



PAL-MAR WATER CONTROL DISTRICT

**RECONVENED LANDOWNERS' MEETING
& REGULAR BOARD MEETING
AUGUST 22, 2022
10:00 A.M.**

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

**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
RECONVENED
LANDOWNERS' MEETING
August 22, 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 7
- 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 10
- H. Election of Supervisors
 - 1. Determine Number of Voting Units Represented or Assigned by Proxy.....Page 15
 - 2. Nomination of Candidates
 - 3. Casting of Ballots.....Page 16
 - 4. Ballot Tabulations
 - 5. Certification of the Results
- I. Other Business
 - 1. Receive Treasurer's Report.....Page 17
 - 2. Receive Engineer's Report.....Page 18
 - 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

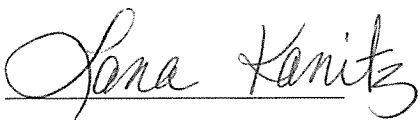
PALM BEACH GARDENS, FL 33410-5207

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

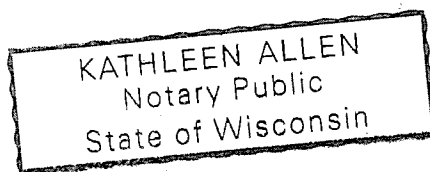


Subscribed and sworn to before on June 7, 2022:



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) 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

LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune
News Herald | The Palm Beach Post
Northwest Florida Daily News

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Pal Mar Water Control District
Pal Mar Water Control District
2501 BURNS RD
STE A

PALM BEACH GARDENS FL 334105207

STATE OF FLORIDA, COUNTY OF PALM BEACH

The Palm Beach Post, a daily newspaper printed and published in the city of West Palm Beach and of general circulation in Palm Beach, Martin, Okeechobee and St Lucie Counties, Florida; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

05/31/2022, 06/07/2022

and that the fees charged are legal.
Sworn to and subscribed before on 06/07/2022

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

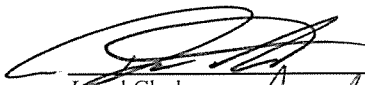
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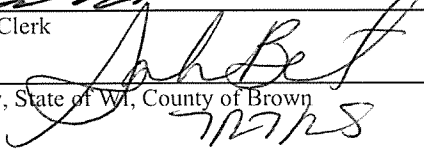
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Meetings may be cancelled from time to time without advertised notice.
Pal Mar Water Control District
www.palmarwcd.org



Legal Clerk



Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$480.48

Order No: 7336531

of Copies:

Customer No: 730557

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

SARAH BERTELSEN
Notary Public
State of Wisconsin

Miscellaneous Notices



Published in St. Lucie News Tribune on August 2, 2022

Location

St. Lucie County,

Notice Text

PAL MAR WATER CONTROL DISTRICT NOTICE OF RECONVENED LANDOWNERS' MEETING AND REGULAR BOARD MEETING NOTICE IS HEREBY GIVEN that the June 27, 2022, Annual Landowners' Meeting of the Pal-Mar Water Control District (the "District") was recessed and will reconvene on August 22, 2022, at 10:00 a.m. 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. Immediately following the Reconvened Landowners' Meeting, the Board of Supervisors will also hold a Regular Board Meeting in which the primary purpose is for the Board to consider any business which may properly come before the Board. A copy of the Agendas for these meetings may be obtained from the District's website (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 advertised notice. Pal Mar Water Control District www.palmarwcd.org PUBLISH:08/02/22 & 08/09/22 TCN 5354164

Miscellaneous Notices



Published in The Palm Beach Post on August 9, 2022

Location

Palm Beach County,

Notice Text

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

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Pal Mar Water Control District

www.palmarwcd.org

August 2,9, 2022 7580268

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
Total	4,535

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.

Secretary/Assistant Secretary

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

Signature: _____

Printed Name: _____

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

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.

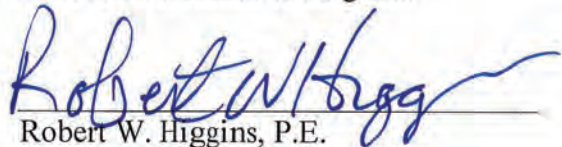
COORDINATION WITH FWC:

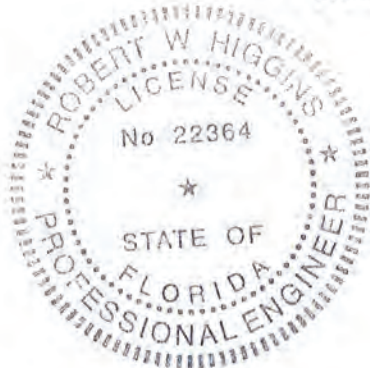
Meetings continue with the Florida Fish and Wildlife Conservation Commission to discuss our mutual interest in access to lands within Pal-Mar WCD. Lines of communication with the FWC and Pal-Mar WCD Staff continue to be good.

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
August 22, 2022
10:00 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 22
- C. Seat New Board Members
- D. Administer Oath of Office and Review Board Member Duties and Responsibilities
- E. Establish Quorum
- F. Election of Officers
 - Chairman
 - Vice Chairman
 - Secretary/Treasurer
 - Assistant Secretaries
- G. Additions or Deletions to Agenda
- H. Approval of Minutes
 - 1. June 27, 2022 Regular Board Meeting.....Page 24
 - 2. July 13, 2022 Regular Board Meeting.....Page 33
- I. Status Report
 - 1. Legal – Status Report
 - 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. Consider Granting and Recording of Drainage, Utility, and Ingress/Egress Easement to Landowners on the Map Over the District's Three Parcels Extending from Bee Line Highway to Jupiter Grade.....Page 39
 - 3. Update Regarding Litigation
 - 4. Update on Mowing.....Page 42
 - 5. Update on Sending Minutes and 298 Language Martin County, Palm Beach County and SFWMD Regarding Outside Landowners Obtaining a Permit from Pal-Mar WCD
 - 6. Update on Amended Email from Mr. McElligott dated 6/24/2022
 - 7. Consider Resolution No. 2022-03 – Fiscal Year 2022/2023 Budget.....Page 47

K. New Business

1. Consider Approval of Updated Special District Services, Inc. Management Contract.....Page 60
2. Consider Approval to Move Future Meeting Dates to the Martin County
Commission Chambers and Hiring Law Enforcement
3. Discussion Regarding Invitation to Participate at the SFWMD Resiliency Coordination
Forum Meetings.....Page 64
4. Update the Board on FWC Invasive Plant Treatment.....Page 66
5. Update on Conversation with FDOT & SFWMD Regarding Flooding Caused by
Beeline Highway Project
6. Update on Pal-Mar WCD Perimeter Berm Hight Requirement

L. Administrative Matters

1. Financial Report.....Page 68
2. Consider Invoices.....Page 69

M. Landowner Items

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

O. Board Member Comments

P. Adjourn

Miscellaneous Notices



Published in The Palm Beach Post on August 9, 2022

Location

Palm Beach County,

Notice Text

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

NOTICE IS HEREBY GIVEN that the June 27, 2022, Annual Landowners Meeting of the Pal-Mar Water Control District (the District) was recessed and will reconvene on August 22, 2022, at 10:00 a.m. 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.

Immediately following the Reconvened Landowners Meeting, the Board of Supervisors will also hold a Regular Board Meeting in which the primary purpose is for the Board to consider any business which may properly come before the Board. A copy of the Agendas for these meetings may be obtained from the District s website (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 advertised notice.

Pal Mar Water Control District

www.palmarwcd.org

August 2,9, 2022 7580268

Miscellaneous Notices



Published in St. Lucie News Tribune on August 2, 2022

Location

St. Lucie County,

Notice Text

PAL MAR WATER CONTROL DISTRICT NOTICE OF RECONVENED LANDOWNERS' MEETING AND REGULAR BOARD MEETING NOTICE IS HEREBY GIVEN that the June 27, 2022, Annual Landowners' Meeting of the Pal-Mar Water Control District (the "District") was recessed and will reconvene on August 22, 2022, at 10:00 a.m. 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. Immediately following the Reconvened Landowners' Meeting, the Board of Supervisors will also hold a Regular Board Meeting in which the primary purpose is for the Board to consider any business which may properly come before the Board. A copy of the Agendas for these meetings may be obtained from the District's website (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 advertised notice. Pal Mar Water Control District www.palmarwcd.org PUBLISH:08/02/22 & 08/09/22 TCN 5354164

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JUNE 27, 2022

A. CALL TO ORDER

District Manager Michael McElligott called the June 27, 2020, Regular Board Meeting of the Pal Mar Water Control District to order at 11:37 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 5/31/2022 & 6/7/2022, as legally required.

C. SEAT NEW BOARD MEMBERS

This item was tabled due to challenges made against the results of the election during the Landowners Meeting. The Landowners Meeting has been recessed and will be reconvened on August 22, 2022, at 10:00 am at the Martin County Commission Chambers, 2401 SE Monterey Road, Stuart, Florida 34996.

D. ADMINISTER OATH OF OFFICE

This item was tabled due to challenges made against the results of the election during the Landowners Meeting. The Landowners Meeting has been recessed and will be reconvened on August 22, 2022, at 10:00 am at the Martin County Commission Chambers, 2401 SE Monterey Road, Stuart, Florida 34996.

E. 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	Present

Also, in attendance were staff members:

District Manager Michael McElligott	Special District Services, Inc
General Counsel Mary Viator	Caldwell & Pacetti, et al
District Engineer Bob Higgins	Higgins Engineering
Betsy Burden	Caldwell & Pacetti, et al

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JUNE 27, 2022

Bill Doney	Caldwell & Pacetti, et al
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Also, in attendance were several landowners and members of the public.

F. ELECTION OF OFFICERS

This item was tabled due to challenges made against the results of the election during the Landowners Meeting. The Landowners Meeting has been recessed and will be reconvened on August 22, 2022, at 10:00 am at the Martin County Commission Chambers, 2401 SE Monterey Road, Stuart, Florida 34996.

G. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda. However, at this time District Counsel Mary Viator recommended that the remainder of this regular Board meeting have all items tabled until after the election results can be certified at the reconvened Landowners Meeting scheduled for August 22, 2022. Mr. Gazza asked Mrs. Viator if he legally remains in his seat on the Board while waiting the results of the reconvened Landowners Meeting on August 22, 2022. Mrs. Viator said yes, he is still legally the holder of the Board seat until the results of the election to fill his seat are certified and his successor elected and qualified. Mr. Gazza said would his vote and Board action still be legal while waiting the results of the reconvened Landowners Meeting on August 22, 2022. Mrs. Viator said yes.

H. APPROVAL OF MINUTES

1. April 14, 2022, Regular Board Meeting

Commissioner Marino pointed out that Mr. McElligott misspelled Mr. Gazza's name by only using 1 "z". Also, she pointed out the Mr. McElligott had misspelled Mr. Darren Leiser's name. Also, she pointed out that Mr. McElligott misspelled the word "culvert". Mr. McElligott said he will make those corrections. The April 14, 2022, Regular Board Meeting minutes were then approved as amended on a **motion** made by Mr. Gazza, seconded by Mr. Lolmaugh. The **motion** carried 5-0.

I. STATUS REPORTS

1. Legal – Status Report

District Attorney Mary Viator stated that the legal status report is included in the meeting book. She stated that most of her items have their own agenda item later in the meeting.

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JUNE 27, 2022

2. Engineer – Status Report

Mr. Higgins noted that most of his items have separate agenda items later in the meeting. He also stated that regarding the BMAP, there is more activity in Pal-Mar WCD than he has ever seen since being the District Engineer, and that per direction from the Board he will support the County in their enforcement of violations.

3. District Manager Report

Mr. McElligott stated that all his items are covered as separate agenda items.

4. Field Maintenance Report

Mr. Lolmaugh brought a picture of a canal that had been recently mowed under the current Lumberjack contract and commented on how good it looks.

J. OLD BUSINESS

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

Mrs. Viator gave a brief explanation that the proposed question for the Attorney General is the same that was presented at a prior meeting. Mrs. Viator explained that she was directed by the Board to communicate again with the Martin County & Palm Beach County attorneys after the last Board meeting. Mrs. Viator said she did have some communication but there has been no change in the question being recommended to the Board. Mr. Gazza gave a brief summary of the history of this agenda item for those who are new in the audience and may not be familiar with how we have arrived at the current point.

After some discussion, Mr. Gazza made a **motion** to direct the Board to prepare and record the easement using language presented previously and apply it to the 150' strip of land owned by Pal-Mar. There was a second by Mr. Berman. Mrs. Viator recommended that if her office is directed by the Board to prepare an easement, then that easement should come back to the Board for final review before recording it. Mr. Gazza pointed out the urgency to getting it recorded due to fear that once the election is certified, the next Board may block this land from ever being used by the landowners of Pal-Mar WCD for any purpose, including access, drainage, utilities, etc. There was a lot of discussion that followed. Commissioner Marino reminded the Board that Mrs. Viator had

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JUNE 27, 2022

recommended at the beginning of the meeting that the Board table all action until the election could be certified. She also questioned whether Pal-Mar WCD had the ability to take this action. She stated that she would not be in favor of voting on anything that did not have to come back to the Board for final approval before being recorded. Mr. Lolmaugh commented that he does understand the urgency of taking action before the possibility of having the majority of the Board be government Board members. Commissioner Marino reminded the Board that the governments are landowners like any other landowners, and they should not be referred to as just government Board members, they are landowner Board members too.

Palm Beach County Attorney Mr. Leiser brought up that the motion Mr. Gazza made is not actually an agenda item, and therefore was not noticed and it would be improper for the Board to take any action on it, and any action taken on it would be challenged. Martin County Attorney Mrs. Holmes echoed the statements of Mr. Leiser and suggested that Mrs. Viator explain to the Board if they can take this action. Mr. Gazza pointed out that the agenda item that corresponds to his motion was originally on the advertised agenda back in November of 2021. The agenda item was only changed to requesting an Attorney General Opinion to appease questions by Martin and Palm Beach County, but that the AGO agenda item has stalled.

After some more discussion, Mr. Gazza withdrew his original **motion**, as did Mr. Berman withdraw his second to that original **motion**. After further discussion, Mr. Gazza made a new motion to schedule a new regular Board meeting on Wednesday, July 13, 2022, at 9:30am at Jupiter Old Town Hall. There was a second by Mr. Berman, and the **motion** carried **5-0**.

Mr. Gazza also requested to add an agenda item for that meeting to direct the District Attorney to prepare and record the easement on the 150' strip of Pal-Mar WCD owned land, using the same language as was used in the November 2021 agenda item related to granting an easement on this property.

2. Update Regarding Martin County Litigation

Mr. Viator updated the Board on the appeal that had been ruled in Hobe. St. Lucie CD's favor. At this time, Martin County and South Florida Water Management District have appealed to have the Florida Supreme Court take jurisdiction of the case. We are awaiting the Florida Supreme Courts decision on taking jurisdiction. Mr. Gazza asked about final judgements being issued. District Counsel Mr. Doney said there were conflicting final judgments submitted by both Hobe St. Lucie CD and Martin County regarding how far back the unpaid assessments should now be due. Mr. Gazza asked if Pal-Mar WCD will be subject to the final judgment. Mrs. Viator said yes.

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JUNE 27, 2022

3. Discussion regarding Mowing Proposals

The Board was updated on the mowing proposal item from previous meetings. There was a question as to whether the proposal amount submitted be lower in future years if the District does the mowing annually as opposed to now when it hasn't been done in approximately 5 years. Mr. Lolmaugh reminded the Board that we had 4 interested companies originally, but that Tim Wallace Landscaping was the only one that submitted an actual quote, and that Mike from the company is here. Mike from Tim Wallace Landscaping said he would think a quote for future years would be less, but that it would be hard to give an estimate now without completing the job the first time and seeing what it looks like next year before doing it again. Mr. Gazza stated that Lumberjack can continue to keep mowing for now, but that this company is a good option if the Board wants to go that direction. After some discussion, the Board recommended that the contractor go back out to the Pal-Mar WCD and review the project again since it had been several months since the original quote and some mowing had been done. Then, report back to the Board at the next meeting with possible updated numbers.

4. Update Regarding Two Illegal Culverts Discussed at Last Meeting

District Engineer Mr. Higgins updated the Board that Martin County and SFWMD are looking into taking action against the owners of the two culverts in question. One of the owners of the culverts, Mr. Beaton explained that like his previous culverts, this is an equalizing culvert. Mr. Higgins noted that this discussion is regarding a new culvert and not the old ones Mr. Beaton was referring to. Mr. Beaton explained the approval he received from SFWMD. The Board directed Mr. Beaton to provide that SFWMD approval to Mr. Higgins so that the matter of Mr. Beaton's culverts could be put to rest.

K. NEW BUSINESS

1. Discussion on New Policy for Outside Landowners to Obtain a Permit from Pal-Mar WCD

Mr. Higgins explained to the Board how we could set up agreements or permits as part of a policy to deal with outside landowners. Mr. Gazza asked if there are many outside landowners looking to drain into Pal-Mar WCD. Mr. Higgins said no, not at this time. After some discussion, Commissioner Marino made a **motion** to send a copy of the meeting minutes from today, along with the language in Florida Statutes 298 to Martin County, Palm Beach County, and SFWMD to remind them that a permit is also required to be obtained from Pal-Mar WCD when approving projects and permits

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JUNE 27, 2022

affecting the Pal-Mar WCD. There was a second from Commissioner Jenkins. There was public comment from Mr. Meier with the Trail Side community stating that the Trail Side community has asked the gentleman that installed the second of the potentially illegal culverts to remove it. Mr. Meier also stated that the Trail Side community does not want any access between Trail Side and Pal-Mar WCD. Commissioner Jenkins stated that Martin County is aware of this situation and that this is an active violation being worked on. With no further comment, there was a vote and the **motion** passed **5-0**.

2. Consider Approval of Renewal of Funding Agreement with Be A Man Buy Land, LLC

Mr. McElligott explained that this is the funding agreement that pays for the maintenance contract the Board previously approved. This approval will fund the maintenance agreement for another 12 months with the exact same terms currently in place from the expiring funding agreement the Board approved last year. Commissioner Marino stated that she has a lot of discomfort with this since Mr. Gazza is a Board member and a Landowner. Mr. Lolmaugh also agrees that he doesn't feel comfortable about this because he knows Mr. Gazza's business benefits from this. However, Mr. Lolmaugh does agree that this benefits other landowners too, not just Mr. Gazza. There was some discussion regarding what would happen if the Board approves the mowing contract. Mr. Gazza stated he would feel more comfortable waiting for the final judgment and the full funding before switching to the more expensive contracts, and then he would be happy to step aside. Commissioner Marino asked if this contract has a 60-day cancellation clause, and if it doesn't can one be added.

A **motion** was made Mr. Lolmaugh to approve the Funding Agreement with Be A Man Buy Land with the addition of a 60-day cancellation clause. There was a second by Commissioner Marino. That **motion** carried 3-1 with Commissioner Jenkins voting no and Mr. Gazza abstaining.

3. Consider Resolution No. 2022-01 Adopting a Fiscal Year 2022/2023 Budget.

Mr. McElligott presented Resolution No. 2022-01:

RESOLUTION NO. 2022-01

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JUNE 27, 2022

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
PAL- MAR WATER CONTROL DISTRICT APPROVING A
BUDGET FOR FISCAL YEAR 2022/2021.**

Mr. McElligott presented 2 options of the budget to the board. One was at the same \$22 per acre rate as in previous years, and one was \$9 per acre due to the last-minute influx of assessments received this month. There was a lot of discussion with the recommendation that we settle at \$15 per acre, between the \$22 and \$9 presented. Mr. McElligott reminded the Board that what ever is approved today will go out on the TRIM notices and that the Board can make changes before the final assessment roll goes out in September, but any changes would have to be at or below the assessment approved today.

After some more Board discussion, Commissioner Marino then made a **motion** to adopt Resolution No. 2022-01, adopting a Fiscal Year 2022/2023 budget as amended to \$15 per acre. There was a second by Mr. Lolmaugh, and that **motion** passed 5-0.

Mr. McElligott will bring the budget back to the Board before the final assessment roll is to be sent to the counties to see if the Board wants to make any further changes.

4. Consider Resolution No. 2022-02 Adopting a Fiscal Year 2022/2023 Meeting Schedule.

Mr. McElligott presented Resolution No. 2022-02:

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.**

After a brief discussion, Mr. Gazza then made a **motion** to adopt Resolution No. 2022-02, adopting a Fiscal Year 2022/2023 Meeting Schedule as presented. There was a second by Commissioner Marino, and that **motion** passed 5-0.

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JUNE 27, 2022

*At this time Commissioner Marino had to leave the meeting at 1:26 pm.

L. ADMINISTRATIVE MATTERS

1. Financial Report

Mr. McElligott pointed out the financial report in the Board book and explained that most of this has already been covered during the budget discussion.

2. Consider Invoices

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

M. LANDOWNER ITEMS

There were no Landowner comments.

N. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Mrs. Regina Wood from Martin County stated that she feels that no action should be taken regarding the issuing of an easement until after the election issues have been resolved. She also wanted to reiterate that the residents of Martin County and Palm Beach County are landowners that are represented by the Commissioners.

Dr. Tred Rissacher, a recent landowner who bought from Be a Man Buy Land, wanted to reiterate that while there are a lot of people out there, the majority of them are good people who want to keep the place clean and beautiful and are sympathetic to the complaints of Trail Side and others. He reminded everyone that the County had a chance to buy the land years ago and they did not so the new landowners are now out there enjoying it.

Mr. Meier again representing the Trail Side community listed concerns related to people in Pal-Mar WCD riding motorcycles, ATVs, and buggies along the boarder between Pal-Mar WCD and Trail Side which is spooking their horses and not allowing Trail Side owners the ability to use the bridle path at the border of the properties. Mr. Meier asked what Pal-Mar WCD is doing to stop this activity. Mr. Berman explained that Pal-Mar WCD can not do anything to curb this activity. Pal-Mar WCD does not have any policing powers, so Trail Side would need to contact Martin County sheriffs and FWC if there is illegal activity affecting Trail Side.

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JUNE 27, 2022

O. BOARD MEMBER COMMENTS

Mr. Berman responding to Mrs. Wood gave some historical information regarding the conflicting interest over the years between individual landowner Board members and government landowner Board members and how the latter has a long history of blocking interest of the individual landowners. Mr. Berman reiterated that the governments had the opportunity to buy this land back in the 90's and they did not. Now there are a growing number of private landowners wanting to use their land, but it was preventable.

Mr. Lolmaugh did comment that he had spoken with FWC out in Pal-Mar WCD, and they are checking papers to make sure there are only landowners out there.

P. ADJOURNMENT

There being no further business to come before the Board, at 1:57 pm a **motion** to adjourn the meeting was made by Mr. Gazza, with a second by Mr. Berman. The **motion** carried unanimously

Secretary/Assistant Secretary

Chair/Vice-Chair

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JULY 13, 2022

A. CALL TO ORDER

District Manager Michael McElligott called the July 13, 2022, Regular Board Meeting of the Pal Mar Water Control District to order at 9:34 a.m. Old Jupiter Town Hall, 1000 Town Hall Avenue, Jupiter, FL, 33458.

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 7/3/2022, 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	Present

Also, in attendance were staff members:

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

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. STATUS REPORTS

1. Legal – Status Report

District attorney Mary Viator stated that her items have their own agenda item later in the meeting.

2. Engineer – Status Report

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JULY 13, 2022

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

3. District Manager Report

Mr. McElligott asked if it was okay with the Board to cancel the August 4th regular meeting already scheduled since we are holding a meeting today in mid-July, and a meeting later in August. Commissioner Marino made a **motion** to cancel the August 4th regular meeting and advertise for a regular meeting to immediately follow the reconvened Landowners meeting scheduled for August 22, 2022. There was a second from Commissioner Jenkins. Discussion followed. Mr. Berman stated that he didn't want to cancel anything today, that it can be canceled later. Commissioner Jenkins read a statement that he and Martin County feel strongly that this meeting should be recessed, and that no business should be done until after the election has been resolved. He listed several reasons. Commissioner Marino and Commissioner Jenkins then rescinded their original motion and second. Commissioner Jenkins then made a **motion** to recess this meeting after only deciding on the mowing contract, per the request from Mr. Lolmaugh, and not have any regular meetings until after the election has been decided. There was a second from Commissioner Marino. Discussion followed. Mr. Gazza stated that we are all here in an advertised meeting with an advertised agenda and we should conduct the meeting. Mr. Berman also stated that there are several items on the agenda that should be heard today and that there are landowners that are in attendance that came to make comments and ask questions. Commissioner Jenkins asked about the district insurance coverage which Mr. McElligott answered. Mr. Berman and Mr. Gazza questioned what would happen if the election was not decided in August. Discussion followed and Mrs. Viator provided comments. Following discussion Commissioner Jenkins amended his **motion** to read as follows, a motion to recess today's meeting following the mowing agenda item only, and not hold any regular meetings until after the August 22, 2022, Reconvened Landowners meeting. Commissioner Marino seconded the amended **motion**. The **motion** failed 2-3 with Mr. Berman, Mr. Gazza, and Mr. Lolmaugh voting no.

4. Field Maintenance Report

Mr. Gazza updated the Board. They are continuing with the mowing which is progressing slowly. The mowing is revealing some crushed and backfilled culverts that will need to be fixed. No one knows who did this, but it is causing water to pool in Pal-Mar WCD. Mr. Lolmaugh thinks the mowing that has been done looks excellent. Mr. Higgins gave some insights on the flow of the water and how it relates to the Loxahatchee River and stated there is a control structure that Martin County controls that should decide the amount of fresh water going into the river, it should not be backed up in Pal-Mar WCD. Mr. Berman asked about the landowner's ability to fix these damaged culverts on their own. Mr. Gazza stated that as they come across the damaged culverts, he is fixing them, but if any landowners see any damaged ones, they can let Mr. Gazza know.

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JULY 13, 2022

F. OLD BUSINESS

1. Update on Proposed Question for an Attorney General's Opinion Regarding Pal-Mar WCD Granting of Easements

Mrs. Viator stated that there has been no changes or movement on this item. Mr. Gazza expressed feelings that this agenda item is at an impasse and will not move forward. County Attorney Sarah Wood and Palm Beach County Attorney Darren Leiser both commented. This issue is not tied to the assessment lawsuit so this issue could eventually move forward. Discussion followed. After the discussion it was the consensus of the Board to leave this item on the agenda for the next meeting.

2. Consider Granting and Recording of Drainage, Utility, and Ingress/Egress Easement to Landowners on the Map Over the District's Three Parcels Extending from Bee Line Highway to the Jupiter Grade

A sample of the proposed easement was handed out and District Counsel Mr. Doney reviewed it with the Board. Mr. Doney did recommend that the Board table this item until after the election has been resolved. Discussion followed. It was noted that there was a provision to allow the easement to be rescinded. Mr. Berman and Mr. Gazza pointed out that it was not in the other easements in Pal-Mar WCD and Mr. Doney did say it was not normal but they added it because of the contested election. Mr. Gazza pointed out issues he saw in the easement handed out that could lead to lawsuits in the future. Mr. Gazza provided an updated easement he felt would address the issues. Commissioner Marino pointed out that it was inappropriate for Mr. Gazza to be handing out his version of the easement. After more discussion, a **motion** was made by Commissioner Marino, with a second by Commissioner Jenkins to table this item until after the results of the election. That **motion** passed **3-2** with Mr. Berman and Mr. Gazza voting no.

3. Update Regarding Martin County Litigation

Mrs. Viator reminded the Board that SFWMD and Martin County have petitioned the Florida Supreme Court to take the case. The Florida Supreme Court has still not decided if they will accept jurisdiction in the case or not.

4. Discussion Regarding Mowing Proposal

Mr. Lolmaugh updated the Board that he and Tim Wallace from the landscaping company went back out to review how much mowing had been done and to see the example of what is being requested. Mr. Wallace said he can update his quote. The quote will come down some based on some of the work already being done, but will also go back up some due to fuel cost going up since the original quote. While Mr. Wallace could

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JULY 13, 2022

not give the Board an exact amount of the new quote on the spot, he felt it would be slightly lower than the original quote. Mr. Gazza said that he does not have a problem with the quote or the company, he feels this is not the right time to approve the contract because of the outstanding money issues with the major landowners not paying. After some more discussion, a **motion** was made by Commissioner Marino, with a second from Commissioner Jenkins, to approve a not to exceed amount of \$68,000, subject to final review by District staff. That **motion** passed 4-1 with Mr. Gazza voting no.

The Board directed Mr. Gazza to discontinue his mowing as part of the existing Lumberjack contract, but to continue with the other maintenance activities.

5. Update on Sending Minutes and 298 Language to Martin County, Palm Beach County, and SFWMD Regarding Outside Landowners Obtaining a Permit from Pal-Mar WCD

Mr. McElligott explained that the minutes from that meeting have not been completed and approved by the Board yet, so those will get sent at a later date.

6. Consider Amending the Fiscal Year 2022/2023 Budget

Mr. McElligott refreshed the Board that they approved a budget in June to sent the TRIM rate, and asked that the budget be brought back to them to decide if they wanted to make any additional changes before the final rates go to the counties in September. Mr. McElligott pointed out that the budgets in the meeting material include a change in the Special District Services, Inc management amount. He explained that SDS had not changed their rate in over a decade and that the current rate is too low compared to the time commitment Pal-Mar WCD has become for the company. There was some discussion from the Board on the budget. There was request for there to be a few different options at different assessment rates. A **motion** was made by Commissioner Marino, with a second from Commissioner Jenkins, to table this item and bring it back to the August meeting with 3 options at \$9, \$12, and \$15. The **motion** passed 5-0.

G. NEW BUSINESS

1. Consider Officially Amending Mr. McElligott's Email Dated 6/24/2022

Mr. McElligott explained the email at question which is in the Board meeting materials. Mr. Berman explained his reasoning for the request and how the term 'full payment' was used and that how the term full payment is in dispute and that this email being out there could be misconstrued. There was lot of discussion on whether a correction was needed or how it is accomplished since the email is already out. After some more discussion, a **motion** was made by Mr. Berman, with a second by Mr. Gazza, to direct Mr. McElligott

PAL MAR WATER CONTROL DISTRICT
REGULAR BOARD MEETING
JULY 13, 2022

to reply all to the original email stating that he is correcting his original statement by changing the term “full payment” and instead use the term “funds received”. That **motion** passed 3-2 with Commissioner Marino and Commissioner Jenkins voting no.

H. ADMINISTRATIVE MATTERS

1. Financial Report

Mr. McElligott pointed out the financial report in the Board and answered any question of the Board. Mr. McElligott was told he could bring an updated SDS, Inc contract at \$36,000 annually to a future meeting for the Board to consider.

I. LANDOWNER ITEMS

Dr. Tred Rissacher is concerned about the gate situation in Pal-Mar WCD if there were to be a fire and people had to leave. Dr. Rissacher showed some pictures of new gates that are shut that he thinks should be open for safety reasons. Mr. Gazza recognized the gates, and they are SFWMD gates installed at the direct of FWC. Mr. Gazza said he asked for a key as a landowner for those gates and was denied. Commissioner Marino commented that she understands the concern, but unfortunately it is not something the Pal-Mar WCD can control so the landowner would need to talk to SFWMD and FWC.

Mr. Kevin Cutting stated that he feels there is a public safety issue due to misuse of the public works, and that no one should be on the canal banks. Mr. Cutting also relayed some confusion about some earlier agenda items and asked who requested the easement be created before the meeting. Mr. Viator explained that their firm decided it was best to prepare an actual document of the easement for the Board members to be able to see for the discussion. Mr. Cutting did voice his appreciation to the Board and professionals for looking out for the landowners.

Mr. George Rodriguez asked about the process of getting permission to install culverts. The Board and the professionals explained the process for getting culverts fixed, but that individual landowners can not do anything in the works of the district, that they need to come to the Board and the district will handle it. Mr. Rodriguez also voiced some disappointments he has with the Board. Discussion about assessments came up and Commissioner Marino reminded everyone that Palm Beach County has always paid their assessments on time.

PAL MAR WATER CONTROL DISTRICT
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Mr. Juan Almanzan asked about growing tomatoes on his property in Pal-Mar WCD. He was informed that this is determined by the county, so he would need to check with the county in which his property is located.

Mr. Ted Watts stated that the work on Bee Line Highway has destroyed some property in Pal-Mar WCD due to flooding caused by the berm installed as part of the roadwork. Mr. Michael Bateman from Martin County agreed that it appears that the widening project of Bee Line Highway may have caused some flooding. These concerns need to be brought up to FDOT and SFWMD. Mr. Gazza recommends, and the Board agreed, that Mr. Higgins should open up a dialogue with FDOT and SFWMD about this issue.

J. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the Public.

K. BOARD MEMBER COMMENTS

Mr. Lolmaugh informed the Board that a lock was cut off a Pal-Mar WCD gate. Mr. Gazza said he will get a replacement lock on there. Mr. Lolmaugh also asked if the perimeter berm around Pal-Mar WCD is required to be at a certain elevation. Mr. Higgins said he would look into it.

L. ADJOURNMENT

There being no further business to come before the Board, at 12:46 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



Florida Fish and Wildlife Conservation Commission

Commissioners
Rodney Barreto
Chairman
Coral Gables

Steven Hudson
Fort Lauderdale

Gary Lester
Oxford

Albert Maury
Coral Gables

Gary Nicklaus
Jupiter

Sonya Rood
St. Augustine

Robert A. Spottswood
Key West

Executive Staff
Eric Sutton
Executive Director

Thomas H. Eason, Ph.D.
Assistant Executive Director

Jennifer Fitzwater
Chief of Staff

South Region
Thomas Reinert, Ph.D.
Regional Director

561-625-5122
561-625-5129 FAX

*Managing fish and wildlife
resources for their long-term
well-being and the benefit
of people.*

South Region
8535 Northlake Boulevard
West Palm Beach, FL
33412-3303

Hearing/speech-impaired:
800-955-8771 (T)
800-955-8770 (V)

MyFWC.com

July 11, 2022

Pal-Mar Water Control District – Board of Supervisors
c/o Michael McElligott
Special District Services, Inc.
Submitted electronically: MMcElligott@sdsinc.org

Dear Pal-Mar Board of Supervisors,

Please allow this correspondence to be considered Florida Fish and Wildlife Conservation Commission's (FWC) public comment for the Pal-Mar Water Control District (the District) Board Meeting, scheduled for Wednesday, July 13, 2022, specifically, Old Business, Item 2: "Consider Granting and Recording of Drainage, Utility, and Ingress/Egress Easement to Landowners on the Map Over the District's Three Parcels Extending from Bee Line Highway to Jupiter Grade."

The FWC has concerns regarding this proposal, given the limited scope of activities codified for 298 Districts and what the proposal hopes to achieve. It is not clear what benefits the District derives from this action; especially given the concerns the District previously has expressed to FWC regarding impacts of vehicular access to works of the District. I will note that the FWC has worked with the District to limit or eliminate vehicular access when requested and where within the ability of FWC to do so.

Further, the District-owned parcel in question is directly adjacent to (east of) a portion of the John C. and Marianna Jones/Hungryland Wildlife and Environmental Area ("Hungryland") that is not open to the public and is maintained for environmental purposes only. The powerline Right of Way (owned by South Florida Water Management District and then further along by Martin County) is dedicated solely for the use of the utility company and is not legally accessible by members of the public. Nevertheless, individuals, using the access created by the 'improvements' to the District parcel (namely a rebuilt road apron and 'gravel driveway' created during 'exotic plant' removal activities directed by the District) have created a path deviating from the District parcel into Hungryland to access the ROW. Vehicular trails are now clearly visible through the bordering wetland and into state-owned property. The existing fence line also has been cut. This access constitutes illegal entry, damage of state property, as well as causing resource damage.

FWC believes that the proposal lacks a clear objective that benefits the Pal-Mar Water Control District and likely would greatly increase illegal entry into, and continued resource degradation of, FWC-managed, environmentally-sensitive lands.

Sincerely,

Thomas Reinert, Ph.D.
Regional Director

Cc: Mary Viator, Palm Beach County, Martin County, South Florida Water Management District, Kevin Cutting

7/11/2022

Palmar board members,

Please accept the following as my public comments for the July board meeting. Specifically, regarding the palmar properties and opening them to the public, and or recording an easement on these properties.

1. The wording of the original easement suggests this ingress-egress is also to the benefit of the general public. I'm not sure I understand the intent but this seems to suggest that anyone, property owner or not could now enter or utilize this section. I have safety and security concerns that would also be shared by other property owners.
2. Please ensure the recording document contains specific wording as to the type of access that is permitted and who is permitted to enter. Taking past district comments at face value, the district claims it has no ability to protect the works from damage associated with misuse or trespass. The only protective measure the district seems to have available is either not to record this proposed document as an easement, ingress-or egress, or to restrict the access to passive means only. Motorized vehicles would not be allowed or highly regulated. Is this possible?
3. The board has made past comments that your actions and abilities are limited to drainage only. How does this action benefit the stated objective and responsibilities?
4. What liabilities may come with opening this property. If the action leads to the very foreseeable destruction of the works of the district or harm to others, which I believe it will (Gate 1 example), might this action be considered neglectful?
5. Will this create further issues with the Martin County Sheriff's office or FWC with respect to protecting private and public property rights associated with the works of the district, no trespass, etc.? As I understand the MCO has very little capability to enforce trespass issues and damage that may occur to the works of the district and the properties they cross.
6. What future obligation might this create for property owners and the use of our pro-rata shares? Will we be required to maintain the easement in a safe manner consistent with the intended purpose? Again, please establish and limit the use type to be consistent with protecting the works.
7. Does the district have any recourse to recover costs from property owners that are associated with the recording or creation of the easement?
8. As an alternative, the district may simply not open this section. Property owners would need to use the courts to achieve easement by way of necessity. The district would then appropriately respond to the court's directive rather than volunteer an easement that is very likely to be abused. In this way, the district can help to ensure that courts dictate the type of access allowed, the path of access, and the specific and intended purpose for the access.
9. Does opening this easement now give property owners any right to modify the district property, cut down trees, improve a path, or do other things necessary in order to utilize the easement for the intended and recording purpose.

10. With respect to negligence in actions taken by the district, if there is a liability for resulting harm, are we as property owners, or our district commissioners protected by the liability insurance policy? Do personal assets and pro-rata shares become fair game to an accident injury law team. ?

Thank you in advance for your consideration of these concerns.

Kind Regards and thank you for your past and continuing service to the landowners of the Palmar Water control district.

Kevin Cutting

Lot owner Palmar water control district.

Mowing Contract

This Contract entered into this 10 day of August, 2022, is between Tim Wallace Lawn Service ("Independent Contractor"), whose address is 16374 132nd Terrace North, Jupiter, Florida, 33478, and the Pal-Mar Water Control District ("District"), whose address is c/o Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410.

1. **Duties of independent Contractor:** The Independent Contractor shall perform mowing duties as shown on Exhibit A attached hereto. There shall be no variance from these duties until and unless authorized by the District in writing as addendum to this Contract.
2. **Compensation:** District agrees to pay Independent Contractor a total of \$65,760.00 as compensation for the performance of the duties of the Independent Contractor under this Contract.
3. **Basic Understanding of the Parties:** The parties acknowledge and agree that the District is a local government with a specialized single purpose of providing drainage. All of the work of the District is subject to public records, government-in-the-sunshine and related requirements. The parties understand that because the District is a local government, certain requirements and limitations apply that would not apply to a private entity.
4. **Termination:** This Contract may be terminated with or without cause at any time by either party upon sixty (60) days prior written notice, delivered by certified U.S. mail, return receipt requested, to the addresses indicated herein, in which event all rights, duties and obligations of the parties hereto shall terminate forthwith.
5. **Other Related Provisions and Requirements:**
 - a. Work shall be performed professionally in accordance with generally accepted standards of the trade or business.
 - b. Independent Contractor shall provide evidence of general liability insurance and property damage insurance naming the District as insured; and Workmen's Compensation insurance, if applicable; and shall indemnify the District for any wrongdoing of the Independent Contractor should the District be made a party to any litigation as to that wrongdoing.
 - c. Independent Contractor shall reimburse the District for damages by Independent Contractor to personal and/or real property owned by the District due to negligence of the Independent Contractor.
 - d. Independent Contractor is not considered an employee of the District and is responsible for payment of any and all applicable taxes.

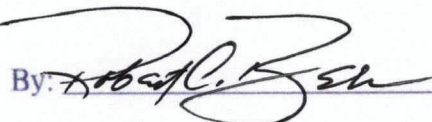
RAB

- e. Any controversies that cannot be resolved by the parties shall be subject either to arbitration or mediation as the parties may agree. If mediation fails, then legal action may be instituted, and any prevailing party shall be entitled to be reimbursed for all court costs and reasonable attorney's fees incident to such legal action.
- f. Independent Contractor shall indemnify and hold harmless the District for any injury, loss or damage to person or property, including attorney fees and other costs, when caused by the Independent Contractor's own negligence or arising out of a material breach by the Independent Contractor of this Agreement.
- g. Independent Contractor shall not assign, delegate or otherwise transfer its rights and obligations as set forth in this Agreement without prior written consent of the District.
- h. Independent Contractor shall assure that no person shall be excluded on the grounds of race, color, creed, national origin, handicap, age or sex from participation in, denied the benefits of, or be otherwise subjected to discrimination in any activity under this Agreement.
- i. This Agreement may be amended only with the written approval of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

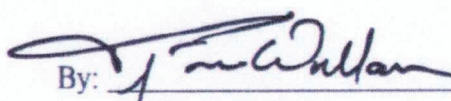
Pal-Mar Water Control District
c/o Special District Services, Inc.
2501A Burns Road
Palm Beach Gardens, FL 33410

Tim Wallace Lawn Service
16374 132nd Terrace North
Jupiter, FL 33478

By: 

Name:

Date: 08/10/2022

By: 

Name:

Date: 8/10/2022

Quote

Tim Wallace Lawn service
16374 132nd Terrace North
Jupiter Fl 33478
561-662-3665

Date: 03/02/2022
Quote No.: 10055

Bill To:
Lewis & Michael
Pal Mar Water Control District
2501 Burns Road
Palm Beach Gardens Fl 33410

Qty	Description	Unit Price	Total
1	Mow all canal banks, roads and trees encroaching onto roadways	\$68,000.00	\$68,000.00
1	8% credit from previous mowing contractor	-\$5,440.00	-\$5,440.00
1	Fuel credit from March to July, price increase since quote was submitted.	\$3,200.00	\$3,200.00
Total			\$65,760.00

Thank you for your business.



CERTIFICATE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)
08/10/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

PRODUCER Hiscox Inc. 520 Madison Avenue 32nd Floor New York, New York 10022	CONTACT NAME:		
	PHONE (A/C, No. Ext): 844-357-0403	FAX (A/C, No):	
	E-MAIL ADDRESS: contact@hiscox.com		
	PRODUCER CUSTOMER ID:		
INSURED Tim Wallace DBA Tim Wallace Lawn service 16374 132nd Terrace North Jupiter, FL 33478	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Hiscox Insurance Company Inc.		10200
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		


COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

LOCATION OF PREMISES / DESCRIPTION OF PROPERTY (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE		POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	COVERED PROPERTY	LIMITS
A	PROPERTY		P100.817.826.1	07/26/2022	07/26/2023	BUILDING	\$
	CAUSES OF LOSS	DEDUCTIBLES				X PERSONAL PROPERTY	\$ \$ 20,000
	BASIC	BUILDING				BUSINESS INCOME	\$
	X BROAD	CONTENTS				EXTRA EXPENSE	\$
	SPECIAL	\$ 500				RENTAL VALUE	\$
	EARTHQUAKE					BLANKET BUILDING	\$
	WIND					BLANKET PERS PROP	\$
	FLOOD					BLANKET BLDG & PP	\$
							\$
							\$
	INLAND MARINE	TYPE OF POLICY					\$
	CAUSES OF LOSS						\$
	NAMED PERILS	POLICY NUMBER					\$
	CRIME						\$
	TYPE OF POLICY						\$
	BOILER & MACHINERY / EQUIPMENT BREAKDOWN						\$
							\$
							\$

SPECIAL CONDITIONS / OTHER COVERAGES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER Pal-Mar Water Control District 2501 Unit A Burns Rd Palm Beach Gardens, FL 33410	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/10/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hiscox Inc. 520 Madison Avenue 32nd Floor New York, New York 10022	CONTACT NAME:	
	PHONE (A/C, No, Ext): (888) 202-3007	FAX (A/C, No):
	E-MAIL ADDRESS: contact@hiscox.com	
INSURED Tim Wallace DBA Tim Wallace Lawn service 16374 132nd Terrace North Jupiter, FL 33478	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Hiscox Insurance Company Inc	NAIC # 10200
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y	P100.817.826.1	07/26/2022	07/26/2023	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000					
	MED EXP (Any one person) \$ 5,000					
	PERSONAL & ADV INJURY \$ 1,000,000					
						GENERAL AGGREGATE \$ 2,000,000
						PRODUCTS - COMP/OP AGG \$ S/T Gen. Agg.
						\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$
						BODILY INJURY (Per person) \$
						BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$
						AGGREGATE \$
						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
						E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDERPal-Mar Water Control District
2501 Unit A Burns Rd
Palm Beach Gardens, FL 33410**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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RESOLUTION NO. 2022-03

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 22nd day of August, 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 \$15 Per Acre

**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 2022/2023 ANNUAL BUDGET
REVENUES	
O & M Assessments	326,064
Other Income	12,000
Uncollectable Assessments	0
Interest Income	360
	0
TOTAL REVENUES	338,424
EXPENDITURES	
Supervisor Fees	0
Payroll Taxes (Admin)	0
Engineering	28,000
Management	36,000
Legal	60,000
Assessment Roll	5,000
Audit Fees	4,000
Insurance	8,300
Legal Advertising	2,100
Miscellaneous	52,285
Postage	2,000
Office Supplies	2,000
Website Management	1,500
Dues & Subscriptions	175
Maintenance Contingency	12,000
Miscellaneous Maintenance	100,000
Contingency (Legal - Extraordinary)	5,500
TOTAL EXPENDITURES	318,860
EXCESS/ (SHORTFALL)	19,564
County Appraiser & Tax Collector Fee	(6,521)
Discounts For Early Payments	(13,043)
NET EXCESS/ (SHORTFALL)	-

Note: Projected Cashflow (Including State Board Of Administration Investment Fund)
As Of 9-30-22 is \$275,000.

FY 2022/2023 Projected Assessment Rate is \$15.00 Per Acre (\$22.00 Per Acre In 2021/2022).
Current Estimated Assesable Acres is 21,740.

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
REVENUES				
O & M Assessments	128,298	478,278	326,064	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
TOTAL REVENUES	141,075	\$ 136,951	\$ 338,424	
EXPENDITURES				
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	36,000	\$3,000 Per Month
Legal	49,322	30,000	60,000	\$30,000 Increase 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	52,285	Miscellaneous
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	100,000	Miscellaneous Maintenance
Contingency (Legal - Extraordinary)	964	5,500	5,500	No Change From 2021/2022 Budget
TOTAL EXPENDITURES	132,699	\$ 129,475	\$ 318,860	
EXCESS/ (SHORTFALL)	8,376	7,476	19,564	
County Appraiser & Tax Collector Fee	(3,818)	(2,492)	(6,521)	Two Percent Of Expected Assessment Roll
Discounts For Early Payments	(2,295)	(4,984)	(13,043)	Four Percent Of Expected Assessment Roll
NET EXCESS/ (SHORTFALL)	\$ 2,263	\$ -	\$ -	

Note: Projected Cashflow (Including State Board Of Administration Investment Fund)
As Of 9-30-22 is \$275,000.

FY 2022/2023 Projected Assessment Rate is \$15.00 Per Acre (\$22.00 Per Acre In 2021/2022).
Current Estimated Assesable Acres is 21,740.

Pal Mar Water Control District

Scenario #2 - Assessment Rate Of \$12 Per Acre

**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 2022/2023 ANNUAL BUDGET
REVENUES	
O & M Assessments	260,984
Other Income	12,000
Uncollectable Assessments	0
Interest Income	360
	0
TOTAL REVENUES	273,344
EXPENDITURES	
Supervisor Fees	0
Payroll Taxes (Admin)	0
Engineering	28,000
Management	36,000
Legal	60,000
Assessment Roll	5,000
Audit Fees	4,000
Insurance	8,300
Legal Advertising	2,100
Miscellaneous	10,000
Postage	2,000
Office Supplies	2,000
Website Management	1,500
Dues & Subscriptions	175
Maintenance Contingency	12,000
Miscellaneous Maintenance	81,110
Contingency (Legal - Extraordinary)	5,500
TOTAL EXPENDITURES	257,685
EXCESS/ (SHORTFALL)	15,659
County Appraiser & Tax Collector Fee	(5,220)
Discounts For Early Payments	(10,439)
NET EXCESS/ (SHORTFALL)	-

Note: Projected Cashflow (Including State Board Of Administration Investment Fund)
As Of 9-30-22 is \$275,000.

FY 2022/2023 Projected Assessment Rate is \$12.00 Per Acre (\$22.00 Per Acre In 2021/2022).
Current Estimated Assesable Acres is 21,740.

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
REVENUES				
O & M Assessments	128,298	478,278	260,984	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
TOTAL REVENUES	141,075	\$ 136,951	\$ 273,344	
EXPENDITURES				
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	36,000	\$3,000 Per Month
Legal	49,322	30,000	60,000	\$30,000 Increase 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	10,000	Miscellaneous
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	81,110	Miscellaneous Maintenance
Contingency (Legal - Extraordinary)	964	5,500	5,500	No Change From 2021/2022 Budget
TOTAL EXPENDITURES	132,699	\$ 129,475	\$ 257,685	
EXCESS/ (SHORTFALL)	8,376	7,476	15,659	
County Appraiser & Tax Collector Fee	(3,818)	(2,492)	(5,220)	Two Percent Of Expected Assessment Roll
Discounts For Early Payments	(2,295)	(4,984)	(10,439)	Four Percent Of Expected Assessment Roll
NET EXCESS/ (SHORTFALL)	\$ 2,263	\$ -	\$ -	

Note: Projected Cashflow (Including State Board Of Administration Investment Fund)
As Of 9-30-22 is \$275,000.

FY 2022/2023 Projected Assessment Rate is \$12.00 Per Acre (\$22.00 Per Acre In 2021/2022).
Current Estimated Assesable Acres is 21,740.

Pal Mar Water Control District

Scenario #3 - Assessment Rate Of \$9 Per Acre

**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 2022/2023 ANNUAL BUDGET
REVENUES	
O & M Assessments	195,638
Other Income	12,000
Uncollectable Assessments	0
Interest Income	360
	0
TOTAL REVENUES	207,998
EXPENDITURES	
Supervisor Fees	0
Payroll Taxes (Admin)	0
Engineering	28,000
Management	36,000
Legal	60,000
Assessment Roll	5,000
Audit Fees	4,000
Insurance	8,300
Legal Advertising	2,100
Miscellaneous	10,000
Postage	2,000
Office Supplies	2,000
Website Management	1,500
Dues & Subscriptions	175
Maintenance Contingency	12,000
Miscellaneous Maintenance	19,684
Contingency (Legal - Extraordinary)	5,500
TOTAL EXPENDITURES	196,259
EXCESS/ (SHORTFALL)	11,739
County Appraiser & Tax Collector Fee	(3,913)
Discounts For Early Payments	(7,826)
NET EXCESS/ (SHORTFALL)	-

Note: Projected Cashflow (Including State Board Of Administration Investment Fund)
As Of 9-30-22 is \$275,000.

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.

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
REVENUES				
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
TOTAL REVENUES	141,075	\$ 136,951	\$ 207,998	
EXPENDITURES				
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	36,000	\$3,000 Per Month
Legal	49,322	30,000	60,000	\$30,000 Increase 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	10,000	Miscellaneous
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	19,684	Miscellaneous Maintenance
Contingency (Legal - Extraordinary)	964	5,500	5,500	No Change From 2021/2022 Budget
TOTAL EXPENDITURES	132,699	\$ 129,475	\$ 196,259	
EXCESS/ (SHORTFALL)	8,376	7,476	11,739	
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)	(7,826)	Four Percent Of Expected Assessment Roll
NET EXCESS/ (SHORTFALL)	\$ 2,263	\$ -	\$ -	

Note: Projected Cashflow (Including State Board Of Administration Investment Fund)
As Of 9-30-22 is \$275,000.

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.



AGREEMENT FOR SERVICES MANAGEMENT

This Agreement made and entered this _____ day of _____, 2022 between the Pal Mar Water Control District (hereinafter called “District”) located in Palm Beach and Martin County, Florida (hereinafter called “Counties”) and Special District Services, Inc. (hereinafter called “SDS”).

WHEREAS, the primary objective of this Agreement is for **SDS** to provide management and consulting services to the **District** acting as an agent of the District; and,

WHEREAS, District proposes to engage SDS to perform the tasks identified herein; and,

WHEREAS, SDS has provided these same services to the District since 2006; and,

WHEREAS, District and SDS desire to reduce their Agreement to writing, setting forth the services to be rendered by SDS to District and the compensation to be paid by District to SDS for services rendered under this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is agreed as follows:

SECTION I – RECITALS

The recitals set forth hereinabove are true and correct and incorporated herein by reference.

SECTION II – MANAGEMENT SERVICES

A. WORK PROGRAM – Management

Task 1. SDS will serve as general manager to the District and will provide those services necessary for the management and operation of the District including, but not limited to, preparation of agendas, legal advertisements, minutes of meetings, communications and coordination with other governmental agencies and District professionals, general supervision, and day to day management of the operations of the District in accordance with the provisions of Chapter 298 and Chapter 189, Florida Statutes. Management of the maintenance of District facilities or property is not included in this Agreement and is subject to negotiation if required. The fee for this Task is \$36,000 per year, payable in twelve (12) equal monthly payments of \$3,000.

Task 2. SDS will maintain the District books, accounts, records, purchasing procedures and financial reporting procedures, write all checks and prepare financial reports. There is no additional charge for this Task.

Task 3. SDS will assist the District in the selection of professionals, including counsel, bond counsel, financial advisor and underwriter, or, if directed by the District, SDS, as an officer and

general manager of the District will retain such professionals for the District in accordance with terms mutually agreed to by the parties. There is no additional charge for this Task.

Task 4. SDS, as general manager of the District, will provide general consulting services to District on a continuing basis. Consulting services include, but are not limited to, budgeting, public bidding and competitive negotiation requirements for public works projects, governmental accounting and chart of account requirements, policies and procedures, staffing and personnel requirements, and such other special district services that will need to be addressed in the immediate and long term future. There is no additional charge for this Task.

Task 5. SDS, pursuant to Section 189.069, Florida Statutes, will establish/create, manage and maintain an independent website for the District. The fee for this Task is \$1,500 per year payable monthly.

Task 6. SDS will prepare the annual assessment roll for the submittal to the County following adoption by the District. The fee for this Task is \$5,000 payable upon the submittal of the final Annual Assessment Roll to the County.

Task 7. If necessary, SDS will assist the District in the structuring or restructuring of bond issue(s) as necessary and agreed to by the District. Services include, but are not limited to, assistance in the preparation of the Schedule of Events, the financing plan, the Official Statement and other financing documents. A representative of SDS will be available to testify as an expert witness at any bond validation or other legal proceeding. The fee for this Task is \$20,000.

Task 8. SDS, upon request by the District, will prepare special assessment methodology reports, as required. The fee for this Task is \$10,000 per methodology report.

Task 9. SDS will provide field operations management of service contracts/agreements and/or the administration of construction contracts. If necessary, the fee for this Task must be mutually agreed to by the parties.

Task 10. SDS will provide such other services, including assisting in litigation matters and/or IRS Audits, as mutually agreed to by the parties.

In addition, for its services as general manager to the District, SDS shall be reimbursed for out-of-pocket expenses incurred in the performance of the services defined herein (i.e. photocopies, postage, long distance telephone calls, mileage, etc.). SDS will submit monthly invoices to District for work performed under the terms of this Agreement. Payment shall become due and payable within fifteen (15) days of receipt. Compensation for additional services covered under Section II, Tasks 9 and 10 shall be in accordance with the terms mutually agreed to by the parties.

NOTE: There will likely be other costs associated with the management of the District such as the Engineer's report, financial advisory fees, legal fees and legal advertising. These functions will be performed by others and are not a part of this agreement.

SECTION III – DISTRICT CHANGES

From time to time there may need to be changes made to the existing District such as, but not limited to, expansion or contraction of the District boundaries, creation of separate assessment

areas, restructuring of bonds, etc. that may involve extensive work beyond the initial scope of this Agreement. Under such circumstances, SDS will be entitled additional compensation as mutually agreed to by the parties prior to commencement of the defined additional work.

SECTION IV – DOCUMENTS

All documents, maps, drawings, data and worksheets prepared by SDS under this Agreement shall be the property of the District, upon payment in full of all fees and costs set forth above.

SECTION V – TERM OF AGREEMENT

This Agreement shall be continuous beginning with the date the Agreement is signed. Termination of the Agreement shall be available to each party with written notice given thirty (30) days in advance of the intent to cancel. If termination is by the District and not for cause, District will pay SDS through the end of the thirty (30) day termination notice period for management fees as stated for Tasks 1- 10 of Section II in addition to any other fees or costs due hereunder.

If termination is by the District and for cause, this Agreement will terminate immediately without advance written notice. "For cause" termination shall be defined, for purposes of this Agreement, as the breach of any material term of this Agreement.

SECTION VI – AMENDMENTS/ASSIGNMENTS

This Agreement represents the entire understanding between the parties.

This Agreement is non-transferable and non-assignable without the express written consent of both parties.

This Agreement may be executed in counterparts, all of which together shall constitute one Agreement,

This Agreement shall be governed by and construed in accordance with the Laws of the State of Florida.

District and SDS acknowledge, agree, and confirm that the parties have rescinded Agreement for Management Services dated January 5, 2006 (the "Prior Agreement") and that such Prior Agreement is of no further force or effect.

SECTION VII – MISCELLANEOUS

If either party to this Agreement shall institute any suit or legal action to enforce any of the terms or conditions of this Agreement, the prevailing party shall be entitled to recover all costs incurred, including but not limited to reasonable attorney's fees and cost for all matters related to such litigation, and any appeal thereto. Venue for any action arising out of this Agreement shall lie in Palm Beach or Martin County, Florida.

The District acknowledges that SDS is an officer and general manager of the District and is not an attorney and may not render legal advice or opinions; nor a financial advisor registered with the

Securities and Exchange Commission and the Municipal Securities Rulemaking Board, and is not engaged to give advice with respect to the issuance of bonds or municipal financial products.

Time is of the essence as to this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

**PAL MAR WATER CONTROL
DISTRICT**

**SPECIAL DISTRICT SERVICES,
INC.**

By: _____

By: _____

Printed Name and Title

Date

Todd Wodraska, President

Printed Name and Title

Date

From: Kamak, Regina <rkamak@sfwmd.gov>

Sent: Thursday, July 21, 2022 5:32 PM

To: Michael McElligott <MMcElligott@sdsinc.org>

Subject: Invitation to Participate at the South Florida Water Management District Resiliency Coordination Forum Meetings



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

July 21, 2022

Michael McElligott
District Manager
Pal Mar Water Control District

RE: Invitation to Participate at the South Florida Water Management District Resiliency Coordination Forum Meetings

Dear Mr. Michael McElligott,

The South Florida Water Management District's (District) mission is to safeguard and restore South Florida's water resources and ecosystems, protect our communities from flooding, and meet the region's water needs while connecting with the public and stakeholders. As we continue to implement our mission, we are focused on ensuring the resiliency of the region's water resources and ecosystems from the impacts of changing climate patterns, including sea level rise and extreme rainfall events.

As we continue to advance these initiatives, I am delighted to launch the South Florida Water Management District Resiliency Coordination Forum and invite you to participate and represent your organization. This Forum promotes additional collaboration on water management and resiliency initiatives between the District, local governments, special districts, Tribes, state/federal agencies and other partners. The District is committed to enhancing regional coordination and reinforcing partnership opportunities by holding proactive discussions, leveraging technical knowledge, and exchanging information. This is a forum to engage partners on expanding understanding about the impacts of changing climate conditions on water resources and fostering a constructive environment to discuss tangible asset level solutions. Our discussion will assist us as we make annual updates to the District's Sea Level Rise and Flood Resiliency Plan that includes a comprehensive list of projects with the goal of reducing the risks of flooding, sea level rise and other climate impacts on water resources and increasing community and ecosystem resiliency in South Florida.

We are using the best available data, tools, techniques, and science to envision the resiliency of our region now and into the future and appreciate the opportunity to get involved with our partners and stakeholders. Your attendance, insights, and advice are vital to the success of our region's multi-scale resiliency initiatives and we look forward to collaborating with you. The first District Resiliency Forum meeting will be held on Wednesday, September 28, 2022 at District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406. Enclosed is the planned schedule through December 2023. To confirm your participation and preferred contact information, please email Yvette Bonilla at ybonilla@sfwmd.gov.

Sincerely,

Drew Bartlett

Drew Bartlett
Executive Director

Carolina Maran

Carolina Maran
District Resiliency Officer

2022

1. Wednesday, September 28, 2022 (Kick-off meeting)
2. Thursday, December 1st, 2022

2023

1. Wednesday, February 22, 2023
2. Wednesday, May 24, 2023
3. Wednesday, August 30, 2023
4. Wednesday, November 29, 2023

From: Reinert, Thomas <Thomas.Reinert@MyFWC.com>

Sent: Thursday, July 21, 2022 4:29 PM

To: Michael McElligott <MMcElligott@sdsinc.org>

Subject: Access to Pal-Mar berms

Michael,

This fall and winter, FWC contractors will be conducting invasive plant treatment on two parcels of the Hungryland WEA. These parcels are not directly contiguous with the main WEA and are not generally accessible to the public. Please see attached map of the parcels and the preferred routes to access those parcels. These routes use berms that are works of the District. Contractors are GPS-tracked during travel and treatment activities so their work can be reviewed.

Treatment of exotic vegetation in the Pal-Mar footprint is a benefit to the Pal-Mar Water Control District and as such, FWC staff/contractors using the identified berms should be considered a legitimate use of works of the District. Contractors will travel the most direct routes possible and minimize use of the berms. These treatments are on a three-year rotation, so once complete, contractors will not need to be out there again for a few years.

Thank you for your coordination and please let me know if you or the Board has any questions.

Sincerely,

Thomas R. Reinert, Ph.D.
Regional Director – South Region
Florida Fish & Wildlife Conservation Commission
8535 Northlake Blvd
West Palm Beach, FL 33412

Office: 561-882-5701

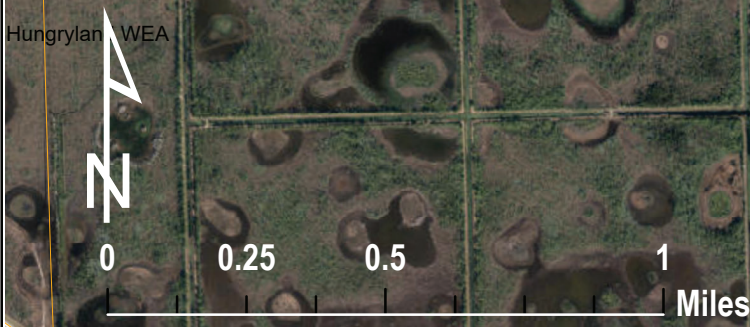
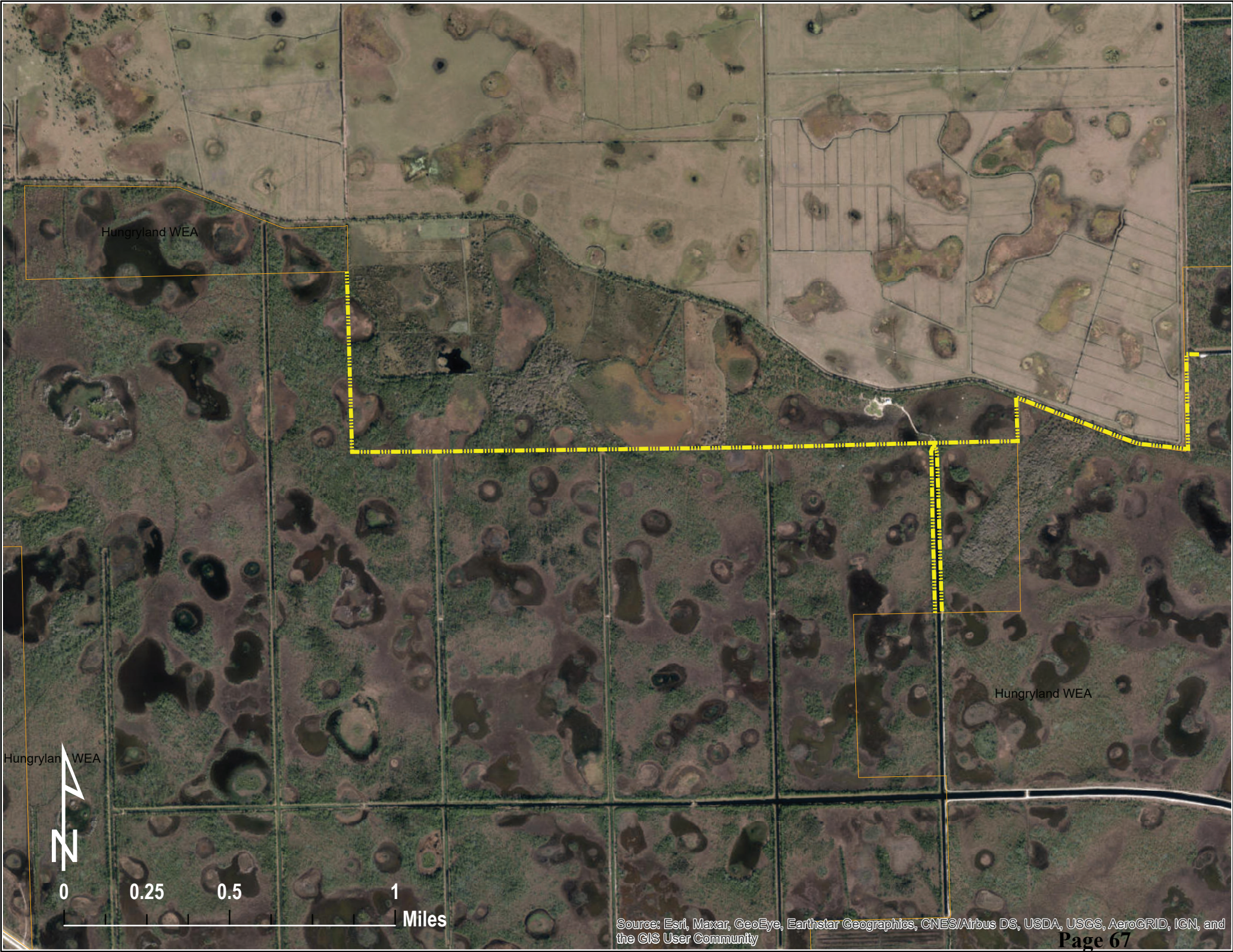
Cell: 561-262-0006

Visit our website: <http://MyFWC.com/>

*To report any wildlife issues or violations, please call our Wildlife Alert Hotline: **888-404-3922***

Support Wildlife: Buy a manatee, turtle, panther, or bear specialty license plate!

<http://www.flhsmv.gov/specialtytags/SLP.html>



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

	Oct '21 - Jul 22	21/22 Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
363.100 · O & M Assessments	264,961.96	478,278.00	-213,316.04	55.4%
363.830 · Assessment Fees	-4,002.98	-2,492.00	-1,510.98	160.63%
363.831 · Assessment Discounts	-8,072.54	-4,984.00	-3,088.54	161.97%
369.400 · Other Income	675.00	12,000.00	-11,325.00	5.63%
369.401 · Interest Income	285.51	360.00	-74.49	79.31%
512.999 · Uncollectable Assessments	0.00	-353,687.00	353,687.00	0.0%
Total Income	253,846.95	129,475.00	124,371.95	196.06%
Gross Profit	253,846.95	129,475.00	124,371.95	196.06%
Expense				
511.310 · Engineering	16,031.60	28,000.00	-11,968.40	57.26%
511.311 · Management Fees	20,000.00	24,000.00	-4,000.00	83.33%
511.315 · Legal Fees	40,056.06	30,000.00	10,056.06	133.52%
511.318 · Assessment/Tax Roll	0.00	5,000.00	-5,000.00	0.0%
511.320 · Audit Fees	3,900.00	3,900.00	0.00	100.0%
511.450 · Insurance	5,706.00	8,300.00	-2,594.00	68.75%
511.480 · Legal Advertisements	947.69	2,100.00	-1,152.31	45.13%
511.512 · Miscellaneous	1,362.92	5,000.00	-3,637.08	27.26%
511.513 · Postage and Delivery	73.01	2,000.00	-1,926.99	3.65%
511.514 · Office Supplies	724.40	2,000.00	-1,275.60	36.22%
511.515 · Website Management Fee	1,250.00	1,500.00	-250.00	83.33%
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	10,000.00	12,000.00	-2,000.00	83.33%
Total Expense	100,226.68	129,475.00	-29,248.32	77.41%
Net Ordinary Income	153,620.27	0.00	153,620.27	100.0%
Net Income	153,620.27	0.00	153,620.27	100.0%

Bank Balance As Of 7/31/22	\$ 349,886.81
Investment Acct Balance As Of 7/31/22	\$ 41,721.10
Accounts Payable As Of 7/31/22	\$ 16,214.02
Accounts Receivable As Of 7/31/22	\$ 675.00
Total Fund Balance As Of 7/31/22	\$ 376,068.89

Pal Mar Water Control District
Custom Transaction Detail Report
June 14 through August 15, 2022

	Type	Date	Num	Name	Memo	Debit	Credit
Caldwell Pacetti Edwards Schoech & Viator							
Legal Fees	Bill	06/24/2022	129987	Caldwell Pacetti Edwards Schoech & Viator	Invoice #129987 Legal Services thru 06.24.22		7,515.00
	Bill Pmt -Check	07/01/2022	1822	Caldwell Pacetti Edwards Schoech & Viator	Invoice #1129934 - May 31st, 2022	3,728.17	
	Bill Pmt -Check	08/01/2022	1827	Caldwell Pacetti Edwards Schoech & Viator	Invoice #129987 Legal Services thru 06.24.22	7,515.00	
Total Caldwell Pacetti Edwards Schoech & Viator						11,243.17	7,515.00
Higgins Engineering, Inc.							
Engineer Fees	Bill	06/15/2022	2131	Higgins Engineering, Inc.	Inv #2131 Engineer Services 05.16.22-06.15.22		1,191.70
	Bill Pmt -Check	07/01/2022	1823	Higgins Engineering, Inc.		2,288.65	
	Bill	07/15/2022	2159	Higgins Engineering, Inc.	Inv #2159 Engineer Services 06.16.22-07.15.22		3,105.00
	Bill Pmt -Check	08/01/2022	1829	Higgins Engineering, Inc.	Inv #2159 Engineer Services 06.16.22-07.15.22	3,105.00	
Total Higgins Engineering, Inc.						5,393.65	4,296.70
Special District Services, Inc.							
Management Fees	Bill	06/30/2022	2022-0607	Special District Services, Inc.	Management Fees		2,320.26
	Bill Pmt -Check	07/01/2022	1825	Special District Services, Inc.	Management Fees	2,320.26	
	Bill	07/31/2022	2022-0705	Special District Services, Inc.	Management Fees		2,694.02
	Bill Pmt -Check	08/01/2022	1831	Special District Services, Inc.	Management Fees	2,694.02	
Total Special District Services, Inc.						5,014.28	5,014.28
Miscellaneous							
Grau & Associates							
	Bill	06/30/2022	22513	Grau & Associates	Invoice #22513 2nd Progress Payment Audit 2020/2021		1,900.00
	Bill Pmt -Check	08/01/2022	1828	Grau & Associates	Invoice #22513 2nd Progress Payment Audit 2020	1,900.00	
Total Grau & Associates						1,900.00	1,900.00
Lumberjack Land Management LLC							
	Bill	06/27/2022	1025	Lumberjack Land Management LLC	Inv#1024 Lawn Maint June 2022		1,000.00
	Bill Pmt -Check	07/01/2022	1824	Lumberjack Land Management LLC	Inv#1024 Lawn Maint June 2022	1,000.00	
	Bill	07/27/2022	1026	Lumberjack Land Management LLC	Invoice #1026 Lawn Maintenance July 2022		1,000.00
	Bill Pmt -Check	08/01/2022	1830	Lumberjack Land Management LLC	Invoice #1026 Lawn Maintenance July 2022	1,000.00	
Total Lumberjack Land Management LLC						2,000.00	2,000.00
CA Florida Holdings, LLC							
	Bill Pmt -Check	07/01/2022	1826	CA Florida Holdings, LLC		391.45	
Total CA Florida Holdings, LLC						391.45	0.00
TOTAL						25,942.55	20,725.98