

**St. Lucie West Services District**  
**Workshop Minutes**  
**January 7, 2013, 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 Board Meeting is available on file.)

**Board Members Present**

Harvey Cutler, Chairman  
Everett Child, Vice Chairman  
Charles Altwein, Secretary  
Vincent D'Amico, Supervisor

**Staff Present**

Dennis Pickle, District Manager, St. Lucie West Services District ("SLWSD")  
Bill Hayden, Public Works Director/Assistant District Manager, SLWSD  
Josh Miller, Chief Wastewater Operator, SLWSD  
Maddie Maldonado, Office Manager, SLWSD  
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 Workshop to order at 9:00 a.m.

**B. Pledge of Allegiance**

**C. Roll Call**

Ms. Archer took roll, noting that Supervisor Mancuso was absent.

**D. Approval of Minutes**

- 1. December 3, 2012, Workshop**
- 2. December 4, 2012, Regular Board Meeting**

Secretary Altwein asked about the Cargill agreement, specifically if they exceeded the limits set forth, would there be a surcharge? Mr. Pickle indicated that the agreement was for ERCs (equivalent residential connections) only.

There was no discussion regarding the minutes.

**E. Public Comment**

There was no public comment.

**F. District Attorney  
DA 1 - Status Report**

Mr. Pickle was not aware of any updates from Mr. Harrell.

**G. District Engineer  
DE 1 – Consideration of Bids for Basin N1 Interconnect**

Mr. Pickle distributed the bid results and explained the reason for the project, indicating that Mr. Lawson would discuss the project more in depth at tomorrow's Regular Board Meeting.

**H. Consent Agenda  
CA 1 - Monthly Report on Public Works Operations  
CA 2 - Monthly Report on Utilities Operations  
CA 3 - Monthly Report on Capital Improvement Projects**

Secretary Altwein requested that the color code on the Project Tracker be more specific. As an example he pointed out that the blue numbers were considered "under budget," but that SW047 actually indicated that it was "at budget." Mr. Pickle indicated that the color code could be changed.

**CA 4 - Monthly Report on Billing and Customer Service  
CA 5 - Financial Statements for November, 2012  
CA 6 - Consider Approval to Transfer Funds for the R&R Account, the WCF Account, the WWCF Account and the WMB Fund Bond Requisitions**

There was no further discussion regarding Consent Agenda Items CA – 1 through CA – 6.

**I. District Manager  
Action Items**

**DM 1 - Final Report Regarding Work Authorization SLWSD/BDI 13-01 for the WWTF Expansion Project, Phase I**

Mr. Pickle presented the item and introduced Josh Miller, the Chief Wastewater Operator, who was in attendance to answer any questions. Mr. Pickle also noted that

David Carr of Baskerville-Donovan would be at tomorrow's meeting to make a formal presentation. Mr. Pickle indicated that expansion of the facility is critical to do now because the strength of wastewater coming in is increasing. He assured the Board, however, that the facility is currently meeting demand because of steps staff has taken. The need for expansion was discussed at length. Funding resources were also discussed. Mr. Pickle indicated that he was seeking a motion to authorize the engineering work in the amount of \$749,420 at tomorrow's meeting.

There was no further discussion on this matter.

## **DM 2 - Consider Proposed Changes to Chapter A-II Rules of Board of Supervisors**

Mr. Pickle presented the item. A lengthy discussion ensued regarding Section 2(b) and the necessity of having a quorum for a Workshop. Vice Chairman Child suggested that the wording for the Workshop Meeting with regard to a quorum be identical to the wording for a Regular Meeting. The consensus of the Board agreed that a quorum should be present at the Workshop Meeting as with a Regular Meeting.

Discussion also ensued regarding the last paragraph in Section 7 regarding Consent Agenda items. Vice Chairman Child noted that the way it is currently written, it removes the opportunity for a single Board Member to have something removed from the Consent Agenda; but rather requires a majority in order to do so. After further discussion regarding the matter, Vice Chairman Child withdrew his objection to the wording of the last paragraph in Section 7.

Mr. Pickle reminded the Board that the only vote being sought on this item at tomorrow's Regular Board Meeting is authorization to set a Public Hearing for March and to advertise said Public Hearing, as required by Florida Statute. He further stated that additional changes to the content of the Rules could be made up until the Public Hearing date.

Supervisor D'Amico then brought up Section 13(d)(ii) regarding the hiring/terminating of District employees "...as may be necessary and authorized by the Board," noting that the Board does not get involved with such matters. Mr. Pickle indicated that this paragraph has been in existence since the beginning and that it alludes to the job descriptions and pay scales only and that the District Manager hires/fires employees. He further indicated that he would get clarification from Mr. Harrell regarding this item.

There was no further discussion regarding this matter.

Chairman Cutler called for a short break at approximately 10:22 a.m.

Chairman Cutler called the Workshop back to order at approximately 10:36 a.m.

**DM 3 - Consider Acceptance of Annual Engineering Certification of the Utility Systems**

Mr. Pickle presented the item, indicating that the bond indenture required that the Renewal and Replacement section be included in future reports. He noted that he is seeking Board acceptance at tomorrow's Regular Board Meeting.

There was no discussion regarding this item.

**DM 4 - Consider Resolution No. 2013-01 – Approving Reimbursement of Certain Costs Relating to the Acquisition, Construction and Equipping of Certain Capital Improvements**

Mr. Pickle presented Resolution No. 2013-01, entitled:

**RESOLUTION NO. 2013-01**

**A RESOLUTION OF THE ST. LUCIE WEST SERVICES DISTRICT REGARDING REIMBURSEMENT OF CERTAIN COSTS RELATING TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE.**

Mr. Pickle indicated that this Resolution captures all of the costs associated with the projects in the bond and that Bond Counsel recommended bringing this item to the Board for approval. Mr. Pickle indicated that it protects us. Questions arose as to when the Public Hearing would be set for this item to which Mr. Pickle indicated that it was his hope that we could lock in rates possibly in March, but not too soon.

Discussion ensued regarding the ability to issue tax exempt bonds. Mr. Pierman indicated that the IRS had issued a preliminary opinion with respect to The Villages that any bonds issued by a district when run by a developer are not tax exempt. Chairman Cutler asked how our attorney felt about the preliminary opinion to which Mr. Pickle indicated that Danny Tyler, the District's Bond Counsel, had not rendered an opinion as of yet. Mr. Pierman noted that he was hoping that the IRS would have a final decision on this matter in the beginning of this year.

Secretary Altwein asked if there were any bonds floated by the Developer to which Mr. Pickle indicated that the water management and Cascades bonds were, but that they had already been refinanced. Secretary Altwein asked if the District would be affected to which Mr. Pickle noted that we would have to wait and see.

There was no further discussion regarding this item.

**DM 5 - Other Items/Updates**

Mr. Pickle indicated he had a few minor updates, noting the District was moving forward with the storm water street to lake takeover. He further indicated that they were working on getting dedicated easements from each HOA and that that issue is close to finalization.

Mr. Pickle updated the Board on the irrigation study, noting that the 6 subdivisions have been completed and that it was his hope to formally bring the matter to the Board in the next few months.

## **J. Supervisors' Requests**

Chairman Cutler asked Mr. Hayden if there was a way to enforce the removal of exotics on private property. Mr. Hayden responded by stating that the City has a Code Enforcement Division who could be notified. Chairman Cutler asked that it be looked into.

Tony Roach, a resident of the District, asked about the storm drains in the Publix shopping center, indicating that it is the public's perception that the District had a huge problem with them during the last storm event wherein a District employee had cleaned out the drain that was clogged with plastic wrap. He asked if the District would be taking over the storm drain in that shopping center to which Mr. Pickle indicated that the District would not, explaining that Merin Development owned those and that the issue was brought to their attention and that Merin told him that they would look into it. Mr. Hayden noted that one project that should alleviate the problem is the Lake Charles N-1 project which will allow the water to flow out north and south. Mr. Pickle showed Mr. Roach on a map where the work would be done to help the water flow from that shopping center. Secretary Altwein noted that the public's perception will always be that it's the District's fault and asked if the failure is due to the lack of maintenance of a property owner, can we impose fines for repeated problems. Mr. Pickle indicated that this was a question for the District's attorney, but that Merin Development now knows of their maintenance issues and will work to improve the maintenance from their side. Mr. Hayden noted that he had recently seen vac trucks on the property to clean out the structures. Secretary Altwein noted that his concern arises if and when their lack of maintenance affects the District's system. Mr. Pickle noted that if the lack of upkeep is confined to their property, it is questionable if the District can do anything; but if it affects the roadways, then we can do something.

Mr. Roach then noted that Mr. Pickle indicated that the HOA is still going to be responsible for part of the storm water drainage and asked for clarification. Mr. Pickle indicated that a map of delineation had been drawn up which shows what lines the District would take over versus not take over and that he would be happy to provide that map to Mr. Roach for his review.

Gregg Ney, a District resident, indicated that he had done some research on the various groups in charge in St. Lucie West and noted that the commercial/industrial

section does not answer to anyone. He suggested establishing a forum of these people so that we could meet periodically to look into issues as they arise. Mr. Ney recommended that the forum be made up of representatives from the commercial association, the industrial association and the District Manager. Mr. Pickle noted that he would be glad to entertain/host something at the District's administrative offices for said forum. Chairman Cutler noted that when Bayshore was involved that the District spoke with them on a regular basis and indicated Mr. Ney's idea was a good one. Mr. Pickle suggested meeting on a quarterly basis.

Secretary Altwein asked if the Open House for City Council members was still in the works. Mr. Pickle noted that it was not forgotten, but that it is not a high priority and reminded the Members of the Board that it became problematic because of the Sunshine Laws. He also noted that he was waiting until after elections and indicated that the spring months were a better time of year to host an Open House.

Chairman Cutler asked Mr. Hayden if he had any contacts at the Emergency Management Operations to which Mr. Hayden indicated he had several and that he speaks with them once per month.

There were no further Supervisor Requests.

#### **K. Adjournment**

There being no further items to be addressed, the Workshop was adjourned at 11:06 a.m. There were no objections.

Workshop Minutes Signature Page

  
Chairman/Vice Chairman

  
Secretary/Assistant Secretary

Date Approved 02/05/13