Minutes of Budget Public Hearing and Regular Meeting of the South Indian River Water Control District Held on August 20, 2026

The budget public hearing and regular meeting of the South Indian River Water Control District were held on August 20, 2026, at 6:00 p.m. at the District Work Center, 15600 Jupiter Farms Road, Jupiter, Florida, and via Zoom video conferencing. Present in person were Supervisors Susan Kennedy, John Meyer, Tom Powell, and Bob Berman. Also present were William “Chad” Kennedy, Executive Director; Dustin Fazio, Supervisor of Operations; Ryan Grigg, Chief Financial Officer; Charles Haas, Treasurer; Seth Behn, Attorney; Karen Brandon, Engineer; and Donna DeNinno, Public Information. Approximately 18 landowners were present in person. Approximately 17 landowners were present via Zoom video conferencing, as well as Supervisor Beth McElroy; Kyle Wekenmann, Office Assistant; and Robert Eustice, Engineer.

Ms. Kennedy called the budget public hearing to order and the Pledge of Allegiance to the flag was given.

Mr. Grigg presented the proposed Fiscal Year 2026-2027 budget and explained the budget development process, assessment rates, revenues, expenditures, capital projects, debt obligations, and fund transfers. The focus is on maintaining water control and road infrastructure, providing essential services and planning for long-term capital needs. The proposed budget is available on the District’s website.

Mr. Grigg noted that the budget has not changed since the July meeting presentation. He explained the budget development process, which ensures transparency and fiscal responsibility to align with the District’s long-term strategic objectives.

He showed a summary of the District’s Fiscal Year 2026-2027 budget by annual financial report code. At the end of each year, the District is required to submit an annual financial report to the state. For Fiscal Year 2026-2027 total revenues are budgeted at $9.14 million, combined with beginning fund balances of approximately $6.24 million, which results in total available resources of $15.38 million. Budget expenditures total approximately $9.58 million with approximately $5.8 million reserved in contingencies across all funds. The budget remains balanced with total appropriations matching total available funding.

Special revenue funds include water control maintenance funds, road maintenance funds, and the park maintenance fund. Debt service funds include a separate fund for each outstanding debt issuance. Capital funds are broken down by water control infrastructure, road improvements, and specific grant projects. Internal service funds are used to allocate shared costs such as personnel and administrative costs. Maintaining separate funds allows the District to ensure revenues collected for specific purposes are used for intended programs and projects.

Mr. Grigg showed the proposed assessment rates for Fiscal Year 2026-2027. He explained that the information can be found on page 24 of the budget book located on the District website. Water control maintenance is assessed on a per acre basis, while road and park maintenance is assessed on a per parcel basis. For Palm Beach Country Estates, landowners will see a one-time assessment for the Canal C Phase 2 Realignment Project. Road maintenance assessments are increasing due to the District increasing its shell rock budget and for a budgeted transfer to a road capital improvement fund for future road resurfacing projects. These increases are offset by decreases in the water control maintenance assessments, the removal of the Canal E assessment and decrease in the debt service assessment for the water distribution bonds. The District is using existing fund balances to pay for a portion of the water control maintenance and water distribution bond debt services in Palm Beach Country Estates.

Landowners in Jupiter Farms will see increases in water control maintenance and road maintenance assessments. The modest increase in water control is related to a budget transfer needed to fund repairs and maintenance of several water control gates and potential acquisition of an easement on Canal 6. The road maintenance assessments are increasing for the same reason as for Palm Beach Country Estates.

Egret Landing and Jupiter Commerce Park will see slight decreases in assessments due to the District using existing fund balance to fund a portion of the East Basin water control maintenance and this will be offset by a capital assessment that the District is proposing to fund future capital improvements for several structures in Egret Landing and Jupiter Commerce Park.

Road improvement debt service assessments are decreasing across the board due to the amortization schedules for those issuances and some have been paid off.

For a typical 1.25-acre parcel in Jupiter Farms the total assessment increases from approximately $535 to $686 for a net increase of $151. Overall, 48% of the assessment is for water control maintenance and 47% for road maintenance.

For a typical 1.15 parcel in Palm Beach Country Estates, the total assessment increases from approximately $1,420 to $1,725, representing a net increase of $305. Several existing assessments will decrease including water control maintenance, Canal E assessment and debt services associated with the water distribution system bonds.

Egret Landing and Jupiter Commerce Park will see decreases of $86 and $84 respectively, for an acre parcel. Egret Landing assessment will decrease from $427 to $341, and Jupiter Commerce Park will decrease from $425 to $341.

The District relies heavily on non-ad valorem assessments with approximately 95% of budget revenues coming from assessments totaling approximately $6.8 million. Grant funding contributes $138,000, while contract road maintenance services, driveway culvert fees, and other miscellaneous revenues provide the remaining funding sources.

Total budget revenues for Fiscal Year 2026-2027 are approximately $7.1 million. Mr. Grigg showed a graph comparing revenues from the proposed budget and last year's budget. Most of the change is the increase in assessment revenue from $5.9 million to $6.8 million. Budgeted grant revenue increases due to a grant award from the Loxahatchee River Preservation Initiative. Most other categories remain fairly stable.

Water control operations account for approximately 36% of total expenditures and remain the District's largest program area. Debt service represents approximately 21% of total expenditures which is followed closely by road maintenance and capital projects. Park maintenance remains a very small expenditure for the District. The budget reflects the District's ongoing commitment to infrastructure maintenance, capital improvements, and reducing debt obligations.

Mr. Grigg showed a comparison of the proposed 2026-2027 and 2025-2026 water control maintenance fund budgets for the East and West Basins. The West Basin budget expenditures are expected to decrease from $2.1 to $1.9 million and budget revenues are projected to increase to approximately $2.3 million to fully fund planned expenditures and transfers out. For the East Basin, the budget reflects an increase in transfers out to $112,500 to support the water control capital improvement projects. Budget expenditures are expected to decrease from $989,000 to $726,000. Budgeted revenues of approximately $596,000 are less than the planned expenditures.

The comparison of the proposed 2026-2027 and 2025-2026 road maintenance fund budgets for the Jupiter Farms and Palm Beach Country Estates shows an increase in expenditures that reflect ongoing inflationary pressures, the need for more shell rock, and more funding for future road resurfacing projects.

Mr. Grigg showed a chart depicting expenditures by spending category. Personnel services represent about 26% of the budget as the largest expenditure category. Capital outlays account for approximately 25% of spending reflecting the District's focus on upgrading infrastructure and equipment. Debt service and interest account for about 19%. Professional services, contracted services, materials, operating supplies and maintenance costs comprise the balance of the expenditures.

The next exhibit highlighted the District's planned capital investments totaling approximately $1.92 million. Major projects include one mile of road resurfacing in Jupiter Farms, Canal C Realignment Phase 2 in Palm Beach Country Estates, invasive tree removal projects, and various other water control related initiatives. The capital outlay budget includes vehicle financing arrangements and building improvements to maintain operational efficiency and reliability.

The proposed budget reflects an increase in personnel costs of $72,321 which is an increase of approximately 3.8%. The largest components include regular and executive salaries, life and health insurance, 401 contributions, and payroll taxes. Regular wages are expected to decrease, while executive wages are increasing due to the transition of the Office Administrator position from hourly to salary. Increases are due mainly to promotions, increases in base pay, and performance-based increases. The District continues to support retention and recruitment efforts while ensuring the district maintains the staffing levels needed to effectively operate and maintain critical infrastructure.

The District is proposing a total decrease in professional staff expense of $171,370, which is roughly 18.9% compared to the prior year budget. This is largely due to the Chief Financial Officer taking over some of the responsibilities from the Treasurer, which includes accounting services and assessment roll preparation fees. The District is proposing an increase in engineering budget of $79,930 or 24.5% due to engaging with Kimly Horn who will help the District with the grant related projects. There will also be slight increases in the legal and public information budgets as well to account for inflation.

Mr. Grigg showed the District's outstanding debt obligations at the start of fiscal year 2026-2027. Outstanding principal is approximately $5.46 million. The District plans to repay approximately $1.29 million in principle, which will reduce the total outstanding debt to approximately $4.17 million by the end of the fiscal year. There are no new debt issuances planned for the Fiscal Year 2026-2027, and some road improvement obligations have now matured or are approaching maturity, which helps reduce future debt services and reduce future debt assessments for landowners.

Mr. Grigg's final slide showed budgeted transfers between funds. These transfers allocate resources from operating to capital funds, equity replacement returns, grant matching reserves, and infrastructure improvement programs. The District will be separating the road resurfacing renewal replacement fund into two funds, one for Jupiter Farms and one for Palm Beach Country Estates. The transfers are an important plan of the District's long term financial strategy, allowing the board to set aside resources for future infrastructure needs while maintaining operational stability.

Mr. Grigg closed the presentation, noting the proposed budget maintains the District's infrastructure, supports ongoing operations, funds critical capital improvements, continues debt reduction, and maintains strong reserve levels for future needs. Staff respectfully recommends adoption of the Fiscal year 2026-2027 budget as presented during the Board of Supervisors meeting that will follow this public hearing and then asked if there were any questions from the Board.

There were no Board or landowner comments on the proposed budget.

Ms. Kennedy adjourned the public budget hearing and called the regular meeting to order. Ms. DeNinno stated that Supervisor McElroy, District Engineer Robert Eustice, and Office Assistant Kyle Wekenmann were present on Zoom, as well as 13 landowners in attendance.

Ms. Kennedy then noted the recognition of Supervisor Tom Powell's retirement from the Board of Supervisors. She read Resolution 2026-09 listing the accomplishments, leadership, and service that Mr. Powell gave to the District during his 45 years on the Board and naming the District's conference room The Thomas H. Powell Conference Room. She asked for a motion to adopt Resolution 2026-09. **Mr. Berman motioned to adopt Resolution 2026-09. The motion was seconded by Mr. Meyer, and it carried unanimously.**

Mr. Powell said he was proud of his service to the District and enjoyed his time on the Board. He noted things have changed dramatically over the last 45 years and is proud of how the District has operated over the years. He acknowledged Ms. Kennedy as Board chair and felt she was doing an excellent job. Mr. Powell was then presented with a plaque naming the conference room after him, as well as a District framed photograph taken by Supervisor McElroy. Mr. Berman noted that Mr. Powell is the second-longest serving elected official in Palm Beach County and third-longest serving elected official in the state.

Ms. Kennedy asked if there were any corrections to the minutes for the July 16 meeting and requested a motion to approve the minutes. **Mr. Meyer motioned to approve the minutes of the July 18, 2026, Board meeting. The motion was seconded by Mr. Berman, and it carried unanimously.**

Ms. DeNinno presented the Public Information report. She said she had provided her report to the Board and would be happy to answer any questions.

Mr. Grigg presented the Treasurer's report. He asked for approval of Resolution 2026-10 – Adoption of the Proposed 2026-2027 budget. **Mr. Meyer motioned to approve Resolution 2026-10. The motion was seconded by Mr. Berman, and it carried unanimously.**

Mr. Grigg presented the Chief Financial Officer's Report. He referenced the Third Quarter Budget versus Actual Report. Looking at total governmental revenues as of June 30th, 2026, at around $6.1 million, it is $325,972 more than the annual budget of $5.8 million. This is mostly due to the National Resources Conservation Service and the Loxahatchee River Preservation Initiative grants not being budgeted for in this fiscal year. Total governmental expenditures are approximately $3.9 million, which is approximately 60% of the annual budget of $6.5 million. This is below the 75% threshold at the third quarter of the year, so we are on target, with the exception of the park overage in Palm Beach Country Estates due to three new picnic tables purchased in April and some maintenance performed on the irrigation system. There is existing fund balance to cover that deficit. Ms. Kennedy asked if that budget deficit has been accounted for in the 2026-2027 budget, and Mr. Grigg replied they did increase it.

Mr. Grigg then spoke about investment options for 2026-2027 with the objective to improve the District's investment returns with safety in mind and full compliance with applicable statutes. He showed a presentation with evaluations of four different investment vehicles – Florida Prime, Florida Trust, Morgan Stanley Government Portfolio, and Florida Fixed Income Trust.

District funds are currently invested in money market accounts and certificates of deposit, but they are only earning 0.01% on average. A new investment policy would prioritize safety, liquidity, preservation of principle, and reasonable return on investment. Investment potential may help offset future funding needs and help reduce future landowner assessments.

The District's criteria looked at yield, minimum investment requirements, interest rate risk, liquidity, fees and administrative costs, and withdrawal restrictions. Florida Fixed Income Trust was eliminated as they did not have timely reporting and the Morgan Stanley Portfolio was eliminated as it requires a minimum investment of $10 million, which we do not have.

Of the remaining two options, Florida Prime has the higher yield at 3.9% compared to 3.75%. Both options weighted average maturity risk are under the 60 days considered ideal to mitigate interest rate risk, both options have same day withdrawal, there is no minimum investment, and both have the highest credit rating.

Florida Prime is managed by the Florida State Board of Administration, has over 860 government entities utilizing the investment, and has an AAA rating with Standard and Poor's with approximately $27 billion invested, very low expense structure and strong transparency and oversight.

Mr. Grigg asked for approval of the staff recommendation to open and utilize a Florida Prime investment account for the District's excess funds. **Mr. Berman motioned to approve the staff recommendation to invest District funds in Florida Prime. The motion was seconded by Mr. Meyer, and it carried unanimously.**

Mr. Fazio presented the Supervisor of Operations Report. He asked for Board approval to surplus the items and send to public auction. **Mr. Berman motioned to approve the list of surplus items. The motion was seconded by Mr. Meyer, and it carried unanimously.**

Ms. Kennedy asked Mr. Fazio to explain rainfall totals this year compared to last year. He noted we are in a drier trend for the last few years. For August 2024, we had 7.12 inches of rain, for August 2025 6.9 inches of rain and for August 2026 to date, we had 1.16 inches of rain. For yearly rainfall totals in Palm Beach County in 2021 there was 48 inches, in 2022, 56 inches, in 2023 62 inches, 2024, 58 inches, and in 2025 it was only 48 inches. Rainfall has been less frequent but more intense.

Mr. Kennedy presented the Executive Director's report. He asked for Board consideration of Resolution 2026-11 – Authorization to Proceed with Loxahatchee River Preservation Initiative grant application in the amount of $400,000, a cost share, to do tree removal along the banks of the C-14 Canal. **Mr. Berman motioned to approve Resolution 2026-11. The motion was seconded by Mr. Meyer, and it carried unanimously.**

Mrs. Brandon presented the Engineer's report. She updated the Board on the petition for 129th Place North between Sandy Run and 150th Court North. There are 14 lots and 2689 linear feet of roadway within the petition area. The construction cost has been finalized at $659,000, including construction, legal, survey, engineering costs, and contingency. Financing options have been reviewed and assuming a 10-year term with an interest rate of 4.85%, the per lot annual assessment is $6,443. The terms are subject to change prior to actually securing financing. There is a $1000 fee to file the petition and there are additional costs in preparing the referendum for mailing that are estimated at $1200. She noted that Board policy requires the additional fee be paid prior to going to referendum.

Landowner comment: George Vitale of Jupiter Farms said he had not been brought up to speed on the additional fees required for this petition and there could be costs up to $4000 more. He noted there is a foreclosure on the road and with the Board wanting 90% approval for the project, there is no chance of passing. Mr. Meyer clarified the additional costs are $1200 for this project. The petition form does indicate there are additional costs, but we don't know what they are until the work is done. Mr. Behn said if the additional fee is not paid, it does not move forward to referendum. Mrs. Brandon said they are looking for an answer from the petitioner about whether to move forward and Ms. Kennedy explained this to Mr. Vitale. She directed Mr. Kennedy to work with Mr. Vitale so he understands what the additional fees will be.

Mrs. Brandon stated the Florida's Turnpike Enterprise consultant did transmit their 45% submittal, which AECOM is reviewing and sent a reply yesterday. Because the calculations don't show enough detail, AECOM has requested additional calculations to support the model. They didn't provide nodal diagram that is needed and also put in a fixed discharge from Palm Beach Country Estates, which means it's not influenced by the tailwater. There are still a lot of issues. She showed cross sections of the road widening and with a retaining wall that is cutting out part of the canal section and there is no sound wall shown. The way it appears you would not be able to get in there for maintenance. Mr. Kennedy said that we need to renegotiate our agreement with the Turnpike. She noted when you look at the calculations, the only thing they are providing is water quality calculations for the two new lanes only, but they have to not only meet this, but also the existing requirements. Mr. Meyer said the new lanes would require substantial fill and asked about the height of the retaining wall. She said from the top to the bottom it's about 14 feet. Mr. Meyer noted this eliminates some of our storage, as well as creating a maintenance issue. Ms. Kennedy said it looks very steep and Mrs. Brandon said they are showing a 2:1. She said we are requesting more details and Mr. Berman asked if any meetings have been scheduled. She said they would reach out regarding another meeting. Mr. Berman said at some point we need to make it known that this is not working, even if it requires legal involvement. Ms. McElroy felt they are trying to wear us down and are trying to run down the clock. How can we legally protect ourselves? Mr. Behn said they are under our permit, and they are not looking at this holistically and must address the entire system and not just their expansion. There is also the sound wall consideration. South Florida Water Management District will need to work with us to get this message across and what they must do to meet our permit. Mr. Kennedy said if South Florida Water Management District were to issue a permit that could cause an issue with us, then any litigation would not be with Florida's Turnpike Enterprise but with South Florida Water Management District as the permit agency. Ms. Kennedy said there are strict permit guidelines – they are going to look at our actual numbers. Mrs. Brandon said a lot more detail is required. Mr. Berman said the Chief Financial Officer has responded well in the past and she has not been on recent emails. He felt she needs to be involved, and he felt the disconnect is between the Department of Transportation and their contractors. She said they will be sending a written set of comments to go back to them.

Mr. Behn presented the attorney's report. He said we do have an easement over the right-of-way for Canal C so that contract can move forward.

Under old business, there was Board discussion regarding flood control assessments for certain properties. Mr. Kennedy said there was discussion at the last meeting regarding an unbuildable property along the Canal C easement and we looked into it and do have the easement. In researching it, the property hadn't been assessed, and they checked to see if other properties like this have been assessed and Mr. Grigg noted they are being assessed. There are a couple of municipality-owned parcels that haven't been assessed. Mr. Kennedy suggested we need to be consistent and should address this for next year. They will be contacted about this and the possibility of deeding these parcels to the District. **Mr. Berman motioned that all properties in the District, regardless of ownership, be assessed at the same rate.** Mr. Meyer had an issue with the cost difference for this property at $4200 versus a couple of hundred for the other properties. He was concerned that there is no benefit for this property and would recommend using a proposed assessment to see if it could be deeded over to the District. Mr. Kennedy said they are paying what they owe for flood protection and access, and they are receiving a benefit. Ms. McElroy agreed with Mr. Kennedy and it's not up to the Board to determine how much of a property someone can use or how they will use it. It is up to them to do due diligence when purchasing property. We can't start making exceptions. We provide flood protection and road access. Ms. Kennedy said it's an administrative correction to assessment rolls. **The motion is withdrawn.**

Landowner Comment: Valerie Rozzo of Palm Beach Country Estates spoke about the paving policy in Palm Beach Country Estates. Some might think a 90% threshold is doable, and it is not. After the 19th Plan there were some ideological differences with Board members and Palm Beach Country Estates and there was an assault on road paving initiatives. There is an issue with double billing people on corners, as well as changing threshold to 90%. Mr. Berman is putting forward an initiative to allow Palm Beach Country Estates to have its own set of rules that are different from Jupiter Farms. She noted there have been surveys in their neighborhood that indicate support for a change to the threshold back to 51% and asked the Board to consider it.

Landowner Comment: April Lundgren of Palm Beach Country Estates said she is representing people who wanted to move forward with paving their roads. Eight property owners were in favor of paving and six voted against it. They have a legal majority of 57% and are being blocked with the 90% requirement. She asked the Board to consider reducing the 90% threshold back to 51%. She also said the standard for construction is too high for how their road is used and asked the Board to look at this, reexamine the 90% rule, and to please review their petition as successful and move forward with their project.

Landowner Comment: Mr. Charles Bratten of Palm Beach Country Estates said that there comes a time when you have to stand up for what is right. He said landowners have been subjected to a 90% approval paving policy when the 51% majority is clearly the law. He recalled when the issue was being debated, and at the time we were told by the Supervisors they were mimicking Palm Beach County's 90% requirement for paving. Supervisor Berman has provided documentation that it is not the County's standard and we were lied to. He said if there is any litigation regarding this, he wouldn't be part of it, but if someone brings a suit and the court rejects the District's interpretation, the consequences could extend through the entire District, and the Board should consider that possibility. There is a better solution - allow Palm Beach Country Estates to have their own policy. They do not want to be controlled by Jupiter Farms any longer.

Landowner Comments: Mr. Avril Bennet of Palm Beach Country Estates thanked the Board for revisiting policy changes. He urged the Board to adhere to statutory authority, not County procedure. He said the cost for the paving improvement is being borne by the benefited property owners, not the District's general taxpayer. He hopes for a meaningful change that aligns with the District's legal authority and provides a clear and fair process moving forward. He felt if this is not done, he would have no recourse but to seek judicial review and he hopes it won't come to that.

Ms. Kennedy said at the last meeting they asked staff to bring forward options for potential policy changes, and the Board is not in a position to adopt a policy tonight.

Under new business, Mr. Kennedy presented a number of options for Board consideration for potential policy changes for Palm Beach Country Estates regarding road paving improvements. Today's discussion is not just about voting percentages but balancing the different visions that have been expressed by landowners in the community, while ensuring that any policy adopted by the Board reflects the level of support the Board feels is appropriate. He wanted to note that as a result of the engineering study that was done in Palm Beach Country Estates, there will be significant improvements that will need to be made regarding water control, which result in increased assessments.

Staff considered what level of Palm Beach Country Estates unpaved landowner support should be required before an assessment-funded roadway project moves forward. The options included a 90% Threshold (Current Policy), a 67% Supermajority (used by the legislature), a 51% Majority (the minimum requirement under our charter), a Referendum of all unpaved roads, and a five-year pause on new paving. Consistent with the District's mission and vision statements, District staff evaluated roadway projects through the lens of public safety, engineering performance, infrastructure reliability, financial sustainability, and long-term maintenance. Staff also considered landowner input, environmental stewardship, and community character.

A key policy question is whether the Board views Palm Beach Country Estates road paving primarily as an infrastructure and transportation improvement issue, a community character issue, or a balance of both objectives and this may be just as important as determining whether the approval threshold should be.

Staff's focus remains on providing reliable, sustainable, and equitable infrastructure solutions for the community, that property owners desires drive District actions and assessments, that the Board's policy decisions should be based on community infrastructure needs and benefits, and that individual financial circumstances may vary; however, addressing personal financial hardship is outside the District's primary mission as a flood control and infrastructure management district.

Staff assumptions are that the District continues administering project financing, that all benefited-assessed parcels are eligible to vote, each parcel receives one vote, multiple owners must designate one authorized voter and that assessments are collected through the District's assessment process.

The approval formula for road paving referenda currently used is as follows: Affected landowners affirmative votes divided by the total affected landowners equals the approval percentage.

Definitions are as follows:

- Total Affected Landowners - All parcels within the area in question and included in the project assessment roll.
- Votes Cast - Returned ballots marked Yes or No.
- Abstentions - Ballots not returned or expressly marked as abstentions. Note on Abstentions: Abstentions are reported separately for transparency, and abstentions do not count as affirmative and are thus counted as negative votes.
- Only ballots submitted by the deadline are counted as votes cast.

For each of the five potential options, Mr. Kennedy referred to the listed pros and cons in the presentation and also showed a table with the level of consensus required and ease of approval for each option.

The District Treasurer, Chief Financial Officer, and Executive Director will determine how roadway improvements in Palm Beach Country Estates will be financed with board approval. Debt financing for construction and resurfacing with assessments for repayment.

Mr. Kennedy noted that key considerations are infrastructure, Palm Beach Country Estates community character, and property rights. Staff recognizes that reasonable people may reach different conclusions regarding roadway improvements. Some landowners view paving as an important infrastructure investment that improves access, safety, reliability, and long-term asset management. Others believe that dirt roads are an important component of the rural character and identity of Palm Beach Country Estates and should be preserved whenever possible. The Board's challenge is to determine what level of support should be required when these differing viewpoints exist.

He asked for Board direction on which options should be explored or if other options should be considered. Ms. McElroy said when the issue was first discussed at the beginning of the year, 95 to 99% of her emails expressed that some sort of supermajority be required to protect landowners from excessive costs. She said she would be willing to consider the 67% requirement as it represents what has been communicated to her by her constituents. She had no landowner support for anything lower than that. Regarding pausing the paving for five years, she likened it to the issues surrounding data centers and moratoriums enacted by impacted communities. In light of our revisiting our enabling legislation, which is a major issue with implications on policy, as well as the issues that must be addressed as a result of the findings from the drainage study and concerns about impacts from the Turnpike widening, the case can be made for some type of pause. Then after these issues are addressed, then maybe a pavement policy change of a 67% supermajority can be considered.

Mr. Berman asked Ms. McElroy if she could provide some type of documentation regarding the emails she is referring to and again mentioned the survey/poll that was done in Palm Beach Country Estates that showed out of 735 properties on a dirt road, 468 responded and 427 of those (92%) preferred paving. For the voting approval requirement, 369 people responded it should be 51%. When asked how much they were willing to pay, the average was $1884 per year. He felt this conflicts with what Ms. McElroy has said. Ms. McElroy responded that landowners may make a public records request for this documentation. In response to any moratorium, he feels the case can be made for potential damages to landowners that could amount to $105 million – the difference between what road paving cost 10 years ago and what it cost today based on county standards and the reduction in property values. He felt that for more than 25 years the Board simply followed the law, and there were some unhappy people, but he takes issue with a couple of things Mr. Kennedy has said. He said the law is crystal clear. He said those who do not vote should not be counted as a no vote, it is contrary to the law. He asked that the two documents he is referring to be entered into the record. He doesn't believe the District has the authority to create a policy that is contrary to the law. He added that Lewis, Longman and Walker, as the District Attorney, has written an opinion regarding this issue, but it doesn't make it the law. At this juncture he doesn't see an alternative to litigation as to whether it is a legal policy, and he thinks it's wasteful for the Board to bear the expense of defending a lawsuit. The simple answer is to do what the law states. If changes are to be made to the percentages, it needs to be done by legislation and not by policy. He is opposed to altering any language in the requirements for capital improvements that are contained in the current legislation.

Mr. Meyer congratulated Mr. Kennedy and staff for putting together this information. He said he was involved when paving discussions were brought up years ago where there were concerns and backlash about costs that were impacting landowners in Palm Beach Country Estates. The process went on for a couple of years until the 2017 policy was enacted. He said the Board has never been anti-paving, with some wanting paving and others that were opposed. After some wanted to get rid of paving completely, in order to salvage the paving program, they reached a compromise, which is the current policy. He referenced notes from nine years ago with landowner emails and responses at public meetings – 48 of the responses he received from Palm Beach Country Estates wanted to change the policy requirement and 39 wanted to keep it the same – a 55%/45% split. If you included Jupiter Farms it was a 60%/40% split. He added that the County's 90% threshold was a factor, but not the overwhelming reason. They considered other percentages. We are never going to please everyone. The cost is the major concern. The current roadway project being considered is estimated to cost $64,000 per parcel over ten years. Using this project's costs, it would be over $500 per month for paving in Palm Beach Country Estates. Mr. Berman's survey indicated only 25 respondents out of 417 indicated they would be willing to pay that amount and that is only 6%. He said that you have to look at the costs and he is not in favor of putting these kinds of cost on landowners who do not want pavement. That was the main reason they came up with the 90% number. Right now, the average assessment is $1700 in Palm Beach Country Estates. We are talking about a 400% increase from present assessments to pave. He said his road was paved about 15 years ago and he paid $400-500 annually. Contrast that with $6400 a year – costs have exploded. If we could get the cost down, he might consider loosening the criteria, but in good conscience cannot do so at this time. He doesn't think we'd even get 2/3 approval with the high costs. He agrees with Ms. McElory that it's probably not the right time, with everything that's going on. They are still paying off the water distribution system. Landowners will be paying a $300 assessment for Canal C next year and there will be other potential assessments for other canals in Palm Beach Country Estates. He can see maybe option 4 or possible 5 with a shorter pause, but only if the other issues are addressed.

Ms. Kennedy said we are a water control and it's our primary purpose. Her concern is our proper management of our water resources. The deficiencies that have been highlighted through our modeling is a gargantuan concern. We are witnessing a change in weather patterns with more intense storms and longer periods of drought, which create stressors on our infrastructure that were not planned for. In addition, we have aging infrastructure and these issues must be addressed to protect property. We do manage roads, but it's not the primary function. We have to make sure the landowners don't receive a double whammy in their costs, because regardless of what you think, you'll be charged more in the next 10 years for projects that must be done to avoid flooding. We have a small budget and small staff to do a lot of different things. She is not in favor of changing focus from water control to a large paving plan, so a referendum for the remaining dirt roads is out. She doesn't believe a pause is necessary if we maintain current policy. This leaves options one though three. Her feeling is that we either do a modification like a super majority or maintain our current policy. She thinks there is Board support for either keeping the policy the same or moving to a super-majority, at least until we understand where we are with the water control plan. She asked that, based on tonight's feedback, staff come back with any policies to present at the October meeting, as we won't discuss it in September, as it's a very short meeting. We are most likely looking at no action or possibly a 2/3 majority. We will also have a new Supervisor on Board who would weigh in on the subject. Mr. Behn said we could bring forth a 2/3 majority amendment, and if it doesn't pass the policy would stay as is. This information would also be posted on the website. This is for the October meeting, not September. Ms. McElroy encouraged landowners to send her their comments via email.

Mr. Kennedy then presented a Proposed Timeline for Review and Amendment of the District's Enabling Legislation. The objective of this discussion is to develop, review, and obtain Board consensus on proposed framework to consider amendments to the District's enabling legislation for submission to the Palm Beach County Legislative Delegation during the Fall 2027 legislative bill request cycle.

The Board would be requested to review and take action on a proposed timeline, discuss a proposed approach, provide direction and feedback, and consider establishing the review as a standing agenda item beginning October 2026.

Key reasons for conducting a legislative review include ensuring legislation reflects current District operations, identifying outdated or obsolete provisions, improving administrative and operational efficiency, enhancing transparency and accountability, ensuring consistency with Chapter 298, Florida Statutes, and preparing the District for future challenges and opportunities.

Framework would include a monthly review at regularly scheduled Board meetings, one topic area reviewed each month, open discussion by Supervisors, staff, and legal counsel, public input opportunities throughout the process, and final legislative package developed through Board consensus. The timeline for this is from October 2026 – August 2027. We would maintain transparency through publicly noticed meetings, ensure consistency with Chapter 298, Florida Statutes and applicable laws, improve operational efficiency while preserving accountability, modernize outdated provisions without unnecessarily expanding District authority, and provide meaningful opportunities for public participation.

Staff recommends a comprehensive charter modernization rather than piecemeal amendments.

Mr. Kennedy showed a calendar timeline.
October 2026 - Introduction to legislative review process, establish goals and timeline, review current charter and solicit initial ideas from Supervisors and staff, District purpose, mission, and powers, identify outdated statutory provisions.
November 2026 (no meeting).
December 2026 - Board composition, qualifications and elections, vacancies and terms of office.
January 2027 - Assessments, financing mechanisms, and bonding authority.
February 2027 - Drainage and water management, environmental protection, and canal maintenance authority
March 2027 - Road construction and maintenance authority, transportation-related provisions
April 2027 - Procurement, contracting authority, emergency powers, operational efficiencies
May 2027 - Governance provisions, ethics and transparency, administrative procedures, public participation
June 2027 - Presentation of consolidated draft amendments, Board discussion and revisions
July 2027 - Public workshop and stakeholder and agency input
August 2027 - Incorporate public comments, District Attorney prepares final legislative language, Board review of final draft, Board adopts resolution approving legislative package, authorize transmittal to Legislative Delegation
Fall 2027 - Submit legislative package to Palm Beach County Legislative Delegation and request consideration during the 2028 Legislative Session. We would have to have someone sponsor the bill and approval of the entire legislative delegation.

Public engagement strategy consists of stakeholder outreach, District landowners, partner agencies, transportation and utility stakeholders. Public input opportunities consist of regular Board meetings, public workshop, written comments, and direct landowner engagement.

By Fall 2027, the District will have the following:

- Comprehensive review of existing enabling legislation
- Recommended amendments with supporting rationale
- Public workshop and stakeholder input process
- Final legislative package adopted by Board resolution
- Legislative submission to the Palm Beach County Legislative Delegation

Benefits to the District include modernized and effective enabling legislation, clearer governance framework, improved operational flexibility, enhanced transparency and accountability, and stronger alignment with current law and District needs.

A Special Act could be drafted with the stated legislative finding that: "The South Indian River Water Control District has evolved from a predominantly agricultural drainage and reclamation district into a rural residential community consisting primarily of single-family residential lots of one acre or greater. The charter should therefore be updated to reflect contemporary land use patterns, residential representation, infrastructure responsibilities, and modern governmental best practices."

Mr. Kennedy asked the Board if the proposed timeline is appropriate, if there are additional topics that should be included, are the guiding principles appropriate, and is the Board supportive of initiating this review in October 2026. He asked for guidance for staff and legal counsel regarding implementation of the proposed legislative review process.

Closing Statement: "This process provides the Board with an organized, transparent, and deliberate approach to reviewing the District's enabling legislation, ensuring it remains relevant, effective, and responsive to the needs of the District and its landowners for years to come."

Ms. Kennedy thanked Mr. Kennedy for the presentation. She asked about stakeholder outreach and whether July is too late in the schedule. Mr. Behn said some of the stakeholder discussions could be held earlier. Mr. Kennedy said the thought was it was at a point where they would have reached a consensus. Ms. McElroy thought it was a good timeline, it was thorough, and would give folks time to weigh in. It’s a good exercise. Mr. Berman said he’d like to see the timeline compressed. We could combine some of the topics in workshops and be done by June. Mr. Meyer was okay with compressing the timeline but thinks we need to be flexible and not necessarily discuss it each and every month. It may depend on what we come up with. He thinks changes may be more of a clarification. He questioned Section 14 regarding water and sewer. We do need input from stakeholders. Mr. Behn asked what Mr. Berman meant by workshops – Mr. Berman said to make sure we get input from as many as possible we may want to have workshops at different times. Ms. Kennedy said there seems to be consensus for moving forward and we need to be flexible with scheduling the topics. We should look at the option of having workshops scheduled in the beginning of the year, in between regular meeting times if we need extra time. Mr. Behn said we can advertise at any time. Ms. McElroy said we may want to have daytime options as well to accommodate those with different schedules. Ms. Kennedy thought we’d have a better idea whether we need to schedule any additional meetings in January. Mr. Berman said Supervisors and other interested parties can get their ideas to Chad over the next couple of months, and we don’t need to wait until October. He does think it could be a mistake to do too much at once and we could look at revisiting it every few years.

Mr. Behn said we have to keep in mind that changing legislation doesn't necessarily mean getting it passed and opening the special act to the legislature means you are vulnerable to amendments by all sorts of forces. There can be a lot of time and effort put into changing the legislation, and it dies on the hill.

Mr. Kennedy asked Mr. Behn if he could contact each Board member for feedback prior to the October meeting. Mr. Behn said we'll be parsing by topic when the time comes, and any comments can be consolidated and presented at a meeting.

Under Supervisor Comments, Mr. Berman again voiced his objections to the length and detail of the minutes and felt it is unnecessary.

There being no further business to come before the Board, the meeting was adjourned at 9:02 p.m.

ADJOURNED

Recording Secretary	Approved