

AGENDA
FELLSMERE WATER CONTROL DISTRICT
SPECIAL BOARD MEETING
December 9, 2025 at 5:30 P.M.
LOCATION: 22 S. ORANGE STREET, FELLSMERE, FLORIDA

- A. Call to Order
- B. Proof of Publication – Annual Meeting Schedule Published November 24, 2025 Page 2
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Approval of Minutes – None.
- F. Engineer’s Matters – None.
- G. Attorney’s Matters – None.
- H. Manager’s Matters – None.
- I. Consent Agenda – None.
- J. Public Hearings – None
- K. Old Business
 - 1. Status of Legislative Action to contract District Page 4
 - 2. Annual Sublateral Maintenance Bid Conditions Page 5
 - 3. District Standards Page 6
 - 4. Status of State Park Discharge Limitations Page 15
- L. New Business
 - 1. Review of District Goals and Objectives Page 16
- M. Comments from the Public
- N. Board Member Comments
- O. Adjourn

Account Number:	1125900
Customer Name:	Fellsmere Water Control Dist
Customer Address:	Fellsmere Water Control Dist 109 N Willow ST Mark D. Mathes Fellsmere FL 32948-5336
Contact Name:	Fellsmere Water Control Dist
Contact Phone:	
Contact Email:	
PO Number:	

Date:	11/21/2025
Order Number:	11860007
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	74.0000
Height in Inches:	6.1300

Print

Product	#Insertions	Start - End	Category
SCN StLucie-IndianRv-Stuart	1	11/24/2025 - 11/24/2025	Public Notices
SCN tcpalm.com	1	11/24/2025 - 11/24/2025	Public Notices

Total Cash Order Confirmation Amount Due	\$147.04
Tax Amount	\$0.00
Service Fee 3.99%	\$5.87
Cash/Check/ACH Discount	-\$5.87
Payment Amount by Cash/Check/ACH	\$147.04
Payment Amount by Credit Card	\$152.91

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Order Confirmation Amount

\$147.04

FELLSMERE WATER CONTROL DISTRICT

NOTICE OF SPECIAL BOARD MEETING AND WORKSHOP

NOTICE IS HEREBY GIVEN that the Board of Supervisors ("Board") of the Fellsmere Water Control District ("District") will hold a Special Board Meeting ("Meeting") preceding the scheduled and published workshop scheduled on December 9, 2025, at 5:30 p.m. in the Fellsmere City Hall located at 22 South Orange Street, Fellsmere, Florida 32948.

The purpose of the Special Board Meeting is to address ongoing legislative actions to contract the District boundary, review goals and objectives of the district, Status of State Park discharges, and review current bid conditions for the Annual Sublateral Maintenance Contract. The Board may also consider any other business which may properly come before the Board. The purpose of the Workshop is discuss ongoing legislative actions to contract the District boundary and operations standards and policies of the District. The meeting and workshop are open to the public and will be conducted in accordance with the provisions of Florida law. There may be occasions when Board members or District Staff may participate by speaker telephone. A copy of the Agenda for the meeting may be obtained from the District's website (www.fellsmerewatercontroldistrict.org) or by contacting the District Manager at (772) 571-0640.

Any person requiring special accommodations at the meeting or workshop because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

FELLSMERE WATER CONTROL DISTRICT
www.fellsmerewatercontroldistrict.org

PUBLISH: INDIAN RIVER PRESS JOURNAL 11/24/25 TCN1186007

FELLSMERE WATER CONTROL DISTRICT
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Agenda Item No. K.1: District Contraction

Background: At the September 2025 Board of Supervisors' Meeting, the Board approved moving forward with exploring the concept of contracting the district with Fellsmere Joint Venture (FJV) owned lands (and related property) separating from the FWCD. In addition, FJV would also seek the creation of a new 298 district over the FJV lands. Each district would be independent of the other and have its own Board of Supervisors. At that time, two draft documents were being prepared to aid in the discussion: 1) draft legislation to reduce the size of the FWCD and 2) a draft Interlocal Agreement that, if the legislation were approved, would then be approved by the two respective districts outlining how the shared resources would be addressed.

As of the writing of this agenda item, a local legislative sponsor has not been obtained. However, the contraction of the District is now being processed as a conversion to a Dependent District with the County serving as the controlling entity. This item is a placeholder to discuss the current status at time of meeting and summarize any directions received from local legislators.

Minutes from the October 7th special meeting summarize the understanding of transition as follows:

- Reserves to FWCD;
- Dirt stockpile to FWCD;
- Public records to both parties;
- Cost sharing for canals by designated maintenance areas;
- Office/machine/ROW stay with FWCD;
- Lease for machine and temporary labor and any private contractors to FWCD;
- Administrator to no longer be with FWCD;
- Each district responsible for creation of their own budget;
- Permit approvals and maintenance for shared facilities in writing;
- State Park still in FWCD;
- Water Control Plan by FWCD once split is done; and
- Reimbursement with cap for landowner legal representation.

President Nelson concurred with the summary.

Request: Based on considerations of status to date, to proceed with District Contraction or not.

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Agenda Item No. K.2 – Annual Sublateral Maintenance Bid

Background: The approved budget for the current fiscal year contains funds for three different contractor services: \$35,000 for tree care, \$25,000 for canal berm restoration; and \$100,000 for sublateral maintenance. In addition, there is \$95,000 allocated for sublateral spraying. With the Board's recent decision to spray only once this year, that leave approximately \$45,000 in funds to transfer to other sublateral maintenance needs for a total of \$205,000 available for the contract operator. Mowing and spraying may be performed by the selected contractor; however, these are budgeted separately from the figures noted above.

A bid has been released with a deadline of January 6, 2026, and pre-bid meeting has been conducted with three attendees. The results of the pre-bid meeting are now posted as Addendum #1. The current bid documents indicate that the pre-bid meeting was mandatory. As such, only the three companies that attended the pre-bid meeting will be allowed to bid. If all three follow up with a bid submittal, this should provide adequate competition for acceptable bids. In case one or more of these firms do not submit a bid, competition is reduced. This item allows an opportunity for the Board to eliminate the mandatory pre-bid requirement if they feel such amendment is required to ensure adequate competition.

In addition, the budget for this year is not sufficient to cover all maintenance needs. Priority of maintenance needs is required. The following is the list of items contained in the bid release. Items in bold are those that cannot be performed in-house.

- | | | |
|-----------------------------|------------------------------|--------------------------------------|
| • Mechanical Cleaning | • Spraying - budgeted | • Fill Loading and Transport |
| • Sumps | • Clearing | • Culvert Flushing |
| • Overhanging Limbs | • Spoil transport | • Bull Dozer Path Restoration |
| • Mowing (flat) – budgeted | • Emergency Bank Restoration | |
| • Mowing (slope) - budgeted | • Bank Restoration | |

Over the course of the current fiscal year, the district will have two operators conducting maintenance. The in-house operator will continue to mechanically clean sublaterals, and with spraying to occur once during the fiscal year, aquatic vegetation should be under control by end of the fiscal year. The contractor should focus on other critical maintenance needs that cannot be completed by in-house resources. Of those listed above, completing the overhanging limbs, removing trees from the bottom of sublaterals, and restoring near side banks are critical to the long-term sustainability of the sublaterals. If funds allow, selective clearing for access to sublaterals should also be performed. Culvert flushing should be postponed for at least a year to see how the installation of sumps addresses this issue. Likewise, the bull dozer path restoration is not critical at this time since the canals were recently cleaned. An example allocation of the available funds is shown below. A final decision on allocation of available funds can be made after bids are open and prices are known at the January 13, 2026 Board meeting.

\$35,000 - overhanging limbs

\$60,000 - removing trees from the bottom of sublaterals

\$60,000 - restoring near side banks for long-term sustainability of the sublaterals

\$50,000 - selective clearing for access to sublaterals

Request:

- 1) Amend mandatory pre-bid attendance, if desired.
- 2) Prioritize overhanging limbs, removing trees from the bottom of sublaterals, restoring near side banks, and selective clearing for access to sublaterals for maintenance needs.

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Agenda Item No. K.3: District Standards

Background: At the August 2025 Board of Supervisors' Workshop, the Board discussed numerous aspects of district operations and standards as listed below.

- | | |
|--|---------------------------------------|
| 1. Machine Lease vs. Ownership | 4. Standards for FWCD Facilities |
| 2. In-house vs. Contractor Labor | 5. Standards for work in District ROW |
| 3. Allocation of Maintenance Costs/Creation of Units | 6. Grant Project |

Below is an update on the development of revised standards.

1. Machine Lease vs. Ownership

Defer for potential district split to allow new management to make this decision.

2. In-house vs. Contractor Labor

This item has been decided in favor of contract labor. A temporary contract is in place until the lease expires, and a bid is on the street for ongoing maintenance support going forward.

3. Standards for FWCD Facilities

The Board reiterated the long-standing position that pipes belong to the person who needs the pipe, and failure of the pipe or endwall is the owner's responsibility.

The Board also reiterated the long-standing position that muck is deposited onto the top of bank. However, the Board was agreeable to allowing landowners to remove the muck with a no cost permit.

The Board did not make a clear determination of the party responsible for dirt in the pipes. Staff recommends that this item be deferred to see if implementation of sumps will reduce the amount of dirt in the pipes over time.

4. Allocation of Maintenance Costs/Creation of Units

Defer for potential district split to allow new management to make this decision.

5. Standards for work in District ROW

A sump requirement was introduced but no action was taken to make this a new standard of the District. Staff recommends this be a new standard of the District and has been adding sumps as part of sublateral maintenance.

Marking secondary drain locations is a current standard; the Board did not take action to remove or modify this standard. Staff recommends that the standard be revised to require all secondary drains to be marked with said markers being placed on the non-maintenance side of the sublaterals. Mark shall be a minimum of three feet tall and of contrasting color to the natural vegetation such as white, yellow, orange or red.

Direction on vegetation in the District right-of-way was not provided by the Board. Staff recommends that no trees or shrubs be allowed on maintenance side of a sublateral or along the sides of any driveway pipe crossing. However, if a landowner wanted to selectively address the far side, a no cost permit could be issued to ensure the slope stability remains.

Direction on rip-rap for secondary drain pipes was not provided by the Board. The current standards seems overly aggressive and has not been enforced by prior management. Staff recommends that rip-rap no longer be required for secondary drain pipes if properly marked.

Although the Board did not approve any specific changes to Policies and Procedures, they agreed to have the following revisited and brought back for consideration. Staff recommends that those in italics be deferred due to ongoing District split to allow new management to address.

- *Flap Gates;*
- Dedicate 25' easement as part of permit;
- *Landowners not allowed to remove material from right-of-way;*
- *Landowners allowed to remove muck placed on top of bank;*
- Sump required at each end of each pipe crossing;
- Permits not transferrable;
- FWCD responsible for repairs to permitted structures;
- *No permits for replacement secondary drains;*
- Parallel utility lines and utility line clearances;
- *Landowners cannot spray district right-of-way;*
- *State obligations of Landowner on permit form and consequences of not meeting;*
- *Responsible party for siltation of pipes; and*
- *Fee adjustments to be set by resolution of the Board of Supervisors.*

6. Grant Project

This item has been resolved with the City of Fellsmere applying the for the grant and the FWCD agreeing to address the technical aspects of the grant if awarded.

Request:

1. Adopt a sump requirement for all new or replacement crossing pipes (roads or driveways) per the detail created for the Annual Sublateral Maintenance bid. Note that maintenance of sump shall be the responsibility of the District as part of the ongoing mechanical cleaning of the sublaterals.
2. Modify the current marker policy to require all secondary drain pipes to be marked on the non-maintenance side of the sublateral with a minimum three-foot tall marker of contrasting color and remove the rip-rap requirement. Require all landowners to have marked within 30 days of notice by the District and to perpetually maintain such marker.
3. Modify current standards on vegetation within the District right-of-ways to exclude any shrubs or trees along the maintenance side of the sublateral or along any roadway or driveway crossing. However, if a landowner wishes to selectively address the far side, a no cost permit could be issued to ensure the slope stability remains.
4. Approve revised application from and policies as set forth on attached, revised application form.

FELLSMERE WATER CONTROL DISTRICT

109 N. Willow Street, Fellsmere, FL 32948

772-571-0640 office / mmathes@fellsmerewatercontroldistrict.org

Application for Utilities and Connection to District or Use of Facilities

~~c/o Special District Services, Inc., 2501A Burns Rd., Palm Beach Gardens, FL 33410~~

~~District Engineer: George Simons, P.E. georges@carterassoc.com (772) 562-4191~~

~~District Manager: B. Frank Sakuma, Jr. CDM bsakuma@sdsinc.org (772) 571-0640 772-571-0203 fax~~

DATE: _____ Permit # _____ (leave blank if unknown)

APPLICANT INFORMATION: Name: _____

Address: _____

Authorized Agent and Title: _____

Telephone Number: _____

PROPOSED CONNECTION USE OF: (check appropriate box or boxes)

NON-Refundable

Culvert connection to District canal for irrigation or drainage

\$250.00

Pump connection to District canal for irrigation or drainage

\$400.00

Culvert and/or control structure in District canal for crossing and/or water storage

\$250.00

UTILITIES:

\$250 to \$1,000

Plus additional Engineering and Legal review costs

Circle one or more: Electric, Telephone, Gas, Cable, Water, Sewer, Other (specify)

C. LOCATION: TRACT # _____ SECTION _____ TOWNSHIP _____ RANGE _____ CANAL # _____

Other appropriate description: _____

Property I.D. Parcel No.: _____

Attach drawing to show details (include acreage to be served)

D. DETAILS OF PROPOSED CONSTRUCTION: (Give diameter and length of culvert, diameter and rated capacity of pump; height and width of riser or other details on water control structure including cross sections.)

E. Special Conditions: (for District use only)

F. Estimated date of Construction: _____

Estimated date of Completion: _____

G. As the Applicant ~~for permit~~, I represent and agree that ~~as a permit condition~~, the use of, or construction within, the right-of-way of the Fellsmere Water Control District will be in accordance with the Standard Provisos contained herein, District standards, and the details of the approved sketch and/or permit conditions shown hereon, supporting this Application; and if any changes are required, all changes are required to be cleared with the District and additional hourly rate charges will apply to changes as well as violations. (Conditions on back).

Signed: _____

Date: _____

Applicant

(For District's Use Only)

Application Approved by: _____, District Manager FWCD

Carter Associates, District Engineer _____, ~~Carter Associates~~ District Engineer

Date of Approval _____ Expiration date of Permit _____

Invert #1 El.

Invert #2 El.

Culvert Diameter

Permission, when granted will be subject to the standard provisos set forth on the reverse hereof which may also include additional hourly rate changes.

Application subject to all other permitting agencies approval.

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1. I accept full responsibility for any erosion to or shoaling in the District's canal or levee due to my work and I shall remove or repair same promptly and at no expense to the District; and I will prevent the discharge of any hyacinths or aquatic growth into the District's canal through my connection.
2. I will neither plant trees or shrubs nor erect any structure within the district's right-of-way ~~that will prohibit of limit the existing access of District equipment or vehicles~~ without securing proper authorization thereof.
3. It is further understood and agreed that any other requirement of the District are binding upon me the application, and I do hereby indicate acceptance of this notice thereof.
4. It is further understood and agreed that the lands to be benefited by this request are, or may be subject to flooding during periods of high water due to heavy rains or other acts of God, and that the permit will be accepted subject to this possibility which is recognized not to be within the control of the District.

STANDARD PROVISOS

1. Permittee assumes full responsibility for any construction, operation or maintenance of District property or right-of-way subject to this permit and shall save and hold harmless District from any expense, loss, damage or claim in regard thereto, and the District assumes and shall have no liability in connection therewith.
2. This permit shall run with the land. This permit may not otherwise be assigned or sub-letted to a third party and any transfer ~~of Permittee's property abutting District's property of right of way~~ shall insofacto and without move, cancel, nullify and revoke this permit.
3. This permit is subject always to the paramount right of the District to keep and maintain its drainage district functions and operations, and is subject to revocation and cancellation upon thirty day's notice from District to Permittee.
4. In no event shall the District be liable for any Damages done or caused by the District to the public, to Permittee or any other person using the right-of-way or property subject to this permit, and permittee shall save the District, its officers, agents, supervisors and employees harmless from any costs, charge or expense of claim or demand of any person against the District arising from or pertaining to any use made of the property of right-of-way subject to this permit. Permittee shall, at any time upon request of District, provide to District evidence, satisfactory to District, of liability insurance coverage, in amounts and with companies as may be required by District, protecting the interests of District and naming District as an additional insured.
5. The District may, on thirty days, written notice to permittee, require removal and/or alteration of any installation or construction on District right-of-way.
6. Any construction on District right-of-way or property and clean up shall be completed promptly by permittee and in a workmanlike manner with minimum disturbance to existing berm, channel slopes and grade with proper restoration and planting of any disturbed areas to prevent erosion within ten days after completion of construction of installation.
7. Permittee shall advise District's office prior to commencement and upon completion of all construction (772-571-0640).
8. Permittee shall not discharge any pollutants, contaminants or deleterious materials into waters or structures owned or maintained by, or subject to the jurisdiction of district, nor permit anything to obstruct the flow of water, and shall save and hold district harmless from any expense, loss or damage

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Application for Utilities and Connection to District or Use of Facilities

to District or others by any such discharge or obstruction remedying or removing the same immediately upon request of District.

9. Permittee, as a condition to the continuance of this permit, shall reimburse district immediately upon demand, for any testing or other cost or expenses to District associated with or arising from Permittee's use of District facilities.
10. Applicant is cautioned that electrical, water and sewer, or other installations or utilities may be located within the construction area, and applicant shall use diligent efforts to first detect and locate all such installations and shall coordinate construction with all other lawful users of said right-of-way. Applicant shall be liable for all damages proximately resulting from its interference with or interruption of service provided by other lawful right-of-way users.
11. This permit shall be considered to be a license only, for the limited purpose of installation, placement and maintenance of the improvements specified on the face hereof, and does not convey any other right, title or interest of the District in the subject right of-way property.
12. An as-built/location certification of all culverts/structure installation within the District's canals right-of-way shall be performed by a Florida Registered Professional Surveyor and Mapper on form provided by the District, and submitted to the District with thirty (30) days following completion of installation. If an as-built certification is not received within thirty days of installation, the District will either have certification completed at owner/applicants expense or order removal of the installation.

UPDATED FELLSMERE WATER CONTROL DISTRICT PERMITTING POLICIES

1. For all new development/projects (exempting single family residences), a stormwater discharge limitation of 2 inches/24 hours for a 25 year-24hour storm event shall be provided. The limitation applies to the first 72 hours during and after a 24 hour storm event. The analysis shall include the receiving water boundary condition as determined by the Fellsmere Water Control District East Master Drainage Plan and stormwater Hydrologic Analysis of the gravity drainage system prepared by Carter Associates Inc, dated December 2003 (or latest version). This information will be provided through FWCD by District's engineer upon request on a site specific basis.
2. Indian River County and the City of Fellsmere shall be granted an exemption from the 2" discharge limitation for the paving of existing roads or the expansion of existing roads. In the future, any new road right of ways created by lands subdivided by plat shall be required to comply with the 2" discharge limitation. Any development project which is designed to provide stormwater management facilities for a public road, which existed prior to the development, may comingle the discharges from the development and the road in a single system. The public right of way area will be allowed 4"/day and the development area will be allowed 2"/day.
3. Permits issued for new or replacement secondary drain culverts, shall be issued with the requirement that the Applicant shall install and perpetually maintain an object marker on the non-maintenance side of the sublateral canal aligned with the location of the secondary drain; said marker being of contrasting color and a minimum of three feet in height. With installation and maintenance of the object marker, placement of rip-rap as part of the secondary drain will not be required.
4. Permits issued for new or replacement culverts allowing for crossing the District sublateral canals, shall be issued with the requirement that the Applicant shall install a sump at each end of the culvert complying with the District standard for sumps.

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Application for Utilities and Connection to District or Use of Facilities

3. UTILITY CROSSINGS

- a. Aerial crossing a minimum of 45 feet clearance shall be maintained between canal maintenance berm surface and the lowest electrical conductor. All other Non-electrical conductors) aerial crossings shall maintain a minimum of 38' clearance above the maintenance berm.
 - b. Underground Utilities shall be by directional bore method and so installed with a minimum of five (5) feet clearance as measured from the top of the utility conduit to the design bottom elevations of each sub-lateral canal, and (8) eight feet clearance as measured from the top of the utility conduit to the design bottom elevation of the laterals and Main Canal.
4. All new culvert installations and/or replacement culverts within (roadway/driveway crossings) or drainage system requires permit from the District. The installation of such culverts shall be in accordance with the replacements and conditions of the permit.(i.e. size, grade and treatments grading. Compaction and stabilization) to maintain compliance with the District's policies to keep and maintain the existing capacity and function of the District's facilities. The end (outfall) section of all drainage discharge pipes into the canal system shall ~~be a corrugated metal pipe~~ extending through the bank of the District's canal to the toe of the slope of said canal to minimize erosion of the canal bank. No flap gates or back flow preventers are permitted on outfall discharge pipe or structures. An as built/location certification of all culvert/structure installations within the District's canals/right-of-way shall be performed by a Florida Registered Professional Surveyor or Mapper on form provided by the District, and submitted to the District within thirty (30) days following completion of installation. If as- built certification is not received within thirty (30) day of installation, the District will either have certification completed at owner's/ applicant's expense or order removal of the installation.
5. The design, layout and construction of new projects along (abutting) and adjacent to any existing District sub-lateral canal shall provide a minimum clear maintenance berm width of twenty- five(25) feet, along the side of the sub-lateral canal containing the historical maintenance berm, as measured landward from the adjacent top of the said sub-lateral canal. An easement or fee simple dedication of the maintenance path shall be provided in favor of the District where applicable prior to release of any permit.
6. On projects requiring professional review for approval by the Board of Supervisors of the Fellsmere Water Control District (FWCD) a \$1,500.00 deposit is required on submission whether or not an application is made for construction. Any amount of the project review deposit not expended for professional services on the District's behalf in the review process will be refunded, following review to the party submitting any excess expended for professional services in review over \$1,500.00 will be payable by the permittee making a submission requiring professional review.
7. Flood Plain Storage must be maintained. Cut and fill calculations demonstrating that compensating storage volume is being created to offset any proposed fill in the flood plain shall be prepared by an engineer registered and currently licensed to practice Civil Engineering in the State of Florida. calculations shall be in accordance with Indian River County Stormwater Management Flood protection ordinance. (ref. Chapter 930.07) the FEMA Flood Insurance Rate Maps and a topographic survey (based on 1929 NGVD) of the subject site, prepared by a surveyor registered and currently licensed to practice surveying in the State of Florida, shall be used to establish the basis for the calculations. The FWCD may allow the use of the 100 year storm event results as they are developed utilizing the Stormwater study noted in Item no. 1 above.

Application for Utilities and Connection to District or Use of Facilities

Instructions and Regulations Governing Applications for Utility Construction Permits

1. Permit Required

No utility shall be constructed across, under, along over or within a canal or right-of-way over which the Fellsmere Water Control District (FWCD) has jurisdiction unless a valid application for construction permit has been approved by the District.

2. Inspection

Any utility installed under a valid construction permit shall be subject to inspection by the District to assure compliance with the construction permit before the permit to use the utility will be granted.

3. Construction Criteria

The following criteria shall govern the installation of utilities within the District jurisdiction.

4. Aerial Crossing

Electrical crossing minimum elevation 45' above maintenance berm on canal bank.
All others; minimum elevation 38' above maintenance berm on canal bank.

5. Underground Crossing;

Underground crossing shall be constructed to a depth with shall provide a minimum cover over the utility of five (5) feet as measured from the top of the utility to the design bottom elevation of the canal. Criteria in determining the design bottom elevation of the affected canal may be secured from the District.
A scaled drawing showing the existing cross-section of the canal and right of way at the location of the proposed crossing shall be submitted with the application for construction permit. After installation, all underground crossings shall be marked by the applicant/permittee by placing permanent above-ground markers or signs over the line at each canal right-of-way line. The markers must identify the type of utility buried and must be clearly visible.

6. Utilities Paralleling Canal or right-of-way;

Any buried utility which generally parallels either the canal or the right-of-way must be installed in a manner that will not limit the District's use of the right-of-way. Specific requirements controlling the installation will be determined by examination of the proposal in the light of District needs and any existing authorized use in the area. The minimum acceptable cover over a buried utility shall be 30 inches.

Aerial lines generally paralleling the canal or the right-of-way shall be installed in a manner to insure a minimum vertical clearance of 35' under the lowest wire which will be consistent with accepted safety practices and will recognize existing facilities and uses. Standards and criteria for these aerial lines shall be determined independently for each application by the District in consultation with the applicant.

Any utility, unless otherwise prohibited by State law, that runs parallel to District facilities shall be charge an annual fee for use of the District ROW at a rate set by Resolution of the Board of Supervisors.

Permits issued by the District for facilities installed under this category shall require the applicant/permittee to relocate or modify its facility as the District may require to accommodate improvements or modifications to its water control system.

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772-571-0640 office / mmathes@fellsmerewatercontroldistrict.org

Application for Utilities and Connection to District or Use of Facilities

Please note, if you think that you have tripped any of the criteria below please contact the following agencies.

Department of Environmental Protection

Environmental Specialist

Central District 3319 Maguire Blvd

Suite 232

Orlando, Florida 32903-3767 407-893-7863

Fax 407 893-3075

SJRWMD

525 Community College Parkway SW

Palm Bay, FL 32909 (321)676-6600

Fax (321)722-5357

Florida Administrative Code - 40C-42.022 Permits Required

1) A permit is required under this chapter for construction (including operation and maintenance) of a stormwater management system which serves a project that exceeds any of the following thresholds:

- a. Construction of 4,000 square feet or more of impervious or semi-impervious surface area subject to vehicular traffic, such as roads, parking lots, driveways and loading zones.
- b. Construction of more than 9,000 square feet total of impervious surface or,
- c. Construction of 5 acres or more of recreational area. Recreation areas include but are not limited to golf courses, tennis courts putting greens, driving ranges, or ball fields.

2) A permit is required under this chapter for alteration, removal, reconstruction, or abandonment of existing stormwater management systems which serve a project which maybe expected to result in any of the following.

- a. Increase pollutant loading(including sediment) in stormwater, runoff from the project
- b. Increase in peak discharge rate
- c. Decrease in onsite or in stream detention storage
- d. Replacement of roadside swales with curb and gutter
- e. Construction of 4,000 square feet or more of impervious or semi-impervious surface area subject to vehicular traffic, such as roads, parking lots, driveways, and loading zones.
- f. Construction of more than 9,000 square feet total of impervious surface or
- g. Construction of 5 acres or more of recreational area. Recreation areas include but are not limited to golf courses, tennis courts, putting greens driving ranges, or ball fields.

3) These thresholds include all cumulative activities which occur on or after September 25, 1991.

4) For purpose of this section, the calculation of the amount of impervious surface shall not include water bodies.

5) Permits issued by the District for systems which no longer require a permit pursuant to subsection (1) or (2) above may either be abandoned, or relinquished by the permittee subject to the following.

- a. Local Governments may have concurrent jurisdiction with the District over a stormwater system. The permittee is not relieved by this rule of the responsibility to comply with any other applicable rules or ordinances with may govern such systems.
- b. The permittee provides reasonable assurance that there will not be a violation of state water quality standards as set forth in Chapters 62-302 and 62-550., FAC.
- c. The permittee must apply to the District for and receive written authorization from the District prior to abandonment of the system.

FELLSMERE WATER CONTROL DISTRICT

109 N. Willow Street, Fellsmere, FL 32948

772-571-0640 office / mmathes@fellsmerewatercontroldistrict.org

Application for Utilities and Connection to District or Use of Facilities

The names on this list are not in any order and are for your convenience only. The District does not recommend one over the other. The contractors are not vetted for insurance or license. That is the responsibility of the individual landowner.

Culvert Providers

Cameron Brother's	(321) 723-2946	Tropical Breeze Grading, Inc.	(772) 633-1145
Con Tec	(772) 464-4400 (800) 881-1100	Hinterland Group Chrisian Cancio	(561) 324-4991

Contractors

J.G. Trucking, Inc.	(772) 571-0537	Robbins Land Management	863-447-3308
Tropical Breeze Grading, Inc.	(772) 633-1145	Three D's Tractor	(772) 774-9782
Two Directions Cattle & Tractor	(772) 480-2893	Winfell Enterprises	(860) 539-6633
R&R Land Clearing, Rep Platt	(321) 508-2591	TM Property Solutions	(863) 216-3166

Surveyors

Carter & Assoc.	(772) 561-4292
Culpepper & Terpening	(772) 464-3537
Masteller & Moler	(772) 564-8050

FELLSMERE WATER CONTROL DISTRICT
SPECIAL BOARD MEETING
December 9, 2025, at 5:30 P.M.
LOCATION: 22 S. ORANGE STREET, FELLSMERE, FLORIDA

Agenda Item No. K.4: Review of State Park Discharge Limitations

Background:

The State Park is obligated by Interlocal Agreement with the FWCD to reduce outflows from the State Park by at least 10%. The State had six years from purchase in 1999 to develop such plan. A plan was indeed provided to the FWCD meeting this deadline. Unfortunately, no apparent action has been taken on this draft plan.

At the November 13, 2024 FWCD Board meeting, the Board directed staff to reach out to SJRWMD to begin this discussion again since so much time had passed. Mr. Nelson, Board President, reached out to Doug Bournique to discuss the issue and a tentative plan was developed to utilize the fire road project as a means to address both the need for a fire lane for park visitor and staff safety as well as the 10% reduction required by the purchase agreement.

The State Park Ranger is also seeking to implement a fire road along the western limits of the park. Since the sublaterals are no longer owner by the FWCD, a permit is not required to cross these sublaterals as part of construction of a fire road.

Separate from the physical plan, the State Park lands are in the District boundary but are not paying an assessment. With or without the implementation of a reduced flow plan, the State Park will be draining water into the FWCD system. The acreage of the State Park in the District is approximately 2,450 acres. The gravity basin is approximately 15,000 acres and the pumped basin is approximately 19,000 acres.

As of the writing of this agenda item, the State has completed the required surveys to develop a computer model of the area in question. The modeling effort is underway and will be used to test existing conditions and any alternatives to reduce flow by 10%. Given the sensitive flora and fauna at the park, simply blocking the flow with a berm may not be feasible. With partial filling of certain ditches to date and lack of maintenance, the 10% flow reduction may be met by simply letting the system return to nature.

FELLSMERE WATER CONTROL DISTRICT
SPECIAL BOARD MEETING
December 9, 2025, at 5:30 P.M.
LOCATION: 22 S. ORANGE STREET, FELLSMERE, FLORIDA

Agenda Item No. L.1: Review of District Goals and Objectives

Background: Florida Statute 189.0694 mandates that special districts report annually on the success of the District in achieving the goals and objectives of each activity undertaken by the District. As a maintenance entity, the services provided are limited to administration and maintenance. The following are the Board's adopted goals, objectives and performance measures. The attached report provides the required annual review.

Program/Activity: District Administration

Goal: Remain compliant with Florida Law for district meetings & records

Objectives:

- Notice all District regular, special, and public hearing meetings
- Conduct all post-meeting activities
- District records retained in compliance with Florida Sunshine Laws

Performance Measures:

- All Meetings publicly noticed as required
- Meeting minutes and post-meeting action completed
- District records retained as required by law

Program/Activity: District Finance

Goal: Remain Compliant with Florida Law for all district financing activities

Objectives:

- District adopted fiscal year budget
- District amended budget at end of fiscal year
- Process all District finance accounts receivable and payable
- Process all District bond related financing activities
- Support District annual financial audit activities

Performance Measures:

- District adopted fiscal year budget
- District amended budget at end of fiscal year
- District accounts receivable/payable processed for the year
- Bond requisitions/reporting/continuing disclosures processed
- "No findings" for annual financial audit

Program/Activity: District Operations

Goal: Insure, Operate and Maintain District owned Infrastructure & assets

Objectives:

- Annual renewal of District insurance policy(s)
- Contracted Services for District operations in effect
- Maintain Water Control Plan Compliance
- Compliance with all required permits

Performance Measures:

- District insurance renewed and in force -
- Contracted Services in force for all District operations
- Water Control Plan in Compliance
- Permits in compliance

Fellsmere Water Control District

Annual Report on the Goals and Objectives of the District

December 9, 2025

Introduction

This report addresses the annual review required by Florida Statute 189.0694, which mandates that special districts report annually by December 1st on the success of the District in achieving the goals and objectives of each activity undertaken by the District (first annual report due Dec. 1, 2025). As a maintenance entity, the services provided are limited to administration and maintenance.

Annual Report on the Goals and Objectives of the District

At the present time, the District has adopted the following goals, objectives, and performance measures via Resolution 2024-06.

Program/Activity: **District Administration**

Goal: Remain compliant with Florida Law for district meetings & records

Objectives:

- Notice all District regular, special, and public hearing meetings
- Conduct all post-meeting activities
- District records retained in compliance with Florida Sunshine Laws

Performance Measures:

- All Meetings publicly noticed as required - No
- Meeting minutes and post-meeting action completed - NO
- District records retained as required by law - YES

Findings:

With the District transition from Management by Contract to in-house management, delays occurred in posting approved minutes and other required website contents. The issue preventing timely posting related to transfer of ownership of the website from prior provider to FWCD, which has now been resolved. Future postings should be added timely.

In addition, on two occasions the District Manager was not able to post the agenda prior to the seven day deadline before the meeting as required by Florida Statute. In these instances, the agendas were posted as soon as possible. Action has been taken to ensure this does not happen again by requiring the agendas be completed at least 14 days prior to the Board meeting. This provides ample time to then post the agenda in the correct timeframe.

Program/Activity: **District Finance**

Goal: Remain Compliant with Florida Law for all district financing activities

Objectives:

- District adopted fiscal year budget
- District amended budget at end of fiscal year
- Process all District finance accounts receivable and payable
- Process all District bond related financing activities
- Support District annual financial audit activities

Performance Measures:

- District adopted fiscal year budget - YES

Fellsmere Water Control District
Annual Report on the Goals and Objectives of the District

- District amended budget at end of fiscal year - YES
- District accounts receivable/payable processed for the year - YES
- Bond requisitions/reporting/continuing disclosures processed – Not Applicable (no outstanding bonds)
- “No findings” for annual financial audit – YES

Findings:

For FY23/24, the finances were managed by the contract manager. Transfer of financial control to the new in-house manager occurred on November 1, 2024. Since this time, all invoices have been paid in a timely manner (with two exceptions) and all financial reports have been completed on time. Both exceptions were corrected and processes improved to avoid future late payments. Late in FY24/25, the District Manager was informed that spreadsheet accounting is not sufficient to meet the State of Florida standards. As such, the services of an outside book keeper were obtained who entered all FY24/25 data into Quickbooks, a compliant software, and continued input of financial data for FY25/26.

Program/Activity: District Operations

Goal: Insure, Operate and Maintain District owned Infrastructure & assets

Objectives:

- Annual renewal of District insurance policy(s)
- Contracted Services for District operations in effect
- Maintain Water Control Plan Compliance
- Compliance with all required permits

Performance Measures:

- District insurance renewed and in force - YES
- Contracted Services in force for all District operations – YES where applicable.
- Water Control Plan in Compliance – NO (see Findings below)
- Permits in compliance - YES

Findings:

The Water Control Plan in terms of capital facilities has been completed. The district is in *maintenance mode* at this time. There are contents in the Water Control Plan related to *ongoing maintenance* that are not in compliance. For example, the WCP states that spraying shall be conducted twice per year. This past year no spraying was conducted because the District performed extensive canal and sublaterals mechanical maintenance – thus making spraying unnecessary for that year, and the Board of Supervisors approved a single spray application in FY25/26.

In addition, Florida Statutes 298.225 requires a review of the WCP at least once every five years. A formal review has not been conducted since the 2017 readoption of the district. Given the ongoing action to contract the district, postponement of this review until this legislative action runs its course is pragmatic, since a new Water Control Plan will be required if the district contraction is approved by the State.

Florida Statute 189.0694 requires that an annual review of the goals, objectives and performance standards be completed and posted by December 1st of each year. This inaugural year, the deadline was not achieved.