

**St. Lucie West Services District  
Board of Supervisors' Meeting Minutes  
March 2, 2010, at 9:00 a.m.  
Sunlight Community Church  
477 S.W. Cashmere Boulevard  
Port St. Lucie, Florida 34986**

(Please note: This is not verbatim. A CD recording of the Board Meeting is available on file.)

**Board Members Present**

Harvey Cutler, Chairman  
Everett Child, Vice Chairman  
Sal Mancuso, Secretary  
Charles B. Altwein, Supervisor  
David Kessner, Supervisor

**Staff Present**

Dennis Pickle, District Manager, St. Lucie West Services District ("SLWSD")  
Bill Hayden, Public Works Director/Assistant District Manager, SLWSD  
Maddie Maldonado, Administrative Assistant, SLWSD  
Dan Harrell, District Counsel  
Bob Lawson, District Engineer  
Jason Pierman, Assistant District Treasurer, Special District Services, Inc. ("SDS")  
Laura Archer, Recording Secretary, SDS

**Guests Present (Sign-In Sheet Attached)**

**A. Call to Order**

Chairman Cutler called the meeting to order at 9:00 a.m.

**B. Pledge of Allegiance**

**C. Invocation**

After the invocation, Chairman Cutler acknowledged that there were many members of the public present at the meeting. He stated that he knew their reason for attending the meeting and assured those present that the item (SLW Presidents' Council Storm Water Presentation) would be addressed and those who had signed up would be given the opportunity to speak and asked that the Public Comment portion of the meeting be held under Item DM-1. No one present objected to Chairman Cutler's request.

**D. Roll Call**

Roll was taken and it was noted that all 5 Supervisors were present.

**E. Approval of Minutes -  
February 16, 2010, Board of Supervisors' Regular Board Meeting**

Chairman Cutler asked if there were any additions and/or corrections to the minutes of the February 16, 2010, Board of Supervisors' Regular Board Meeting.

There being no additions and/or corrections, a **motion** was made by Supervisor Altwein, seconded by Supervisor Mancuso to approve the minutes of the February 16, 2010, Board of Supervisors' Regular Board Meeting, as presented. The **motion** carried 5 to 0.

**F. Public Comment**

**G. District Attorney**

**DA 1 - Status Report**

Mr. Harrell noted that he had nothing to report at this time.

**H. District Engineer**

**DE 1 - Consider Acceptance of Lake Forest Irrigation Main**

Mr. Lawson presented the item and noted that he had a Memorandum dated March 1, 2010, which he distributed to the Members of the Board. He explained being approached by the Lake Forest HOA and the purpose of the acceptance. He further stated that the Memorandum was for information purposes only and that he was not prepared to recommend its acceptance at this time, noting that more tests should be run. It was noted that the Lake Forest HOA Secretary, present at the meeting, would take a copy of Mr. Lawson's Memorandum to the President of the Lake Forest HOA. Supervisor Mancuso asked if there was a difference between other HOAs within the community and the irrigation main to which Mr. Lawson noted that the Lake Forest HOA brought the question to Mr. Lawson specifically to determine whether it would provide any benefit to the District, to which Mr. Lawson responded that at this time, it does not appear to provide any benefit to the District. No further action was taken on this item at this time.

**I. District Manager  
Action Items**

**DM 1 - SLW Presidents' Council Storm Water Presentation**

Mr. Pickle noted that copies of the Report of the Special Committee Presidents' Council of St. Lucie West on the Infrastructure Maintenance in the Community were

previously provided to the Members of the Board. Mr. Pickle then noted that information was provided to the Members of the Board that included the attorney's statement and the engineer's statement of the options that would be available in order to accomplish what the Presidents' Council has recommended, that the District take over the street to lake connections for maintenance and repairs. Mr. Pickle noted that he had spoken to most of the Board Members over the past few weeks regarding the options that were available and explained that one option that has been recommended from the Staff's point of view would be for the District to take over the maintenance of the street to lake connections for one year through a cleaning cycle and videotaping it to come up with what the District's standpoint would be for a long term basis to where the District could take it over based on the engineer's report. It was then asked of those present if there was anyone in attendance from the Presidents' Council that would be able to make their presentation. Mr. Peter Rodaway noted that he was the spokesperson for the Presidents' Council of SLW and noted that Mr. Ney had a previous engagement with the census for which he had to attend. He further noted that those who had signed up for Public Comment had ceded their time to Mr. Rodaway so that they had one voice for the group. Mr. Rodaway then advised the Board that the members of the Presidents' Council of SLW had all signed a document acknowledging that as Representatives of their respective POAs, they fully supported the conclusions of the Stormwater Drainage Committee found in the report previously submitted to the Board for their review. Mr. Rodaway then noted that due to the change in the format of the meeting that he felt it was only fair that those present first listen to what the Board and Staff have to say before the Committee makes their comments and/or recommendations. He did state that the Committee is hoping to have a resolution to the issue by June 1<sup>st</sup> in order to prepare for the upcoming fiscal year's budgets for both the District and the HOAs. Mr. Rodaway then asked the public present to identify themselves as only residents versus those who are members of the Presidents' Council Stormwater Drainage Committee.

Supervisor Altwein then asked Mr. Rodaway if the Committee had discussed cost estimates for the District taking over the street to lake connections within the community to which Mr. Rodaway responded that that issue was not determined with members of the Committee.

At this point, Mr. Pickle explained that there were several options available for the District to take over the maintenance and repairs of the street to lake connections and specifically noted one that Chairman Cutler had brought forth to Staff which they believe can be accomplished fairly easily without greatly affecting the current budget. That option is at least a compromised option to get the program started and would not require a major engineering expense. Chairman Cutler stated that he had reviewed the options and read the comments made by Mr. Harrell and Mr. Lawson, but he does not believe a lot of the options are open to the District at this particular time because of the need for an engineering study in order to determine what the situation would be for the option in which the Presidents' Council Stormwater Drainage Committee is requesting, which is for the District to take over the complete repair, replace and maintenance of the street to lake connections. Chairman Cutler's

request was to hear about the option in which the District could handle taking over without a great deal of difficulty or expense. He further noted that there was a need to consider the equity between the HOAs when looking at the whole picture. He then asked Mr. Pickle to explain the maintenance option. Mr. Pickle explained that the least costly up front for the District and HOAs is for the District to take over the "maintenance", video tape each of the lines, clean each of the lines with the Vac-Con, but in order to do that the District would have to enter into an agreement with the HOA to go in and clean them because the District would be operating on private property, which is one additional expense that the District does not currently have. Mr. Pickle went on to note that he does not believe this would require hiring additional personnel or purchasing of additional equipment with the exception of maybe another video camera in order to accomplish this within the one year time frame. Staff however, does not believe that there would be a major impact on the budget other than current maintenance schedules would not be performed as frequently, i.e., they are currently cleaned on between 12 month and an 18 month cycle, it would change to approximately between a 24 month and a 36 month cycle. The cleaning process would include taking a video camera down the pipe to determine what needs to be cleaned/repaired/replaced to bring it up to a standard, "level playing field" at a later date. This option will be a minimal impact to the District's budget and no impact to the HOA budgets. So, essentially this option would have the HOA enter into an agreement with the District to allow access to the street to lake connections; the District comes in to clean out those connections and assess what it will take to bring the equipment up to a certain standard; and the District and Staff then make their recommendations and one year from now, the District looks at taking ownership over based on those recommendations. Mr. Pickle then confirmed that this option was discussed with both Mr. Harrell and Mr. Lawson and both thought it was a reasonable approach. Chairman Cutler then reiterated that this option would immediately have the HOA give the District permission to allow access to the street to lake interconnects (private property) and the District would come in on a rotating basis, probably starting with the oldest community, put the camera through the system, see how much cleaning would be required, do the cleaning, and determine what type of repairs/replacements are needed and thereby would know what is necessary to bring the system up to a standard. Chairman Cutler then asked for Board comments. Supervisor Altwein stated that he had reviewed the options presented and it was his belief that the street to lake interconnects are not in catastrophic condition and with that in mind wished to make a **motion**.

A **motion** was made by Supervisor Altwein that the District go forward with the program, as described by Mr. Pickle and Chairman Cutler, that the District will maintain the systems for at least one year, on a regular basis and in that year's time the District would have the opportunity to review all the needs of the system and give the District a better chance to provide funding for any major repairs.

Supervisor Altwein then noted that he believed that this was the best course of action to take because any other action would be a delay for many months due to many studies and surveying that would need to be done. The only concern Supervisor Altwein had was with the word "contract" which he believes might suggest money and

reiterated what Mr. Pickle had said that the District would perform this work within the framework of the current budget at no additional cost to the HOAs. Mr. Pickle noted that there would have to be some type of agreement in place for the District to have access to the private property, to which Mr. Harrell agreed that a license agreement with each HOA would be appropriate for this type of inspect, log and clean service to be provided in order to identify any type of additional work that might be necessary. Mr. Lawson noted that the information that is obtained using the method of inspection, logging and cleaning would be a very good basis to develop what is necessary for the engineer's report which will be turned over to the Board to determine whether they want to accept the responsibility one year from now. He also noted that the work this method proposes is almost necessary in order for him to prepare an engineer's report. A question arose as to what the **motion** was to which the Recording Secretary read back the following:

"Supervisor Altwein's **motion** was for the District to go forward with the maintenance option to maintain street to lake systems within the District's HOAs to determine the needs of each system for future repairs and maintenance."

Mr. Pickle wished to reiterate what the District would be maintaining. Mr. Lawson then noted that the District would "inspect, log and clean" because the term "maintenance" was too broad and could be interpreted to include repairing problems that are found. Mr. Pickle wished to further define "clean" in that the District would only clean the street to lake connections, no other drains.

Vice Chairman Child seconded Supervisor Altwein's **motion** with the understanding that the District would "inspect, log and clean" as opposed to the term "maintenance". Supervisor Altwein added that "inspect, log and clean" only applied to street to lake connections, to which Vice Chairman Child concurred.

Supervisor Mancuso asked to amend Supervisor Altwein's **motion** to include the process of maintaining the street to lake connections maintenance. Supervisor Altwein **did not accept the amendment**.

Supervisor Kessner asked Mr. Pickle if lake to lake projects would be delayed in addition to the maintenance schedules mentioned earlier. Mr. Pickle agreed that those projects would be delayed, but did not feel that it would be detrimental to the schedules. He further noted that the additional workload might require additional overtime, as well as some additional legal and engineering fees. Supervisor Kessner wanted to advise the public that just because the District would be embarking on this project for one year did not necessarily mean that the District would simply take over this responsibility because from what he has heard Mr. Harrell say in the past, the District would do it for one year and then we would have to go in and re-price the various HOAs. Mr. Harrell responded that that is what Mr. Lawson's inspection would determine. An adjustment to the maintenance assessment may be necessary. A question arose as to whether this plan would include non-residential/commercial properties to which Mr. Harrell responded that all properties within the District would need to be included, but that non-residential/commercial properties are a little more

complicated. Chairman Cutler asked if the District could start with the residential properties while in the offering stage with the non-residential/commercial properties to which Mr. Harrell stated that the District needed to start somewhere and the District would be limited to going into the subdivisions of which we have an executed license agreement on file.

Supervisor Mancuso then stated that a long term solution regarding the street to lake maintenance is necessary. He read from the District's Mandate and the Developer Agreement regarding the District's responsibilities. He went on to state that the option discussed is experimenting and it is necessary to look at a long term, permanent solution. Vice Chairman Child agreed with Supervisor Mancuso, however he also stated that this is a first step, an intelligent approach to the situation wherein there is a need to plan for it in the budget. A discussion ensued regarding the inspect, log and clean method and that this appears to be the best option given the statutory restraints of there being no time to make changes to the tax roll to increase the budget for a more permanent solution. Chairman Cutler advised those present that this method will enable the District to inspect, log and clean the street to lake connections and move forward without added expense to the residents or the District.

A clarification of Supervisor Mancuso's **amendment** to Supervisor Altwein's **motion** was requested which was for the District to inspect, log and clean the street to lake connections and to also include the taking over of the maintenance, replacement and repair of said connections permanently. Supervisor Altwein agreed to said amendment. The **amendment died** for lack of a second.

A discussion ensued regarding additional administrative work that would be required if this method is approved.

Chairman Cutler then opened the floor to Mr. Rodaway to which he responded that the option put before them by the Board was an interesting surprise, that it was not anticipated. He further went on to commend all those involved in this compromised approach. Mr. Rodaway asked that the age of the community not be taken into consideration when assessing each community and that it be shared equally among the communities. He concluded by stating that the HOAs will work with the District to achieve a common goal.

At approximately 10:15 a.m., Chairman Cutler called for a short break.

Chairman Cutler called the meeting back to order at 10:28 a.m.

Mr. Ken Butwell, a resident of the District, wished to compliment Mr. Pickle on an excellent study and felt that the recommended method is the only way to go.

Supervisor Altwein's **motion** was reiterated, seconded by Vice Chairman Child for the District to go forward with the inspection, logging and cleaning within the District's HOAs and non-residential street to lake connections to determine the needs of each

system with regard to future repairs and maintenance. Upon being put to a vote, the **motion** carried 5 to 0.

Mike Verdi of Presidential Cove wished to congratulate the Board, Dennis Pickle, Bill Hayden and Mr. Lawson on a very well thought out, exceptional plan that he is sure will make all of the HOAs within SLW happy. Mr. Pickle wished give credit to Chairman Cutler for coming up with the proposed method that was just approved.

**DM PW 1 - Consider Authorizing Storm Water Pipe Repair in Paradise Cove CC Estates**

Mr. Hayden presented the item and explained its purpose. He outlined the bids received and noted that Staff recommended its approval, awarding the contract to Lanzo Lining Services, Inc. in the amount of \$33,840.

A **motion** was made by Supervisor Altwein, seconded by Supervisor Mancuso approving Item DM PW1, approving the Paradise Cove stormwater pipe repair contract to Lanzo Lining Services, Inc. in the amount of \$33,840.

Supervisor Altwein's **motion** reiterated, seconded by Supervisor Mancuso approving Item DM PW1, approving the Paradise Cove stormwater pipe repair contract to Lanzo Lining Services, Inc. in the amount of \$33,840. Upon being put to a vote, the **motion** carried 5 to 0.

**DM 2 - Updated Wastewater Capacity Analysis Report for 2010**

Mr. Pickle introduced Item DM 2 and explained the annual report. No further action was necessary on this item.

**DM 3 - Other Items/Updates**

Mr. Pickle had no items.

**DM 4 - District Modular Building**

Mr. Hayden referred to a Memorandum of which District Staff was copied. It was a Memorandum to Daniel Hollbrook, Director of Planning and Zoning for the City of Port St. Lucie from Pam Hakim, Senior Assistant City Attorney, advising Mr. Hollbrook that the City agrees with Mr. Harrell's opinion that SLW is exempt from the St. Lucie West Architectural Review Board regarding the construction of the District's Administration Building. Mr. Hollbrook advised not to delay the District's site plan for documentation and to proceed taking the site plan to the City's Review Board. According to Mr. Lawson, it should go to the City's Site Plan Review Board some time in April. A brief discussion ensued as to who is on the Architectural Review Board.

**J. Supervisors' Requests**

Supervisor Kessner had no requests.

Vice Chairman Child wished to thank the Board, the attending public and the Presidents' Council and noted that a lot was achieved today.

Supervisor Altwein had no requests.

Supervisor Mancuso had no requests.

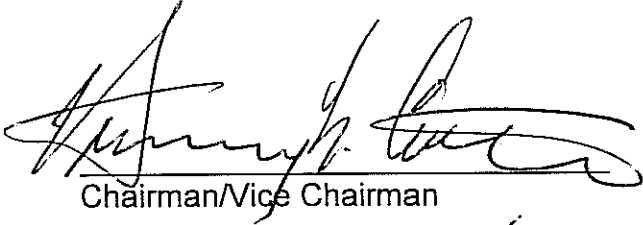
Chairman Cutler asked Mr. Rodaway to thank the Presidents' Council for their work on the street to lake connection issue.

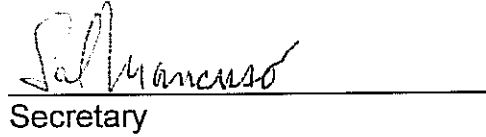
#### **K. Adjournment**

There being no further business to come before the Board, a **motion** was made by Supervisor Altwein, seconded by Supervisor Mancuso to adjourn the Regular Board Meeting at 10:55 a.m. There were no objections.



Meeting Minutes Signature Page

  
Chairman/Vice Chairman

  
Secretary

Date Approved 3/16/10