

REGULAR BOARD MEETING JUNE 20, 2023 8:00 A.M.

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.deltafarmswcd.org

561.630.4922 Telephone 877.SDS.4922 Toll Free 561.630.4923 Facsimile

### AGENDA DELTA FARMS WATER CONTROL DISTRICT

1708 21st Street Vero Beach, Florida 32960

### REGULAR BOARD MEETING

June 20, 2023 8:00 A.M.

A.	Call to Order
В.	Proof of Publication
C.	Establish Quorum
D.	Additions or Deletions to Agenda
E.	Comments from the Public
F.	Approval of Minutes
	1. May 16, 2023 Regular Board Meeting Minutes
G.	Reports
	1. Treasurer's Report
	2. Engineer
	Status Report
	3. Attorney
	4. Chairman
H.	Old Business
	1. Update on Colella FPL Permit
	2. Update on Lex Kromhout Request
I.	New Business
J.	Administrative Matters
K.	Board Members Comments
L.	Adjourn

## **Treasure Coast Newspapers**

PART OF THE USA TODAY NETWORK

Indian River Press Journal 1801 U.S. 1, Vero Beach, FL 32960 AFFIDAVIT OF PUBLICATION

DELTA FARMS WCD 2501 BURNS RD # A

PALM BEACH GARDENS, FL 33410-5207

STATE OF WISCONSIN COUNTY OF BROWN

Before the undersigned authority personally appeared, said legal clerk, who on oath says that he/she is a legal clerk of the Indian River Press Journal, a daily newspaper published at Vero Beach in Indian River County, Florida: that the attached copy of advertisement was published in the Indian River Press Journal in the following issues below. Affiant further says that the said Indian River Press Journal is a newspaper published in Vero Beach in said Indian River County, Florida, and that said newspaper has heretofore been continuously published in said Indian River County, Florida, daily and distributed in Indian River County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The Indian River Press Journal has been entered as Periodical Matter at the Post Offices in Vero Beach, Indian River County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

Issue(s) dated before where the dates are noted or by publication on the newspaper's website, if authorized, on :

12/09/2022

Subscribed and sworn to before on December 9, 2022:

Notary, State of WI, County of Brown

V 5.19.23

My commission expires

Publication Cost: \$193.23 Ad No: 0005510262 Customer No: 2293504 PO #: DFW2022-2023

NANCY HEYRMAN Notary Public State of Wisconsin

DELTA FARMS WATER CONTROL DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Delta Farms Water Control District (the "District") will hold Regular Board Meetings (the "Meeting" or "Meetings") at the offices of Carter Associates located at 1708 21st Street, Vero Beach, Florida 32960 at 8:00 a.m. (\*\*unless otherwise noted\*\*) on the following dates:

\*\*December 20, 2022\*\*
February 21, 2023
April 18, 2023
June 20, 2023
August 15, 2023

\*\*The December 20, 2022, Annual Landowners' Meeting will be held at the offices of Collins Brown Barkett, Chartered, located at 756 Beachland Boulevard, Vero Beach, Florida 32963 at 9:00 a.m. The Regular Board Meeting will immediately follow the Annual Landowners' Meeting at the same location.\*\*

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website <a href="https://www.deltafarmswcd.org">www.deltafarmswcd.org</a> or by contacting the District Manager at 772-345-5119 or by email at bsakuma@sdsinc.org and/or toll free at 1-877-737-4922 prior to the date of the particular meeting. The Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The Meetings may be continued to a date, time and place to be specified on the record at the Meeting.

From time to time a Supervisor may participate by telephone; therefore, a speaker telephone may be present at the meeting location so that Supervisor may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 772-345-5119 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

DELTA FARMS WATER CONTROL DISTRICT

www.deltafarmswcd.org Pub December 9th 2022 TCN5510262

### DELTA FARMS WATER CONTROL DISTRICT REGULAR BOARD MEETING MINUTES MAY 16, 2023

#### A. CALL TO ORDER

The May 16, 2023, Regular Board Meeting of the Delta Farms Water Control District (the "District") was called to order at 8:18 a.m. at the Offices of Carter Associates located at 1708 21<sup>st</sup> Street, Vero Beach, Florida 32960.

#### **B.** PROOF OF PUBLICATION

Mr. Sakuma presented proof of publication that notice of the Regular Board Meeting was published in the *Indian River Press Journal* on May 5, 2023, as required by law.

### C. ESTABLISH QUORUM

Mr. Sakuma stated that the attendance of Supervisors Tim Dooley and Rusty Banack constituted a quorum and it was in order for the meeting to proceed.

#### D. ADDITIONS OR DELETIONS TO AGENDA

Mr. Dooley asked for an addition to the Old Business section of the agenda: "4. Lex Kromhout Request". Additionally, Mr. Dooley moved items related to Lex Kromhout and Cynthia Colella to the top of the agenda. The agenda, as amended, was adopted without objection.

#### H. OLD BUSINESS

#### 4. Lex Kromhout Request

Mr. Kromhout provided the Board with a history of prior survey work along the western border of his property and explained the access road was constructed based on an incorrect survey. His request to the Board was for either an easement or sale to allow the road to remain and provide clear title to his access. The Board considered combining the FPL pole placement (Colella Permit) with Mr. Kromhout's request in an effort to address both items cooperatively. The Board determined to work further with Mr. Kromhout for a resolution.

#### 2. Update on Cynthia Colella FPL Permit

Ms. Colella went over several possible FPL pole locations with the Board, and agreed that there may be an opportunity to work with Mr. Kromhout for assistance in setting poles in such a manner as to provide for her power as well as future development. Mr. Banack agreed to meet onsite with Ms. Colella and David Luethje to review options in the field.

#### 3. Update on Bluebird North – Construction Permit Application

Representatives of the Bluebird North project were available via Microsoft Teams and answered questions posed by the Board and Engineer. The permit, subject to all special conditions as noted by the District Engineer, was approved on a **motion** made by Mr. Dooley, seconded by Mr. Banack. The **motion** passed unanimously.

#### E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

#### F. APPROVAL OF MINUTES

#### 1. April 18, 2023, Regular Board Meeting

There were several edits made by the Board to the minutes. The April 18, 2023, Regular Board Meeting minutes were approved, as amended, on a **motion** made by Mr. Banack, seconded by Mr. Dooley. The **motion** passed unanimously.

#### G. REPORTS

#### 1. Treasurer

Mr. Banack presented the financials provided in the Board package. Mr. Sakuma advised that SDS had not received information related to FDOT accounts. Mr. Spencer provided a copy of a prior financial report which referenced those accounts. Mr. Sakuma was directed to contact the author of prior financial report for information about those accounts. The Treasurer's Report was accepted on a **motion** made by Mr. Dooley, seconded by Mr. Banack. The **motion** passed unanimously.

#### 2. Engineer

District Engineer, Mr. Spencer, referred the Board to his handout and went over the rain reports, reservoir and lateral U-stage summary and water pumping reports. The Engineer's Report was accepted on a **motion** made by Mr. Dooley, seconded by Mr. Banack. The **motion** passed unanimously.

#### 3. Attorney

There was no Attorney Report at this time.

#### 4. Secretary

There was no Secretary Report at this time.

#### 5. Chairman

There was no Chairman Report at this time.

#### H. OLD BUSINESS

#### 1. Update on the SJRWMD Consumptive Use Permit

Mr. Spencer provided an update on the CUP, which was included in the board package. Mr. Sakuma asked if the Board wanted to publish the notice of CUP, as noted in the permit. Mr. Sakuma was directed to publish notice of the CUP on a **motion** made by Mr. Dooley, seconded by Mr. Banack. The **motion** passed unanimously.

#### I. NEW BUSINESS

#### 1. Consider Resolution No. 2023-02 – Re-Designating Registered Agent

Mr. Sakuma presented Resolution No. 2023-02, entitled:

#### **RESOLUTION NO. 2023-02**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE DELTA FARMS WATER CONTROL DISTRICT RE-DESIGNATING A REGISTERED AGENT AND REGISTERED OFFICE OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.

There was a **motion** adopting Resolution No. 2023-02, as presented, made by Mr. Dooley, seconded by Mr. Banack. The **motion** passed unanimously.

#### J. ADMINISTRATIVE MATTERS

There were no administrative matters discussed.

### K. BOARD MEMBER COMMENTS

There were no further comments from the Board.

#### L. ADJOURNMENT

•	*			0	
Thoro boing no further District by	ginagg tha	monting was	adjourned at 0.17	a m without	higgtion
There being no further District bu	siness, me	meeting was	aujouilleu at 9.47	a.m. wimout (	JUICCHOII.

Mr. Sakuma advised that June 20, 2023, would be the next scheduled meeting.

	C	,	U	3	3
Secretary			Chairn	nan	
~ corotary			C.141111		

## Delta Farms Water Control District

## Financial Report For May 2023

#### DELTA FARMS WATER CONTROL DISTRICT MONTHLY FINANCIAL REPORT MAY 2023

		Annual		Year To	
DEVENUE		Budget	Actual	Actu	
REVENUES	10/1/	/22 - 9/30/23	May-23	10/1/22 -	
O & M ASSESSMENTS		210,650		)	211,779
OTHER REVENUES		0		)	400
INTEREST INCOME - MONEY MARKET		0		)	1,630
INTEREST INCOME - PRIME		0		)	144
NET FMIT INTEREST INCOME		0		)	19,211
LOSS ON FMIT FUNDS		0		)	-7,699
TOTAL REVENUES	\$	210,650	\$ -	\$	225,465
EXPENDITURES					
MAINTENANCE EXPENDITURES					
AQUATIC WEED CONTROL		20,000			20,646
CANAL MAINTENANCE		5,000		)	1,000
FUEL		60,000		5	25,602
REPAIRS		20,000			63,657
R/W MAINTENANCE		22,500		)	(
SUPPLIES		1,000		)	53
WATER QUALITY TESTING		1,250			(
TOTAL MAINTENANCE EXPENDITURES	\$	129.750			110,958
TOTAL MAINTENANCE EXPENDITURES	•	129,730	Ψ 13	9	110,930
ADMINISTRATIVE EXPENDITURES					
ADMINISTRATIVE		3,911		)	(
ENGINEERING		6,000			20,576
INSURANCE		12,000		7	13,826
LEGAL AND ACCTG.		6,600		)	210
LEGAL ADVERTISING		0		)	894
MANAGEMENT		22,000	2,00	)	16,000
MISCELLANEOUS		2,000	,	)	814
DUES & SUBSCRIPTIONS		0		)	175
OFFICE		250	70	3	543
RESERVES		15,500		)	(
BANK SERVICE CHARGES		0		)	74
TOTAL ADMINISTRATIVE EXPENDITURES	\$	68,261	\$ 2,083	\$	53,112
TOTAL EXPENDITURES	\$	198,011	\$ 2,158	\$	164,070
					·
REVENUES LESS EXPENDITURES	\$	12,639	\$ (2,158	) \$	61,395
DEBT PAYMENTS		0	0		0
BALANCE	\$	12,639	\$ (2,158	) <b>\$</b>	61,395
BALAITOL	•	12,000	(2,100	, ,	01,000
COUNTY APPRAISER & TAX COLLECTOR FEES		(4,213)			(3,300
DISCOUNTS FOR EARLY PAYMENTS		(8,426)	0		(5,860
EXCESS/ (SHORTFALL)	\$	-	\$ (2,158	\$	52,235
CARRYOVER FROM PRIOR YEAR		0		)	(
NET EVCESS/(SHOPTEALL)	•		\$ (2.450	\ ¢	E0 00E
NET EXCESS/ (SHORTFALL)	\$	-	\$ (2,158	)  Þ	52,235

Bank Balance As Of 5/31/23	\$ 945,330.74	Bank Acco	nces	
Accounts Payable As Of 5/31/23	\$ 28,369.17	FMIT HQ:	\$	303,821.24
Accounts Receivable/Other Assets As Of 5/31/23	\$ 200.00	Marine Bank (Checking):	\$	138,280.76
Other Current Assets As Of 5/31/23	\$ 750.00	Marine Bank (MMA):	\$	496,347.61
Other Assets As Of 5/31/23	\$ 15,000.00	SBA:	\$	6,881.13
Available Funds As Of 5/31/23	\$ 932,911.57	TOTAL:	\$	945,330.74

	Date	Num	Name	Memo	Amount
Expenditures					
ADMINISTRATIVE EXPENSES					
BANK SERVICE CHARGES					
	10/12/2022			Service Charge	14.00
	10/31/2022			Service Charge	10.00
	11/30/2022			Service Charge	10.00
	12/31/2022			Service Charge	10.00
	01/31/2023			Service Charge	10.00
	01/31/2023			Service Charge	10.00
	03/31/2023			Service Charge	10.00
Total BANK SERVICE CHARGES					74.00
dues, subscriptions					
	10/03/2022	85920	Florida Department of Economic Opportunit	Special district fee 2022/2023	175.00
Total dues, subscriptions					175.00
ENGINEERING					
	10/31/2022	8840-340	CARTER ASSOCIATES, INC.	engineering thru 10/31/2022	3,375.00
	11/30/2022	8840-341	CARTER ASSOCIATES, INC.	engineering thru 11/30/2022	1,050.00
	12/31/2022	8840-342	CARTER ASSOCIATES, INC.	engineering thru 12/31/2022	5,245.00
	01/31/2023	8840-343	CARTER ASSOCIATES, INC.	engineering thru 01/31/23	3,362.50
	02/28/2023	8840-344	CARTER ASSOCIATES, INC.	engineering thru 02/28/2023	3,623.48
	03/31/2023	8840-345	CARTER ASSOCIATES, INC.	engineering thru 03/31/2023	375.00
	04/30/2023	8840-346	CARTER ASSOCIATES, INC.	engineering thru 04/30/2023	3,544.83
Total ENGINEERING					20,575.81
INSURANCE					
	10/01/2022	17197	Egis Insurance & Risk Advisors	policy # 1001122947 10/1/22 - 10/1/23	12,856.00
	04/20/2023	18152	Egis Insurance Advisors	policy # 11355723 (06/01/2023 - 06/01/2024	963.36
	05/01/2023	18186	Egis Insurance Advisors	policy # 11355723 (06/01/2023 - 06/01/2024 (change)	6.66
Total INSURANCE					13,826.02
LEGAL & ACCOUNTING					
	12/31/2022	217028	Collins Brown Barkett Chartered	legal matters thru 12/31/2022	210.00
Total LEGAL & ACCOUNTING					210.00

	Date	Num	Name	Memo	Amount
Legal Advertisement					
	11/29/2022	0005126224	Treasure Coast Newspapers	Notice of Annual LO Mtg & Reg Board Mtg	314.64
	11/30/2022	0005126227	Treasure Coast Newspapers	Notice of Reg Board Mtg	121.41
	11/30/2022	0005126227	Treasure Coast Newspapers	RFP for Annual Audit Services	138.51
	12/31/2022	0005209688	Treasure Coast Newspapers	FY 22/23 Mtg Schedule	193.23
	01/01/2023	0005311121	Treasure Coast Newspapers	Notice of Reg Board Mtg	126.54
Total Legal Advertisement					894.33
MANAGEMENT FEES					
	10/31/2022	2022-1697	Special District Services	management fee October 2022	2,000.00
	11/30/2022	2022-1801	Special District Services	management fee November 2022	2,000.00
	12/31/2022	2022-2011	Special District Services	management fee December 2022	2,000.00
	01/31/2023	2023-0098	Special District Services	management fee January 2023	2,000.00
	02/28/2023	2023-0206	Special District Services	management fee February 2023	2,000.00
	03/31/2023	2023-0316	Special District Services	management fee March 2023	2,000.00
	04/30/2023	2023-0422	Special District Services	management fee April 2023	2,000.00
	05/31/2023	2023-0550	Special District Services	management fee May 2023	2,000.00
Total MANAGEMENT FEES					16,000.00
MISCELLANEOUS					
	10/01/2022	318	FLORIDA ASSOCIATION OF SPECIAL DISTRICTS	membership 10/22 - 9/23	750.00
	11/30/2022	2022-1801	Special District Services	Travel October 2022	20.00
	01/31/2023	2023-0098	Special District Services	Travel - December 2022	20.00
	03/31/2023	2023-0316	Special District Services	travel - February 2023	24.24
Total MISCELLANEOUS					814.24

	Date	Num	Name	Memo	Amount
OFFICE					
011.02	10/31/2022	2022-1697	Special District Services	copier charges September 2022	13.80
	10/31/2022	2022-1697	Special District Services	Postage September 2022	23.01
	11/30/2022	2022-1801	Special District Services	copier charges October 2022	29.10
	11/30/2022	2022-1801	Special District Services	FedEx October 2022	57.05
	11/30/2022	2022-1801	Special District Services	meeting books October 2022	28.00
	12/31/2022	2022-2011	Special District Services	copier charges November 2022	14.55
	01/31/2023	2023-0098	Special District Services	copier charges December 2022	89.70
	01/31/2023	2023-0098	Special District Services	postage - December 2022	35.21
	01/31/2023	2023-0098	Special District Services	meeting books - December 2022	48.00
	02/28/2023	2023-0206	Special District Services	copier charges January 2023	0.75
	03/31/2023	2023-0316	Special District Services	copier charges February 2023	42.30
	03/31/2023	2023-0316	Special District Services	postage February 2023	27.08
	03/31/2023	2023-0316	Special District Services	meeting books February 2023	24.00
	04/30/2023	2023-0422	Special District Services	postage March 2023	1.20
	04/30/2023	2023-0422	Special District Services	FedEx March 2023	32.95
	05/31/2023	2023-0550	Special District Services	postage April 2023	8.34
	05/31/2023	2023-0550	Special District Services	FedEx April 2023	13.60
	05/31/2023	2023-0550	Special District Services	meeting books - April 2023	28.00
	05/31/2023	2023-0550	Special District Services	copier charges - April 2023	25.95
Total OFFICE					542.59
Total ADMINISTRATIVE EXPENSES					53,111.99
OPERATING EXPENSES					
AQUATIC WEED CONTROL					
	10/19/2022	75431	Future Horizons Inc	treated 19 acres of emergent & floating aquatics	3,990.00
	01/26/2023	76729	Future Horizons Inc	treated 19 acres of emergent & floating aquatics	4,011.00
	01/31/2023	76871	Future Horizons Inc	treated 53 acres of floating aquatics	7,950.00
	04/12/2023	77959	Future Horizons Inc	aquatic weed control	4,695.00
Total AQUATIC WEED CONTROL					20,646.00
CANAL MAINTENANCE					
	12/07/2022	793328	St Johns River Water Management District	application # 2262-8	1,000.00
Total CANAL MAINTENANCE					1,000.00

	Date	Num	Name	Memo	Amount
FUEL					
	11/08/2022	1867456	Palmdale Oil Company, Inc.	fuel	3,757.95
	11/09/2022	1865402	Palmdale Oil Company, Inc.	fuel	8,454.81
	02/02/2023	1915598	Palmdale Oil Company, Inc.	fuel	4,095.21
	02/02/2023	1915603	Palmdale Oil Company, Inc.	fuel	4,093.97
	02/02/2023	1915534	Palmdale Oil Company, Inc.	fuel	5,124.75
	05/23/2023	784457	DEP - Storage Tank Registration	acct# STCM-5616 storage tank registration	75.00
Total FUEL					25,601.69
REPAIRS					
	10/11/2022	0063813	Sports Welding	Station C pample replaced clutch	760.00
	10/13/2022	272475	BLUE GOOSE GROWERS	install, maintain, operate portable pump station C	14,932.90
	11/18/2022	0063823	Sports Welding	Station A pample replaced fuel selinoid	760.00
	11/21/2022	9529	R&S METALWORKS	repair pump - remove, repair, and re-install	24,590.00
	04/30/2023	9661	R&S METALWORKS	repair pump - remove, repair, and re-install	22,614.00
Total REPAIRS					63,656.90
SUPPLIES					
	04/24/2023	314406	NAPA AUTO PARTS	air filter	52.79
Total SUPPLIES					52.79
Total OPERATING EXPENSES					110,957.38
Total Expenditures					164,069.37

### DELTA FARMS WATER CONTROL DISTRICT TAX COLLECTIONS 2022-2023

#	ID#	PAYMENT FROM	DATE	FOR		ıx Collect Receipts	Interest Received		Commissions Paid		Discount		Net From Tax Collector		Fees)		Debt Assessmen Income (Before Discounts & Fees)	In C	O&M assessment come (After discounts & Fees)	Debt Assessment Income (After Discounts & Fees)
H				GROSS *									$\vdash$	\$210,650 \$198,011		\$210,650 \$198,011	\$0 \$0	+	\$210,650 \$198.011	\$0 \$0
$\vdash$														\$198,011		\$198,011	\$0		\$198,011	\$0
1	11	Indian River County Tax Collector	11/04/22	NAV Taxes	\$	10,058.00			\$	(193.11)	\$	(402.32)	\$	9,462.57	\$	10,058.00		\$	9,462.57	
2		Indian River County Prop Appraiser	11/07/22	Fees					\$	(1,800.00)			\$	(1,800.00)				\$	(1,800.00)	
3	2	Indian River County Tax Collector	12/16/22	NAV Taxes	\$	54,614.00			\$	(1,048.59)	\$	(2,184.56)	\$	51,380.85	\$	54,614.00		\$	51,380.85	
4	3	Indian River County Tax Collector	12/22/22	NAV Taxes	\$	86,386.00			\$	(258.30)	\$	(2,591.58)	\$	83,536.12	\$	86,386.00		\$	83,536.12	
5	Int - 1	Indian River County Tax Collector	01/27/23	Interest			\$	36.94					\$	36.94	\$	36.94		\$	36.94	
6	4	Indian River County Tax Collector	02/10/23	NAV Taxes	\$	7,520.00					\$	(150.40)	\$	7,369.60	\$	7,520.00		\$	7,369.60	
7	5	Indian River County Tax Collector	03/24/23	NAV Taxes	\$	53,110.00					\$	(531.10)	\$	52,578.90	\$	53,110.00		\$	52,578.90	
8	Int - 2	Indian River County Tax Collector	04/28/23	Interest			\$	54.34					\$	54.34	\$	54.34		\$	54.34	
9													\$	-						
10													\$	-						
11													\$	-						
12	EF	Indian River County Tax Collector		Excess Fees									\$	-						
13													\$	-						
14													\$	-						
15				<u> </u>									\$	-						
16											\$	-	\$	-						
					\$ 2	211,688.00	\$	91.28	\$	(3,300.00)	\$	(5,859.96)	\$	202,619.32	\$	211,779.28	\$ -	\$	202,619.32	\$ -

Note: \$210,650 is 2022/2023 Budgeted assessments before discounts and fees. \$198,011 is 2022/2023 Budgeted assessments after discounts and fees.

\$ 211,688.00	
\$ 91.28	\$ 202,619.32
\$ (211,779.28)	\$ (202,619.32)
\$ -	\$ - /
\$ -	\$ -
\$ 	\$ 0.00