

**REGULAR BOARD MEETING
BOARD OF COMMISSIONERS
JUPITER INLET DISTRICT
MINUTES
March 9, 2022**

COMMISSIONERS PRESENT

George Gentile, Chairman
Thomas Howard, Vice Chairman
James H. Davis, Secretary/Treasurer
Michael Martinez
Gail Whipple

COMMISSIONERS ABSENT

None

OTHERS PRESENT

Joseph B. Chaison, Executive Director
William H. Broome, Attorney
Kenneth Craig, PE, Taylor Engineering
JB Brumfield, PE, Taylor Engineering
Sonja Kezber, Administrative Assistant

MEMBERS OF THE PUBLIC

Jim Williams of Williams, Leininger and Cosby
Andre' Rajoo by CMT

1. Call to Order

Chairman Gentile called the meeting to order at 7:00 PM.

Pledge of Allegiance

Chair Gentile noted that Mr. Williams of Williams, Leininger and Cosby was in attendance and suggested the Board address him at the beginning of the meeting. Mr. Broome noted that Mr. Williams had completed his report regarding staff and that he was in attendance to answer questions from the Board. The Board asked Mr. Williams about his report and discussed the District's chain of command.

Vice Chair Howard stated that the Recommendation section of Mr. Williams' report, combined with actions by Ms. Kezber that he learned of following completion of the report, led him to conclude that the District could not continue with Ms. Kezber as a staff member. In particular, Vice Chair Howard noted a surreptitious recording of a conversation that was made by Ms. Kezber without two-party consent. Vice Chair Howard made a **MOTION to allow Ms. Kezber the opportunity to voluntarily resign, sign an employment release agreement, and receive four week's severance pay or be terminated by the Board and receive two week's severance pay.** Secretary Davis **SECONDED**. Chair Gentile called for discussion.

Mr. Williams stated that Vice Chair Howard's understanding of the Florida statute was correct. He stated that the motion was appropriate and that there was nothing wrong with the motion from a legal standpoint. Mr. Broome asked how long Ms. Kezber would have to consider, and 10 days was agreed. Following additional discussion, the **MOTION CARRIED unanimously**.

2. District Representation for 2022 – Continued from January Meeting

The results of the discussion of the continuing Agency Representation for Calendar Year 2022 are as follows:

1. Northern Palm Beach County Chamber of Commerce – Alternate; Commissioner Martinez

3. Comments from Public

None.

4. Approval of Minutes

- **February 9, 2022 Regular Meeting Minutes**

Chairman Gentile entertained a **MOTION to approve the Minutes of the Regular Meeting of February 9, 2022**. Commissioner Whipple stated on Page 6, the word "decide" should be changed to "decided". Vice Chair Howard noted that on page three "permit mod" should be "permit modification".

Secretary Davis so **MOVED to approve both Minutes as amended**. Commissioner Whipple **SECONDED**. Chairman Gentile called for discussion; there being none, the **MOTION CARRIED unanimously**.

5. Approval of Bills

- **Submission of February Bills** - Chairman Gentile called for a **MOTION to approve the February Bills and the additional Bills as presented**. Commissioner Davis so **MOVED**; Vice Chair Howard **SECONDED**. There being no further discussion, **the MOTION CARRIED unanimously**.
- **Submission of Payroll, Utility Bills and Health Insurance Invoice for March** - Chairman Gentile called for a **MOTION to approve the Utility Bills and Health Insurance Invoice for March**. Secretary Davis so **MOVED**; Commissioner Whipple **SECONDED**. There being no further discussion, **the MOTION CARRIED unanimously**.

6. Treasurer's Report

A. **Approval of February 2022 Treasurer's Report**

Staff recommended approval. Chairman Gentile entertained a **MOTION to approve the February 2022 Treasurer's Report**. Secretary Davis so **MOVED**; Commissioner Whipple **SECONDED**. Chairman Gentile called for discussion; there being none, the **MOTION CARRIED unanimously**.

7. Executive Director's Report

2022 Inlet Sand Trap Dredging:

Mr. Chaison noted that Taylor Engineering will cover construction and contract elements in the Engineer's Report. Leatherback sea turtle nesting has occurred in the project vicinity, which has triggered permit-required monitoring. This is early but is something we were prepared for.

Palm Beach County will be performing a truck-haul Dune Restoration project south of Jupiter Carlin Park during the same timeframe as our project. We are coordinating and do not expect either project to affect the other. The request for a Notice to Mariners has been submitted to the Coast Guard for the project.

Jupiter Lighthouse - Bureau of Land Management (BLM):

- The Director of the BLM visited our Living Shoreline project this month and then toured the entire JILONA shoreline. A round-table discussion with local stakeholders followed.
- The University of Florida Agricultural Extension (UF – IFAS) issued new mangrove trimming guidance. Mr. Chaison noted that he forwarded this to our partners at the Lighthouse and confirmed their intent to maintain the mangroves at six feet above substrate.

- The BLM has solicited input from local stakeholders to incorporate into their planning for their eastern shoreline stabilization. Mr. Chaison solicited the Board's comments to forward them by official letter.

Public Facility Report:

In re-reading our guiding legislation,(Florida Statutes Chapter 189 - Uniform Special Districts Accountability Act), Mr. Chaison noticed a requirement in F.S. 189.08; "*to foster coordination between special districts and local general-purpose governments... Each independent special district shall submit to each local general-purpose government in which it is located a public facilities report*". This Act became law after the construction of our building and dredged material management area (DMMA). As such, we are only subject to the requirements of (2)(a).

This report will be sent to Palm Beach County and will need to contain a description of each facility, capacity, demand, and location. It is required to be updated every seven years. Mr. Chaison noted that there was uncertainty if this had been performed in the past and that regardless, he would submit it before the next scheduled board meeting.

Florida Department of Environmental Protection (FDEP) Permit Activity:

The FDEP notifies JID about Environmental Resource Permit (ERP) activities within our district boundaries. Of note this month;

- A Verification of Exemption was received by SFWMD for installing a water quality meter in coordination with the Bureau of Land Management on the Living Shoreline Observation Pier at the Jupiter Lighthouse.
- The Pelican Club submitted an application to dredge 2,800cy from the area between their dock and the Intracoastal Waterway to depths of -5' MLW and -8'MLW.

500 North Delaware Parcel (Taylor Property):

The Town of Jupiter, Natural Resources, solicited quotes for an exotic vegetation removal contract for the property. The quotes were due on March 4th.

Sebastian Inlet District Visit:

Staff from the Sebastian Inlet District toured our operations on February 22nd. They were especially interested to see the Living Shoreline project. They have an opportunity for a similar project and wanted to see our completed living shoreline.

Friends of Jonathan Dickinson State Park:

As a part of re-visiting our Outreach partners, we have made a \$500 contribution to the Friends of Jonathan Dickinson State Park, similar to our support with the Loxahatchee River Historical Society.

Vice Chair Howard noted that this has historically been a very short list, decided by the board, with very discerning requirements.

8. Engineer's Report

General Engineering

Jetty Maintenance Proposal

Johnathan (JB) Brumfield gave a presentation outlining Taylor Engineering's proposal for performing an American Society of Civil Engineers (ASCE) Repair Inspection and developing construction plans and specifications for maintenance and repair of the north and south jetties. Following the presentation, Mr. Brumfield answered questions from the Board. Chairman Gentile called for a **MOTION. Commissioner Martinez made a MOTION to accept the Jetty Maintenance Plan Development proposal.** Vice Chair Howard **SECONDED.** There being no further discussion, **the MOTION passed unanimously.**

Jetty Observation

Taylor Engineering staff performed the monthly jetty condition assessment on March 9. No any significant changes from the prior assessment were noted.

Jupiter Inlet Sand Trap

Taylor Engineering conducted the bid opening on Monday, February 7, 2022, at 2PM. We received three bids, one each from Ahtna Marine and Construction Company, Atlantic and Gulf Dredging, and Cottrell Contracting Corporation. Following review of each bid, we recommended and the board approved award of the contract to Ahtna.

Ahtna has provided all required preconstruction submittals. A preconstruction conference with the regulatory agencies and interested parties occurred on March 4, 2022 at 10AM. Notice to Proceed from FDEP was issued following the meeting.

The USACE has issued a public notice and is drafting the decision document for our permit modification request to establish the full Jupiter/Carlin beach fill template as the authorized disposal area and extend the permit length from 5 years to 10 years.

Loxahatchee River Main Channel Maintenance Dredging

Taylor Engineering has reviewed and approved preconstruction submittals provided by Ahtna. The construction schedule was discussed.

Loxahatchee River Mile 6 Gap Closure and Oxbow Restoration Maintenance

Taylor Engineering submitted the state and federal environmental permit applications to the South Florida Water Management District (SFWMD) and U.S. Army Corps of Engineers (USACE). SFWMD issued the environmental resource permit on November 4, 2021. The

USACE issued a request for additional information (RAI) on December 8, 2021. Taylor Engineering completed a site visit to confirm site and natural resource conditions on December 22, 2021. Taylor Engineering submitted the completed RAI response to the USACE on February 2, 2022. The RAI response is currently under review by the USACE.

JID Sediment Study

Taylor Engineering presented a historical review and the potential next steps involved with a future comprehensive sediment study of the Jupiter Inlet and Loxahatchee River areas. Following the presentation, it was agreed that the magnitude of this undertaking deserved additional focused discussion.

9. Legal Report

None.

10. Unfinished Business

- **Commissioner Fees**

The consensus of the Board was to table this discussion until the next Board meeting.

11. New Business

None.

12. Commissioner Reports

Commissioner Whipple

Commissioner Whipple noted the timeliness of the legislative process and instructed staff to investigate if a Workshop was necessary to maintain the viability of undertaking Commissioner Fees within the upcoming legislative cycle.

Vice Chair Howard

Following comments by Ms. Kezber, Vice Chair Howard stated that he felt the discussion was unresolved. Vice Chair Howard asked Ms. Kezber if he understood correctly that she was declining to exercise the offered ten days to decide, and that she would not take the opportunity to resign. After twice hearing confirmation from Ms. Kezber, Vice Chair Howard made a **MOTION for the Board to terminate Ms. Kezber, effective immediately.** Commissioner Martinez **SECONDED.** Chairman Gentile called for discussion; there being none, the **MOTION CARRIED unanimously.**

Commissioner Davis

None.

Commissioner Martinez

None.

Chair Gentile

None.

13. Next Meeting Date(s)

Regular Meeting – April 13, 2022

14. Adjournment

There being no further business before the Commission, Chairman Gentile called for a **MOTION to Adjourn**. Commissioner Davis so **MOVED**; Commissioner Whipple **SECONDED**. The **MOTION CARRIED UNANIMOUSLY**. The meeting was adjourned at 9:27 PM.



George G. Gentile, Chairman



Thomas L. Howard, Vice Chairman