



# **PAL-MAR WATER CONTROL DISTRICT**

**LANDOWNERS' MEETING &  
REGULAR BOARD MEETING  
JUNE 27, 2022  
10:00 A.M.**

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

**[www.palmarwcd.org](http://www.palmarwcd.org)  
561.630.4922 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile**

**AGENDA**  
**PAL MAR WATER CONTROL DISTRICT**  
Martin County Commission Chambers' Administrative Center  
2401 SE Monterey Road  
Stuart, Florida 34996  
**LANDOWNERS' MEETING**  
June 27, 2022  
10:00 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Consider Adoption of Election Procedures.....Page 5
- E. Election of Chair for Landowners Meeting
- F. Election of Secretary for Landowners Meeting
- G. Approval of Minutes
  - 1. June 11, 2021 Landowners' Meeting Minutes.....Page 8
- H. Election of Supervisors
  - 1. Determine Number of Voting Units Represented or Assigned by Proxy.....Page 13
  - 2. Nomination of Candidates
  - 3. Casting of Ballots.....Page 14
  - 4. Ballot Tabulations
  - 5. Certification of the Results
- I. Other Business
  - 1. Receive Treasurer's Report.....Page 15
  - 2. Receive Engineer's Report.....Page 16
  - 3. Consider Approval of Payment for Supervisors
- J. Landowners' Comments
- K. Adjourn

# Treasure Coast Newspapers

PART OF THE USA TODAY NETWORK

Stuart News

1801 U.S. 1, Vero Beach, FL 32960

## AFFIDAVIT OF PUBLICATION

Attn: Special District Services  
SPECIAL DISTRICT SERVICES INC  
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 Stuart News, a daily newspaper published at Stuart in Martin County, Florida; that the attached copy of advertisement was published in the Stuart News in the following issues below. Affiant further says that the said Stuart News is a newspaper published in Stuart in said Martin County, Florida, and that said newspaper has heretofore been continuously published in said Martin County, Florida, daily and distributed in Martin 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 Stuart News has been entered as Periodical Matter at the Post Offices in Stuart, Martin 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 :

05/31/2022, 06/07/2022

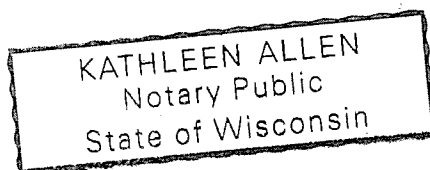
*Sona Kanitz*

Subscribed and sworn to before on June 7, 2022:

*Kathleen Allen*

Notary, State of WI, County of Brown

1-7-25  
My commission expires



Publication Cost: \$369.36  
Ad No: 0005274542  
Customer No: 1313370  
PO #:

PAL MAR WATER CONTROL  
DISTRICT  
NOTICE OF LANDOWNERS'  
MEETING AND REGULAR  
BOARD MEETING

NOTICE IS HEREBY GIVEN that the Annual Landowners' Meeting and a Regular Board Meeting of the Pal Mar Water Control District (the "District") will be held at 10:00 a.m., or as soon thereafter as can be heard, on June 27, 2022, in the Martin County Commission Chambers' Administrative Center located at 2401 SE Monterey Road, Stuart, Florida 34996.

The primary purpose of the Landowners' Meeting is the election of Supervisor(s) for the District. The purpose of the Regular Board Meeting is to transact any business to come before the Board.

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410. At said meeting each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting the landowners shall select a person to serve as the meeting Chair and who shall conduct the meeting.

A copy of the Agendas for these meetings may be obtained from the District's website ([www.palmarwcd.org](http://www.palmarwcd.org)) or by contacting the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922. The meetings 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 these meetings should contact the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the meetings.

Meetings may be cancelled  
from time to time without ad-  
vertised notice.  
Pub Date May 31, June 7' 22  
TCN5274542

## Miscellaneous Notices



Published in The Palm Beach Post on June 7, 2022

### Location

Palm Beach County, Florida

### Notice Text

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AND REGULAR BOARD MEETING

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Pal Mar Water Control District  
[www.palmarwcd.org](http://www.palmarwcd.org)

## **ELECTION PROCEDURES**

### **1. Annual Landowner's Meeting**

In accordance with the provisions of Chapter 298, Florida Statutes, it is required that a meeting of the Landowners of the District to be held every year during the month of June for the purpose of electing Supervisors and hearing reports of the Board of Supervisors. The Landowners when assembled shall organize by electing a Chairperson who shall preside at the meeting with the Secretary or Assistant Secretary of the Board of Supervisors to be the Secretary of the Landowners meeting.

Those Landowners present or voting by proxy shall constitute a quorum at the meeting of the Landowners.

### **2. Voting**

At each Landowners meeting, each Landowner shall be entitled to cast one vote for each and every acre, or any fraction thereof, of land owned by him or her in the District and each Landowner shall be entitled to vote either in person or by representative present with a lawful written proxy.

### **3. Registration for Casting of Ballots**

The registration process for the casting of ballots by Landowners or their representatives holding their proxies shall be as follows:

(A) At the annual Landowner's meeting and prior to the commencement of the first casting of ballots for a Board of Supervisor position, each Landowner or their representative, if proxies are being submitted in lieu thereof, shall be directed to register their attendance, and the total number of votes by acreage to which each claims to be entitled, with the District's Manager, who will be in attendance at the meeting.

(B) At such registration, each Landowner or their representative with a lawful proxy, as the case may be, shall be provided a color coded ballot for each Board of Supervisor position open for election upon which ballot a District representative will fill in the number of votes that such Landowner or their representative is registered to cast for each Board of Supervisor position open for election.

(C) All Landowner proxies shall be collected at the time of registration and retained with the Official Records of the District for subsequent certification or verification, if required.

### **4. Nominations for Supervisor**

Once the Landowners have organized by electing a Chairman and Secretary to conduct the election, the Chairman will call the nominations for Supervisors from the floor.

Nominations are not required to be seconded. After nominations are received, and the floor has been closed for nominations, those nominated will be asked if they accept the nominations (this will ensure those nominated for Supervisor wish to serve).

5. Casting of Ballots

Registration and the issuance of ballots shall cease once the Chairperson calls for the commencement of the casting of ballots for the election of a Board of Supervisor and thereafter no additional ballots shall be issued.

Taking each open Board of Supervisor position in the order determined by the Chairperson, the Landowners or their representatives, as the case may be, will be required to cast their ballots using the appropriately colored ballot for that particular Board of Supervisor position. Once the ballots have been cast, the Chairperson will call for a collection of the ballots for that particular open position by the Secretary.

6. Counting of Ballots

Following the collection of the ballots for a particular Board of Supervisor position, the Secretary or Assistant Secretary shall be responsible for the tabulation of ballots for that position in order to determine the total votes cast for each candidate that is seeking election to that particular open position and for determination of the number of votes cast for each candidate for such position.

The candidate receiving the highest number of votes for the particular Board of Supervisor position for which said votes were cast shall be declared by the Chairperson as elected for such Board of Supervisor position following the Secretary's submission of the tabulation for that election.

The process shall be repeated for each Board of Supervisor position open for election until balloting has been conducted for all such positions.

7. Contesting of Election Results

(A) Following the first election and announcement of the candidate receiving the highest number of votes, the Chairperson shall ask the Landowners present or those representatives holding proxies for Landowners, whether they wish to contest the election results. If no contests are received, said election results shall thereupon be certified and the newly elected Supervisor will thereupon take the Oath of Office and be seated as a member of the District's Board of Supervisors.

If there is a contest, the contest must be addressed to the Chairperson and thereupon the individual casting a ballot that is being contested will be required to provide proof of ownership of the acreage for which they voted at the election within five (5) business days of the Landowner's meeting. The proof of ownership shall be submitted to the District Manager who will thereupon consult with the District's general counsel and



together they will review the material provided and attempt to determine the legality of the contested ballots. Once the contests are resolved, the Chairperson shall reconvene the Landowner's meeting and thereupon certify the election results with the newly elected Supervisor to thereupon take the oath of office and be seated as a member of the Board of Supervisors.

(B) If, following any balloting for a particular Board of Supervisor position, there is a contest of the election results, any subsequent ballot shall proceed but the results of the subsequent ballots for those subsequent Board of Supervisor position(s) shall be on a "conditional basis" pending resolution of the challenged ballot results. If the contest over the challenged balloting is resolved and the candidate that was initially announced as receiving the highest number of votes is elected, then the subsequent uncontested ballot(s) shall thereupon be closed and the candidate that received the highest number of votes during the subsequent balloting for a particular Board of Supervisor position shall thereupon take the Oath of Office and be seated as a member of the Board of Supervisors for that particular position.

If, however, there is a contest of the election results of any subsequent balloting, then the procedure for resolving the contest of such election shall be done in the same fashion as that set forth above for each such round of balloting so contested.

#### 8. Recessing of Annual Landowner's Meeting

In the event there is a contest of a ballot or of the election, the Landowner's meeting shall be recessed to a future time certain date and location at which time the election findings on the contest shall be reported in accordance with the procedure above and the newly elected Supervisor(s) shall thereupon take their Oath of Office.

#### 9. Miscellaneous Provisions

(A) Each Landowner shall only be entitled to vote in person or by means of a representative attending in person and holding a lawful written proxy in order to cast said Landowner's votes.

(B) Proxies will not require that proof of acreage ownership be attached. Rather, proof of ownership must be timely provided by the holder of the proxy if the proxy is contested in accordance with the procedure above.

PAL-MAR WATER CONTROL DISTRICT  
LANDOWNERS' MEETING  
JUNE 11, 2021

**A. CALL TO ORDER**

District Manager Michael McElligott called the June 11, 2021, Landowners' Meeting of the Pal-Mar Water Control District to order at 10:04 a.m. in the Martin County Commission Chambers, 2401 SE Monterey Road, Stuart, Florida 34996.

**B. PROOF OF PUBLICATION**

District Manager Michael McElligott offered Proof of Publication showing that notice of the Landowners' Meeting was published in the *Palm Beach Post* and in the *Scripps Treasure Coast* on May 21, 2021, and May 28, 2021, as legally required.

**C. ESTABLISH QUORUM**

There was a quorum established with several landowners/proxy holders (see sign in sheet attached).

Also, in attendance were staff members: District Manager Michael McElligott of Special District Services, Inc.; General Counsel Mary Viator and Betsy Burden of Caldwell, Pacetti, Edwards, Schoech & Viator LLP; and District Engineer Bob Higgins of Higgins Engineering, Inc.

Also in attendance were several members of the public.

**D. CONSIDER ADOPTION OF ELECTION PROCEDURES**

Ms. Viator explained the purpose of the annual Landowners' Meeting and the process for the election. Ms. Viator asked that the landowner names and the number of votes be read into the record. Mr. McElligott read the landowners' names and their number of votes (see sign in sheet attached) into the record.

There was an objection by Ruth Holmes, the attorney for Martin County. Her objection was that proxy with Martin County votes was not recognized. Both Mr. Gazza and Mrs. Viator explained the position of Pal-Mar WCD in regard to the lawsuit with Martin County over Martin County's unpaid assessments and how, by statute, that precludes Martin County from voting their acreage. Mrs. Viator also went into explanation of the affect of the appeal that is currently outstanding. There was a long discussion back and forth between Mrs. Viator and Mrs. Holmes on their differing positions on the matter. Mrs. Viator again stated the stator reasons why Martin County can not vote in the Pal-Mar WCD landowners meeting.

PAL-MAR WATER CONTROL DISTRICT  
LANDOWNERS' MEETING  
JUNE 11, 2021

There was then a **motion** made by Mr. Gazza, seconded by Mr. Berman to adopt the Election Procedures as presented. That **motion** passed.

**E. ELECTION OF CHAIR FOR LANDOWNERS' MEETING**

Ms. Viator asked for nominations for a Chair for the Landowners' Meeting.

Mr. Gazza nominated Bob Berman. There being no other nomination, Mr. Berman was elected Chair of the Landowners' Meeting by acclamation.

**F. ELECTION OF SECRETARY FOR LANDOWNERS' MEETING**

Mr. Gazza nominated that Mr. McElligott serve as the Recording Secretary for the Landowners' Meeting.

There being no other nominations, Mr. McElligott was elected as the Recording Secretary for the meeting by acclamation.

**G. APPROVAL OF MINUTES**

**1. June 4, 2020, Landowners' Meeting Minutes**

Commissioner Mario pointed out some typographical errors in the minutes to be corrected. The June 4, 2020, Landowners' Meeting Minutes were then approved unanimously as amended following a **motion** from Mr. Gazza and seconded by Commissioner Marino.

**H. ELECTION OF SUPERVISORS**

**1. Determine Number of Voting Units**

Mr. McElligott noted that the main purpose of the Landowners' Meeting is to elect a Supervisor for a three-year term of the seat most recently held by Frank Sardinha.

District Counsel Mary Viator reviewed the election procedures for Chapter 298 Water Control Districts and recommended Mr. McElligott announce the number of votes represented at the meeting.

Mr. McElligott read the total number of votes totaled 4,535.

PAL-MAR WATER CONTROL DISTRICT  
LANDOWNERS' MEETING  
JUNE 11, 2021

Landowner	Acres/Votes
Maria Marino (PBC)	271
Bob Berman / Palm Beach Heights LC	1,748
Cory Beaton	53
Lew Lolmaugh	1
Salvador Orofino / Treasured Lands	1
Rene Griffith	1
Regina Wood / Martin County Conservation Alliance	1
Zach Gazza / Be A Man Buy Land	2,459
<b>Total</b>	<b>4,535</b>

## **2. Nomination of Candidates**

Chairman Berman called for nominations of candidates for the three-year term. Mr. Gazza nominated landowner Lewis Lolmaugh.

There was also a nomination for Regina Wood, however Mrs. Viator explained that since Mrs. Wood is not a landowner, she is only a proxy holder for another landowner, she cannot be nominated. The person is required by statute to be a landowner to hold any of the 3 landowner seat, and it is one of those 3 landowner seats that we are taking nominations for today.

There were no other nominations.

## **3. Casting of Ballots**

Since there was only 1 nomination, there was no need for paper ballots. Instead, Mr. McElligott took a show of hands for those voting for Mr. Lolmaugh. The vast majority of landowner voted yes for Mr. Lolmaugh.

## **4. Ballot Tabulations**

Mr. McElligott announced there was no need to tabulate the ballots as Mr. Lolmaugh was the only nominee.

## **5. Certification of the Results**

PAL-MAR WATER CONTROL DISTRICT  
LANDOWNERS' MEETING  
JUNE 11, 2021

Ms. Viator asked if there were any objections to the election results.

Mrs. Holmes, Martin County Attorney stated that according to her research, Mr. Gazza and Be A Man Buy Land do not actually own any lands, that instead they only hold the mortgage on those lands. Mr. Gazza addressed this objection by stating that their research is wrong, he owns several acres in his name personally, and that he owns thousands of acres as the owner of Be A Man Buy Land, LLC.

There were no other objections.

A **motion** was made by Mr. Gazza, with a second by Mr. Beaton, to certify the election results. That **motion** passed. Mr. Berman as Chairman certified the results of the election with Mr. Lolmaugh receiving a three-year term as Supervisor of the Pal Mar Water Control District.

## **I. OTHER BUSINESS**

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

Mr. McElligott presented the Annual Treasurer's Report that was in the agenda package noting that the District collected 189% of budgeted revenues and spent 212% of the budgeted expenses from the previous year resulting in a next shortfall of \$26,009 for the previous fiscal year. Mr. McElligott noted that the net shortfall was due to ongoing litigation cost.

The Board received the report with no additional questions or comments.

A **motion** was then made by Mr. Gazza, with a second by Commissioner Marino to accept the Treasurer's Report. That **motion** passed.

### **2. Receive Engineer's Report**

Mr. Higgins presented the Annual Engineer's Report that was in the meeting book. Mr. Higgins noted the updated "purpose" of the District which was changed by the Board at a previous meeting to more accurately reflect the districts special act. Commissioner Marino asked about the non-specificness of the purpose language. Mr. Higgins explained that this was per the direction of the Board. Mr. Higgins also gave a summary of each paragraph in the report.

There was a motion by Mr. Gazza, with a second by Commissioner Marino to receive the report with no additional questions or comments. That **motion** passed.

PAL-MAR WATER CONTROL DISTRICT  
LANDOWNERS' MEETING  
JUNE 11, 2021

A **motion** was then made by Mr. Sardinha, and with a second by Commissioner Valeche to accept the Engineer's Report as amended. That **motion** passed unanimously.

**3. Consider Approval of Payment for Supervisors**

Mr. Gazza suggested the District keep the same policy that supervisors do not get paid. With little discussion, a **motion** was then made by Mr. Gazza and seconded by Commissioner Marino to keep supervisor payments at \$0 per meeting. That **motion** passed.

**J. LANDOWNERS' COMMENTS**

Mrs. Regina Wood, holding a proxy, was asked for further explanation as to why Martin County cannot vote. District staff explained the situation of the missed assessment payments by Martin County, the corresponding lawsuit, and the current appeal outstanding.

**K. ADJOURNMENT**

There being no further business to discuss regarding the Landowners' Meeting, the meeting adjourned at 10:49 a.m. on a **motion** by Mr. Gazza, with a second by Commissioner Marino. The **motion** passed.

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Secretary/Assistant Secretary

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Chair/Vice-Chair

**LANDOWNER PROXY  
PAL-MAR WATER CONTROL DISTRICT  
LANDOWNERS' MEETING**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints \_\_\_\_\_ ("Proxy Holder") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Pal-Mar Water Control District to be held on June 27, 2022 at 10:00 a.m. at the Martin County Commission Chambers' Administrative Center, 2401 SE Monterey Road, Stuart, Florida 34996. and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may be considered at said meeting including, but not limited to the Board of Supervisors. Said Proxy Holder may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may be legally considered at said meeting.

This proxy is to continue in full force and effect from the hereof until the conclusion of the above noted landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the annual meeting prior to the Proxy Holder exercising the voting rights conferred herein.

\_\_\_\_\_  
Printed Name of Legal Owner

\_\_\_\_\_  
Signature of Legal Owner

\_\_\_\_\_  
Date

**Parcel Description\***

**# of Acres**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\* Insert in the space above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. [If more space is needed, identification of Parcels owned may be incorporated by reference to an attachment hereto.]

Pursuant to section 298 Florida Statutes (2022), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto.

**TOTAL NUMBER OF AUTHORIZED VOTES: \_\_\_\_\_**

**Please note that each eligible acre of land or fraction thereof is entitled to only one vote, for example, a husband and wife are together entitled to only one vote per their residence if it is located on one acre or less of real property.**

**If the Legal Owner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto. (e.g. bylaws, corporate resolution, etc.)**

BALLOT

BALLOT # \_\_\_\_\_

PAL-MAR  
WATER CONTROL DISTRICT  
LANDOWNERS' MEETING

ELECTION OF BOARD SUPERVISORS

JUNE 27, 2022

The undersigned certifies that he/she is the owner (\_\_\_\_) or duly authorized **representative of lawful proxy of an owner** (\_\_\_\_) of land in the **Pal-Mar Water Control District**, constituting \_\_\_\_\_ acre(s) and hereby casts up to the corresponding number of his/her vote(s) for the following candidate/candidates to hold the above-named open position:

Name of Candidate

Number of Votes

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Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Street Address or Tax Parcel Id Number for your Real Property:

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June 27, 2022

Pal Mar Water Control District Treasurer's Report For Annual Landowners Meeting

The fund balance for the Pal Mar Water Control District at the close of Fiscal Year 2019/2020 (September 30, 2020) was \$220,185.

The fund balance for the Pal Mar Water Control District at the close of Fiscal Year 2020/2021 (September 30, 2021) was \$222,448.

The following table illustrates Fiscal Year 2020/2021 revenues and expenditures budgeted versus actuals:

	Budgeted	Actual	Percentage
Revenue	\$125,071	\$141,075	113%
Expenditures	\$125,071	\$138,812	111%
Excess/(Shortfall)	\$0	\$2,263	

Special District Services, Inc.

## **DISTRICT ENGINEER'S ANNUAL REPORT TO THE LANDOWNERS**

### **PAL-MAR WATER CONTROL DISTRICT**

June 8, 2022

#### **PAL-MAR WATER CONTROL DISTRICT POLICY:**

The purpose of the District is to manage the surface water within the District so as to render the land suitable for some useful purpose in accordance with Chapter 298, F.S. and the Special Act for the District.

#### **FDEP ST. LUCIE RIVER BMAP PROGRAM:**

The Pal-Mar Water Control District (Pal-Mar WCD) continues to participate in the Florida Department of Environmental Protection St. Lucie River Best Management Action Plan (BMAP) process. The District Staff continues to inform the FDEP that no action is necessary due to the undeveloped nature of the lands within the District. This BMAP just underwent an annual update.

#### **ARMY CORPS LOXAHATCHEE RIVER WATERSHED RESTORATION PLAN:**

The Loxahatchee River Watershed Restoration Plan is still underway. It was presented to Congress in the Water Resources Development Act (WRDA) of 2020 which authorizes implementation of the Plan. Funding for the project was appropriated by Congress with the most recent WRDA.

#### **BEE LINE HIGHWAY DRIVEWAY APRON:**

This past year FDOT has re-installed a driveway apron off the Bee Line Highway leading up to right-of-way lands owned by the District. This entry apron has been secured.

### **ACCESS GATES WITHIN THE DISTRICT:**

There are two gates located within the District on Works of the District which were likely installed by private land-owners. Discussions continue regarding removal of these gates.

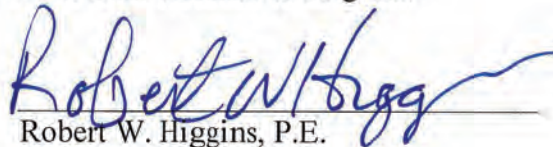
### **COORDINATION WITH FWC:**

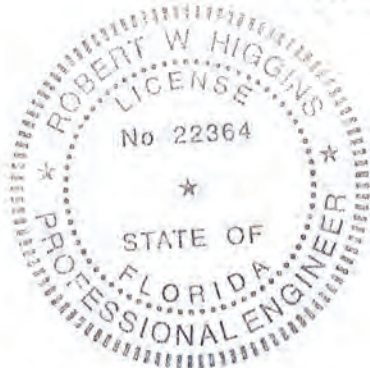
Meetings continue with the Florida Fish and Wildlife Conservation Commission to discuss our mutual interest in access to lands within Pal-Mar WCD. Lines of communication with the FWC and Pal-Mar WCD Staff continue to be good.

RWH: ap

08-20

cc: Board of Supervisors  
Mike McElligott  
Mary Viator

  
Robert W. Higgins, P.E.  
Pal Mar WCD District Engineer



**AGENDA**  
**PAL MAR WATER CONTROL DISTRICT**  
Martin County Commission Chambers Administrative Center  
2401 SE Monterey Road  
Stuart, Florida 34996  
**REGULAR BOARD MEETING**  
June 27, 2022  
10:00 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 20
- C. Seat New Board Members
- D. Administer Oath of Office & Review Board Member Responsibilities and Duties
- E. Establish Quorum
- F. Election of Officers
  - Chairman
  - Vice Chairman
  - Secretary/Treasurer
  - Assistant Secretaries
- G. Additions or Deletions to Agenda
- H. Approval of Minutes
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- I. Status Report
  - 1. Legal – Status Report.....Page 29
  - 2. Engineer – Status Report
  - 3. District Manager Report
  - 4. Field Maintenance Report
- J. Old Business
  - 1. Update on the Proposed Question for an Attorney General’s Opinion Regarding Pal-Mar WCD Granting of Easements
  - 2. Update Regarding Litigation
  - 3. Discussion Regarding Mowing Proposals
  - 4. Update Regarding Two Illegal Culverts Discussed at Last Meeting
- K. New Business
  - 1. Discussion on New Policy for Outside Landowners to Obtain a Permit From Pal-Mar WCD
  - 2. Consider Approval of Renewal of Be A Man Buy Land Funding Agreement.....Page 30
  - 3. Consider Resolution No. 2021-01 – Adopting a Fiscal Year 2021/2022 Budget.....Page 34
  - 4. Consider Resolution No. 2021-02 – Adopting a Fiscal Year 2021/2022 Meeting Schedule.....Page 43

L. Administrative Matters

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M. Landowner Items

N. Comments from the Public for Items Not on the Agenda

O. Board Member Comments

P. Adjourn

# Treasure Coast Newspapers

PART OF THE USA TODAY NETWORK

Stuart News

1801 U.S. 1, Vero Beach, FL 32960

## AFFIDAVIT OF PUBLICATION

Attn: Special District Services  
SPECIAL DISTRICT SERVICES INC  
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 Stuart News, a daily newspaper published at Stuart in Martin County, Florida; that the attached copy of advertisement was published in the Stuart News in the following issues below. Affiant further says that the said Stuart News is a newspaper published in Stuart in said Martin County, Florida, and that said newspaper has heretofore been continuously published in said Martin County, Florida, daily and distributed in Martin 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 Stuart News has been entered as Periodical Matter at the Post Offices in Stuart, Martin 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 :

05/31/2022, 06/07/2022

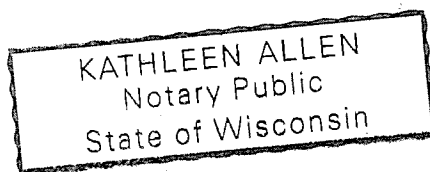
*Sona Kanitz*

Subscribed and sworn to before on June 7, 2022:

*Kathleen Allen*

Notary, State of WI, County of Brown

1-7-25  
My commission expires



Publication Cost: \$369.36  
Ad No: 0005274542  
Customer No: 1313370  
PO #:

PAL MAR WATER CONTROL  
DISTRICT  
NOTICE OF LANDOWNERS'  
MEETING AND REGULAR  
BOARD MEETING

NOTICE IS HEREBY GIVEN that the Annual Landowners' Meeting and a Regular Board Meeting of the Pal Mar Water Control District (the "District") will be held at 10:00 a.m., or as soon thereafter as can be heard, on June 27, 2022, in the Martin County Commission Chambers' Administrative Center located at 2401 SE Monterey Road, Stuart, Florida 34996.

The primary purpose of the Landowners' Meeting is the election of Supervisor(s) for the District. The purpose of the Regular Board Meeting is to transact any business to come before the Board.

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410. At said meeting each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting the landowners shall select a person to serve as the meeting Chair and who shall conduct the meeting.

A copy of the Agendas for these meetings may be obtained from the District's website ([www.palmarwcd.org](http://www.palmarwcd.org)) or by contacting the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922. The meetings 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 these meetings should contact the District Manager at 561-630-4922 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the meetings.

Meetings may be cancelled  
from time to time without ad-  
vertised notice.  
Pub Date May 31, June 7' 22  
TCN5274542





## Miscellaneous Notices

Published in The Palm Beach Post on June 7, 2022

### Location

Palm Beach County, Florida

### Notice Text

PAL MAR WATER CONTROL DISTRICT  
NOTICE OF LANDOWNERS MEETING  
AND REGULAR BOARD MEETING

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

Pal Mar Water Control District  
[www.palmarwcd.org](http://www.palmarwcd.org)

PAL MAR WATER CONTROL DISTRICT  
REGULAR BOARD MEETING  
APRIL 14, 2022

**A. CALL TO ORDER**

District Manager Michael McElligott called the April 14, 2022, Regular Board Meeting of the Pal Mar Water Control District to order at 9:35 a.m. in the Martin County Commission Chambers, 2401 SE Monterey Road, Stuart, Florida 34996.

**B. PROOF OF PUBLICATION**

District Manager Michael McElligott offered Proof of Publication which showed that notice of the Regular Board Meeting had been published in *The Palm Beach Post* and in *The Stuart News* on 4/3/2022, as legally required.

**C. ESTABLISH QUORUM**

A quorum was established with the following attendees:

Commissioner Maria Marino	Present
Commissioner Harold Jenkins	Present
Zach Gazza	Present
Bob Berman	Present
Lewis Lolmaugh	Absent

Also, in attendance were staff members:

District Manager Michael McElligott	Special District Services, Inc
General Counsel Mary Viator	Caldwell & Pacetti, P.A.
District Engineer Bob Higgins	Higgins Engineering
Bill Doney	Caldwell & Pacetti, P.A.

Also, in attendance were several landowners and members of the public.

**D. ADDITIONS OR DELETIONS TO THE AGENDA**

There were no additions or deletions to the agenda.

**E. APPROVAL OF MINUTES**

**1. November 9, 2021, Regular Board Meeting**

Mr. McElligott presented the minutes of the February 3, 2022, Regular Board Meeting for review. A **motion** made by Mr. Gazza, seconded by Commissioner Marino, to approve the minutes as presented. The **motion** carried 4-0.

PAL MAR WATER CONTROL DISTRICT  
REGULAR BOARD MEETING  
APRIL 14, 2022

**F. STATUS REPORTS**

**1. Legal – Status Report**

District attorney Mary Viator stated that legal status report is included in the meeting book for review. She also stated that the rest of her items have their own agenda item later in the meeting.

**2. Engineer – Status Report**

Mr. Higgins noted that his items have separate agenda items later in the meeting.

**3. District Manager Report**

Mr. McElligott announced the annual Landowners Meeting for June 2, 2022. There was some discussion, and it was determined that the meeting would need to be move due to conflicts. After some discussion, the Board agreed to hold the landowners meeting on the June 27, 2022. Mr. McElligott said he would try to reserve our normal location of the Martin County Commission Chambers at our normal time of 10am, but that if there are any issues, his second option will be the Blake Library.

**4. Field Maintenance Report**

Mr. Gaza updated the Board. They are still plugging away at the mowing now that he has the 6-inch rule regarding the banks. There were no other questions from the Board.

**G. OLD BUSINESS**

**1. Consider the Proposal Question for an Attorney General's Opinion Regarding Pal-Mar WCD Granting of Easements**

Pal-Mar WCD counsel Mr. Doney presented the Attorney General question to the Board that his office prepared. He noted that he believes the presented question is reflective of request made by the Pal-Mar WCD Board, but that other entities can also submit their own request related to this question. Mr. Gazza asked, to be clear, if Pal-Mar WCD sends the present question to the AG, it does not prevent martin County or Palm Beach County from sending their own request. Mr. Doney stated that is correct. Mr. Gazza then made a **motion** to approve the presented question be sent for an Attorney General's Opinion. Before there was a second, Commissioner Marino opened up discussion on the item, and both Commissioner Jenkins and Commissioner Marino stated they were leaning to vote no based on their county's attorneys' offices. There were comments from the Assistant County Attorney for Palm Beach County Daren Liser stated that they object to the

PAL MAR WATER CONTROL DISTRICT  
REGULAR BOARD MEETING  
APRIL 14, 2022

language in the analysis included with the question. Mr. Gazza asked if the Counties were allowed to submit their analysis separate from the Pal-Mar WCD request and the answer was yes, but the counties believe their analysis should be included as opposed to the analysis that was presented. Mr. Berman noted that if Pal-Mar WCD were to include the analysis presented by the counties, we would be asking the Attorney General if Pal-Mar WCD has the right to do something while giving analysis that would suggest they don't have that right, which would seem to be nonproductive. Mrs. Holmes with the Martin County Attorney's Office also spoke and echoed much of what was said by the Palm Beach County Attorney's Office. She also noted that Martin County is worried that if Pal-Mar WCD does grant the easement they are asking the Attorney General to give an opinion on, that it will exacerbate problems that are already occurring in Pal-Mar WCD. There was a long discussion that followed on the merits of the possible easement that could be granted with the Attorney General Opinion. After some more discussion, Commissioner Marino made a new **motion** to direct Pal-Mar WCD attorneys to work with the Palm Beach County Attorney and Martin County Attorney to come up with a more inclusive opinion with suggestions from all sides to bring back to the Board. There was a second from Commissioner Jenkins. That **motion** failed **2-2**.

The original **motion** from Mr. Gazza to accept the Attorney General Opinion quest as presented dies for a lack of a second.

The item is to remain on the agenda for further discussion.

Mr. Berman did read from a letter from Martin County regarding Cocina WCD. Mr. Berman pointed out that that while Pal-mar WCD has not granted an easement, Pal-Mar WCD owns the land, and they are not currently keeping anyone off of it.

## **2. Update Regarding Martin County Litigation**

Mrs. Viator explained to the Board that the court ruled in Hobe St. Lucie CD's favor in the appeal, reversing the original ruling by the original court. At this point SFWMD and Martin County have petitioned the Florida Supreme Court to take the case. We are currently waiting on the Florida Supreme Court to decide if they will accept the case or not.

## **3. Discussion Regarding Mowing Proposal**

Mr. McElligott presented the Board with the 1 mowing proposal received. Mr. McElligott also reminded the Board that Mr. Lolmaugh was tasked with working with any entity wanting to put forth a proposal. Mr. McElligott passed out a brief email from Mr. Lolmaugh since Mr. Lolmaugh had to unexpectedly miss today's meeting. During its review and discussion on the proposal, the Board decided that this item should be tabled

PAL MAR WATER CONTROL DISTRICT  
REGULAR BOARD MEETING  
APRIL 14, 2022

until Mr. Lolmaugh and/or the entity presenting the proposal could be at the meeting to answer some questions.

**H. NEW BUSINESS**

**1. Discussion Regarding Two New Potentially Illegal Culverts Installed**

Mr. Higgins referred to a memo handed out showing 2 recent culverts constructed that cross into Pal-Mar WCD from outside the Pal-Mar WCD boundaries. Mr. Higgins commented that the first is coming in from the Trail Side. Mr. Higgins stated that the culvert is in Trail Side, but the access ramp comes into Pal-Mar WCD. Mr. Higgins informed the Board that both Martin County and SFWMD are looking into the culvert. It was decided to let Martin County and SFWMD handle that one for now.

The second culver is coming Corey Beaton's property. There was some discussion regarding the history with Mr. Beaton and him installing culverts. The Board and professional all agreed that this culvert should have required a permit from Pal-Mar WCD before being installed. Commissioner Marino asked if Pal-Mar WCD does, or should have a policy from granting of permit to landowners outside the District boundaries? After some discussion, the Board directed Mr. Higgins and staff to prepare a policy regarding granting permits to outside landowners, and to bring that policy back to the Board in the future to consider.

**2. Discussion Regarding Future Meeting**

Mr. McElligott reminded the Board that the reason we were meeting in the Martin County Commission Chambers and had several Martin County Sheriff personal present was due to a threat made by a landowner against a Pal-Mar WCD Board member. Mr. McElligott updated the Board that the individual has been dealt with by law enforcement and the feeling is there is no longer an immediate threat. There was some discussion on if there needed to be any changes to future meetings. The consensus of the Board was that the Pal-Mar WCD meeting could resume at our normal location at Old Jupiter Town Hall after the June Landowners meeting which is historically held in the Martin County Commission Chambers. The May meeting will be cancelled due to Board member conflicts.

**I. ADMINISTRATIVE MATTERS**

**1. Financial Report**

Mr. McElligott pointed out the financial report in the Board and answered any question of the Board.

PAL MAR WATER CONTROL DISTRICT  
REGULAR BOARD MEETING  
APRIL 14, 2022

**2. Consider Invoices**

The invoices were approved, as presented, on a **motion** made by Mr. Gazza, seconded by Commissioner Marina, and the **motion** carried **4-0**.

**J. LANDOWNER ITEMS**

Mr. Kevin Cutting asked if the easement being discussed as part of the Attorney General's Opinion request would be open to the public. Mr. Doney explained that the Attorney General Opinion does not specify the language of the easement that would be issued, the Board would do that if it were determined they have the power to issue the easement. Mr. Cutting explained that while the purpose of the easement may be for Pal-Mar WCD to access the works of the District, there could be unintended uses of that easement, and he asked that the Board issue the easement in such a way as to limit the unintended uses as much as possible.

Mr. Cutting also asked about Pal-Mar WCD's liability if there is an accident in Pal-Mar WCD. Mr. Berman reminded everyone that there are no roads in Pal-Mar WCD for there to be an accident on. Also, Mr. Berman reminded everyone that Pal-Mar does not have any policing powers.

**K. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

There were no comments from the Public.

**L. BOARD MEMBER COMMENTS**

There were no further comments from the Board.

**M. ADJOURNMENT**

There being no further business to come before the Board, at 11:24 am a **motion** to adjourn the meeting was made by Commissioner Marino, with a second by Commissioner Jenkins. The **motion** carried unanimously

---

Secretary/Assistant Secretary

---

Chair/Vice-Chair

**CALDWELL PACETTI  
EDWARDS SCHOECH & VIATOR LLP**

ATTORNEYS AT LAW

MANLEY P. CALDWELL, JR.  
KENNETH W. EDWARDS  
CHARLES F. SCHOECH  
MARY M. VIATOR  
WILLIAM P. DONEY  
FRANK S. PALEN  
JOHN A. WEIG

1555 PALM BEACH LAKES BLVD.  
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\_\_\_\_\_  
[www.caldwellpacetti.com](http://www.caldwellpacetti.com)

\_\_\_\_\_  
OF COUNSEL  
BETSY S. BURDEN

TELEPHONE: (561) 655-0620  
TELECOPIER: (561) 655-3775

**MEMORANDUM**

TO: Board of Supervisors of the Pal-Mar Water Control District

FROM: Caldwell Pacetti Edwards Schoech & Viator

DATE: June 14, 2022

RE: Legal Status Report for the June 27, 2022 Board of Supervisors' Meeting

---

The following is a summary of the work in progress and status thereof for the Pal-Mar Water Control District:

- (1) Coordinated with the District re: Administrative Issues
- (2) Followed Up Regarding Appeal Relating to Non-Payment of District Assessments by Martin County and SFWMD
- (3) Coordinate/draft Request for Attorney General Opinion per Board direction including review of title documents, preparation of request for Attorney General Opinion and Follow-Up
- (4) Annual Landowner Meeting Issues

**SECOND AMENDMENT AND RENEWAL TO THE FUNDING AGREEMENT FOR  
NECESSARY MAINTENANCE AND/OR REPAIR SERVICES TO WORKS OF THE  
DISTRICT BY AND BETWEEN PAL-MAR WATER CONTROL DISTRICT AND BE A  
MAN BUY LAND, LLC**

THIS SECOND AMENDMENT AND RENEWAL TO THE FUNDING AGREEMENT FOR NECESSARY MAINTENANCE AND/OR REPAIR SERVICES TO WORKS OF THE DISTRICT BY AND BETWEEN PAL-MAR WATER CONTROL DISTRICT AND BE A MAN BUY LAND, LLC (the “Second Amendment”) shall be effective as of the 28th day of May, 2022 and is being entered into by and between PAL-MAR WATER CONTROL DISTRICT, an independent special district of the State of Florida, c/o Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410 (hereinafter referred to as “District”) and BE A MAN BUY LAND, LLC, a Florida limited liability company, 4260 SE Federal Highway, Stuart, Florida 34997 (hereinafter referred to as the “Landowner”).

**RECITALS**

WHEREAS, the District and the Landowner entered into a FUNDING AGREEMENT FOR NECESSARY MAINTENANCE AND/OR REPAIR SERVICES TO WORKS OF THE DISTRICT BY AND BETWEEN PAL-MAR WATER CONTROL DISTRICT AND BE A MAN BUY LAND, LLC (the “Agreement”) dated May 28, 2020 (the “Effective Date”), as amended by the SECOND AMENDMENT AND RENEWAL TO THE FUNDING AGREEMENT FOR NECESSARY MAINTENANCE AND/OR REPAIR SERVICES TO WORKS OF THE DISTRICT BY AND BETWEEN PAL-MAR WATER CONTROL DISTRICT AND BE A MAN BUY LAND, LLC (the “Amendment”) (hereinafter collectively referred to as the “Funding Agreement”); and

WHEREAS, under Section 2 of the Amendment, the term was for a period of twelve (12) months from May 28, 2021 to May 27, 2022 (the “First Renewal Term”); and

WHEREAS, the District and the Landowner desire to amend and renew the Agreement, as modified by the Amendment, under the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the mutual understandings and agreements set forth herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Recitals.** The above recitals are true and correct to the best of the knowledge of the parties hereto and are incorporated herein by reference.

2. **Renewal.** Execution of this Second Amendment constitutes an amendment and renewal of the Funding Agreement and extends the term of the Funding Agreement for an additional twelve (12) months (the “Second Renewal Term”), unless otherwise terminated as provided for in the Agreement.

3. **Incorporation of Second Amendment.** This Second Amendment shall be attached to, and deemed incorporated into, the Funding Agreement as if fully set forth, and as if an original part. All other terms and conditions of the Funding Agreement, unless modified by this Second Amendment, shall remain in full force and effect and District and Landowner hereby ratify, re-affirm and re-adopt same. However, if any inconsistency exists between the Funding Agreement and this Second Amendment, then the terms of this Second Amendment shall prevail.

4. **Field Maintenance Contract.** The Field Maintenance Contract attached to the Agreement as Exhibit “B” shall remain in full force and effect and shall continue under the same terms and conditions.



5. **Definitions.** All terms not otherwise defined under this Second Amendment shall have the meanings defined under the Funding Agreement.

6. **Counterparts.** This Second Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

7. **Amendment Effective Date.** This Amendment shall be effective as of May 28, 2022.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK  
SIGNATURE BLOCK(S) ON NEXT PAGE(S)**

Executed by **DISTRICT** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

PAL-MAR WATER CONTROL DISTRICT,  
an Independent Special District of the State of  
Florida

BY: \_\_\_\_\_  
President

ATTEST: \_\_\_\_\_  
Secretary

[DISTRICT SEAL]

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing Funding Agreement was acknowledged before me, by means of ☐ physical  
presence or ☐ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by  
\_\_\_\_\_, President of PAL-MAR WATER CONTROL  
DISTRICT, (\_\_\_\_) who is personally known to me or (\_\_\_\_) who has produced  
\_\_\_\_\_ as identification.

(NOTARY STAMP)

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_

Executed by **LANDOWNER** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BE A MAN BUY LAND, LLC

By: \_\_\_\_\_  
Joseph Z. Gazza

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing Funding Agreement was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_, (\_\_\_\_) who is personally known to me or (\_\_\_\_) who has produced \_\_\_\_\_ as identification.

(NOTARY STAMP)

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_

**RESOLUTION NO. 2022-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PAL-MAR WATER CONTROL DISTRICT APPROVING A BUDGET FOR FISCAL YEAR 2022/2023; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Supervisors (“Board”) of the Pal-Mar Water Control District (“District”) is required by Chapter 298, *Florida Statutes*, to approve a Budget for each fiscal year; and,

**WHEREAS**, the Budget for Fiscal Year 2022/2023 has been prepared and considered by the Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE PAL-MAR WATER CONTROL DISTRICT THAT:**

**Section 1.** The Budget for Fiscal Year 2022/2023 attached hereto as Exhibit “A” is approved and adopted.

**PASSED, ADOPTED and EFFECTIVE** this 27<sup>th</sup> day of June, 2022.

**ATTEST:**

**PAL-MAR WATER  
CONTROL DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairman/Vice Chairman

Pal Mar  
Water Control District

**Scenario #1 - Assessment Rate Of \$22**

**Budget**  
**Fiscal Year 2022/2023**  
**October 1, 2022 - September 30, 2023**

# CONTENTS

- I      **BUDGET**
- II     **DETAILED BUDGET**

**BUDGET**  
**PAL MAR WATER CONTROL DISTRICT**  
**FISCAL YEAR 2022/2023**  
**OCTOBER 1, 2022 - SEPTEMBER 30, 2023**

	FISCAL YEAR 2021/2022 ANNUAL BUDGET
<b>REVENUES</b>	
O & M Assessments	478,278
Other Income	12,000
Uncollectable Assessments	(353,687)
Interest Income	360
	0
<b>TOTAL REVENUES</b>	<b>136,951</b>
<b>EXPENDITURES</b>	
Supervisor Fees	0
Payroll Taxes (Admin)	0
Engineering	28,000
Management	24,000
Legal	30,000
Assessment Roll	5,000
Audit Fees	4,000
Insurance	8,300
Legal Advertising	2,100
Miscellaneous	4,900
Postage	2,000
Office Supplies	2,000
Website Management	1,500
Dues & Subscriptions	175
Maintenance Contingency	12,000
Contingency (Legal - Extraordinary)	5,500
<b>TOTAL EXPENDITURES</b>	<b>129,475</b>
<b>EXCESS/ (SHORTFALL)</b>	<b>7,476</b>
County Appraiser & Tax Collector Fee	(2,492)
Discounts For Early Payments	(4,984)
<b>NET EXCESS/ (SHORTFALL)</b>	<b>-</b>

**Note: Projected Cashflow (Including State Board Of Administration Investment Fund)**  
**As Of 9-30-22 is \$150,000.**

**FY 2022/2023 Projected Assessment Rate is \$22.00 Per Acre (\$22.00 Per Acre In 2021/2022).**

**DETAILED BUDGET**  
**PAL MAR WATER CONTROL DISTRICT**  
**FISCAL YEAR 2022/2023**  
**OCTOBER 1, 2022 - SEPTEMBER 30, 2023**

	FISCAL YEAR 2020/2021 ACTUAL	FISCAL YEAR 2021/2022 ANNUAL BUDGET	FISCAL YEAR 2022/2023 ANNUAL BUDGET	COMMENTS
<b>REVENUES</b>				
O & M Assessments	128,298	478,278	478,278	Expenditures Less Interest/.94
Other Income	12,500	12,000	12,000	Includes Landowner Funding for Maintenance
Uncollectable Assessments	0	(353,687)	(353,687)	Uncollectable Assessments
Interest Income	277	360	360	Projected At \$30 Per Month
<b>TOTAL REVENUES</b>	<b>141,075</b>	<b>\$ 136,951</b>	<b>\$ 136,951</b>	
<b>EXPENDITURES</b>				
Supervisor Fees	0	0	0	Eliminated by Board
Payroll Taxes (Admin)	0	0	0	Eliminated by Board
Engineering	25,968	28,000	28,000	No Change From 2021/2022 Budget
Management	24,000	24,000	24,000	No Change From 2021/2022 Budget
Legal	49,322	30,000	30,000	No Change From 2021/2022 Budget
Assessment Roll	5,000	5,000	5,000	Assessment Roll Preparation
Audit Fees	3,800	3,900	4,000	Accepted Amount For 2021/2022 Audit
Insurance	5,513	8,300	8,300	Insurance Estimate
Legal Advertising	1,993	2,100	2,100	No Change From 2021/2022 Budget
Miscellaneous	1,738	5,000	4,900	\$100 Decrease From 2021/2022 Budget
Postage	84	2,000	2,000	No Change From 2021/2022 Budget
Office Supplies	642	2,000	2,000	No Change From 2021/2022 Budget
Website Management	1,500	1,500	1,500	No Change From 2021/2022 Budget
Dues & Subscriptions	175	175	175	No Change From 2021/2022 Budget
Maintenance Contract	12,000	12,000	12,000	\$1,000 Per Month
Contingency (Legal - Extraordinary)	964	5,500	5,500	No Change From 2021/2022 Budget
<b>TOTAL EXPENDITURES</b>	<b>132,699</b>	<b>\$ 129,475</b>	<b>\$ 129,475</b>	
<b>EXCESS/ (SHORTFALL)</b>	<b>8,376</b>	<b>7,476</b>	<b>7,476</b>	
County Appraiser & Tax Collector Fee	(3,818)	(2,492)	(2,492)	Two Percent Of Expected Assessment Roll
Discounts For Early Payments	(2,295)	(4,984)	(4,984)	Four Percent Of Expected Assessment Roll
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ 2,263</b>	<b>\$ -</b>	<b>\$ -</b>	

**Note: Projected Cashflow (Including State Board Of Administration Investment Fund)**  
**As Of 9-30-22 is \$150,000.**

**FY 2022/2023 Projected Assessment Rate is \$22.00 Per Acre (\$22.00 Per Acre In 2021/2022).**  
**Current Estimated Assesable Acres is 5,631**



Pal Mar  
Water Control District

**Scenario #2 - Assessment Rate Of \$9**

**Budget**  
**Fiscal Year 2022/2023**  
**October 1, 2022 - September 30, 2023**

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**BUDGET**  
**PAL MAR WATER CONTROL DISTRICT**  
**FISCAL YEAR 2022/2023**  
**OCTOBER 1, 2022 - SEPTEMBER 30, 2023**

	FISCAL YEAR 2021/2022 ANNUAL BUDGET
<b>REVENUES</b>	
O & M Assessments	195,638
Other Income	12,000
Uncollectable Assessments	0
Interest Income	360
	0
<b>TOTAL REVENUES</b>	<b>207,998</b>
<b>EXPENDITURES</b>	
Supervisor Fees	0
Payroll Taxes (Admin)	0
Engineering	28,000
Management	24,000
Legal	30,000
Assessment Roll	5,000
Audit Fees	4,000
Insurance	8,300
Legal Advertising	2,100
Miscellaneous	4,900
Postage	2,000
Office Supplies	2,000
Website Management	1,500
Dues & Subscriptions	175
Maintenance Contingency	12,000
Miscellaneous Maintenance	66,785
Contingency (Legal - Extraordinary)	5,500
<b>TOTAL EXPENDITURES</b>	<b>196,260</b>
<b>EXCESS/ (SHORTFALL)</b>	<b>11,738</b>
County Appraiser & Tax Collector Fee	(3,913)
Discounts For Early Payments	(7,825)
<b>NET EXCESS/ (SHORTFALL)</b>	<b>-</b>

**Note: Projected Cashflow (Including State Board Of Administration Investment Fund)**  
**As Of 9-30-22 is \$350,000.**

**FY 2022/2023 Projected Assessment Rate is \$9.00 Per Acre (\$22.00 Per Acre In 2021/2022).**

**DETAILED BUDGET**  
**PAL MAR WATER CONTROL DISTRICT**  
**FISCAL YEAR 2022/2023**  
**OCTOBER 1, 2022 - SEPTEMBER 30, 2023**

	FISCAL YEAR 2020/2021 ACTUAL	FISCAL YEAR 2021/2022 ANNUAL BUDGET	FISCAL YEAR 2022/2023 ANNUAL BUDGET	COMMENTS
<b>REVENUES</b>				
O & M Assessments	128,298	478,278	195,638	Expenditures Less Interest/.94
Other Income	12,500	12,000	12,000	Includes Landowner Funding for Maintenance
Uncollectable Assessments	0	(353,687)	0	
Interest Income	277	360	360	Projected At \$30 Per Month
<b>TOTAL REVENUES</b>	<b>141,075</b>	<b>\$ 136,951</b>	<b>\$ 207,998</b>	
<b>EXPENDITURES</b>				
Supervisor Fees	0	0	0	Eliminated by Board
Payroll Taxes (Admin)	0	0	0	Eliminated by Board
Engineering	25,968	28,000	28,000	No Change From 2021/2022 Budget
Management	24,000	24,000	24,000	No Change From 2021/2022 Budget
Legal	49,322	30,000	30,000	No Change From 2021/2022 Budget
Assessment Roll	5,000	5,000	5,000	Assessment Roll Preparation
Audit Fees	3,800	3,900	4,000	Accepted Amount For 2021/2022 Audit
Insurance	5,513	8,300	8,300	Insurance Estimate
Legal Advertising	1,993	2,100	2,100	No Change From 2021/2022 Budget
Miscellaneous	1,738	5,000	4,900	\$100 Decrease From 2021/2022 Budget
Postage	84	2,000	2,000	No Change From 2021/2022 Budget
Office Supplies	642	2,000	2,000	No Change From 2021/2022 Budget
Website Management	1,500	1,500	1,500	No Change From 2021/2022 Budget
Dues & Subscriptions	175	175	175	No Change From 2021/2022 Budget
Maintenance Contract	12,000	12,000	12,000	\$1,000 Per Month
Miscellaneous Maintenance	0	0	66,785	Miscellaneous Maintenance
Contingency (Legal - Extraordinary)	964	5,500	5,500	No Change From 2021/2022 Budget
<b>TOTAL EXPENDITURES</b>	<b>132,699</b>	<b>\$ 129,475</b>	<b>\$ 196,260</b>	
<b>EXCESS/ (SHORTFALL)</b>	<b>8,376</b>	<b>7,476</b>	<b>11,738</b>	
County Appraiser & Tax Collector Fee	(3,818)	(2,492)	(3,913)	Two Percent Of Expected Assessment Roll
Discounts For Early Payments	(2,295)	(4,984)	(7,825)	Four Percent Of Expected Assessment Roll
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ 2,263</b>	<b>\$ -</b>	<b>\$ -</b>	

**Note: Projected Cashflow (Including State Board Of Administration Investment Fund)**  
**As Of 9-30-22 is \$350,000.**

**FY 2022/2023 Projected Assessment Rate is \$9.00 Per Acre (\$22.00 Per Acre In 2021/2022).**  
**Current Estimated assesable acres is 21,740.**

**RESOLUTION NO. 2022-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PAL-MAR WATER CONTROL DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2022/2023 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is necessary for the Pal-Mar Water Control District ("District") to establish a regular meeting schedule for fiscal year 2022/2023; and

**WHEREAS**, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2022/2023 which is attached hereto and made a part hereof as Exhibit "A".

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE PAL-MAR WATER CONTROL DISTRICT, MARTIN COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are hereby adopted.

**Section 2.** The regular meeting schedule, time and location for meetings for fiscal year 2022/2023 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

**PASSED, ADOPTED and EFFECTIVE** this 27<sup>th</sup> day of June, 2022.

**ATTEST:**

**PAL-MAR  
WATER CONTROL DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chairperson/Vice Chairperson

**PAL MAR WATER CONTROL DISTRICT  
FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE**

**NOTICE IS HEREBY GIVEN** that the Board of Supervisors of the Pal Mar Water Control District will hold Regular Meetings at 9:30 a.m. in the Old Jupiter Town Hall, 1000 Town Hall Avenue, Jupiter, Florida 33458, (\*\*unless otherwise noted\*\*) on the following dates:

**October 6, 2022  
November 3, 2022  
December 1, 2022  
January 5, 2023  
February 2, 2023  
March 2, 2023  
April 6, 2023  
May 4, 2023  
\*\*June 1, 2023\*\*  
August 3, 2023  
September 7, 2023**

**\*\*The June 1, 2023, Regular Meeting will take place at 10:00 a.m. in the Martin County Commission Chambers, Administrative Center, located at 2401 SE Monterey Road, Stuart, Florida 34996 and will also include the Landowners' Meeting.\*\***

The purpose of the meetings is to conduct any all business coming before the Board. Copies of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free 1-877-737-4922.

From time to time one or more Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Meetings 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 (561) 630-4922 and/or toll-free 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.

**PAL MAR WATER CONTROL DISTRICT**

**[www.palmarwcd.org](http://www.palmarwcd.org)**

**PUBLISH: PALM BEACH POST 09/26/22**

**Pal Mar Water Control District**  
**Budget vs. Actual**  
October 2021 through May 2022

	<b>Oct '21 - May 22</b>	<b>21/22 Budget</b>	<b>\$ Over Budget</b>	<b>% of Budget</b>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
363.100 · O & M Assessments	118,131.29	478,278.00	-360,146.71	24.7%
363.830 · Assessment Fees	-2,585.20	-2,492.00	-93.20	103.74%
363.831 · Assessment Discounts	-3,405.90	-4,984.00	1,578.10	68.34%
369.400 · Other Income	0.00	12,000.00	-12,000.00	0.0%
369.401 · Interest Income	171.55	360.00	-188.45	47.65%
512.999 · Uncollectable Assessments	0.00	-353,687.00	353,687.00	0.0%
<b>Total Income</b>	<b>112,311.74</b>	<b>129,475.00</b>	<b>-17,163.26</b>	<b>86.74%</b>
<b>Gross Profit</b>	<b>112,311.74</b>	<b>129,475.00</b>	<b>-17,163.26</b>	<b>86.74%</b>
<b>Expense</b>				
511.310 · Engineering	11,734.90	28,000.00	-16,265.10	41.91%
511.311 · Management Fees	16,000.00	24,000.00	-8,000.00	66.67%
511.315 · Legal Fees	32,541.06	30,000.00	2,541.06	108.47%
511.318 · Assessment/Tax Roll	0.00	5,000.00	-5,000.00	0.0%
511.320 · Audit Fees	2,000.00	3,900.00	-1,900.00	51.28%
511.450 · Insurance	5,706.00	8,300.00	-2,594.00	68.75%
511.480 · Legal Advertisements	556.24	2,100.00	-1,543.76	26.49%
511.512 · Miscellaneous	972.46	5,000.00	-4,027.54	19.45%
511.513 · Postage and Delivery	54.44	2,000.00	-1,945.56	2.72%
511.514 · Office Supplies	369.15	2,000.00	-1,630.85	18.46%
511.515 · Website Management Fee	1,000.00	1,500.00	-500.00	66.67%
511.540 · Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
511.999 · Contingency	0.00	5,500.00	-5,500.00	0.0%
512.305 · Maintenance Contract	8,000.00	12,000.00	-4,000.00	66.67%
<b>Total Expense</b>	<b>79,109.25</b>	<b>129,475.00</b>	<b>-50,365.75</b>	<b>61.1%</b>
<b>Net Ordinary Income</b>	<b>33,202.49</b>	<b>0.00</b>	<b>33,202.49</b>	<b>100.0%</b>
<b>Net Income</b>	<b>33,202.49</b>	<b>0.00</b>	<b>33,202.49</b>	<b>100.0%</b>

Bank Balance As Of 5/31/22	\$ 238,144.51
Investment Acct Balance As Of 5/31/22	\$ 41,648.33
Accounts Payable As Of 5/31/22	\$ 24,141.73
Accounts Receivable As Of 5/31/22	\$ -
<b>Total Fund Balance As Of 5/31/22</b>	<b>\$ 255,651.11</b>

Pal Mar Water Control District  
Custom Transaction Detail Report  
April 1 through June 14, 2022

	Type	Date	Num	Name	Memo	Debit	Credit
Caldwell Pacetti Edwards Schoech & Viator							
Legal Fees							
	Bill	Pmt - Check	04/01/2022	1808	Caldwell Pacetti Edwards Schoech & Viator	8,510.59	
	Bill		04/22/2022	129902	Caldwell Pacetti Edwards Schoech & Viator		5,658.66
	Bill		05/31/2022	129934	Caldwell Pacetti Edwards Schoech & Viator		3,728.17
	Bill	Pmt - Check	06/01/2022	1817	Caldwell Pacetti Edwards Schoech & Viator	12,176.32	
Total Caldwell Pacetti Edwards Schoech & Viator						20,686.91	9,386.83
Higgins Engineering, Inc.							
Engineer Fees							
	Bill	Pmt - Check	04/01/2022	1809	Higgins Engineering, Inc.	4,806.25	
	Bill		04/15/2022	2100	Higgins Engineering, Inc.		1,737.95
	Bill		05/15/2022	2126	Higgins Engineering, Inc.		1,096.95
	Bill	Pmt - Check	06/01/2022	1819	Higgins Engineering, Inc.	1,737.95	
Total Higgins Engineering, Inc.						6,544.20	2,834.90
Special District Services, Inc.							
Management Fees							
	Bill	Pmt - Check	04/01/2022	1812	Special District Services, Inc.	2,321.15	
	Bill		04/30/2022	2022-0404	Special District Services, Inc.		2,317.62
	Bill	Pmt - Check	05/01/2022	1815	Special District Services, Inc.	2,317.62	
	Bill		05/31/2022	2022-0553	Special District Services, Inc.		2,396.34
	Bill	Pmt - Check	06/01/2022	1821	Special District Services, Inc.	2,396.34	
Total Special District Services, Inc.						7,035.11	4,713.96
Miscellaneous							
Palm Beach County Property Appraiser							
	Bill		04/01/2022	2021 Admin Tax Roll	Palm Beach County Property Appraiser		150.00
	Bill	Pmt - Check	05/01/2022	1814	Palm Beach County Property Appraiser	150.00	
Total Palm Beach County Property Appraiser						150.00	150.00
PBN (Newspaper)							
	Bill	Pmt - Check	04/01/2022	1811	PBN (Newspaper)	202.96	
Total PBN (Newspaper)						202.96	0.00
Anne M. Gannon							
	Bill		05/02/2022	FY 2022 Postage	Anne M. Gannon		6.00
	Bill	Pmt - Check	06/01/2022	1816	Anne M. Gannon	6.00	
Total Anne M. Gannon						6.00	6.00
Lumberjack Land Management LLC							
	Bill	Pmt - Check	04/01/2022	1810	Lumberjack Land Management LLC	1,000.00	
	Bill		04/27/2022	1023	Lumberjack Land Management LLC		1,000.00
	Bill	Pmt - Check	05/01/2022	1813	Lumberjack Land Management LLC	1,000.00	
	Bill		05/27/2022	1024	Lumberjack Land Management LLC		1,000.00
	Bill	Pmt - Check	06/01/2022	1820	Lumberjack Land Management LLC	1,000.00	
Total Lumberjack Land Management LLC						3,000.00	2,000.00
Gau & Associates							
	Bill		04/04/2022	22331	Gau & Associates		2,000.00
	Bill	Pmt - Check	06/01/2022	1818	Gau & Associates	2,000.00	
Total Gau & Associates						2,000.00	2,000.00
Total						39,625.18	21,091.69

TOTAL