



**DELTA FARMS  
WATER CONTROL DISTRICT**

**INDIAN RIVER COUNTY**

**REGULAR BOARD MEETING  
FEBRUARY 20, 2024  
8:00 A.M.**

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

[www.deltafarmswcd.org](http://www.deltafarmswcd.org)

561.630.4922 Telephone

877.SDS.4922 Toll Free

561.630.4923 Facsimile

**AGENDA**  
**DELTA FARMS**  
**WATER CONTROL DISTRICT**  
1708 21<sup>st</sup> Street  
Vero Beach, Florida 32960  
**REGULAR BOARD MEETING**  
February 20, 2024  
8:00 A.M.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public
- F. Approval of Minutes
  - 1. December 19, 2023 Regular Board Meeting Minutes.....Page 2
- G. Reports
  - 1. Treasurer’s Report.....Page 5
  - 2. Engineer
    - Status Report
  - 3. Attorney
  - 4. Chairman
- H. Old Business
- I. New Business
  - 1. Discussion Regarding FPL
- J. Administrative Matters
- K. Board Members Comments
- L. Adjourn



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

**PROOF OF PUBLICATION**

\_\_ Laura Archer  
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, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

10/06/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 10/06/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

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KAITLYN FELTY  
Notary Public  
State of Wisconsin

DELTA FARMS WATER  
CONTROL DISTRICT  
FISCAL YEAR 2023/2024  
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 1709 21st Street, Vero Beach, Florida 32960 at 8:00 a.m. (\*\*unless otherwise noted\*\*) on the following dates:

- October 17, 2023
- November 21, 2023
- \*\*December 19, 2023\*\*
- January 16, 2024
- February 20, 2024
- March 19, 2024
- April 16, 2024
- May 21, 2024
- June 18, 2024
- July 16, 2024
- August 20, 2024
- September 17, 2024

\*\*The December 19, 2023, Annual Landowners' Meeting will be held at the offices of Collins Brown Borkett, 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 [www.deltafarmwcd.org](http://www.deltafarmwcd.org) or by contacting the District Manager at 772-345-5119 or by email of [manager@deltawater.org](mailto:manager@deltawater.org) and/or toll free at 1-877-337-4922 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 of 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 1-877-337-4922 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.deltafarmwcd.org](http://www.deltafarmwcd.org)  
PUBLISH: INDIAN RIVER  
PRESS JOURNAL 10/06/23  
TCR926716

**DELTA FARMS WATER CONTROL DISTRICT  
REGULAR BOARD MEETING MINUTES  
DECEMBER 19, 2023**

**A. CALL TO ORDER**

The Regular Board Meeting of December 19, 2023, of the Delta Farms Water Control District (“District”), was called to order at 9:50 a.m. in the Offices of Collins Brown Barkett, Chartered located at 756 Beachland Boulevard, Vero Beach, Florida 32963.

**B. PROOF OF PUBLICATION**

Proof of publication was presented that showed notice of the Regular Board Meeting had been published in the *Indian River Press Journal* on October 6, 2023, as part of the District’s Fiscal Year 2023/2024 Meeting Schedule, as legally required.

**C. SEAT NEW BOARD MEMBERS**

Mr. Sakuma stated the results of the Landowners’ Election and noted that Mr. Dooley was reappointed to his seat.

**D. ADMINISTER OATH OF OFFICE & REVIEW BOARD MEMBER RESPONSIBILITIES AND DUTIES**

Mr. Sakuma stated that the Oath of Office remained in effect for Mr. Dooley.

**E. ESTABLISH A QUORUM**

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

Also in attendance were: District Manager Frank Sakuma and Associate District Manager Stephanie Brown of Special District Services, Inc.; District Engineer Tyler Specer of Carter Associates; and District Attorney Steve Henderson of Collins Brown Barkett, Chartered.

**F. ELECTION OF OFFICERS**

In a **motion** made by Mr. Banack, seconded by Mr. Dooley, Mr. Dooley was elected to serve as Chair, Mr. Randolph as Vice Chair/Assistant Secretary, Mr. Banack as Treasurer and Mr. Sakuma as Secretary/Assistant Treasurer. The **motion** passed unanimously.

**G. ADDITIONS OR DELETIONS TO AGENDA**

The following additions to the agenda were authorized by the Board:

- Colella FPL Permit
- Water Levels in Basin B (Old Business)

- District Consultants

## **H. COMMENTS FROM THE PUBLIC**

There were no comments from the public.

## **I. APPROVAL OF MINUTES**

### **1. November 28, 2023, Special Board Meeting Minutes**

The November 28, 2023, Special Meeting minutes were approved on a **motion** made by Mr. Dooley, seconded by Mr. Banack, and the **motion** passed unanimously.

## **J. REPORTS**

### **1. Treasurer's Report**

Mr. Banack discussed the Board financial data provided in the Board package. After Board discussion, the November 2023 Treasurer's Report was approved on a **motion** made by Mr. Dooley, seconded by Mr. Banack, and the **motion** passed unanimously.

### **2. Engineer**

Mr. Specer stated that the Engineer's Report was covered during the Landowner's meeting and asked the Board if they would like him to move forward with requesting a bid from R&S for maintenance of the pump stations (beginning with East Pump - A). Mr. Dooley made a **motion** for Mr. Specer to solicit a bid from R&S for pump station maintenance, seconded by Mr. Banack, and the **motion** passed unanimously. The November 2023 Engineer's Report was then approved on a **motion** made by Mr. Banack, seconded by Mr. Dooley, and the **motion** passed unanimously.

### **3. Attorney**

There was no Attorney Report at this time.

### **4. Chairman**

There was no Chairman Report at this time.

## **K. OLD BUSINESS**

### **1. Colella FPL Permit**

Ms. Cynthia Colella advised the Board that after discussions with FPL, they proposed establishing power to her property by connecting to the northernmost pole from State Rd 60, located on Delta Farms' property (bypassing Mr. Kromhout's property). Mr. Specer explained the proposal further and stated it would require Delta Farms to grant FPL an easement for the fourth pole and would be the best solution to get Ms. Colella power in a timely manner. Mr. Kromhout did not agree with the solution. Ms. Colella stated negotiations with Mr. Kromhout had stalled and that she would prefer to move forward with the FPL proposal to connect from the fourth pole located on Delta Farms' property. District Attorney Mr. Henderson stated that assuming there was no overlap in legal descriptions for Delta Farms and Mr. Kromhout's driveway, Delta Farms can grant the easement to FPL without Mr. Kromhout. Mr. Dooley made a **motion**, seconded by Mr. Banack, granting an easement to FPL from State Rd 60 to the northern most pole on Delta Farms property contingent on review of property legal

descriptions. The **motion** passed unanimously. Mr. Dooley made a **motion**, seconded by Mr. Banack, authorizing the change request to the FPL permit right of way use of District lands as presented by the engineer, subject to engineer review. The **motion** passed unanimously.

## **2. Water Levels in Basin B**

Mr. Dooley stated that water levels on the east end had been high. Mr. Banack reiterated from the previous discussion that it would just be for the current harvest and moving forward the tenant would not be allowed to exceed the amount of water that has been allocated. Mr. Specer stated that he would continue to monitor the water levels. Mr. Tooley requested this discussion be placed on the February Board Meeting agenda.

### **L. NEW BUSINESS**

#### **1. Discussion Regarding Reply to DFWCD Board of Supervisors Request for Legal Easement Access Agreement & Legal Cost Payment Expectation Question, and a Modified FPL Proposal Offering to Clarify our Position in this Matter**

Board consensus was to table the legal easement access agreement discussion.

### **M. ADMINISTRATIVE MATTERS**

For the professional consultants of the District, the engineering firm of Carter Associates and the law firm of Collins Brown Barkett, Chartered were each retained to provide services to the District on a **motion** made by Mr. Banack, seconded by Mr. Dooley, and the **motion** passed unanimously.

### **N. BOARD MEMBER COMMENTS**

There were no further comments from the Board.

### **O. ADJOURN**

There being no further business to come before the Board, Mr. Dooley adjourned the meeting at 11:07 a.m. There were no objections.

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Secretary/Assistant Secretary

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President/Vice-President

Delta Farms  
Water Control District

**Financial Report For  
January 2024**

**DELTA FARMS WATER CONTROL DISTRICT  
MONTHLY FINANCIAL REPORT  
JANUARY 2024**

	Annual Budget 10/1/23 - 9/30/24	Actual Jan-24	Year To Date Actual 10/1/23 - 1/31/24
<b>REVENUES</b>			
O & M ASSESSMENTS	220,685	0	157,486
OTHER REVENUES	0	0	0
INTEREST INCOME - MONEY MARKET	240	0	6,324
INTEREST INCOME - PRIME	0	0	100
NET FMIT INTEREST INCOME	0	0	16,012
LOSS ON FMIT FUNDS	0	0	-2,246
<b>TOTAL REVENUES</b>	<b>\$ 220,925</b>	<b>\$ -</b>	<b>\$ 177,676</b>
<b>EXPENDITURES</b>			
<b>MAINTENANCE EXPENDITURES</b>			
AQUATIC WEED CONTROL	28,500	1,995	7,560
CANAL MAINTENANCE	5,000	0	0
FUEL	62,500	0	27,135
REPAIRS	20,000	0	13,901
R/W MAINTENANCE	25,000	0	0
SUPPLIES	1,000	2,003	2,991
WATER QUALITY TESTING	1,250	0	0
<b>TOTAL MAINTENANCE EXPENDITURES</b>	<b>\$ 143,250</b>	<b>\$ 3,998</b>	<b>\$ 51,587</b>
<b>ADMINISTRATIVE EXPENDITURES</b>			
AUDIT	6,100	0	0
ENGINEERING	18,000	0	5,600
INSURANCE	13,200	0	15,213
LEGAL	3,500	0	870
LEGAL ADVERTISING	1,500	0	631
MANAGEMENT	24,000	2,000	8,000
MISCELLANEOUS	2,000	20	41
DUES & SUBSCRIPTIONS	0	0	175
OFFICE SUPPLIES	250	68	146
RESERVES	13,434	0	0
BANK SERVICE CHARGES	0	0	30
POSTAGE	250	0	59
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 82,234</b>	<b>\$ 2,088</b>	<b>\$ 30,765</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 225,484</b>	<b>\$ 6,086</b>	<b>\$ 82,352</b>
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ (4,559)</b>	<b>\$ (6,086)</b>	<b>\$ 95,324</b>
DEBT PAYMENTS	0	0	0
<b>BALANCE</b>	<b>\$ (4,559)</b>	<b>\$ (6,086)</b>	<b>\$ 95,324</b>
COUNTY APPRAISER & TAX COLLECTOR FEES	(4,414)	0	(3,300)
DISCOUNTS FOR EARLY PAYMENTS	(8,827)	0	(6,299)
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ (17,800)</b>	<b>\$ (6,086)</b>	<b>\$ 85,725</b>
CARRYOVER FROM PRIOR YEAR	17,800	0	0
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>	<b>\$ (6,086)</b>	<b>\$ 85,725</b>

<b>Bank Balance As Of 1/31/24</b>	<b>\$ 951,520.28</b>	<b>Bank Account Balances</b>	
<b>Accounts Payable As Of 1/31/24</b>	<b>\$ 14,835.53</b>	FMIT HQ:	<b>\$ 308,967.82</b>
<b>Accounts Receivable As Of 1/31/24</b>	<b>\$ 200.00</b>	Marine Bank (Checking):	<b>\$ 146,830.27</b>
<b>Other Current Assets As Of 1/31/24</b>	<b>\$ -</b>	Marine Bank (MMA):	<b>\$ 488,553.41</b>
<b>Other Assets As Of 1/31/24</b>	<b>\$ 15,000.00</b>	SBA:	<b>\$ 7,168.78</b>
<b>Available Funds As Of 1/31/24</b>	<b>\$ 951,884.75</b>	TOTAL:	<b>\$ 951,520.28</b>



**DELTA FARMS WATER CONTROL DISTRICT**  
**Expenditures**  
**October 2023 through January 2024**

Expenditures	Date	Num	Name	Memo	Amount
<b>ADMINISTRATIVE EXPENSES</b>					
<b>01-1301 · ENGINEERING</b>					
	10/27/2023	202329003	CARTER ASSOCIATES, INC.	engineering thru 10/27/2023	597.50
	12/01/2023	202333349	CARTER ASSOCIATES, INC.	engineering thru 12/01/2023	2,651.20
	12/31/2023	202336217	CARTER ASSOCIATES, INC.	engineering thru 12/31/2023	2,351.26
Total 01-1301 · ENGINEERING					<u>5,599.96</u>
<b>01-1302 · INSURANCE</b>					
	10/01/2023	19975	Egis Insurance Advisors	policy # 100123947 (10/01/2023 - 10/01/2024)	15,213.00
Total 01-1302 · INSURANCE					<u>15,213.00</u>
<b>01-1303 · LEGAL &amp; ACCOUNTING</b>					
	12/31/2023	221542	Collins Brown Barkett Chartered	legal matters thru 12/31/2023	870.00
Total 01-1303 · LEGAL & ACCOUNTING					<u>870.00</u>
<b>01-1304 · Legal Advertisement</b>					
	10/06/2023	0005988033	Gannett Florida LocalIQ	FY 23/24 Mtg Schedule	207.76
	11/20/2023	0006064356	Gannett Florida LocalIQ	Notice of Special Board Mtg	131.32
	11/30/2023	2023-1664	Special District Services	Treasure Coast news legal ad	291.63
Total 01-1304 · Legal Advertisement					<u>630.71</u>
<b>01-1305 · MANAGEMENT FEES</b>					
	10/31/2023	2023-1326	Special District Services	management fee October 2023	2,000.00
	11/30/2023	2023-1664	Special District Services	management fee November 2023	2,000.00
	12/31/2023	2023-1914	Special District Services	Management fee - December 2023	2,000.00
	01/31/2024	2024-0100	Special District Services	Management fee - January 2024	2,000.00
Total 01-1305 · MANAGEMENT FEES					<u>8,000.00</u>
<b>01-1306 · MISCELLANEOUS</b>					
	11/30/2023	2023-1664	Special District Services	travel	20.30
Total 01-1306 · MISCELLANEOUS					<u>20.30</u>
<b>01-1307 · dues, subscriptions</b>					
	10/02/2023	87903	Florida Department of Economic Opportunit	Special district fee 2023/2024	175.00
Total 01-1307 · dues, subscriptions					<u>175.00</u>
<b>01-1308 · OFFICE</b>					
	10/31/2023	2023-1326	Special District Services	copier charges - September 2023	1.65
	11/30/2023	2023-1664	Special District Services	copier charges	21.15
	11/30/2023	2023-1664	Special District Services	meeting books	24.00
	12/31/2023	2023-1914	Special District Services	copier charges	11.85
	12/31/2023	2023-1914	Special District Services	meeting books	20.00
	01/31/2024	2024-0100	Special District Services	copier charges	35.40
	01/31/2024	2024-0100	Special District Services	meeting books	32.00
Total 01-1308 · OFFICE					<u>146.05</u>

**DELTA FARMS WATER CONTROL DISTRICT**  
**Expenditures**  
**October 2023 through January 2024**

	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
<b>01-1310 · BANK SERVICE CHARGES</b>					
	10/31/2023			Service Charge	10.00
	11/30/2023			Service Charge	10.00
	12/29/2023			Service Charge	10.00
Total 01-1310 · BANK SERVICE CHARGES					<u>30.00</u>
<b>01-1319 · POSTAGE</b>					
	11/30/2023	2023-1664	Special District Services	FedEx	13.90
	11/30/2023	2023-1664	Special District Services	postage	8.53
	12/31/2023	2023-1914	Special District Services	FedEx	37.85
Total 01-1319 · POSTAGE					<u>60.28</u>
<b>ADMINISTRATIVE EXPENSES - Other</b>					
	01/31/2024	2024-0100	Special District Services	travel	20.31
Total ADMINISTRATIVE EXPENSES - Other					<u>20.31</u>
Total ADMINISTRATIVE EXPENSES					<u>30,765.61</u>
<b>MAINTENANCE EXPENSES</b>					
<b>01-1311 · AQUATIC WEED CONTROL</b>					
	10/27/2023	80923	Future Horizons Inc	aquatic weed control	2,730.00
	12/29/2023	82030	Future Horizons Inc	aquatic weed control	2,835.00
	01/12/2024	82139	Future Horizons Inc	aquatic weed control	1,995.00
Total 01-1311 · AQUATIC WEED CONTROL					<u>7,560.00</u>
<b>01-1313 · FUEL</b>					
	11/14/2023	2096041	Palmdale Oil Company, Inc.	fuel	11,772.41
	11/17/2023	2098638	Palmdale Oil Company, Inc.	fuel	3,942.88
	12/20/2023	2121083	Palmdale Oil Company, Inc.	fuel	11,419.45
Total 01-1313 · FUEL					<u>27,134.74</u>
<b>01-1314 · REPAIRS</b>					
	10/10/2023	483643	Sports Welding	station A pump 2; station B pump 4	1,235.00
	10/30/2023	INV-00002	Treasure Coast Mobile Sandblasting LLC	sandblasting and painting	4,280.80
	10/31/2023	9785	R&S METALWORKS	gravity gate inspection and repairs	1,640.00
	11/08/2023	683654	Sports Welding	Station B pump 4 (repaired wiring), pump 3 (replaced starter), pump 4 (replaced crank sensor)	2,185.00
	12/07/2023	683659	Sports Welding	station A pump 1 repair battery, Station B pump 3 repair shut off valve, Station B pump 3 repair...	1,900.00
	12/14/2023	683663	Sports Welding	station B pump 3 repair oil leak; station B pump 4 replace Murphy panel; Station A pump 1 repair...	2,660.00
Total 01-1314 · REPAIRS					<u>13,900.80</u>

**DELTA FARMS WATER CONTROL DISTRICT**  
**Expenditures**  
**October 2023 through January 2024**

	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
<b>01-1316 · SUPPLIES</b>					
	10/11/2023	334953	NAPA AUTO PARTS	reman/starter, core deposit	436.97
	11/08/2023	338416	NAPA AUTO PARTS	tie and wires	95.89
	12/05/2023	341659	NAPA AUTO PARTS	brake cleaner and supplies	234.66
	12/05/2023	341737	NAPA AUTO PARTS	control and pressure switch	186.95
	12/06/2023	341930	NAPA AUTO PARTS	supplies	32.99
	01/22/2024	347661	NAPA AUTO PARTS	supplies	1,299.34
	01/22/2024	347763	NAPA AUTO PARTS	wire and switches	129.98
	01/29/2024	348623	NAPA AUTO PARTS	switch	49.99
	01/30/2024	348871	NAPA AUTO PARTS	solenoid and tattletale	524.26
Total 01-1316 · SUPPLIES					<u>2,991.03</u>
Total MAINTENANCE EXPENSES					<u>51,586.57</u>
<b>Total Expenditures</b>					<b><u>82,352.18</u></b>

**DELTA FARMS WATER CONTROL DISTRICT  
TAX COLLECTIONS  
2023-2024**

#	ID#	PAYMENT FROM	DATE	FOR	Tax Collect Receipts	Interest Received	Commissions Paid	Discount	Net From Tax Collector	O&M Assessment Income (Before Discounts & Fees)	Debt Assessment Income (Before Discounts & Fees)	O&M Assessment Income (After Discounts & Fees)	Debt Assessment Income (After Discounts & Fees)
				GROSS *					\$220,685	\$220,685	\$0	\$220,685	\$0
				NET **					\$207,444	\$207,444	\$0	\$207,444	\$0
1		Indian River County Prop Appraiser	10/02/23	Fees			\$ (1,800.00)		\$ (1,800.00)			\$ (1,800.00)	
2	1	Indian River County Tax Collector	11/03/23	NAV Taxes	\$ 10,486.00		\$ (201.33)	\$ (419.44)	\$ 9,865.23	\$ 10,486.00		\$ 9,865.23	
3	2	Indian River County Tax Collector	12/08/23	NAV Taxes	\$ 90,062.00		\$ (1,298.67)	\$ (3,602.48)	\$ 85,160.85	\$ 90,062.00		\$ 85,160.85	
4	3	Indian River County Tax Collector	12/15/23	NAV Taxes	\$ 56,938.00			\$ (2,277.52)	\$ 54,660.48	\$ 56,938.00		\$ 54,660.48	
5													
6													
7									\$ -				
8									\$ -				
9									\$ -				
10									\$ -				
11									\$ -				
12									\$ -				
13									\$ -				
14									\$ -				
15									\$ -				
16									\$ -				
					\$ 157,486.00	\$ -	\$ (3,300.00)	\$ (6,299.44)	\$ 147,886.56	\$ 157,486.00	\$ -	\$ 147,886.56	\$ -

Note: \$220,685 is 2023/2024 Budgeted assessments before discounts and fees.  
\$207,444 is 2023/2024 Budgeted assessments after discounts and fees.

\$ 157,486.00	
\$ -	\$ 147,886.56
\$ (157,486.00)	\$ (147,886.56)
\$ -	\$ -
\$ -	\$ -
\$ -	\$ -