

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
REGULAR MEETING - MINUTES  
AUGUST 20, 2020

1. CALL TO ORDER

Chairman Rockoff called the Regular Meeting of August 20, 2020 to order at 7:00 PM and explained the various methods of attending the meeting (in person, electronically or telephonically).

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

The following Board Members were in attendance.

Mr. Rockoff  
Dr. Rostock  
Mr. Silverman (via GotoWebinar)  
Mr. Snyder  
Mr. Boggie

Staff Members in attendance were Dr. Arrington, Mr. Dean, Mr. Howard (via GotoWebinar), Ms. Fraraccio (via GotoWebinar) and Mr. Pugsley.

Consultants in attendance were Mr. Curtis Shenkman and Mr. Hunter Shenkman with Curtis Shenkman, PA. and Ms. Marshall from Baxter & Woodman (via GotoWebinar).

Ms. Wynne from Busch Wildlife Sanctuary was also in attendance (via GotoWebinar).

Several members of the public attended the meeting (via GotoWebinar).

B. PREVIOUS MEETING MINUTES

The minutes of the Public Hearing and Regular Meeting of July 16, 2020 were presented for approval and the following motion was made.

MOTION: Made by Mr. Snyder, Seconded by Mr. Boggie,  
Passed Unanimously.

“THAT THE GOVERNING BOARD approve the minutes of the July 16, 2020 Public Hearing and Regular Meeting as submitted.”

C. ADDITIONS & DELETIONS TO THE AGENDA

Items 5I and 5J were pulled for discussion. Item 6D was moved before Item 4B.

### 3. COMMENTS FROM THE PUBLIC

Dr. Arrington distributed public comments that were received before the meeting. The comments were in support of the DEP Grant for Jones Creek and are attached to these minutes.

### 4. STATUS UPDATES

#### A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard reviewed potential water quality improvements to Jones Creek.

#### 6D. DEP Grant Proposal for Jones Creek

Mr. Howard reviewed his memo on the DEP Grant Proposal for Jones Creek.

MOTION: Made by Mr. Boggie, Seconded by Mr. Snyder,  
Passed unanimously.

“THAT THE DISTRICT GOVERNING BOARD authorizes staff to seek Florida Department of Environmental Protection Water Protection Grant Funds as the local sponsor and partner with Green Water Solutions, LLC. according to the attached proposal.”

#### B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

### 5. CONSENT AGENDA

MOTION: Made by Mr. Boggie, Seconded by Dr. Rostock,  
Passed unanimously.

“THAT THE GOVERNING BOARD approve the Consent Agenda of August 20, 2020 with the exception of Items 5I and 5J.”

The following motions were approved as a result of the Board’s adoption of the Consent Agenda:

#### A. US 1 Residential Final Assessment (Resolution 2020-09)

"THAT THE GOVERNING BOARD approve Resolution 2020-09 adopting the US HIGHWAY 1 RESIDENTIAL FINAL Assessment Roll and Exhibits."

#### B. Whispering Trails Final Assessment (Resolution 2020-10)

"THAT THE GOVERNING BOARD approve Resolution 2020-10 adopting the WHISPERING TRAILS FINAL Assessment Roll and Exhibits."

C. Imperial Woods Final Assessment (Resolution 2020-11)

"THAT THE GOVERNING BOARD approve Resolution 2020-11 adopting the IMPERIAL WOODS FINAL Assessment Roll and Exhibits."

D. Audit Services Contract – to approve renewal

"THAT THE GOVERNING BOARD authorize the Executive Director and Chairman to execute the Nowlen, Holt & Miner, P.A. Engagement Letter dated July 10, 2020 for the provision of Audit Services for the fiscal year 2020."

E. Merchant Services Contract – to approve renewal

"THE DISTRICT GOVERNING BOARD authorizes the Executive Director to increase the annual not-to-exceed purchase order to First Billing Services by \$5,000 to \$90,000 for FY2020"

and

"THE DISTRICT GOVERNING BOARD authorizes the Executive Director to execute the two-year contract extension option offered under our October 4, 2017 contract with First Billing Services"

and

"THE DISTRICT GOVERNING BOARD authorizes the Executive Director to approve an annual not to exceed purchase order to First Billing Services in the amount of \$100,000 per year for FY2021 and FY2022."

F. FAU IQ Water Agreement – to approve renewal

"THAT THE DISTRICT GOVERNING BOARD authorizes the Executive Director to enter into the revised Renewal Irrigation Quality Water Agreement – Retail for Florida Atlantic University at Abacoa."

G. Lien Policy & Procedure – to rescind existing and approve revised policy

"THAT THE DISTRICT GOVERNING BOARD terminates the Customer Service Lien Procedure and approves the attached Lien Policy & Procedure with an effective date of August 21, 2020."

H. Connection Charge Installment Agreement – to approve agreement form

"THAT THE DISTRICT GOVERNING BOARD authorizes the Executive Director to implement the attached revised Installment Agreement for Connection Charges with an effective date of August 21, 2020."

K. Fixed Asset Disposal – to approve disposal

"THAT THE GOVERNING BOARD authorize the Executive Director to dispose of surplus tangible personal property including fixed asset numbers TE22-1 and TE57-1 in the schedule above."



L. Change Orders to Current Contracts – to approve modifications

No change orders were presented.

6. REGULAR AGENDA

A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

5I. Moving Expense Reimbursement Policy – to approve policy

Dr. Arrington reviewed the proposed Moving Expense Reimbursement Policy.

MOTION: Made by Mr. Silverman, Seconded by Mr. Snyder,  
Passed unanimously.

“THAT THE DISTRICT GOVERNING BOARD approve the attached Moving Expense Policy and direct the Executive Director to implement the policy with an effective date of August 21, 2020.

5J. Memorandum of Understanding-Jupiter Inlet Lighthouse – to authorize approval

Dr. Arrington reviewed the proposed Memorandum of Understanding for the Jupiter Inlet Lighthouse.

MOTION: Made by Mr. Silverman, Seconded by Mr. Snyder,  
Passed unanimously.

“THAT THE GOVERNING BOARD authorizes the Executive Director to negotiate and execute a Memorandum of Understanding between the Bureau of Land Management, Loxahatchee River Historical Society, The Nature Conservancy, and the Loxahatchee River District regarding the LRD’s planned environmental education efforts, in conformity to the LRD’s Environmental Education Policy, at the Jupiter Inlet Lighthouse Outstanding Natural Area, and authorizes the Executive Director to finalize and submit a Special Recreation Permit Application and Plan of Operation documenting planned environmental education programs, in conformity to the LRD Environmental Education Policy, based out of the Jupiter Inlet Lighthouse Outstanding Natural Area.”

B. Busch Wildlife Sanctuary License Agreement

Dr. Arrington reviewed the latest proposed revisions to the agreement. No action was taken.

C. Sonoma Isles Irrigation Quality Water Agreement

Dr. Arrington reviewed Amendment #2 to the Sonoma Isles Irrigation Quality Water Agreement.

MOTION: Made by Mr. Boggie, Seconded by Mr. Silverman,  
Passed unanimously.

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute Amendment #2 to the Irrigation Quality Water Agreement Sonoma Isles.”

E. Jupiter Inlet Lighthouse Engineering Contract with Bureau of Land Management

Mr. Dean reviewed his memo regarding Jupiter Inlet Lighthouse Outstanding Natural Area utility improvements.

MOTION: Made by Mr. Boggie, Seconded by Dr. Rostock,  
Passed unanimously.

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to respond to BLM Request for Quotation 140L0620Q0067 in the amount of \$175,000.00 and upon award by BLM enter into a contract to perform services detailed in the attached Statement of Work.

F. Budget Assumptions

Dr. Arrington reviewed the Budget Assumptions. No action was taken.

7. REPORTS

The following reports stood as written.

A. NEIGHBORHOOD SEWERING

B. LEGAL COUNSEL’S REPORT

C. ENGINEER’S REPORTS

D. BUSCH WILDLIFE SANCTUARY

E. DIRECTOR’S REPORT

8. FUTURE BUSINESS

Dr. Arrington reviewed the Future Business report.

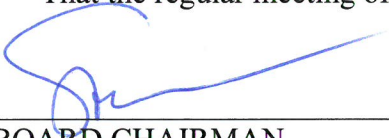
9. COMMENTS FROM THE BOARD

No comments were received.

10. ADJOURNMENT

MOTION: Made by Mr. Snyder, Seconded by Mr. Boggie,  
Passed Unanimously.

“That the regular meeting of August 20, 2020 adjourns at 8:58 PM.”

  
\_\_\_\_\_  
BOARD CHAIRMAN  
\_\_\_\_\_  
RECORDING SECRETARY  
\_\_\_\_\_  
BOARD SECRETARY

**Public Comment Emails Relating to Jones Creek Grant Application**

August 20, 2020

**From:** Heath Wintz <heath.wintz@gmail.com>

**Sent:** Saturday, August 15, 2020 8:54 AM

**To:** Public Comments <publiccomment@lrecd.org>

**Subject:** Nano Bubble Ozone Technology Project and FDEP Grant

LRD Board Members,

The purpose of my writing is to convey my support for the Nano Bubble Ozone Technology Project and FDEP Grant.

Poor Water Quality Jones Creek has been a great concern to our neighborhood for many years. Despite the best efforts of our community to remove debris and trash from our waterway, high turbidity and elevated bacterial counts persist.

We appreciate that LRD staff have worked consistently to monitor water quality. We share their frustrations in not being able to find a "smoking gun" to identify the sources of bacteria and are excited about the potential of Nano Bubble Ozone Technology and a novel method of treatment in a water body.

As we work to establish and fund a municipal special benefit taxing authority for maintenance of mangroves along the creek to increase light penetration and reduce vegetative debris loading, the efforts of LRD and potential of NBOT represent an opportunity to jump start water quality improvements along our impaired waterway.

With the help of LRD, FDEP and the Town, we hope the water quality of Jones creek can be improved where our community efforts alone have fallen short.

Thank you,  
Heath Wintz



**From:** Eric Ellison <erice@seprint.com>  
**Sent:** Saturday, August 15, 2020 9:41 AM  
**To:** Public Comments <publiccomment@lrecd.org>  
**Subject:** Jones Creek concerns

LRD Board Members,

I am writing to convey my support for the Nano Bubble Ozone Technology Project and a FDEP Grant to help clean Jones Creek. I have lived in Jupiter for 50 years and directly on Jones Creek for the past 15 years and have seen firsthand the steady decline of water quality. When my kids were little and we first moved onto Jones Creek they would go down on the dock with a dip net and catch minnows and put them in a bucket and there would be lots of different species of fish, we used to see otters and manatees also but it has changed drastically in 15 years and they are no longer seen. As you well know the creek is an estuary and the small minnows eventually move out to the river and the ocean reefs and that in turn is what drives our economy in Florida. Please help so the next generation of kids can enjoy the Jones Creek estuary. Carlin White a pioneer of Jupiter told me before he died that the upper reaches of Jones Creek in the early days had a completely white beach sand bottom and was a favorite swimming spot because the water was not as salty as the ocean. I know it will never be like that again but everything possible should be done to maintain this valuable estuary for future generations. Thanks for your consideration and hopefully your help!



**Eric Ellison**

Strategic Sales Executive

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erice@seprint.com | www.seprint.com



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**From:** Michele Newell <malnewell@comcast.net>  
**Sent:** Saturday, August 15, 2020 11:23 AM  
**To:** Public Comments <publiccomment@lrecd.org>  
**Subject:** Jones Creek

LRD Board Members,

The purpose of my writing is to convey my support for the Nano Bubble Ozone Technology Project and FDEP Grant.

Poor Water Quality Jones Creek has been a great concern to our neighborhood for many years. Despite the best efforts of our community to remove debris and trash from our waterway, high turbidity and elevated bacterial counts persist.

We appreciate that LRD staff have worked consistently to monitor water quality. We share their frustrations in not being able to find a "smoking gun" to identify the sources of bacteria and are very excited about the potential of Nano Bubble Ozone Technology and a novel method of treatment on Jones Creek.

As we work to establish and fund a municipal special benefit taxing authority for maintenance of mangroves along the creek to increase light penetration and reduce vegetative debris loading, the efforts of LRD and potential of NBOT represent an opportunity to jump start water quality improvements along our impaired waterway.

With the help of LRD, FDEP and the Town, we hope the water quality of Jones creek can be improved where our community efforts alone have fallen short.

Thank you for all that Bud and the rest of LRD have been doing!! We all really appreciate the help in restoring the health of Jones Creek.

Michele Newell  
561-889-6997

**From:** Matt Gent <matthewgent@gmail.com>  
**Sent:** Saturday, August 15, 2020 12:01 PM  
**To:** Public Comments <publiccomment@lrecd.org>  
**Subject:** Jones Creek water quality and grant application

I'm happy to hear that the LRD board is considering supporting research into improving water quality on the creek.

We spend a lot of time boating and paddling on the water, and make an effort to remove any trash and debris we find. But we can't take on the water quality and health aspects as individuals and need the support of the town and various entities with a management interest.

I hope we are able to fund this test and that it yields positive results.

Regards,  
Matt Gent  
710 S Pennock Ln

-----Original Message-----

From: Melissa DiPasquale <melissa.dipasquale@palmbeachschools.org>

Sent: Saturday, August 15, 2020 12:43 PM

To: Public Comments <publiccomment@lrecd.org>

Subject: Jones Creek Support

LRD Board Members,

I am writing today in support of the Nano Bubble Ozone Technology Project and FDEP Grant.

As a resident of Jones Creek and an environmental educator and advocate, poor water quality on the Jones Creek has been a huge concern. Despite the best efforts of our community to remove debris and trash from our waterway, high turbidity and elevated bacterial counts persist. As a resident who has taken a lot of personal time to remove invasive plants from encroaching on the creek, and removing litter and debris from the creek, I can assure you that our community is doing its part. But we need support.

We appreciate that LRD staff have worked consistently to monitor water quality. We share their frustrations in not being able to find a "smoking gun" to identify the sources of bacteria and are very excited about the potential of Nano Bubble Ozone Technology and a novel method of treatment on Jones Creek.

As we work to establish and fund a municipal special benefit taxing authority for maintenance of mangroves along the creek to increase light penetration and reduce vegetative debris loading, the efforts of LRD and potential of NBOT represent an opportunity to jump start water quality improvements along our impaired waterway.

With the help of LRD, FDEP and the Town, we hope the water quality of Jones creek can be improved where our community efforts have not been far reaching. We appreciate this partnership and hope it continues to grow.

Thank you,

Melissa and Giovanna DiPasquale

Sent from my iPhone

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\*Disclaimer: \*Under Florida law, e-mail addresses are public records.

If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

**From:** Rich McDonough <rwmcdonough29@yahoo.com>  
**Sent:** Saturday, August 15, 2020 1:12 PM  
**To:** Public Comments <publiccomment@lrecd.org>  
**Cc:** Richard McDonough <rwmcdonough29@yahoo.com>  
**Subject:** Jones Creek Resident

Dear LRD Board Members,

The purpose of my writing is to convey my support for the Nano Bubble Ozone Technology Project and FDEP Grant.

Poor Water Quality Jones Creek has been a great concern to our neighborhood for many years. Despite the best efforts of our community to remove debris and trash from our waterway, high turbidity and elevated bacterial counts persist.

We appreciate that LRD staff have worked consistently to monitor water quality. We share their frustrations in not being able to find a "smoking gun" to identify the sources of bacteria and are very excited about the potential of Nano Bubble Ozone Technology and a novel method of treatment on Jones Creek.

As we work to establish and fund a municipal special benefit taxing authority for maintenance of mangroves along the creek to increase light penetration and reduce vegetative debris loading, the efforts of LRD and potential of NBOT represent an opportunity to jump start water quality improvements along our impaired waterway.

With the help of LRD, FDEP and the Town, we hope the water quality of Jones creek can be improved where our community efforts alone have fallen short.

We have lived on the creek for several years now and look forward to it becoming one of the "Jewels of Jupiter" once again.

Thank you,

**The McDonough Family**  
**1104 Sioux S**



**From:** Ann Duffy <anncduffy@icloud.com>  
**Sent:** Saturday, August 15, 2020 1:25 PM  
**To:** Public Comments <publiccomment@lrecd.org>  
**Subject:** Jones Creek

Loxahatchee River District Board Members,

The purpose of this email is to show my support for the Nano Bubble Technology Project and FDEP Grant for Jones Creek. The creek often smells, plus fishing and swimming are prohibited.

Poor water quality has been a problem in Jones Creek for many years. Despite local community efforts to clean out debris and reduce vegetation, elevated bacteria levels and high turbidity persist.

I appreciate all the LRD staff has done to help monitor bacteria levels, but am disappointed that no source for the problem has been found. I am excited about the possibility of using Nano Bubble Ozone Technology to treat Jones Creek. It would provide a much needed jumpstart to water quality improvements and cleaning up the creek, as we attempt to establish a special taxing authority to maintain the mangroves.

With the help of LRD, FDEP and the Town of Jupiter, I hope the water quality of Jones Creek can be improved so it can be enjoyed by Jupiter residents in the future.

Thank you,  
Ann C. Duffy  
222 Colony Way West  
Jupiter, FL

Sent from my iPad

From: lynne <[LSB@vvu.info](mailto:LSB@vvu.info)>

Sent: Saturday, August 15, 2020 10:28 AM

To: EBilling <[ebilling@lrecd.org](mailto:ebilling@lrecd.org)>

Subject: jones creek

LRD Board Members,

The purpose of my writing is to convey my support for the Nano Bubble Ozone Technology Project and FDEP Grant.

Poor Water Quality Jones Creek has been a great concern to our neighborhood for many years. Despite the best efforts of our community to remove debris and trash from our waterway, high turbidity and elevated bacterial counts persist.

We appreciate that LRD staff have worked consistently to monitor water quality. We share their frustrations in not being able to find a "smoking gun" to identify the sources of bacteria and are very excited about the potential of Nano Bubble Ozone Technology and a novel method of treatment on Jones Creek.

As we work to establish and fund a municipal special benefit taxing authority for maintenance of mangroves along the creek to increase light penetration and reduce vegetative debris loading, the efforts of LRD and potential of NBOT represent an opportunity to jump start water quality improvements along our impaired waterway.

With the help of LRD, FDEP and the Town, we hope the water quality of Jones creek can be improved where our community efforts alone have fallen short.

Thank you,

Lynne Susan Bernay

**From:** FRANK KOS <jafkos@gmail.com>  
**Sent:** Monday, August 17, 2020 2:16 PM  
**To:** Public Comments <publiccomment@lrecd.org>  
**Subject:** Jones creek water quality

LRD Board Members,

The purpose of my writing is to convey my support for the Nano Bubble Ozone Technology Project and FDEP Grant.

I have lived on the creek since 1985. Many Jupiter residents take advantage in using this waterway for enjoying the outdoors. This has been recognized by the Town of Jupiter and they invested in the new park for kayaks on Indiantown road. With the help of LRD, FDEP, and the Town the water quality of Jones creek can be improved so people can enjoy a clean waterway. The creek has seen better days and this current effort looks to have potential positive results.

Thank you,

Frank Kos  
699 Pawnee st  
Jupiter, Fl. 33458

Sent from Mail for Windows 10

**From:** Stephen Dodson <Spdodson@comcast.net>  
**Sent:** Wednesday, August 19, 2020 9:15 AM  
**To:** Public Comments <publiccomment@lrecd.org>  
**Subject:** Jones Creek Clean Up

A little over 3 years ago there was an accidental break in a sewage line along Jones Creek that allowed raw untreated sewage into our back yards. While this was quickly cleaned up, the spill began a process to get Jones Creek cleaner and healthier. 3 years later we are still dealing water qualities that do not pass any state, local, or federal levels for cleanliness. We still have signs that warn against swimming or fishing in our back yards because of continued elevated bacteria levels and a smell that will turn your stomach at low tide.

Enter Nono Bubble Ozone technology. We now have a company that is willing to demonstrate the effectiveness of this technology to reduce bacteria levels quickly and safely in Jones Creek. We have numerous neighbors volunteering their homes as test sites for the technology and there is possibly grant money to pay for it all. While there is no silver bullet to fix all of Jones Creeks issues this may just be a glimpse into the future of treating not only our impaired waterway but others the LRD are in charge of maintaining and monitoring. I would appreciate the LRD Boards backing of the use of this technology along Jones Creek.

Thank You,  
Stephen Dodson  
1110 Sioux St  
Jupiter FL 33458  
(561) 727-9936

Sent from [Mail](#) for Windows 10