

St. Lucie West Services District
Regular Board Meeting Minutes
August 2, 2016, at 9:00 a.m.
450 SW Utility Drive
Port St. Lucie, Florida 34986

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

Board Members Present

Vincent D'Amico, Chairman
Gregg Ney, Vice Chairman
Wayne Smith, Secretary
Charles Altwein, Supervisor
Everett Child, Supervisor

Staff Present

Dennis Pickle, District Manager, St. Lucie West Services District ("SLWSD")
Bill Hayden, Public Works Director/Assistant District Manager, SLWSD
Maddie Maldonado, Office Manager, SLWSD
Lisa Beans, Administrative Assistant, SLWSD
Dan Harrell, District Counsel, Gonano & Harrell
Bob Lawson, District Engineer, ARCADIS-US, Inc.
Jason Pierman, District Treasurer, Special District Services, Inc. ("SDS")
Laura Archer, SDS
Sheaffer Watt, SDS

Guests Present (Sign-In Sheet Attached)

A. Call to Order

Chairman D'Amico called the Regular Board Meeting to order at 9:00 a.m.

B. Pledge of Allegiance

C. Roll Call

It was noted that all 5 Supervisors were present.

D. Approval of Minutes

- 1. July 11, 2016, Workshop**
- 2. July 12, 2016, Regular Board Meeting**

The minutes were presented for Board approval.

A **motion** was made by Supervisor Child, seconded by Vice Chairman Ney approving the Workshop Minutes of July 11, 2016, as presented, and the July 12, 2016, Regular Board Meeting Minutes, as presented. Upon being put to a vote, the **motion** carried 5 to 0.

E. Public Comment

There was no public comment.

F. District Attorney

DA 1 – Consider Approval of Fifth Amendment to Purchase and Sale Agreement

Mr. Harrell presented the Fifth Amendment and noted that the purchaser was requesting additional extension periods. Mr. Harrell indicated that since the District was holding the property off the market, he was recommending the following 3 conditions:

- 1.) After the first 30-day extension, a non-refundable \$5,000 deposit would be required for each additional 30-day extension.
- 2.) The District will receive information regarding any communications between the City and the Purchaser.
- 3.) The site plan approval will not exceed a December 31, 2016, date.

A **motion** was made by Secretary Smith, seconded by Supervisor Altwein approving the Fifth Amendment to Purchase and Sale Agreement, as presented.

Under discussion, Secretary Smith asked if the \$5,000 deposits were over and above the sale price to which Mr. Harrell indicated that the additional deposit(s) were not over the consideration.

Supervisor Child asked if the District would be responsible for moving the lift station to which Mr. Harrell stated that that was how it appeared as of now. Supervisor Child noted that, personally, he would be more pleased if the District moved the lift station so that it would fall under our control.

Mr. Pickle clarified that the December 31, 2016, site plan approval is a deadline for final site plan approval and that the closing would occur after that. He also clarified that the District, if determined to move the lift station, would receive an additional \$100,000 for the move.

Secretary Smith's **motion** was reiterated, seconded by Supervisor Altwein approving the Fifth Amendment to Purchase and Sale Agreement, as presented. Upon being put to a vote, the **motion** carried 5 to 0.

G. District Engineer

DE 1 – Consider Approval of Work Authorization No. 3B-33-1607-R between the District and Dennis Martin as the current owner of Lot 201, Block H, Lake Forest Pointe subdivision, as recorded in St. Lucie West Plat No. 42, PG 22, public records of St. Lucie County, Florida

Mr. Lawson presented the item, noting that they will have to monitor how it works. He also indicated that he was recommending approval with the following 2 conditions:

1.) Applicant shall be responsible to obtain any required approval from the property owners' association, who is currently maintaining the lake banks within the Lake Forest Pointe subdivision.

2.) Applicant shall be responsible for erosion repair of the lake bank, should it occur as a result of this installation.

3.) Work Authorization issuance shall be conditioned on receipt of the required \$150 application fee.

A **motion** was made by Vice Chairman Ney, seconded by Secretary Smith approving Work Authorization No. 3B-33-1607-R between the District and Dennis Martin as the current owner of Lot 201, Block H, Lake Forest Pointe subdivision, as recorded in St. Lucie West Plat No. 42, PG 22, public records of St. Lucie County, Florida, with the following 3 conditions: 1.) Applicant shall be responsible to obtain any required approval from the property owners' association, who is currently maintaining the lake banks within the Lake Forest Pointe subdivision; 2.) Applicant shall be responsible for erosion repair of the lake bank, should it occur as a result of this installation; and 3.) Work Authorization issuance shall be conditioned on receipt of the required \$150 application fee, as presented.

A brief discussion ensued regarding the process.

Vice Chairman Ney's **motion** was reiterated, seconded by Secretary Smith approving Work Authorization No. 3B-33-1607-R between the District and Dennis Martin as the current owner of Lot 201, Block H, Lake Forest Pointe subdivision, as recorded in St. Lucie West Plat No. 42, PG 22, public records of St. Lucie County, Florida, with the following 3 conditions: 1.) Applicant shall be responsible to obtain any required approval from the property owners' association, who is currently maintaining the lake banks within the Lake Forest Pointe subdivision; 2.) Applicant shall be responsible for erosion repair of the lake bank, should it occur as a result of this installation; and 3.) Work Authorization issuance shall be conditioned on receipt of the required \$150 application fee, as presented. Upon being put to a vote, the **motion** carried 5 to 0.

DE 2 – Status Report/Updates

Mr. Lawson advised that he had made a field visit to the canal between the Lowes and the school and indicated that the excavation work was approximately 40% completed. He noted that some sod was going down and that the project is going well. He expects completion by next month.

Mr. Lawson stated that design and permitting was done on the Lake Harvey project and that the plat had been submitted to the City of Port St. Lucie on July 20th. He noted that it had also been submitted to South Florida Water Management District and to the Army Corps of Engineers. Mr. Lawson noted that the schedule for approvals is as follows: site plan review is scheduled for August 10th; Planning & Zoning is scheduled for September 6th; and he is targeting September 26th for final approvals.

That concluded Mr. Lawson's updates.

Mr. Pickle indicated that he had received a complaint from a resident of Magnolia Lakes regarding the 4E/5 canal about the road noise from the interstate now that the clearing has been completed. He noted that there was no plan to re-plant and that there was no money in the budget to fund such a project. A brief discussion ensued about the HOA possibly planting some to reduce some of that noise.

H. District Manager Action Items

DM 1 - District Manager Annual Performance for 2016

Mr. Pickle presented the item indicating that pursuant to Condition 13(e) of the District Manager's employment agreement that the Board of Supervisors discuss whether the District Manager's performance is overall satisfactory. He noted Condition 14, Agreement Renewal language as follows:

Condition 14 Agreement Renewal. At a public meeting on or about September 1 of each year during the term of this Agreement, the Board will decide whether to extend the term of this Agreement by:

- (a) Taking no action, in which event the term of this Agreement shall be automatically extended for one additional year beyond its then-current term;
- (b) Taking action to extend this Agreement for one additional year beyond its then-current term; or
- (c) Taking action declining to extend this Agreement beyond its then-current term.

Mr. Pickle noted that he had spoken with each individual Board Member regarding his annual performance for 2016.

A **motion** was made by Vice Chairman Ney, seconded by Secretary Smith to select option “b” – Taking action to extend this Agreement for one additional year beyond its then-current term.

Mr. Harrell clarified that the motion should include the statement that the Board accepts the District Manager’s evaluation as satisfactory.

Under discussion, Vice Chairman Ney indicated that “satisfactory” was an understatement and that he believes it really verges on excellent.

Vice Chairman Ney amended his **motion** to select option “b” – Taking action to extend this Agreement for one additional year beyond its then-current term; and to accept the District Manager’s evaluation as satisfactory. Secretary Smith seconded and upon being put to a vote, the **motion** carried 5 to 0.

DM 2 – Consider Approval of the Repair of the 4E Outfall Ditch to the Turnpike Ditch

Mr. Hayden presented the item and gave a brief description. He noted that the reason for the big difference in the proposed prices was due to the fact that Johnson-Davis is already onsite and there was no mobilization fee included in the proposal price.

A **motion** was made by Secretary Smith, seconded by Vice Chairman Ney approving the repair of the 4E outfall ditch to the Turnpike ditch and awarding Johnson-Davis the repair for the not to exceed amount of \$40,990, as presented. Upon being put to a vote, the **motion** carried 5 to 0.

DM 3 – Consider Resolution No. 2016-03 – Establishing the Fiscal Year 2016/2017 Workshop and Regular Meeting Schedule and Location

Mr. Pickle presented Resolution No. 2016-03, entitled:

RESOLUTION NO. 2016-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ST. LUCIE WEST SERVICES DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2016/2017 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

A **motion** was made by Supervisor Child, seconded by Vice Chairman Ney and passed unanimously adopting Resolution No. 2016-03, as presented. Upon being put to a vote, the **motion** carried 5 to 0.

DM 4 – Consider Approval for the Purchase of an Automatic Meter Reading Program (AMR) and Potable Water Meters

Mr. Pickle presented the item and noted that Josh Miller had been researching this project and its different options. The total cost of the project is estimated to run over \$1 Million over a period of 6 years. Discussion ensued regarding the expected battery life and the fact that the battery is non-replaceable; the entire meter would require replacement

A **motion** was made by Vice Chairman Ney, seconded by Supervisor Child approving the purchase of an Automatic Meter Reading Program (AMR) and Kamstrup Potable Water Meters from Water Werks, Inc.

Vice Chairman Ney questioned a sentence of Page 31 of the meeting booklet, which read: "This purchase was budgeted from the Replacement Meters in the R&R Fund and will be an ongoing annual expense," asking if it had been budgeted. Mr. Pickle indicated that it had been budgeted through 2020, as recommended by Rob Ori, the Rate Consultant. Vice Chairman Ney surmised that the District had been budgeting for something that had not yet been approved. Secretary Smith then asked if the motion needed to be amended to say that this was for one year. Mr. Harrell responded, noting that there was no need because it will be a part of the budget moving forward. He indicated that the motion approves the program and anticipates future years' purchase, but does not lock in for future years. Mr. Pickle also noted that the approval locks in the rates for a 6 year term. Secretary Smith indicated that he understood it was a long-term project.

Vice Chairman Ney's **motion** was reiterated, seconded by Supervisor Child approving the purchase of an Automatic Meter Reading Program (AMR) and Kamstrup Potable Water Meters from Water Werks, Inc., as presented. Upon being put to a vote, the **motion** carried 5 to 0.

DM 5 – Other Items/Update

Mr. Pickle referred to the Proposed Floor Plan of the new building and indicated that it would have a hip roof. Discussion ensued regarding the differences between flat roofs and hip roofs. Discussion then ensued about the design and where the air conditioner unit would be placed. Mr. Lawson assured the Board Members that details would be worked out with the architect prior to committing to a design.

Mr. Pickle had no further updates at this time.

I. Consent Agenda

CA 1 - Monthly Report on Public Works Department

CA 2 - Monthly Report on Utilities Operations

CA 3 - Monthly Report on Capital Improvement Projects

CA 4 - Monthly Report on Billing and Customer Service

CA 5 - Financial Statements for June, 2016

CA 6 - Consider Approval to Transfer Funds for the R&R and WCF Account Requisitions

Consent Agenda Items CA 1 through CA 6 were presented for Board consideration.

A **motion** was made by Supervisor Child, seconded by Supervisor Altwein, approving Consent Agenda Items 1 through 6, as presented. Upon being put to a vote, the **motion** carried 5 to 0.

J. Supervisor Requests

Supervisor Child had no requests.

Vice Chairman Ney had no requests.

Supervisor Altwein had no requests.

Secretary Smith had no requests.

Chairman D'Amico brought up a pet peeve of his, indicating that as a former government employee he does not like the fiscal year being referred to as "fiscal year 2016/2017" – he indicated that it does not matter when it starts, it should only be referred to as "fiscal year 2017." It was a consensus of the Board to not use the beginning of the fiscal year when referencing "fiscal year 2017."

K. Adjournment

There being no further items to be addressed, the Regular Board Meeting was adjourned at 9:55 a.m. There were no objections.

Regular Board Meeting Minutes Signature Page


Chairman/Vice Chairman


Secretary/Assistant Secretary

Date Approved 09-13-16

