

**AGENDA**  
**FELLSMERE WATER CONTROL DISTRICT**  
City of Fellsmere Hall  
22 South Orange Street  
Fellsmere, Florida 32948  
**LANDOWNERS' MEETING**  
May 22, 2025  
5:30 p.m.

- A. Call to Order
- B. Proof of Publication *Indian River Press Journal* on 5/1/2024 & 5/8/2024
- C. Adoption of Election Procedures
- D. Designation of Chair for Landowners Meeting
- E. Designation of Secretary for Landowners' Meeting
- F. Designation of District Attorney as Election Teller
- G. Appointment of Two Additional Election Tellers
- H. Approval of Minutes
  - 1. May 11, 2024 Landowners' Meeting Minutes
- I. Election of Supervisors
  - 1. Tellers Determine Number of Voting Units Present or Assigned by Proxy
  - 2. Nomination of Supervisors
  - 3. Casting of Ballots
  - 4. Ballot Tabulation by Tellers
  - 5. Certification of Results
- J. Other Business
  - 1. Receive Treasurer's Report
  - 2. Receive Engineer's Report
  - 3. Receive District Manager's Report
- K. Landowners' Comments
- L. Adjourn

**FELLSMERE WATER CONTROL DISTRICT  
LANDOWNERS' MEETING  
MAY 9, 2024**

**A. CALL TO ORDER**

District Manager Frank Sakuma called the May 9, 2024, Landowners' Meeting of the Fellsmere Water Control District (the "District") to order at 5:30 p.m. at the Fellsmere City Hall Auditorium located at 22 South Orange Street, Fellsmere, Florida 32948.

**B. PROOF OF PUBLICATION**

Mr. Sakuma presented proof of publication that notice of the Landowners' Meeting was published in the *St. Lucie News Tribune* on April 19, 2024, and April 26, 2024, as required by law.

**C. ESTABLISH QUORUM**

Mr. Sakuma stated that the attendance of landowners Bernard A. Egan Groves, Inc. (by proxy), Fellsmere Estates LLC (by proxy) and Fellsmere Joint Venture (by proxy) constituted a quorum.

**D. CONSIDER ADOPTION OF ELECTION PROCEDURES**

The election procedures were adopted as presented.

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

Mr. Frank Sakuma was elected as the Chair for the Landowners' Meeting.

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

Ms. Stephanie Brown was elected as the Secretary for the Landowners' Meeting.

**G. APPROVAL OF MINUTES**

**1. May 11, 2023, Landowners' Meeting**

The May 11, 2023, Landowners' Meeting Minutes were approved, as presented.

**H. ELECTION OF SUPERVISORS**

**1. Determine Number of Voting Units Represented or Assigned by Proxy**

There were 18,114 voting units represented.

**2. Nomination of Candidates**

Greg Nelson was nominated to fill the vacant board seat. There were no other nominations.

**FELLSMERE WATER CONTROL DISTRICT  
LANDOWNERS' MEETING  
MAY 9, 2024**

**3. Casting of Ballots**

Ballots were cast totaling 18,114 votes.

**4. Ballot Tabulations**

It was unanimously determined that Mr. Nelson would receive a 3-year term, which expires in May 2027.

**5. Certification of the Results**

There were no objections to the ballots. Mr. Sakuma, as Chairman, certified the results.

**I. OTHER BUSINESS**

**1. Receive Treasurer's Report**

Mr. Sakuma presented the Treasurer's Report, which was included in the Board package, to the landowners.

**2. Receive Engineer's Report**

Mr. Simons presented the annual Engineer's Report to the landowners.

**J. BOARD MEMBER COMMENTS**

There were no comments from the landowners.

**K. ADJOURNMENT**

The Landowners' Meeting was adjourned at 5:47 p.m.

---

Secretary

---

Chairman

## **Fellsmere Water Control District Voting Procedures**

1. Landowners register at sign-in table providing Name, Address, and # of acres and turn in all proxy forms for confirmation.
2. District Manager serves as Temporary Chairman/Secretary.
3. Temporary Chairman requests a motion and second from the floor approving the Voting Procedures.
4. Appointment of Tellers.
  - District Attorney appointed as Teller.
  - Temporary Chairman calls for a motion and second from the floor to appoint 2 additional tellers.
    - Tellers confirm all proxies, appointments, Power of Attorney and other credentials for the purpose of preparing the roll of landowners qualified to participate in this meeting.
  - Meeting placed in recess while Tellers conduct their review.
    - Tellers review sign-in register against Property Appraiser Tax Roll to report on acres present.
    - Tellers review attendance list and proxy forms to report on number of Voting Units Represented or Assigned by Proxy
5. Temporary Chairman calls for a motion and second from the floor to approve Tellers Report.
6. Nomination of Supervisors
  - Temporary Chairman shall call for nominations from the floor.
  - Only Landowners present may be nominated.
  - Nominee shall accept or decline the nomination.
  - Once no more names are nominated from the floor, the Chairman shall close the nomination.
7. Casting of Ballots
  - Votes shall be cast at the time designated by the Chairman.
  - Votes shall be in writing on ballot provided by District.
  - Landowners may vote only for nominated candidates (no write-ins).
  - Ballots shall be placed face down in ballot box upon completion.
8. Ballot Tabulation
  - Meeting placed in recess while Tellers compile the voting results.
9. Temporary Chairman announces the results of the ballot tabulation.
10. Administer oath of office to new supervisor
  - Performed by District Attorney



Fiscal Year 2024/2025 Annual Financial Statement required by F.S. 298.17

F.S 298.17 - The board of supervisors shall audit or have audited the books of the said treasurer of said district at least once each year and make a report thereof to the landowners at the annual meeting and publish a statement within 30 days thereafter, showing the amount of money received, the amount paid out during such year, and the amount in the treasury at the beginning and end of the year. Please see Audit attached.

Fiscal Year 2023/2024 (Sept 1, 2023 through October 31, 2024)

Amount of Money Received between 10/1/23 through 9/30/24 = \$637,628

Amount of Money Paid out between 10/1/23 through 9/30/24 = \$1,467,054

Amount in Treasury as of 10/1/23 = \$1,220,486

Amount in Treasury as of 9/30/24 = \$391,060\*

Amount in Checking Account as of 3/31/25 = \$75,657

Amount in Money Market as of 9/30/24 = \$629,026.95

\*does not equal Checking + Money Market due to accounts payable/receivable.

Fiscal Year 2024/2025 (Sept 1, 2024 through October 31, 2025)

Through March 2025 (50% of budget year)

Amount in Treasury as of 9/30/24 = \$391,060

Amount of Money Received between 10/1/24 through 3/31/25 = \$727,939

Amount of Money Paid out between 10/1/24 through 3/31/25 = \$702,879

Amount in Treasury as of 3/31/25 = \$734,904

Amount in Checking Account as of 3/31/25 = \$452,625

Amount in Money Market as of 3/31/25 = \$282,279

FY 24/25 Budget = \$877,528

Amount of Money Paid out between 10/1/24 through 3/30/25 = \$702,879

Fy24/25 Remaining Budget = \$174,649 (approximately six months of operating expenses)

Expected Year-end balance = \$560,255 (approximate)

**Fellsmere Water Control District**  
**May 2024 – May 2025 District Manager's Report to Landowners**

This report summarizes the activities of the Fellsmere Water Control District over the past year (May 2024 through May 2025). In 2024, the District was managed by Special District Services, (SDS) who had been managing the District since the retirement of long time District Manager, Rodney Tillman in 2017. SDS managed the District out of their offices in Port St. Lucie leaving the machine operator as the only on-site representative of the District to maintain District facilities, address citizen concerns, and coordinate with vendors providing service to the District. Seeing a need to return to in-house management, the Board of Supervisors decided to replace SDS with a new District Manager at a special meeting on August 4, 2024.

Starting on September 9, 2024, Mark D. Mathes, PE, became only the third in-house District Manager of the District since its inception in 1919. Upon appointment, the new District Manager focused his efforts on inspecting district facilities and directing the machine operator, longtime employee Robert Vereen, to maintain the District sublaterals. At the same time, the new District Manager began the process of administratively transitioning the District from SDS to in-house operations. With five years of SDS operations, all of the in-house processes had been terminated requiring a complete rebuild of the administrative structure of District. Transitions included redirecting vendor invoices, obtaining control of District accounts, taking over recurring reporting requirements, purchasing office equipment (since the equipment left in the office was outdated), and setting up tracking systems to allow for performance monitoring, among others.

During the transition, problems were encountered both administratively and operationally. As an example, the machine lease entered into under SDS management provided only 500 hours per year. A lease amendment was required to adjust this to 1,500 per year with a cost impact of around \$7,000 per year over the three-year lease. As another example, the website controlled by SDS was not able to be transferred due to the age of the supporting programs, modules and plugins used by SDS. This caused the website to be unavailable while repairs and reconstruction of the website occurred causing the cancellation of one of the regular Board of Supervisor meetings.

### **Administration**

As stated at the beginning of this report, administration was converted to an in-house manager during the prior year. In addition to the items noted earlier, the District Manager conducted the following.

#### *Water Control Plan/Five-Year Plan*

The District Manager is in the process of developing a new Five-year Plan. To be Included therein will be a discussion of the Water Control Plan and investigation of district organization and revenue mechanisms. Minor edits to the Water Control Plan are anticipated in the coming year. Depending upon the results of the investigation of district organization and revenue mechanisms, a major amendment may be required.

#### *Public Outreach*

The District Manager has met on a regular basis with a community group. The group provides valuable feedback and has proven to be helpful in disseminating information.

#### *Standard Operating Procedures*

The District Manager is in the process of converting the Employee Handbook and District Manager's Guide into a single document to be called the Standard Operating Procedures. As part of this rewrite, the employee benefits are being reviewed to be more in line with current industry practice and procedures are being updated to current practice.



**Fellsmere Water Control District**  
**May 2024 – May 2025 District Manager's Report to Landowners**

*State Park*

Having learned that the State Park has not been levied an assessment since its purchase in 1999, the District Manager has begun the process of assessing those State Park lands that are in the district. In addition, coordination with the St. Johns River Water Management District and State Park Ranger to submit a revised permit application for fire road/ditch plug project has commenced. This project is a requirement of the land purchase where the park is required to hold back at least 10% of the runoff. This is an ongoing issue and assessing the park may be challenged.

*Grants*

The District Manager attended a grant related workshop hosted by the Treasure Coast Regional Planning Council. Continued research on available grants will continue in hopes of finding resources to complement the funding structure of the district.

*Intergovernmental Coordination*

The District Manager met with management of Indian River Farms Water Control District and Future Horizons, an aquatic vegetation control company to learn other practices. Both parties recommend spraying at least three times per year and mow prior to spraying in each instance. The District Manager also met with County staff regarding spare road material placed as a windrow along top of bank being covered by the deposit of the ditch muck/weeds. This good road dirt would no longer then be available for use on the roads by the County or residents. At this time, no solution is in place.

*Permits*

Approximately thirty permits were issued from May 2024 through May 2025. A majority were standard driveway or secondary drainage connections to district sublaterals. Four development permits were issued as summarized below.

- Indian Summer Estates – spanning approximately 30 acres located on east side of CR507 between 107<sup>th</sup> and 109<sup>th</sup> converting a former grove to six approximate 5-acre lots.
- FJV Water Farm - spanning approximately 1,500 acres located on west side of Lateral U (pumped basin) drawing water from Lateral U, treating such water, and discharging into the St. Johns headwater. This project reduces flow in Lateral U thus providing additional capacity for the gravity drainage basin.
- City of Fellsmere Rail Trail – a linear trail along the north side of the Railroad Ditch (#13A) extending from N. Broadway to the State Park Boundary.
- Brown & Sons Maintenance Yard - spanning approximately 1.7 acres located on the south side of CR512 adjacent to the Eastern Boundary.

*Demand Letters*

Four demand letters were issued for failed culverts and endwalls and violations of permit conditions. One has been successfully resolved. Also identified additional demand letter requirements and Australian pine encroachments. A discussion of unresolved demand letters will be conducted by the Board of Supervisor at their July 15, 2025 meeting.

*Administrative Issues Encountered*

Numerous issues exist relative to the administration of the district. Hopefully, by the Landowner's meeting, many of these will have been resolved. Others will require a longer-term approach.

- The machine lease terms are being revised to 1,500 hours per week to reflect actual usage.

**Fellsmere Water Control District**  
**May 2024 – May 2025 District Manager's Report to Landowners**

- The website and email were not operational during March and April 2025 due to the age of the old system inherited from SDS and issues in dealing with GoDaddy, the web provider under SDS. A new website and email are now operational as of end of April 2025.
- Access issues due to fences, gates, and vegetation must be addressed on a case-by-case basis and will extend over many years (discussed more fully under Operations/Maintenance below). A draft easement has been prepared and is being reviewed by the citizen group. Critical access areas will be addressed first.

**Operation/Maintenance**

Maintenance includes mechanical cleaning of aquatic weeds and other blockages, spraying, mowing, and tree removal.

*Sublateral Mechanical Cleaning*

Operations and maintenance focused on cleaning sublaterals. A ranking system of poor, fair and good was created to record the results of sublateral inspections conducted by the District Manager and the Machine Operator. Poor sublaterals were slated for mechanical cleaning within the East Unit (gravity basin). Of the 44 separate sublateral links (U1-20 and PL1-24), as of the writing of this report (April 2025), twelve sublaterals have been cleaned in the last year; another eight sublaterals were rated as fair within the last year; and three sublaterals were part of City of Fellsmere projects to be cleaned. This leaves 21 sublaterals remaining to be cleaned. With an average rate of one mile per week, another 21 weeks of work remain to have “touched” each sublateral in the East Unit. At approximately 5 months, this work should be completed by end of September 2025, machine and labor availability notwithstanding.

*Sublateral Spraying*

Sublateral spraying was not conducted in the prior year since the district instead conducted major mechanical maintenance on the canals and sublaterals. Spraying shall commence again in coming 12-month period with two applications – one in Aug./Sep. and one in Dec./Jan.

*Canals*

This past year also saw the completion of major canal maintenance projects for all of Lateral U, the gravity portion of Park Lateral and the Main Canal west of Babcock Street. These projects were funded with reserves and did not impact the landowner assessment. Of the three major canal maintenance efforts, all were completed except Park Lateral as this canal was placed on hold by the Florida Fish & Wildlife Commission (FFWC) due to presence of gopher tortoises. The remaining work involved cleaning the maintenance path. The District agreed to hold further work for 18 months to address FFWC concerns. After further research, the District determined that a waiver exists in state statute for linear utilities for required maintenance. Completion of the maintenance path will be performed in future work releases.

*Canal Spraying*

Canal spraying was not conducted since the canals instead had major mechanical maintenance performed. Spraying shall commence again in the coming 12-month period with one spray when needed.

*Tree Removal*

Tree Removal was also performed in select areas to remove fallen trees causing flow blockages. Additional efforts are required. Tree care at the District office and shop were also completed. A second round of tree removal will be conducted in the coming 12-month period and will again address blockages as well as overhanging limbs that



**Fellsmere Water Control District**  
**May 2024 – May 2025 District Manager's Report to Landowners**

preclude both spraying applications or mechanical cleaning. Long term tree removal is required to address invasive Australian Pines. These efforts will first be addressed through landowner coordination as the tree encroachments are a direct result of the landowners actions. Finally, the machine operator has been directed to remove juvenile palms and saplings from maintenance side of sublaterals to ensure mowing and spraying are not impacted.

*Mowing*

Mowing was performed during the winter. Lessons learned include adding an additional pass to reach the water's edge and aligning mowing with the spraying schedule to ensure clear access to the water line for the spray application. In addition, regular mowing should commence on the canal maintenance paths to ensure trees do not return. A considerable sum was spent to clear these maintenance paths.

*Maintenance Issues Encountered*

Numerous issues exist relative to maintenance of district facilities.

- The machine was non-operational for repairs in what seemed was nearly a monthly occurrence, and the machine operator also has vacation and sick days when cleaning operations are not being conducted. Although the extent of machine down time was greater than anticipated, completion of the ditch cleaning of all poor sublaterals should still be completed by end of fiscal year (end of September).
- Overgrowth of vegetation does not allow the machine to access the top of bank for maintenance in some locations. Funds have been programmed in the coming budget and for the foreseeable future to clear areas to allow for maintenance access.
- Fences or gates preclude access in some locations. Coordination with homeowner is required to gain access. In some locations adequate right-of-way may not exist, which will require negotiation with the owner for access.
- Dirt roads do not lie in legally approved right-of-way or easement. Although prescriptive easement rights have been claimed by the District, such claims can be challenged. Coordination with landowners to legalize the right to access certain sublaterals may cause continuing issues with maintenance. A draft easement has been prepared for use in circumstances in which new legal access is required.