

Melbourne-Tillman Water Control District



Agenda

Melbourne-Tillman Water Control District

MEETING OF THE BOARD OF DIRECTORS

TUESDAY, FEBRUARY 28, 2023

9:00 AM



Call to Order

Phil Weinberg, President

Pledge of Allegiance

Phil Weinberg, President

Roll Call

Lisa Blackett

Board Members:

Joseph Hale (Palm Bay September 30, 2025)

Brant Hoffman (Brevard County September 30, 2025)

Keith Jerdon, (West Melbourne September 30, 2024)

Don Jordan, (Palm Bay September 30, 2023)

Drew Powshok (Brevard County September 30, 2025)

Philip Weinberg, (Palm Bay September 30, 2024)

Jay Woltering (Brevard County September 30, 2025)

Staff & Support:

Debbie Leclair, District Manager

Lisa Blackett, Assistant Manager/Admin., Secretary/Treasurer

Jim Beadle, Attorney

Recognition of Guests and Support Staff

John Gergen, Assistant Manager/ Operations

Mike McCabe, District Engineer

Rick Nipper, Incoming District Manager

George Rainbolt, Assistant Manager/Operations

Anthony Ojukwu, Bowman Consulting

Announcements

- Rick Nipper accepted the Board of Director's employment offer and began employment on February 14, 2023 as the District Manager, effective March 1, 2023.

Melbourne-Tillman Water Control District

MEETING OF THE BOARD OF DIRECTORS

TUESDAY, FEBRUARY 28, 2023

9:00 AM

- Shane Morris was hired January 9, 2023 to fill a vacancy in Facility Maintenance.
- John Gergen, Assistant Manager/Operations will retire on March 30, 2023. George Rainbolt, Facility Maintenance Group Leader has been promoted to Assistant Manager/Operations beginning April 1, 2023.

Public Comments

Presentations

- Anthony Ojkwu, Bowman Consulting, request for an exception to the District's CFS requirements for Agora Residential (Attachment 1)
- Westbrooke Subdivision, Keith Jerdon

Regular Business

- Approval of the December 6, 2022 minutes of the MTWCD Board of Director's Meeting (Attachment 2)
- Approval of the January 11, 2023 minutes of the MTWCD Board of Director's Special Meeting. (Attachment 3)
- Approval of the February 1, 2023 minutes of the MTWCD Board of Director's Special Meeting. (Attachment 4)
- Approval of the Operating Statement through September 30, 2022. (Attachment 5)

New Business

- District Policy P-113, District Meetings, revision (Attachment 6)
- Request Board approval for a wage adjustment for all District employees along with adjusting the District's pay scale increasing the minimum and maximum of each pay grade. This proposed adjustment does not negatively impact the District's current budget and is within the budget for Personnel Wages. (Attachment 7)
- Request Board approval to authorize the District Manager discretionary approval for right-of-way access in special circumstances.

Budget

- Request approval of \$1,000 be transferred from Insurance, #5450000 and applied to Accounting and Auditing, #5320100 for the FY 2022/2023 Audit. The current five-year Engagement Letter with Carr, Riggs, and Ingram gave the auditing rates for fiscal years 2019, 2020, and 2021 at \$13,000 and then fiscal years 2022 and 2023 at \$14,000.

Melbourne-Tillman Water Control District

MEETING OF THE BOARD OF DIRECTORS

TUESDAY, FEBRUARY 28, 2023

9:00 AM

Staff Reports

- District Manager's Report, Debbie Leclair
 - SOIRL update
 - Capital equipment update
- Engineer's Report, Mike McCabe
 - Permit Application Update
 - Turkey Creek Feasibility Study
- Assistant Manager, Operations Report, John Gergen
 - Field Operations
- Attorney's Report, Jim Beadle
- Secretary/Treasurer's Report, Lisa Blackett
 - FEMA Update

Closing

- Meeting Schedule – The next Board Meeting is scheduled for Tuesday, April 25, 2023 at 9:00 am in the City of West Melbourne Council Chambers.
- Board Member Reports

Joe Hale

Brant Hoffman

Keith Jerdon

Don Jordan

Drew Powshok

Phillip Weinberg

Jay Woltering

- Adjourn

If a Board Member has a request for any agenda item you may raise it at any time or you may let staff know and it will be formally included in the agenda package distributed to the Board prior to each meeting. As usual, staff is available in person, by telephone, or by e-mail to discuss the agenda prior to each and every Board Meeting.

Attachment

1

Bowman

February 23 2023

Project Location: 2180 Agora Circle

Project No.: 010819-01-001

Permit number: SP#1409

To:

Michael E. McCabe, P.E

District Engineer,

Melbourne Tillman Water Control District

5990 Minton Road NW, Palm Bay, 32907

RE: Agora Residential, 2180 Agora Circle, Palm Bay, FL. Stormwater Drainage Hardship

During the stormwater evaluation portion for this site engineering process, we aimed to meet the criteria set forth by both Saint John River Water Management District (SJRWMD) and the Melbourne Tillman Water Control District. The criteria for the Tillman proved to be more stringent than SJRWMD with a limit of 0.08 CFS per acre of stormwater discharge to the Basin after a 25YR-24HR storm event. Per the provided stormwater report, we optimized the design to meet as many of the criteria as possible but could not meet the discharge restriction from Tillman. The existing undeveloped site has a discharge rate of 1.72 CFS; based on the size of the site, it is limited to discharging 0.12 CFS after development. The final design shows that the discharge rate could only be decreased to 0.61 CFS while maintaining all other design criteria's such as driveway slope, number of underground tanks, maximum stage within the tanks and treatment volume drawdown time. The system currently draws down in 71.75 hours thus barely meeting the 72 hours requirement set by SJRWMD; the overall site elevation was also raised to provide the maximum separation from the tank bottom to the seasonal high groundwater table.

The stormwater design aimed to meet all the criteria set by the respective governing jurisdictions, however the discharge rate could not be met with the different constraints from other vital design requirements for the developed site.

If you have any questions or require additional information, please call me at (321) 270-8995, or send an email to tojukwu@bowman.com.

Thank you,

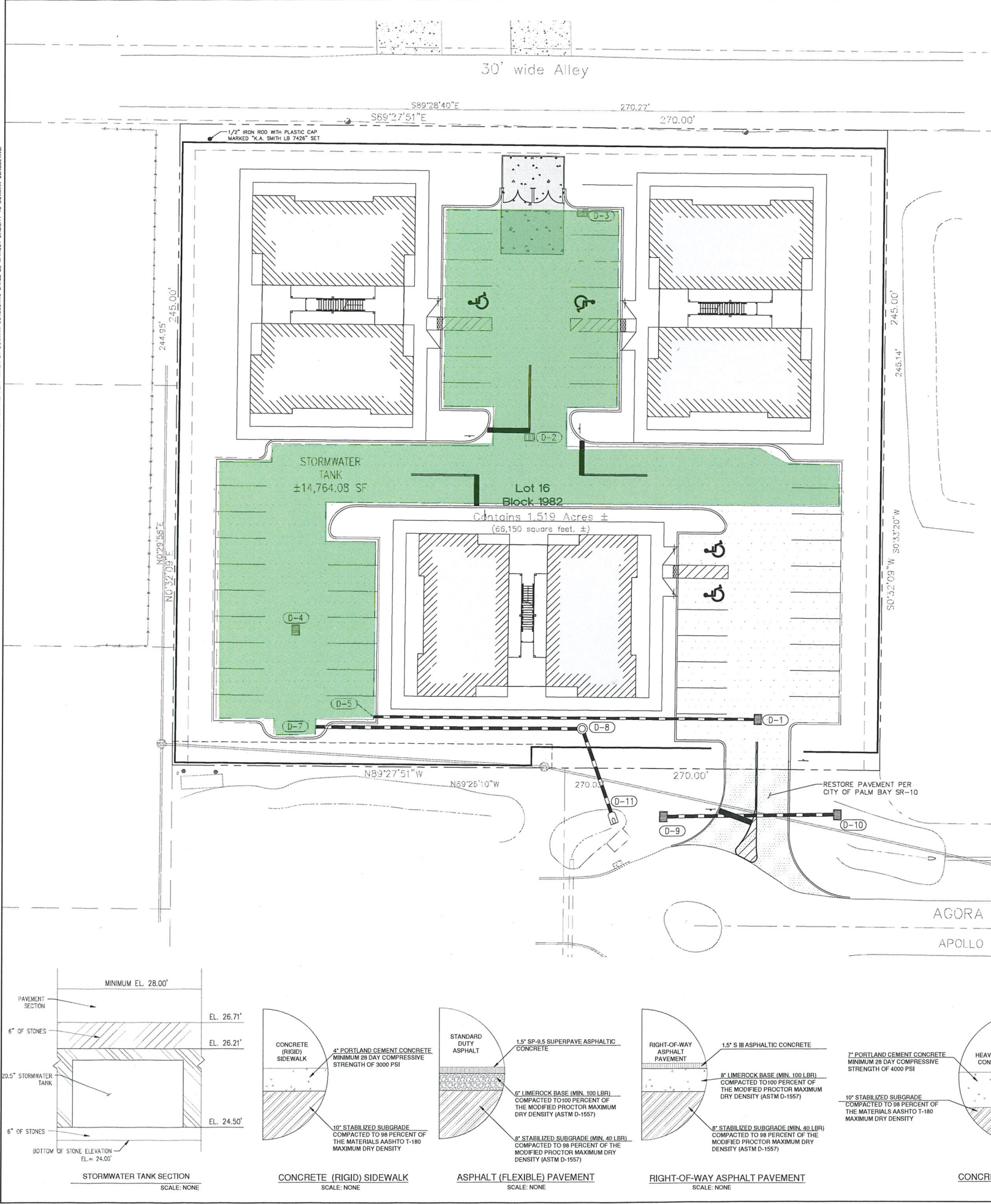
Anthony Ojukwu,

Project Engineer

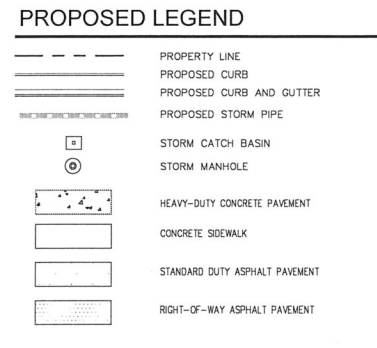
Bowman

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGN PRESENTED HEREIN, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN CONSULTING SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING.

CAD file name: V:\010819 - MF Residential\010819-01-001 (ENG) - 2180 Agora Cir SE 32909 Palm Bay FL\Engineering\Engineering Plans\010819-01-D-CR-001-05-C2.0-PDP.dwg 2/17/2023

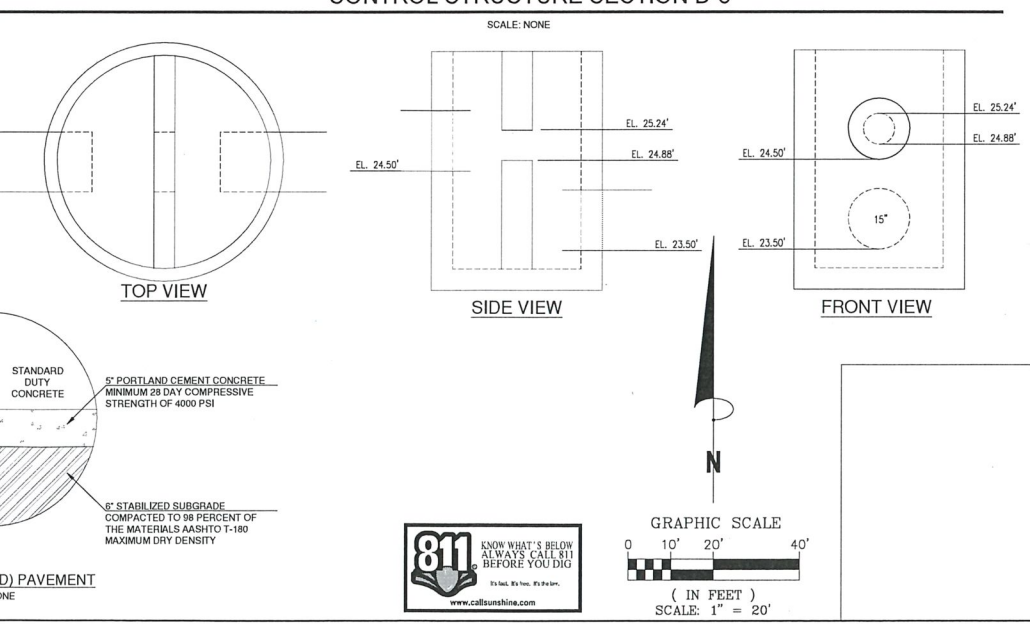
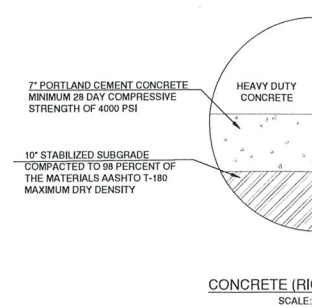
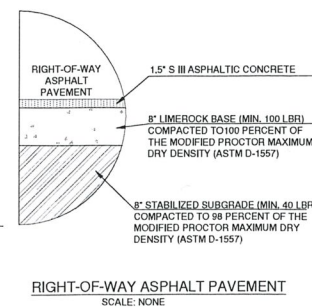
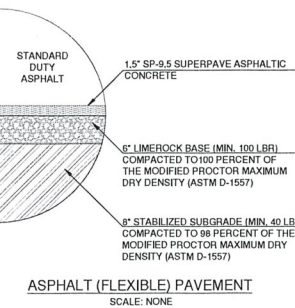
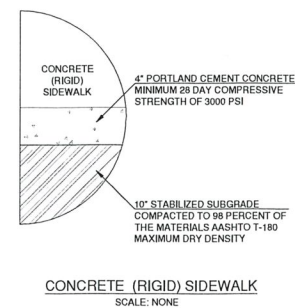
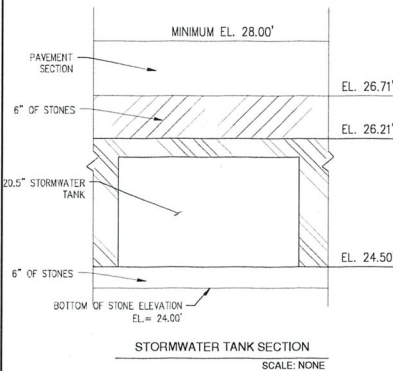
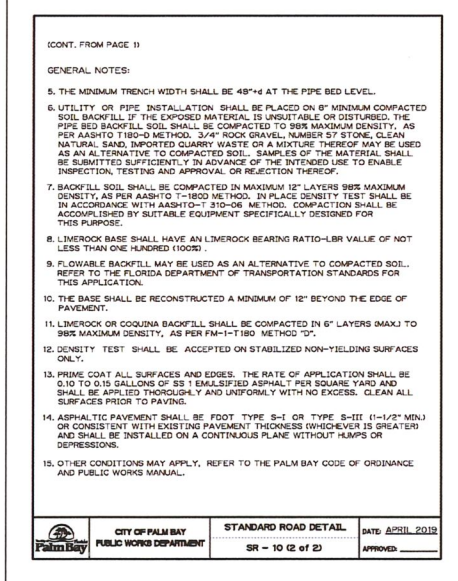
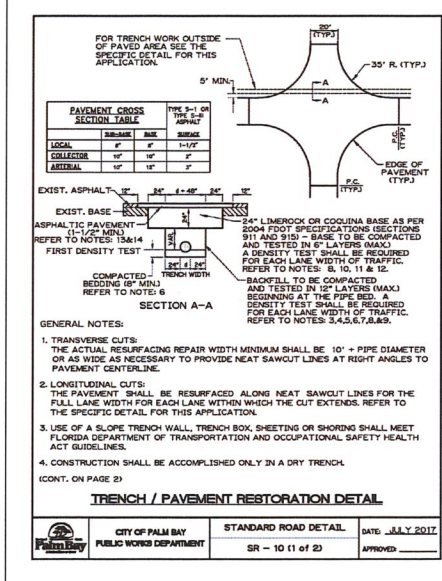


- NOTES:**
- THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)
 - SAW-CUT AND REPAIR EXISTING ASPHALT AT ALL DRIVEWAY CONNECTIONS.
 - THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF ALL EXISTING UTILITIES (ABOVE AND BELOW GROUND) AS SHOWN ON THESE PLANS ARE APPROXIMATE AND WERE LOCATED BASED ON EITHER VISUAL OBSERVATIONS AT THE SITE, EXISTING SURVEYS, AND/OR FROM UTILITY OWNERS. THE OWNER DOES NOT GUARANTEE THAT EXISTING UTILITY LOCATIONS ARE EXACT. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXACT LOCATIONS OF EXISTING UTILITIES (ABOVE AND BELOW GROUND) BEFORE BEGINNING ANY CONSTRUCTION. THE CONTRACTOR SHALL CALL APPROPRIATE UTILITY COMPANIES AND THE UTILITIES PROTECTION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY OWNER AND/OR ENGINEER OF ANY UTILITY CONFLICTS WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS. ALL CUT OR FILL SLOPES SHALL BE 4:1 OR FLATTER UNLESS OTHERWISE NOTED.
 - EXISTING DRAINAGE STRUCTURES TO BE INSPECTED AND REPAIRED AS NEEDED, AND EXISTING PIPES TO BE CLEANED OUT TO REMOVE ALL SILTS AND DEBRIS.
 - IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITIONS OR BETTER.
 - ALL STORM PIPES ENTERING STRUCTURES SHALL BE GRADED TO ASSURE CONNECTION AT STRUCTURE IS WATER-TIGHT.
 - ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH PAVEMENT, AND SHALL HAVE TRAFFIC BEARING RING AND COVERS. MANHOLES IN UNPAVED AREAS SHALL BE 6" ABOVE FINISH GRADE. LIDS SHALL BE LABELED "STORM SEWER". THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AS OUTLINED IN THE GENERAL N.P.D.E.S. PERMIT FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
 - CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDING AND FOR ALL NATURAL AND PAVED AREAS.
 - ALL UNSURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES OF TOPSOIL. CONTRACTOR SHALL GRASS DISTURBED AREAS IN ACCORDANCE WITH CITY/COUNTY SPECIFICATIONS UNTIL HEALTHY STAND OF GRASS IS OBTAINED.
 - CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES AND BE CONSTRUCTED TO SAME.
 - CONTRACTOR TO REVIEW GEOTECHNICAL REPORT PROVIDED BY THE OWNER.
 - CONTRACTOR TO PROVIDE AS-BUILTS OF ALL IMPROVEMENTS TO THE SITE, PERFORMED BY A LICENSED SURVEYOR IN THE STATE OF FLORIDA. AS-BUILTS TO INCLUDE HORIZONTAL AND VERTICAL LOCATIONS OF ALL UNDERGROUND UTILITIES INCLUDING, BUT NOT LIMITED TO, PIPES, FITTINGS, STRUCTURES, AND OTHER APPURTENANCES. ELEVATIONS OF PIPES AT CROSSING POINTS MUST BE SUFFICIENT TO IDENTIFY MINIMUM SEPARATION OF UTILITIES AS DEFINED BY F.A.C. RULE 62-555.314. IN ADDITION TO THE FOREMENTIONED CRITERIA AS-BUILTS MUST MEET ALL LOCAL AND JURISDICTIONAL REQUIREMENTS FOR CERTIFICATION OF CONSTRUCTION.
 - ALL PROPOSED SPOT ELEVATIONS ARE PAVEMENT GRADES, UNLESS OTHERWISE NOTED.
 - WHEN ANY ROOTS OF EXISTING TREES ARE ENCOUNTERED DURING LAND CLEARING AND/OR GRADING OF THE SITE, THE ROOTS MUST BE CUT OFF EVENLY WITH CLEAN SHARP PRUNING TOOLS. THE CONTRACTOR/DEVELOPER SHALL MINIMIZE THE DAMAGE TO EXISTING TREE ROOT SYSTEMS.
 - DRIVEWAYS TO BE CONSTRUCTED IN CONFORMANCE WITH THE FDOT STANDARD INDEX 000-515
 - OWNER WILL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE UNDERGROUND STORMWATER SYSTEM.



STORM CHART

#	STRUCTURE TYPE	TOP ELEV.	PIPE INVERTS	PIPE INFORMATION
D-1	TYPE C INLET PER FDOT INDEX	RM = 27.50	INV (W) = 24.5	D1-05 = 145 LF, 12" HP
D-2	TYPE C INLET PER FDOT INDEX	RM = 28.00		
D-3	TYPE C INLET PER FDOT INDEX	RM = 27.45		
D-4	TYPE C INLET PER FDOT INDEX	RM = 28.00		
D-5	CONNECTION TO UNDERGROUND STORMWATER TANKS		INV (E) = 24.5	D1-05 = 145 LF, 12" HP
D-7	CONNECTION TO UNDERGROUND STORMWATER TANKS		INV (NW) = 24.50	D7-08 = 100 LF, 15" HP
D-8	4" MANHOLE (CONTROL STRUCTURE)	RM = 27.25	INV (W) = 24.00 INV (SE) = 23.50	D7-08 = 100 LF, 15" HP D8-011 = 32 LF, 15" HP
D-9	TYPE C INLET PER FDOT INDEX (BUBBLE-UP)	RM = 23.10	INV (E) = 19.83	D9-010 = 64 LF, 15" RCP
D-10	TYPE C INLET PER FDOT INDEX (BUBBLE-UP)	RM = 22.30	INV (W) = 19.80	D9-010 = 64 LF, 15" RCP
D-11	MITERED END SECTION		INV (NW) = 23.20	D8-011 = 32 LF, 15" HP



Bowman CONSULTING

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BREVARD COUNTY, FL

PAVING AND DRAINAGE PLAN

AGORA RESIDENTIAL

2180 AGORA CIRCLE
PALM BAY, FL, 32909

CITY OF PALM BAY

ANDREW J. PETERSEN
LICENSE
No. 75493
STATE OF FLORIDA
PROFESSIONAL ENGINEER

ANDREW J. PETERSEN
LICENSE NO. 75493
02/17/2023
PLAN STATUS

DATE	DESCRIPTION	
ALW	ELC	AJP
DESIGN	DRAWN	CHKD
SCALE	1" = 20'	
JOB No.	010819-01-001	
DATE	02/17/2023	
010819-01-D-CR-001-05-C2.0-PDP.DWG		
SHEET C2.0		

Attachment

2

MELBOURNE-TILLMAN WATER CONTROL DISTRICT

MINUTES

December 6, 2022

CALL TO ORDER

The regular scheduled meeting of the Melbourne-Tillman Water Control District (MTWCD) Board of Directors was called to order by Phil Weinberg, President on Tuesday, December 6, 2022 at 9:00 AM in the City of West Melbourne Council Chambers, Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was recited by all present.

ROLL CALL

The following Board Members were present:

Philip Weinberg, Board President
Drew Powshok
Jay Woltering
Don Jordan
Brant Hoffman
Keith Jerdon

Absent: Joe Hale, Vice President

Also present:

Debbie Leclair, District Manager
Lisa Blackett, Assistant Manager/Administration/Secretary/Treasurer
Jim Beadle, District Attorney

RECOGNITION OF GUESTS/VISITORS/STAFF

John Gergen, Assistant Manager/Operations
Mike McCabe, District Engineer
Jacob O'Connor, Heavy Equipment Group Leader
George "Bo" Rainbolt, Facilities Group Leader

ANNOUNCEMENTS

The District Manager announced Joey Morissette resigned his Facility Maintenance worker position he held since July 2020. She also announced Steve Justice, mower operator, retired November 30, 2022 after serving 17 years with the District and his position has been filled by a District employee. The District has openings for an Aquatic Applicator and a Facility Maintenance worker.

PUBLIC COMMENTS

None

REGULAR BUSINESS

The Board President presented the minutes from the October 25, 2022 Board of Director's meeting for Board approval. Don Jordan **motioned to approve the minutes**. Brant Hoffman **seconded the motion**. The Board voted 6-0 to **approve the motion**.

The Board President presented the Operating Statement through November 30, 2022 for Board approval. Drew Powshok **motioned to approve the Operating Statement through November 30, 2022.** Brant Hoffman **seconded the motion.** The Board voted 6-0 to approve the motion.

NEW BUSINESS

The District Manager stated District staff has received an increased requests from residents to remove trees from the District's right of ways. The Manager added the residents are concerned the trees would fall on their homes and requested to hire contractor to remove the trees. The Manager stated she spoke with the District Attorney regarding liability and access issues. The District Attorney advised there should be a policy that would address each of the possible issues created by allowing the residents to remove the trees at their expense. The Manager said that before staff created a policy to bring to the Board for approval, she would like the Board's direction. Drew Powshok stated that since the District had previously hired contractors to clear right of ways, perhaps offering a list of approved contractors the homeowner could hire. Brant Hoffman asked if the trees were hanging over into the homeowner's yards and the Manager stated in some cases the tree limbs were encroaching on their property but in others the trees were on a portion of the District's right of way. The District Attorney stated there were issues with limiting the contractor options and the liability is to the District if a tree damages another property because the District allowed the tree to be removed but he stated the biggest issue is the potential issue of obstructions to the District's right of way with stumps, and debris remnants. Brant Hoffman suggested a 3-foot buffer so a resident can maintain their fence line would seem logical. The Board President expressed doubts as there would need to be policies in place to access the right of way which would create problems. Drew Powshok said he is opposed to removing trees for any reason unless the District deems it to be necessary. The Board President concurred but said if the trees were diseased or dead, the District should remove them and if the District is consistent, there is no need to create a policy. Drew Powshok added the homeowner chose to build close to the property line and therefore the issues are their responsibility to solve. Keith Jerdon stated a resident in his neighborhood requested to take a tree down before a storm event and was allowed to do so by the past District Manager dding past actions dictate future policy responses. The District Manager stated she was not aware of anybody being allowed to cut down trees on the District's right of way but would research the citizen contact files. The Board President asked the Board for a consensus to create a policy or leave it as is with the consensus to not consider a policy to remove healthy trees from the District's right of ways.

OLD BUSINESS

The Manger reported Policy P-232 Appendix A, COVID 19 Emergency Leave Policy is set to expire on December 31, 2022 unless the Board would like to extend the expiration date again. The Board President asked if there were any recent utilization of the leave by staff to which the District Manager stated it had been several months since anybody utilized the policy. The Board President stated he felt COVID had run its course and did not see a reason to continue it. The Board consensus was to allow the policy to expire on December 31, 2022.

The District Manager presented the District Permitting Policy with the revisions approved on October 25, 2022 with changes to Section 6: Obligations of Permittee, paragraph 12 which was modified to require the Permittee to remove existing infrastructure that is within 10' of the proposed improvements. Drew Powshok stated he had worked with the District Manager and the District Engineer to include parameters which would best deal with removal of abandoned infrastructure. Don Jordan made a **motion to approve the revision.** Brant Hoffman **seconded the motion.** The Board **voted 6-0 to approve the motion.**

The District Manager stated the applications received for the District Manager position were included in the agenda for review. The Board President said he would like to have a special meeting in January to discuss each applicant at length and if a decision wasn't reached at the special meeting, the Board could decide at the February 28, 2023 regular board meeting. The District Manager asked if an interim manager would be appointed as her last day is February 28, 2023. Brant Hoffman agreed it would be best to review all of the applications at one meeting. The Secretary/Treasurer

reserved the use of the council chambers for January 11, 2023 to hold a special meeting to discuss the applicants and chose finalist for an interview.

BUDGET

The District Manager requested to use funds from the second SOIRL reimbursement of \$262,544 to purchase a mid-sized excavator to be used for smaller work area and brush control for pepper tree removal which is generally very labor-intensive job. The Manager said staff has not received the appropriate quotes but estimated the cost to be \$150,000 to \$175,000. The Assistant Manager/Operations added the machine would also be equipped with a grinder mulching head for brush control and changed to the bucket for other operations. The Board President asked if the estimated cost included the mulching head and the Assistant Manager/Operations stated it was included. The Board President asked when staff expected to receive the reimbursement funds and the Manager stated she was not sure and offered that the District had received FEMA reimbursement funds of \$147,934 which could be used and in the unlikely event the SOIRL funds were not reimbursed any cost over the \$147,934 would be taken from reserves. The Board President asked how long would it take to get the machine and the Manager stated approximately 6 to 8 months. Drew Powshok **motioned to utilize \$150,000 to \$175,000 of the money from the SOIRL program funds to purchase the mid-sized excavator and if those funds are not available, to use the FEMA reimbursement money as well as a portion of the General Fund to subsidize the purchase.** Don Jordan **seconded the motion.** The Board **voted 6-0 to approve the motion.**

MANAGER'S REPORT

The Manager stated that with the completion of C-20, the SOIRL program now includes 3 completed canals and that C-13 would be the next canal. The District Manager reported tropical storms Ian and Nicole caused very little damage to the District's works. She stated the District's windmills located along C-37 at Malabar and C-37 at Jupiter were destroyed when they were blown over. The Manager stated staff had moved the damaged windmills back to site II and an insurance claim had been initiated. She said due to the hurricane deductible for each of them, the damages may not exceed the deductible but the claim had been made. Jay Woltering asked if the aeration of the canal from the windmills had any impact and the District Engineer stated there had not been sampling to see if there was a reduction of muck but in theory the aeration helped.

The Manager announced the District's Christmas Party will be held on Thursday, December 22, 2022 at the Fred Poppe Community Center. The Manager said staff would send an invitation and requested RSVP to get a count. The Manager requested approval to allow staff to take December 28, 2022 as a vacation day allowing the District to close operations between Christmas and New Year's with staff monitoring phones and email remotely to address any issues that would arise.

The Board President stated Representative Thad Altman requested an airboat tour of the District and observe the harvester. The Manager added a tour with Councilman Filiberto has been scheduled for January 31, 2023. The Board President stated Representative Altman was very interested in seeing the harvester and would bring two people from his office. The Manager added the District mechanics received the props and would be installing them to get the harvester operational in a couple of weeks.

ENGINEER'S REPORT

The Engineer reported that he and the Manager will meet with the City of Palm Bay at the request of John Mongioi to discuss the findings of the Turkey Creek Feasibility Study. Mr. Mongioi hopes the District will work jointly with the City of Palm Bay to secure grants to fund the work in the study. The Board President stated he was aware of the discussions about the removal of some of the islands that have built up in Turkey Creek and the creek has narrowed in some places to almost impassable. He requested the District Engineer keep the Board updated. John Woltering added attempts to dredge past the railroad bridge were denied by the railroad.

The District Engineer reported that District's annual report for the Basic Management Action Plans for the Lagoon is due to DEP and he would submit the District's successes.

ASSISTANT MANAGER/OPERATIONS REPORT

The Assistant Manager of Operations reported that since the last Board meeting all staff worked together to prepare for Hurricane Nicole, monitoring the events of the storm, and a couple of weeks of cleanup after the storm passed. He added the Heavy Equipment Group completed repairs to the damaged portion of C-18 which was damaged by Hurricane Ian along with some washouts. The Assistant Manager/Operations said the heavy equipment group completed the SOIRL program requirements for C-20, the Mower group completed the C-61 Basin, the Facility Maintenance group continues to repair gates, specialty mowing, trimming pepper trees and repairs at site II. He reported the mechanics have serviced the MS-1 dam and will install the props on the harvester.

ATTORNEY'S REPORT

None

SECRETARY/TREASURER'S REPORT

The Secretary/Treasurer updated that the District received a check for \$147,934 from FEMA for the Force Account Labor costs from Hurricane Irma. She added there was an additional \$45,000 for the Force Account Materials from C-50 that were omitted from this check but will be included in the reimbursement of approximately \$250,000 for the Force Account Equipment costs. The President asked if there were any further conversations about the disputed Contract amount and the Manager added the meeting with FDEM leaders has been postponed as they are involved with the recovery issues on both coasts from the hurricanes Ian and Nicole.

CLOSING

The Board President announced the next Board meeting will be Tuesday, February 28, 2023 at 9:00 AM in the City of West Melbourne Council Chambers, Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida.

DIRECTOR'S REPORTS

Joe Hale – None

Brant Hoffman – None

Keith Jerdon – None

Don Jordan - None

Drew Powshok – None

Jay Woltering - None

Philip Weinberg –The Board President thanked the Board for their work this year and wished those who won't be able to be at the Christmas Party a happy, healthy Holiday and New Year

ADJOURN

Phil Weinberg, President, adjourned the meeting at 9:50 am.

Respectfully,

Lisa Blackett
Secretary
Board of Directors

Attachment

3

MELBOURNE-TILLMAN WATER CONTROL DISTRICT

MINUTES

January 11, 2023

CALL TO ORDER

The special meeting of the Melbourne-Tillman Water Control District (MTWCD) Board of Directors was called to order by Phil Weinberg, President on Wednesday, January 11, 2023 at 9:00 AM in the City of West Melbourne Council Chambers, Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was recited by all present.

ROLL CALL

The following Board Members were present:

Philip Weinberg, Board President
Joe Hale
Drew Powshok
Jay Woltering
Brant Hoffman
Keith Jerdon

Absent: Don Jordan

Also present:

Debbie Leclair, District Manager

RECOGNITION OF GUESTS/VISITORS/STAFF

John Gergen, Assistant Manager/Operations

ANNOUNCEMENTS

None

PUBLIC COMMENTS

None

NEW BUSINESS

The Board President presented the resumes of the applicants for the District Manager position. Each resume was reviewed and discussed. The Board's discussion focused on the duties of the District Manager compared with the skills, experience and education of the candidates. Keith Jerdon **motioned to interview Richard Nipper and Eddie Morman, Jr. stating if Mr. Morman could not appear in person, to have a virtual interview would be arranged.** Brant Hoffman **seconded the motion. The Board voted 6-0 to approve.**

The Board President suggested the interviews be held on February 1, 2023 with the hopes of presenting an offer of employment to the preferred applicant in order for that person to have time to train with the current District Manager and Administrative staff.

MANAGER'S REPORT

None

CLOSING

The Board President stated that the next Board meeting would be Tuesday, February 28, 2023 at 9:00 AM in the City of West Melbourne Council Chambers, Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida.

DIRECTOR'S REPORTS

Joe Hale – Good party, thank you!

Brant Hoffman – None

Keith Jerdon – None

Don Jordan - None

Drew Powshok – Suggested the candidate chosen should also be able to alleviate the permitting workload for the District Manager. The Manager added that since the District's operations are handled in-house, the entire administrative staff has a heavy workload and the ideal candidate would be able to multitask.

Jay Woltering - None

Philip Weinberg –The Board President asked the Manager to let the Board known as early as she can about the interviews.

ADJOURN

Phil Weinberg, President, adjourned the meeting at 10:11 am.

Respectfully,

Lisa Blackett
Secretary
Board of Directors

Attachment

4

MELBOURNE-TILLMAN WATER CONTROL DISTRICT

MINUTES

February 1, 2023

CALL TO ORDER

The Special Meeting of the Melbourne-Tillman Water Control District (MTWCD) Board of Directors was called to order by Phil Weinberg, President on Wednesday, February 1, 2023 at 9:00 AM in the City of West Melbourne Council Chambers, Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was recited by all present.

ROLL CALL

The following Board Members were present:

Philip Weinberg, Board President
Drew Powshok
Jay Woltering
Don Jordan
Joe Hale, Vice-President
Keith Jerdon

Arrived After Roll Call: Brandt Hoffman

Also present:

Debbie Leclair, District Manager
Lisa Blackett, Assistant Manager/Administration/Secretary/Treasurer

RECOGNITION OF GUESTS/VISITORS/STAFF

John Gergen, Assistant Manager/Operations
Eddie Mormon, Jr. Finalist via Virtual Attendance
Rick Nipper, Finalist

ANNOUNCEMENTS

The District Manager announced that John Gergen's position as Assistant Manager of Operations had been posted in-house for two weeks with three applicants interviewed. As a result, George (Bo) Rainbolt will be promoted to Assistant Manager of Operations when John retires at the end of March.

PUBLIC COMMENTS

There were no Public Comments.

REGULAR BUSINESS

Eddie Mormon, Jr. was interviewed virtually as he resides in North Carolina. Mr. Mormon thanked the Board for the opportunity to interview. Each Board member introduced themselves as they asked Mr. Mormon about his skills, experience and education as well as his knowledge of the District's operations. Mr. Mormon stated he would be available to begin employment with the District on March

1, 2023 and consented to a background check and to pay his relocation expenses should he be selected. The Board concluded the interview and thanked Mr. Morman for attending.

The Board President introduced the second candidate, Richard Nipper. The Board President announced that Mr. Nipper had previously sat on the MTWCD Board of Directors and resides in Palm Bay. Each Board member asked Mr. Nipper about his skills, experience and education as well as his knowledge of the District's operations. Mr. Nipper stated he would be available to begin employment with proper notice to his current employer 2-3 weeks should he be chosen. Mr. Nipper stated he was familiar with the District's operations and has over sixteen years of experience in his current position. The Board President thanked Mr. Nipper for attending this interview and Mr. Nipper offered to step outside the chambers while the Board had discussion.

The Board President stated he felt Mr. Nipper was highly qualified, and felt his management experience would be very beneficial. Jay Woltering added that he felt the learning curve would be much smaller due to the experience Mr. Nipper has. Drew Powshok added that both candidates interviewed very well but that Rick Nipper's knowledge of the area sets him ahead. Don Jordan concurred with Drew Powshok. Joe Hale stated that although both candidates brought a lot with them, Mr. Nipper possessed a more rounded experience level adding the District Manager has assistant managers therefore the position is all about senior management.

The President asked for a consensus to offer Mr. Nipper the position at \$125,000 per year. Mr. Powshok Don Jordan, Brant Hoffman, Jay Woltering all agreed with Keith Jordan dissenting.

The Board President offered Mr. Nipper the District Manager position with a starting salary of \$125,000 per year with two weeks of vacation and accrual rate of eight (8) hours each month per policy, which he accepted. Brant Hoffman **motioned to offer Mr. Nipper the District Manager position with a starting salary of \$125,000 per year and two eighty (80) of vacation and accrual rate of eight (8) hours each month per policy.** Don Jordan **seconded the motion.** The Board **voted 6-1 to approve, Jerdon dissenting.**

ADJOURN

Phil Weinberg, President, adjourned the meeting at 10:36 am.

Respectfully,

Lisa Blackett
Secretary
Board of Directors

Attachment

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MELBOURNE-TILLMAN WATER CONTROL DISTRICT

Operating Statement through January 31, 2023

	Actual \$	FY 2023	Approved	FY 2023	Over/Under	Percentage
	To Date	Approved Budget	Budget	Modified Budget	Budget	Budget
			Adjustments			
Revenue						
User Fees	\$ 1,833,950	\$ 2,384,346		\$ 2,384,346	\$ (550,396)	77%
Permits	\$ 31,317	\$ 30,000		\$ 30,000	\$ 1,317	104%
Miscellaneous Income	\$ 317,303	\$ 25,000		\$ 25,000	\$ 292,303	1269%
State Grant - FEMA	\$ 7,786	\$ -		\$ -	\$ 7,786	100%
Federal Grant - FEMA	\$ 140,148	\$ -		\$ -	\$ 140,148	100%
Revenue	\$ 2,330,504	\$ 2,439,346	\$ -	\$ 2,439,346	\$ (108,842)	96%
Balance Forward		\$ 2,016,854		\$ 2,016,854	\$ (2,016,854)	0%
TOTAL INCOME	\$ 2,330,504	\$ 4,456,200	\$ -	\$ 4,456,200	\$ 2,125,696	52%
Expenses						
Salary & Benefits						
Salaries	\$ 353,869	\$ 1,135,662		\$ 1,135,662	\$ 781,793	31%
Health Insurance	\$ 87,184	\$ 280,506		\$ 280,506	\$ 193,322	31%
Retirement	\$ 34,507	\$ 139,719		\$ 139,719	\$ 105,212	25%
FICA/Medicare	\$ 26,168	\$ 86,878		\$ 86,878	\$ 60,710	30%
Workers' Comp	\$ 8,776	\$ 31,091		\$ 31,091	\$ 22,315	28%
SALARY & BENEFITS	\$ 510,504	\$ 1,673,856	\$ -	\$ 1,673,856	\$ 1,163,352	30%
Operations						
Professional Services	\$ 23,469	\$ 51,100	\$ -	\$ 51,100	\$ 27,631	46% <small>Legal, Drug Testing, Accounting & Court Reporting, Engineering Testing, Misc. Prof Serv.</small>
Contract Services	\$ 2,192	\$ 7,720		\$ 7,720	\$ 5,528	28% <small>Uniforms, Garbage Service</small>
Travel	\$ -	\$ 2,000		\$ 2,000	\$ 2,000	0% <small>Travel</small>
Communications	\$ 2,340	\$ 10,300		\$ 10,300	\$ 7,960	23% <small>Postage, Telephone Service</small>
Utilities	\$ 2,392	\$ 8,000		\$ 8,000	\$ 5,608	30% <small>Utility, Solid Waste Assessment</small>
Rentals	\$ 4,159	\$ 11,500		\$ 11,500	\$ 7,341	36% <small>Rentals</small>
Liability Insurance	\$ 100,434	\$ 102,927		\$ 102,927	\$ 2,493	98% <small>Insurance</small>
Repair & Maintenance	\$ 75,450	\$ 171,370	\$ -	\$ 171,370	\$ 95,920	44% <small>Repair & Mnt Serv., Repair & Maintn. Sup, Auto & Equipm Parts, Maintn. Agrmts.</small>
Current Charges	\$ 43,200	\$ 49,687		\$ 49,687	\$ 6,487	87% <small>Tax Coll, Bnk Fees., Pyrl. Exp, Lic & Permits, Advertising, Unemplm</small>
Office Supplies	\$ 2,307	\$ 6,000		\$ 6,000	\$ 3,693	38% <small>Office Supplies</small>
Operating Supplies	\$ 55,180	\$ 361,500	\$ -	\$ 361,500	\$ 306,320	15% <small>Operating Supplies, Fuel, Gas & Oil, Aquatics</small>
Books & Training	\$ 2,085	\$ 6,700		\$ 6,700	\$ 4,615	31% <small>Books, Pubs., Memberships, Training Costs</small>
Restricted Reserves	\$ -	\$ 1,654,906		\$ 1,654,906	\$ 1,654,906	
OPERATIONS	\$ 313,207	\$ 2,443,710		\$ 2,443,710	\$ 2,130,503	13%
Capital Outlay						
Improvements Other than Buildings	\$ 16,489	\$ 75,000		\$ 75,000	\$ 58,511	22%
Machinery	\$ -	\$ 259,634		\$ 259,634	\$ 259,634	0%
Computer Equipment	\$ -	\$ 1,500		\$ 1,500	\$ 1,500	0%
Computer Software	\$ -	\$ 2,500		\$ 2,500	\$ 2,500	0%
CAPITAL OUTLAY	\$ 16,489	\$ 338,634	\$ -	\$ 338,634	\$ 322,145	5%
TOTAL EXPENSE	\$ 840,201	\$ 4,456,200	\$ -	\$ 4,456,200	\$ 3,615,999	19%

Attachment

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MELBOURNE-TILLMAN WATER CONTROL DISTRICT

Administration Policies: General

DISTRICT MEETINGS

I. POLICY

It is the policy of the Melbourne-Tillman Water Control District to conduct regularly scheduled meetings at a time and place to be determined by the Board of Directors and to be published in accordance with Florida Statutes § Chapter 120.

II. PURPOSE

This policy establishes the scheduling and conduct of meetings and/or workshops of the Melbourne-Tillman Water Control District Board of Directors for the purpose of providing for organized and orderly conduct of District business in the public eye; to include reports and agenda preparation, publication, distribution and records prepared for such assemblies.

III. DEFINITIONS

- A. MEETING – Scheduled assembly of the Board of Directors to conduct the business of the District, including but not limited to General Meetings, Public Hearings, Special Projects, etc.
- B. WORKSHOP – Assembly of the Board of Directors for the purpose of discussing / studying a special or specific subject. No action may be taken by the Board of Directors at such an assembly.
- C. AGENDA – List of items to be brought before the Board of Directors.
- D. MINUTES – A record of the proceedings at a meeting.

IV. PROCEDURES

- A. The first meeting of the fiscal year will be held on the fourth Tuesday in October. Subsequent meetings will be held on the fourth Tuesday of every other month, with the exception of December. The meeting for December will be held on the first Tuesday of the month.
- B. All meetings must be held within the boundaries of the District. Workshops are not restricted.
- C. In accordance with Florida Statutes § Chapter 286 all notices and printed agendas for assemblies of the Board of Directors will carry the following:

Pursuant to Section 286-0105, FSS, If an individual decides to appeal any decision made by the Melbourne-Tillman Water Control District Board of Directors with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based [FS286-0105]. Such person must provide a method for recording the proceedings verbatim.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, within a reasonable time prior to this meeting, contact the Office of the Secretary to the Board of Directors (321.723.7233).

D. Agenda

- i. The Manager and/or Secretary/Treasurer will prepare an Agenda for each meeting/workshop. The Agenda will list all issues of concern and other items of public interest scheduled to be discussed by the Board of Directors. The actual conduct of the meeting may not be limited to the published agenda.
- ii. All reasonable effort is to be made to distribute Agenda reports prepared for District meetings/workshops to the Board of Directors and other parties listed in Attachment 1 to this policy at least five (5) days prior to the assembly.
- iii. The Agenda will be published on the District website.

E. Reports

The Manager and Secretary/Treasurer may prepare written reports for each meeting/workshop. The reports may include the status of on-going projects, the Treasurer's Monthly Financial Statement, items of public input, as well as new subjects as appropriate. The Engineer, Attorney and Directors may prepare written reports as circumstances warrant.

F. Public Presentations

- i. Items from the public will be added to the agenda if received and fully reviewed by staff prior to the agenda preparation. Items not received prior to the completion of the agenda will not be included and will be referred to the following meeting. This does not, however, preclude any member of the public from requesting time at the meeting.
- ii. Public comments scheduled or otherwise, shall be limited to ~~5~~ **three (3)** minutes per speaker; not applicable to presentations requested by the District.
- iii. No public comments at workshops unless authorized by a consensus of the Board.

G. Minutes

- i. A record of Board of Directors proceedings will be made for all District meetings or workshops, to be filed in the District

administrative office in accordance with Laws of Florida Chapter 01-336 and § Florida Statutes Chapter 119.

V. EFFECTIVE DATE

Adopted by the Melbourne-Tillman Water Control District Board of Directors at the regular meeting of August 22, 2000, revised September 26, 2000, revised June 26, 2001, revised May 27, 2003. This policy supercedes and replaces Policy WCD-P-A-6 adopted by the Board of Directors on February 28, 1984, revised May 26, 1987, revised April 28, 2015. revised June 28, 2022.

VI. ANNUAL REVIEW

22 Jan 2002 *ABP*

19 May 2003 *ABP*

28 April 2015 *DRJ*

28 June 2022 *DJL*

ATTACHMENT 1

Copies of the Agenda are to be forwarded to the following agencies:

- Brevard County Board of Commissioners, Clerk – County Administrator
- City of Palm Bay, Office of the City Manager
- City of West Melbourne, Office of the City Manager
- Other interested parties as may from time to time request the same.

Attachment

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ATTACHMENT 1

December 5, 2000

Modified December 9, 2003, August 30, 2005, October 23, 2007, October 28, 2008, August 26, 2009,
October 28, 2014, December 9, 2021, February 22, 2022, April 26, 2022, February 28, 2023

Pay Grade	Title	Group	Min	Max
1	General Maintenance Administrative Assistant	Facilities Maintenance Administration	\$12.00 <u>\$13.00</u>	\$17.66 <u>\$18.66</u>
2	Aquatic Applicator Mower Operator General Maintenance Administrative Assistant	Aquatic Plant Control Facility Maintenance Facility Maintenance Administration	\$13.00 <u>\$14.00</u>	\$18.29 <u>\$19.29</u>
3	Heavy Equipment Transport/Support Aquatic Applicator Mower Operator Mechanic, Light Vehicles General Maintenance Survey Technician Administrative Assistant	Canals Maintenance Aquatic Plant Control Facility Maintenance Equipment Maintenance Facility Maintenance Facility Maintenance Administration	\$14.00 <u>\$15.00</u>	\$25.87 <u>\$26.87</u>
4	Heavy Equipment Operator Aquatic Applicator Mower Operator Mechanic, Light Vehicles Mechanic, Heavy Equipment General Maintenance Survey Technician Administrative Assistant	Canal Maintenance Aquatic Plant Control Facility Maintenance Equipment Maintenance Equipment Maintenance Facility Maintenance Facility Maintenance Administration	\$15.50 <u>\$16.50</u>	\$29.95 <u>\$30.95</u>
5	Aquatics Group Leader Canal Maintenance Group Leader Equipment Maintenance Group Leader Facilities Maintenance Group Leader	Aquatic Plant Control Canal Maintenance Equipment Maintenance Facility Maintenance	\$17.50 <u>\$18.50</u>	\$33.65 <u>\$34.65</u>
6	Engineer Assistant Manager/Operations Assistant Manager/Administration	Administration Administration Administration	\$24.50 <u>\$25.50</u>	\$49.45 <u>\$50.45</u>
7	Manager	Administration	*	*

* At discretion of the Board