

Melbourne-Tillman Water Control District



Board Agenda

Melbourne-Tillman Water Control District

MEETING OF THE BOARD OF DIRECTORS

TUESDAY, OCTOBER 22, 2024

9:00 AM



Call to Order

Joe Hale, Vice President

Pledge of Allegiance

Joe Hale, Vice 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)

Jay Woltering (Brevard County September 30, 2025)

Staff & Support:

Rick Nipper, District Manager

Lisa Blackett, Assistant Manager/Administration,

Secretary/Treasurer

Jim Beadle, District Attorney

Recognition of Guests and Staff

Bo Rainbolt, Assistant Manager/ Operations

Mike McCabe, District Engineer

Scott Glaubitz, BSE Consultants

Melbourne-Tillman Water Control District

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Announcements

- Keith Jerdon has been Re-Appointed by the City of West Melbourne, his term will expire September 30, 2027. The City of Palm Bay has not appointed a Board Member to replace Philip Weinberg whose term expired on September 30, 2024.
- The Brevard County Commission approved the District's 2024/2025 Budget at the public hearings on September 10, 2024 and September 24, 2024.
- The District's annual inventory was conducted on October 7, 2024 by Board member Drew Powshok and staff member Ken Neff. Attached is the inventory letter, signed by Drew Powshok stating there were no discrepancies noted. (Attachment 1)

Public Comments

Presentations

- Scott Glaubitz, BSE Consultants request for MT-03-11 and MT-04-11 parallel use installation water/wastewater line in C-37 and C-9R rights-of way.
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Regular Business

- Approval of the minutes of the August 28, 2024 MTWCD Board of Director's Meeting (Attachment 2)
- Approval of the Operating Statement through September 30, 2024 (Attachment 3)

New Business

- None

Old Business

- AT&T Parallel Installation

Budget

- None

Melbourne-Tillman Water Control District

MEETING OF THE BOARD OF DIRECTORS

TUESDAY, OCTOBER 22, 2024

9:00 AM

Staff Reports

- District Manager's Report, Rick Nipper
- Engineer's Report, Mike McCabe
- Assistant Manager/Operations Report, Bo Rainbolt
- Attorney's Report, Jim Beadle
- Secretary/Treasurer's Report, Lisa Blackett

Closing

- Meeting Schedule – The next Board Meeting is scheduled for Tuesday December 5, 2024 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*
 - Jay Woltering*

- Adjourn

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 verbatim transcript of the proceedings may be required and the individual will need to ensure that a verbatim transcript of the proceedings is made,

In accordance with the Americans with Disabilities Act and Section 286.26, FSS, persons needing special accommodations for this meeting shall within reasonable time, prior to this meeting, contact the Office of the Secretary to the Board of Directors, (321)-723-7233.

Attachment

1

STATE OF FLORIDA
Melbourne-Tillman Water Control District



Drew Powshok
3460 Hield Road
West Melbourne, FL 32904

October 7, 2024

Melbourne Tillman Water Control District
5990 Minton Road NW
Palm Bay, FL 32907

RE: Annual Inventory

On Tuesday, October 10, 2023, I completed the Melbourne Tillman Water Control District's Annual Inventory with staff member George Rainbolt. Random items were selected from the inventory listing and all were identified and located.

I am pleased to report there were no discrepancies noted.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Drew Powshok', written over a horizontal line.

Drew Powshok
Board Member
Melbourne Tillman Water Control District

Attachment

2

MELBOURNE-TILLMAN WATER CONTROL DISTRICT

MINUTES

August 28, 2024

CALL TO ORDER

The regular scheduled meeting of the Melbourne-Tillman Water Control District (MTWCD) Board of Directors was called to order by Joe Hale, Vice President on Wednesday, August 28, 2024 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:

Joe Hale, Vice President
Drew Powshok
Brant Hoffman
Keith Jerdon

Absent Don Jordan
 Jay Woltering

Also present: Rick Nipper, District Manager
 Lisa Blackett, Assistant Manager/Administration/Secretary/Treasurer
 Jim Beadle, District Attorney

RECOGNITION OF GUESTS/VISITORS/STAFF

Bo Rainbolt, Assistant Manager of Operations
Mike McCabe, District Engineer
Bojana Brown, Land & Development Manager for Lennar Homes
Ana Sanders, BSE Consulting
Tom Bradford, Assistant Manager City of West Melbourne
Mark Petroni, Capital Project Manager City of West Melbourne
Mike Haridopolos, District Consultant

ANNOUNCEMENTS

The District Manager announced Phil Weinberg had been appointed to the Palm Bay City Council and has resigned from the Board.

The Manager announced the District's user fee rates were approved by the Brevard County Commission on August 27th, 2024 without any increase in user fee revenue for FY 2024/2025. He added the approved rates are \$25.00 per acre or portion thereof for Residential properties, \$8.50 per acre or portion thereof for Agricultural properties and \$52.50 per acre or portion thereof for Commercial.

The Manager announced the District's 2024-2025 will be presented for approval by the Brevard County Commission at budget hearings on September 10th, 2024 and September 24th, 2024.

The Manager requested a Board member available to conduct the District's annual inventory. The Vice President asked for a volunteer and Drew Powshok agreed to conduct the inventory.

The Manager advised the term of appointment for Keith Jerdon and Phil Weinberg will expire on September 30, 2024. He added the Secretary/Treasurer has reached out to the City of West Melbourne (Jerdon) and the City of Palm Bay (Weinberg) advising an appointment is needed.

PUBLIC COMMENTS

Phil Weinberg thanked the Board members for all of their cooperation and added he hoped to rejoin the Board after his term on the Palm Bay City Council ends.

PRESENTATIONS

Mark Peroni, Capital Project Manager City of West Melbourne, presented a project to alleviate flooding issues in the Westbrook subdivision and drainage issues in C-69. He stated the City has received a \$800,000 grant to implement upgrades with the final cost expected to be \$1,000,000. Mr. Petroni stated the Consultant has identified 3 culvert crossings in C-69 that create a dam situation. The Manager stated staff supports the project with conditions and added the City of West Melbourne will construct the bypasses and the District will allow temporary access for the construction. Once completed, ownership of the bypass will transfer to the District and he recommended to waive the permit fees. Drew Powshok **motioned to allow the City of West Melbourne to permit and work with District staff on production of the installation of the storm water bypass.** Keith Jerdon **seconded the motion.** The Board **voted 4-0 to approve the motion.**

REGULAR BUSINESS

The Vice-President presented the minutes of the June 25, 2024 Board meeting for approval. Drew Powshok **motioned to approve the minutes of the June 25, 2024 Board meeting.** Brant Hoffman **seconded the motion.** The Board **voted 4-0 to approve the motion.**

The Vice-President presented the Operating Statement through July 31, 2024 for Board approval. Drew Powshok **motioned to approve the Operating Statement through July 31, 2024.** Brant Hoffman **seconded the motion.** The Board **voted 4-0 to approve the motion.**

NEW BUSINESS

The District Manager presented Resolution 2024-01, a resolution of the Melbourne Tillman Water Control District, Brevard County, Florida, providing for the authority to levy User Fees, and certifying the Brevard County Property Appraiser User Fees levied for the Fiscal year 2024, providing for an effective date. Drew Powshok **motioned to approve the Resolution 2024-01.** Brant Hoffman **seconded the motion.** The Vice President stated for the record that with the user fee cap restriction, the District will not be able to replace employees who have resigned and the level of service will be affected as the District has twelve employees in the field to maintain 163 miles of canal banks. The Board **voted 4-0 to approve Resolution 2024-01.**

The Manager presented Resolution 2024-02, an appropriation and levy resolution of the Melbourne Tillman Water Control District, Brevard County, Florida, covering the Fiscal year beginning October 1, 2024 and ending September 30, 2025. Being a resolution appropriating funds required for the purpose of providing funds for general operating expenses of the District; all necessary and proper disbursements,

and other expenditures necessary or proper for the operation of the District and the purpose of capital outlays during said fiscal year; providing for the adoption of the Budget for the Fiscal Year October 1, 2024 through September 30, 2025; providing for an effective date. Drew Powshok **motioned to approve Resolution 2024-02**. Brant Hoffman **seconded the motion**. The Board **voted 4-0 to approve Resolution 2024-02**.

Mike Haridopolos, MJH Consulting, updated the Board and expressed disappointment with the veto of the District legislation by the Governor despite unanimous support by the Florida House and Senate. He said the political arena will change in November and suggested the District return to the Legislature with slight adjustments to the bill to include a CPI element to keep pace with inflation. The Vice President said that as developmental density continues to increase, the level of service will continue to go down and suggested a one-time appropriation to increase staff number and then add the CPI. Mr. Haridopolos advised as an appropriate course of action to look at the CPI adjustment in law and to also seek additional appropriations from the Legislature as it is very common to see money allocated in a budget year to catch up.

The Manager advised that MJH Consulting's contract with the District is due for annual review. He added that should Mr. Haridopolos be elected to Congress, he would sell his consulting business and the District's contract would transfer to the new firm. At the review date in 2025, the District could choose to continue with that firm or go out with a new RFP. Mr. Haridopolos added the firm was well known as he wanted to provide his clients with same caliber of representation. Drew Powshok stated it was a good option to renew the contract and the Vice President agreed. The Secretary/Treasurer suggested to continue to review the contract annually to be compliance with GASB protocols. Drew Powshok **motioned to continue the contract for 1 year service and that contract may be assignable to be purchased by another firm**. Keith Jerdon **seconded the motion**. The Board **voted 4-0 to approve the motion**.

OLD BUSINESS

The District Manager reviewed the temporary parallel use permit Lennar Homes requested for access road improvements along C-54. Ana Saunders, BSE Consultants stated that per the Board's request at the last meeting, she was able to confirm that the City of Palm Bay will allow a permanent driveway access onto the Parkway and has submitted the necessary drawings for the permit. Ms. Saunders added that once the final permit is issued and costs are compiled, Lennar would provide the maintenance berm and obtain a bond as requested. She requested the Board approve the project in concept to allow her to work with staff on the specific components necessary for permit approval. Drew Powshok **motioned to approve in concept so the staff can review plans from BSE for the parallel use access for a 2 year period**. Keith Jerdon **seconded the motion**. The Board **voted 4-0 to approve the motion**.

The District Manager presented the District Permitting policy with the changes to the parallel use section. The Vice President asked the District Attorney how to include parallel use is not allowed in the permit policy so any requests are stopped at the beginning of the request. The District Attorney suggested in Article 4 section add a statement that "No Parallel Use shall be allowed in District Rights-of-Way pursuant to the District's enabling legislation". The Vice President asked if there were any current requests for parallel use permits and the Manager advised there was one permit which allowed the City of Palm Bay to install IT lines. Drew Powshok **motioned to allow the approved permitting policy changes as presented by staff here today**. Brant Hoffman **seconded the motion**. The Board **voted 4-0 to approve the motion**.

The Manager updated that AT&T engineers are currently designing plans to remove all of the unpermitted works from the District's right of way.

BUDGET

The Manager requested approval to transfer \$6,000 from account #5520010 Fuel, Oil and Gas to account #5490000 Tax Collector Budget to offset higher than expected postage and administrative costs for collecting the District's User Fees. Drew Powshok **motioned to approve the transfer of \$6,000 from account #5520010 Fuel, Oil and Gas to the account #5490000 Tax Collector for the higher postage and administrative costs.** Brandt Hoffman **seconded the motion.** The Board voted **4-0 to approve the motion.**

The Manager requested approval for a transfer of \$5,800 from account #5640000 Machinery & Operating Equipment to account #5640300 Computer Equipment to replace the District Engineer's computer that has over-heating problems. He added the request is within budget due to surplus in #564000 Machinery & Operating Equipment due to the lower cost of the District's slope mower. Drew Powshok **motioned to approve the transfer of \$5800 from #564000 Machinery & Operating Equipment to #5640300 Computer Equipment to replace the District Engineer's computer.** Brant Hoffman **seconded the motion.** The Board voted **4-0 to approve the motion.**

MANAGER'S REPORT

The Manager reported the Harvester was down again and was may beyond its useful life. He reported staff had reached out to the manufacturer to possibly rehab it or sell it back to them to replace with a smaller machine conducive to the District's needs. The Vice President asked how long the District has had the harvester and the Manager stated approximately eight years.

The Manager reported one of the District's heavy equipment operators had recently resigned to move to West Virginia for medical help for his child. He added staff would evaluate personnel needs before the position is filled in January or February.

ENGINEER'S REPORT

The District Engineer presented handouts to the Board outlining the July1, 2024 storm water rule. The Engineer added the actual pollutant load deductions will not go into effect until 2026 and will have impacts on District operations and permitting. The Engineer presented the proposed South Brevard Trail System map that is not finalized and would require Board Approval to move forward. He stated the District has issued over 60 permits for this fiscal year and has reached the expected budgeted permit fee income revenue.

ASSISTANT MANAGER/OPERATIONS REPORT

The Assistant Manager of Operations reported the new slope mower was put into service just as an older mower broke an axle. He expressed concern for the cost of the repair or that it is not fixable. The Assistant Manager of Operations stated the grass is high throughout the District despite best efforts to keep up and staff has taken citizen service concerns. He reported the Aquatics crews are alternating between using the spray truck and the airboat to control weed growth most effectively. He stated the operations have focused on removing weeds and clearing culverts in the event there is a large rain event.

ATTORNEY'S REPORT

None.

SECRETARY/TREASURER'S REPORT

The Secretary/Treasurer reported that the Florida Department of Emergency Management (FDEM) has issued a reimbursement check from FEMA for \$20,173 for equipment costs on one canal leaving approximately \$245,316 for equipment charges and \$50,000 in administrative costs outstanding. She said

the District has applied for approval to participate in a FDEM program called F-ROC that streamlines the FEMA Public Assistance Grant applications and documentation requirements for the 2025 Hurricane season. Successful acceptance in the program allows for 85% of grant funds to be received up front and validation of the remaining 15% in a more timely manner. She reported that year to date, the user fees collected were \$2,312,211 that represents at 95.7% collection rate which is in accordance to expectations.

CLOSING

The Vice President stated that the next Board meeting would be Tuesday October 22, 2024 at 9:00 AM in the City of West Melbourne Council Chambers, Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida.

DIRECTOR'S REPORTS

Keith Jerdon - none

Brant Hoffman – none

Drew Powshok – none

Joe Hale – Nothing to report but wanted to thank Drew for volunteering with the inventory.

ADJOURN

Joe Hale, Vice President adjourned the meeting at 10:24 am.

Respectfully,

Lisa Blackett
Secretary
Board of Directors

Attachment

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MELBOURNE-TILLMAN WATER CONTROL DISTRICT

Operating Statement Through July 31, 2024

	Actual \$	FY 2024	Approved Budget	FY 2024	Over/Under	Percentage
	To Date	Approved Budget	Adjustment	Modified Budget	Budget	Budget
Revenue						
User Fees	\$ 2,309,888	\$ 2,416,125		\$ 2,416,125	\$ (106,237)	96%
Permits	\$ 101,435	\$ 40,000		\$ 40,000	\$ 61,435	254%
Miscellaneous Income	\$ 222,958	\$ 50,000		\$ 50,000	\$ 172,958	446%
Other Income	\$ -	\$ -	2		\$ -	
	\$ 2,634,281	\$ 2,506,125	\$ -	\$ 2,506,125	\$ 128,156	105%
Balance Forward Operating		\$ 2,199,679		\$ 2,199,679	\$ (2,199,679)	0%
TOTAL REVENUE	\$ 2,634,281	\$ 4,705,804	\$ -	\$ 4,705,804	\$ 2,071,523	56%
Expenses						
Uniform Reimbursement						
Salaries	\$ 887,713	\$ 1,147,842		\$ 1,147,842	\$ 260,129	77%
Health Insurance	\$ 219,510	\$ 282,960		\$ 282,960	\$ 63,450	78%
Retirement	\$ 120,513	\$ 182,736		\$ 182,736	\$ 62,223	66%
FICA/Medicare	\$ 65,744	\$ 87,465		\$ 87,465	\$ 21,721	75%
Workers' Comp	\$ 13,023	\$ 35,755		\$ 35,755	\$ 22,732	36%
SALARY & BENEFITS	\$ 1,306,503	\$ 1,736,758	\$ -	\$ 1,736,758	\$ 430,255	75%
Professional Services	\$ 41,135	\$ 53,100		\$ 53,100	\$ 11,965	77%
Contract Services	\$ 5,236	\$ 7,300		\$ 7,300	\$ 2,064	72%
Travel	\$ 752	\$ 1,200		\$ 1,200	\$ 448	63%
Communications	\$ 6,684	\$ 10,500		\$ 10,500	\$ 3,816	64%
Utilities	\$ 5,929	\$ 8,375		\$ 8,375	\$ 2,446	71%
Rentals	\$ 5,684	\$ 13,500		\$ 13,500	\$ 7,816	42%
Liability Insurance	\$ 130,407	\$ 144,098	\$ (10,928) 1	\$ 133,170	\$ 2,763	98%
Repair & Maintenance	\$ 72,988	\$ 188,507	\$ -	\$ 188,507	\$ 115,519	39%
Current Charges	\$ 55,085	\$ 50,323		\$ 50,323	\$ (4,762)	109%
Office Supplies	\$ 3,173	\$ 6,600		\$ 6,600	\$ 3,427	48%
Operating Supplies	\$ 150,774	\$ 293,750	\$ (44,892) 2	\$ 263,858	\$ 113,084	57%
Books & Training	\$ 6,233	\$ 7,000		\$ 7,000	\$ 767	89%
Restricted Reserves	\$ -	\$ 1,831,129		\$ 1,831,129	\$ 1,831,129	
OPERATIONS	\$ 484,079	\$ 2,615,382		\$ 2,615,382	\$ 2,131,303	19%
Improvements Other than Buildings	\$ 20,378	\$ 25,000	\$ 10,928 1	\$ 35,928	\$ 15,550	57%
Machinery	\$ 161,606	\$ 324,164	\$ 44,892 2	\$ 369,056	\$ 207,450	44%
Computer Equipment	\$ 1,953	\$ 2,000		\$ 2,000	\$ 47	98%
Computer Software	\$ 2,260	\$ 2,500		\$ 2,500	\$ 240	90%
CAPITAL OUTLAY	\$ 186,197	\$ 353,664		\$ 353,664	\$ 167,467	53%
TOTAL EXPENSE	\$ 1,976,779	\$ 4,705,804		\$ 4,705,804	\$ 2,729,025	42%

Legal, Drug Testing, Accounting & Court Reporting, Engineering Testing, Miscellaneous Professional Services
Uniforms, Garbage Service
Travel
Postage, Telephone Service
Utility, Solid Waste Assessment
Rentals
Insurance
Repair & Maintenance Service, Repair & Maintenance Supplies, Auto & Equipment Parts, Maintenance Agreements
Unemployment
Office Supplies
Operating Supplies, Fuel, Gas & Oil, Aquatics
Books, Pubs., Memberships, Training Costs

1 Approved 10-24-23

2 Approved 10-24-23

\$10928.00 from #5450000 Insurance to #5630001 Improvements other than Buildings to purchase 2 floats

\$44,892.40 from #5520100 Aquatics to #5640000 Machinery & Operating Equipment for Versa Flail Mower not received in FY 22/23