



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
October 16, 2024 AT 8:30 A.M.**

Board Members Present:

John I. Whitworth, III
James Alderman

Carrie P. Hill
Stephen Bedner

Jeffrey Phipps, Sr.

1. Call to Order

President Bedner called the meeting to order at 8:30 A.M. and confirmed the quorum.

2. Pledge of Allegiance

Vice President Hill led the Pledge of Allegiance.

3. Service Award Recognition

- **Lany Altman, Mowing Crew Leader - 40 Years**

Mr. Strowd recognized Lany Altman for 40 years of service at the District. The Board thanked Mr. Altman for his service and presented him with an additional 5 days of annual leave to use within a year, as well as a certificate and memento in recognition of his dedication.

4. Agenda Revisions – Tommy Strowd, Executive Director

There were no agenda revisions.

5. Abstentions by Board Members from Items on the Agenda

There were no abstentions.

6. General Public Comment (limited to 5 minutes)

There was no general public comment.

7. Approval of minutes, check register and financial statement for the previous month

A motion was made by Supervisor Whitworth to approve the minutes, check register and financial statement for the previous month, seconded by Sr. Vice President Alderman and approved unanimously.

PUBLIC HEARING

8. Proposed Special Improvements for 10519 Pine Tree Terrace, Boynton Beach. Location: L-25 Canal within Pine Tree Country Club Estates (Project #91-1557D.01, 03-1557P.08, CM-20-0260)

President Bedner opened the Public Hearing.

Mr. Tilles briefed the Board on the piping easement agreement for the Joseph Family Trust property, located within the Pine Tree Development at 10519 Pine Tree Terrace.

Providing background, Mr. Tilles explained that in 1991, William Lambrakis had requested permission to install a 72-inch corrugated steel pipe along the L-25 Canal adjacent to his property. The Board approved the request, issuing a permit and establishing an easement agreement. Since then, the agreement has been reassigned, first to the Deborah Pines family in 2006 and later to Edouard Joseph in 2007.

Mr. Tilles outlined the terms of the agreement, which require the property owner to maintain the piped canal, ensure free water flow, keep the culvert in a safe condition, and perform any required inspections and maintenance. Non-compliance would void the easement, allowing LWDD to restore the canal and recover costs by placing a lien on the property.

Mr. Tilles provided background and a timeline of compliance notices with the current agreement holder Mr. Edouard Joseph.

Due to signs of potential failure, LWDD commissioned a pipe inspection by Shenandoah in December 2023, which revealed significant corrosion, damage, and 30-40% siltation. Shenandoah was contracted to clean the pipe as a precaution before hurricane season. In May, the Board approved Resolution 2024-01 to initiate a special assessment process and directed staff to develop repair plans and cost estimates.

The proposed project includes removing approximately 200 feet of fencing within the right-of-way, installing 125 feet of fencing along the northern property line to restrict pool access, clearing trees and vegetation within the area, and installing 150 feet of cured-in-place pipe between Catch Basin #1 and Manhole #1 according to DOT and ASTM standards. Following completion, the area will be graded and restored.

Mr. Tilles provided a rough cost estimate of approximately \$200,000 for the project. He noted that last month, the Board had approved Resolution 2024-03, defining the project's necessity, cost breakdown, assessment requirements, payment terms, and property boundaries. A notice of public hearing, along with notice of Resolution 2024-04, has been published for two consecutive weeks in the local newspaper.

President Bedner asked if there was any public comment. There was no public comment.

President Bedner closed the Public Hearing.

DISCUSSION

9. **Approval of Resolution 2024-04 finding a necessity for certain special improvements to a defined benefitted property; describing the nature of the necessary special improvements; providing the estimated total cost of the improvements; declaring the portion of the costs to be paid by the benefitted property; stating the method for payment of the associated assessments, the term of those assessments, and the interest rate to be applied to the assessment; directing staff to proceed with improvements; and providing an effective date. Location: L-25 Canal within Pine Tree Country Club Estates; Joseph Property, 10519 Pine Tree Terrace, Boynton Beach (Project #91-1557D.01, 03-1557P.08, CM-20-0260) – Brian Tilles, Director of Right-of-Way Regulation**

Staff recommended adoption of Resolution 2024-04, finding the necessity for certain special improvements to a defined benefitted property. It describes the nature of these improvements and provides an estimated total cost, specifying the portion of that cost to be paid by the benefitted property. Furthermore, the resolution outlines the method for payment of the associated assessments, including the term of the assessments and the interest rate that will apply. After conducting a public hearing, the Board found no sufficient objections to the proposed improvements. Consequently, the resolution directs staff to proceed with the necessary improvements, and mandates a final accounting following construction.

A motion was made by Sr. Vice President Alderman to approve staff recommendation, was seconded by Supervisor Phipps and approved unanimously.

10. **Approval to enter into a contract with Bencor, Inc. for implementation of a 401(a) Special Pay Plan for employee leave benefits – Reagan Walker, Assistant Executive Director & Karen Hoyt, Director of Finance & Administration**

Ms. Skora provided background on Bencor, a company founded in 1990 that joined the U.S. Retirement Partners family in 2009.

Ms. Skora highlighted the benefits of Bencor's Special Pay Plan, a retirement benefit covering accumulated sick and vacation leave payouts. Through this plan, employees can defer federal income tax on leave payouts until funds are withdrawn and permanently avoid the 7.65% Social Security and Medicare taxes on those funds. Ms. Skora noted that the accounts accrue interest at a rate of 3.5%, though this rate may fluctuate with market conditions. Once funds are deposited, Retired employees have the flexibility to keep them in the account, withdraw, or reinvest in other options.

Ms. Skora explained that there is an option to freeze or terminate the agreement with Bencor if necessary. Neither employees nor employers incur fees, except if an

account holds less than \$1,000 and shows no activity for two years, at which point a \$2 monthly fee applies. A recent analysis of leave payouts over the past five years, Ms. Skora noted, showed savings of about \$25,000 each for both the Lake Worth Drainage District (LWDD) and its employees, underscoring the financial benefits. She further emphasized that offering the Special Pay Plan maintains LWDD's competitiveness with other government entities. Eligibility requires employees to complete a six-month probationary period, and the accumulated sick and vacation leave payout must exceed \$2,500.

Staff recommended approval to piggyback Palm Beach County's contract and enter into contract with Bencor, Inc. for implementation of a 401(a) Special Pay Plan

A motion was made by Supervisor Phipps to approve staff recommendation, was seconded by Vice President Hill and approved unanimously.

STAFF REPORTS

11. Executive Director's Report

Mr. Strowd provided a brief update on Hurricane Milton, detailing the actions taken both before and after the storm's arrival. He explained the various preparations completed in advance to mitigate potential impacts and ensure readiness. Following the storm, he reviewed the responsive measures undertaken to address any issues that arose. Additionally, Mr. Strowd shared a summary of basin operations, outlining key operational activities both pre- and post-storm.

A copy of the report is attached as a part of the meeting minutes.

12. District Counsel's Report

No additional items to report.

There was a recess called at 9:52 a.m. The meeting was reconvened at 9:58 a.m.

13. Board Reports & Comment

• Executive Director's Annual Performance Evaluation

Ms. Walker addressed the board, noting that before beginning Mr. Strowd's evaluation, she wanted to provide an update related to the Special District Accountability Act, changes that were adopted by the legislature. She referred to the LWDD Performance Goals and Objectives document provided to each board member and attached hereto as a part of the meeting minutes. The updated legislation requires special districts to set clear goals for major programs by October 1st and to establish performance measures to ensure these goals are met. This change aims to increase accountability.

Ms. Walker explained that while the board has regularly received annual reports on accomplishments, metrics, and statistics at the landowners' meeting, formalizing these goals and measures had not been required before. This legislation provided an opportunity to document and standardize these objectives. Starting December

1st of next year, an annual report on goal progress will also be published on the district's website.

She reviewed the district's goals and objectives and explained that metrics are currently reported on a calendar-year basis, aligning with the January landowners' meeting. However, to comply with the new legislation, the district will transition to reporting on a fiscal-year basis. This means the board will receive metrics in October, with a summary at the January meeting.

Ms. Walker provided the board with two options regarding Mr. Strowd's annual evaluation. If the board prefers to have the updated metrics before conducting the evaluation, they could wait until January and make any merit increase retroactive to this month, consistent with employee evaluations. Alternatively, the board may proceed with the evaluation.

Vice President Hill recommended formal adoption of the goals and objectives.


A motion was made by Sr. Vice President Alderman to adopt annual goals and objectives as presented , was seconded by Vice President Hill and approved unanimously.

President Bedner announced that an annual evaluation is conducted for all employees including Mr. Strowd. He requested input from the Board members on Mr. Strowd's performance. The board members agreed that Mr. Strowd's performance has been highly effective in all categories. It was recommended that he receive a 6% salary increase.

A motion was made by Vice President Hill to approve the recommendation, seconded by Supervisor Phipps and approved unanimously.

14. Adjourn

There being no further business, the meeting adjourned at 10:10 A.M.



President – Stephen Bedner



Recording Secretary – Sandra Acosta