

St. Lucie West Services District
Regular Board Meeting Minutes
August 6, 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
Sal Mancuso, 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
Dan Harrell, District Counsel, Gonano & Harrell
Bob Lawson, District Engineer, ARCADIS-US, Inc.
Jason Pierman, Assistant District Treasurer, Special District Services, Inc. ("SDS")
Laura Archer, Recording Secretary, SDS
Dan Meyer, SDS

Guests Present (Sign-In Sheet Attached)

A. Call to Order

Chairman Cutler called the Regular Board Meeting to order at 9:00 a.m.

B. Pledge of Allegiance

C. Roll Call

Ms. Archer took roll, noting that all 5 Supervisors were present.

D. Approval of Minutes

1. July 1, 2013, Workshop
2. July 2 2013, Regular Board Meeting

<p>A motion was made by Vice Chairman Child, seconded by Secretary Altwein approving the minutes of the July 1, 2013, Workshop, as presented, and the July 2, 2013, Regular Board Meeting, as amended at yesterday's Workshop. Upon being put to a vote, the motion carried 5 to 0.</p>

E. Public Comment

Steven Dewey, a resident of the District, noted his concern about cracks in the roadway, specifically on Jefferson Circle, and indicated his suspicions that it could be caused by a water leak. Mr. Hayden indicated that the video-ray had been sent down yesterday and although it was too small a pipe to fly, everything appeared to be okay. Mr. Hayden noted that the asphalt is 10 to 15 years old and cracks are common. Mr. Hayden indicated that the District would re-examine the roadway.

F. District Attorney

DA 1 – Consider Proposed Easement Swap with the School Board of St. Lucie County, Florida

Mr. Harrell explained the item indicating that the swap had been initiated by the District to allow maintenance access to the stormwater ditch along the south end of the School Board property. He also explained that approval of the swap would include his simultaneous representation of both the District and the School Board.

A motion was made by Vice Chairman Child, seconded by Supervisor Mancuso approving the Proposed Easement Swap with the School Board of St. Lucie County, Florida, and Mr. Harrell's simultaneous representation of both the School Board and the District. Upon being put to a vote, the motion carried 5 to 0.

G. District Engineer

DE 1 – Consider Approval of Work Authorization No. 3B-29-1307-R between SLWSD and Lake Forest Pointe at St. Lucie West Homeowners' Association, Inc.

Mr. Lawson presented the item, explaining that the application is for the installation of underground electric conduit and a floating fountain with lights in Water Management Tract No. 3, as shown on the SLW Plat No. 160 Lake Forest Pointe recorded in Plat Book 42, beginning at Page 22.

Supervisor Mancuso asked for confirmation that the District would be responsible for maintaining the lake and assumed that the fountain would not interfere with maintenance. Mr. Lawson assured that installation of the fountain would not interfere with the lake maintenance and confirmed that the District would still be responsible for the lake's maintenance.

A motion was made by Secretary Altwein, seconded by Vice Chairman Child approving Work Authorization No. 3B-29-1307-R between SLWSD and Lake Forest Pointe at St. Lucie West Homeowners' Association, Inc., as presented. Upon being put to a vote, the motion carried 5 to 0.

Mr. Lawson then distributed a Basin and Control Data map, along with peak elevation information of the District's Basins, which showed how much water could be pumped

in a specific time period with only a gate versus if a pump was used. It was Mr. Lawson's opinion that pumps are much more efficient than gates.

Discussion ensued regarding South Florida Water Management District (SFWMD) and the criteria which allows water to be stored in streets and driveways. A question arose as to if SFWMD was still using the same criteria for DRIs to which Mr. Lawson indicated that they have been using the same criteria since about 1980. Mr. Lawson indicated that the focus is to lower the impact, but nothing will keep water off the street.

Mr. Lawson indicated that SFWMD would be making an educational presentation at the next Presidents' Council Meeting.

Discussion ensued regarding education the residents of the District.

Supervisor Mancuso indicated that the primary reason SLWSD was chartered was for surface water management.

Discussion ensued regarding how the Presidents' Council was organized.

Secretary Altwein asked for confirmation that SFWMD is okay with SLWSD being under water for 12 days or less. Mr. Lawson indicated he believed that was correct.

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

CA 4 - Monthly Report on Billing and Customer Service

CA 5 - Financial Statements for June, 2013

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

<p>A motion was made by Supervisor D'Amico, seconded by Vice Chairman Child approving Consent Agenda Items CA 1 through CA 6, as presented. Upon being put to a vote, the motion carried 5 to 0.</p>
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H. District Manager Action Items

DM 1 - District Manager Annual Performance for 2013

Mr. Pickle presented the item, indicating that he had met privately with each individual Board Member to discuss his performance.

Supervisor D'Amico expressed his belief that Mr. Pickle was doing an excellent job.

A motion was made by Supervisor D'Amico, seconded by Secretary Altwein to extend Mr. Pickle's Agreement by "Taking action to extend this Agreement for one additional year beyond its then-current term." Upon being put to a vote, the motion carried 5 to 0.

DM 2 - Consider Authorization to Approve Blue Cross Blue Shield Health Insurance Provider

Mr. Pickle presented the item and reminded the Board that the renewal of health insurance coverage provided by Blue Cross Blue Shield initially had a proposed 7.2% overall increase for the current plans. He indicated after a long negotiation period that their Agent, Mrs. Mary Leighton, worked with Blue Cross Blue Shield to hold the District's rates flat for this renewal period. Mr. Pickle recommended approval of the renewal.

A motion was made by Vice Chairman Child, seconded by Supervisor D'Amico approving renewal Health Insurance Plan 5467 and the renewal of Step-Up Plan 5462 from Blue Cross Blue Shield of Florida, indicating no increase for this fiscal year. Upon being put to a vote, the motion carried 5 to 0.

DM 3 - Consider Agreement for Deferred Payment of Service Availability Fees for the Olama Corporation (Golden Corral)

Mr. Pickle presented the item indicating that the Olama Corporation had submitted a letter on July 11, 2013, stating the facts that led up to the Services Availability Fees funding oversight. In response to that letter, Mr. Harrell prepared the Agreement for the Board's consideration. Mr. Pickle indicated that the interest rate was 3.5% and that there would be a \$35,000 payment made within 10 days of the effective date with principal payments of \$16,758.75 made once per month until the total \$135,552.50, plus interest, had been paid off in February, 2014. Approval was recommended.

A motion was made by Secretary Altwein, seconded by Supervisor D'Amico approving the Agreement for Deferred Payment of the Service Availability Fees for the Olama Corporation, known as Golden Corral. Upon being put to a vote, the motion carried 5 to 0.

DM 4 - Consider Resolution No. 2013-13 – Establishing the Fiscal Year 2013/2014 Workshop and Regular Meeting Schedule and Location

Mr. Pickle presented Resolution No. 2013-13, entitled:

Supervisor Mancuso needs to publicly acknowledge his mistakes, offer a public withdrawal of his unjust remarks and an apology to all effected by his comments and he thanked the Board for its indulgence.

Chairman Cutler indicated that he was upset after the meeting last month as well and requested a verbatim copy of the tapes of the last meeting, which he had distributed to the Members of the Board, and which also have certain portions highlighted. Chairman Cutler then asked each Board Member if he had had any discussions regarding this matter with any of them prior to today's meeting. All 4 Supervisors agreed that none of them had had any discussions with Chairman Cutler regarding the current topic.

Chairman Cutler read the verbatim remarks made by Supervisor Mancuso at the previous month's meeting and noted that he had violated the rules. He also noted that he had a motion prepared, which he would refrain from making at this time, provided that Supervisor Mancuso acknowledge that he made those remarks and that he apologize to the Board for making them.

In response to Chairman Cutler's remarks, Supervisor Mancuso responded that he did not believe that this was the appropriate time to respond until he has had time to review the matter, then he will respond at the Workshop. Chairman Cutler indicated he was not willing to wait that long and wanted to take care of the matter right now.

Supervisor Mancuso addressed the Chairman, Members of the Board and the public in attendance by stating that he never meant to reach a point where he has any personal argument with the Board.

Supervisor Mancuso noted that there was no harm intended, no personality was intended. It was just comments. And he will try his very best to not repeat this type of activity.

Secretary Altwein noted that Mr. Mancuso accused the Board of lying to the public, which, to him, is a very serious offense. He further stated that he has cast a pall of corruption on us, staff and the people that work in St. Lucie West Services District and he thinks that's unconscionable. Secretary Altwein noted that he was not seeking an apology for himself, but that this request was for the Board.

Supervisor D'Amico's belief is that the entire situation is unfortunate. He believes that the Board has done a beautiful job until now and hopes that this does not occur and that Supervisor Mancuso takes every effort not to repeat any of this again. He noted that if Supervisor Mancuso does repeat this conflict, then the Board should take action.

Vice Chairman Child noted that he says things to make a point and hopes that none of his comments are taken as a slur to anybody. He would like to see the matter dropped with each Board Member being a little more careful as to what is said at Board Meetings that might be construed as derogatory to anyone. He also noted that he did not see any intent by either side. He reiterated his desire to drop the matter.

Chairman Cutler indicated that he was prepared to make the following motion at this meeting:

A motion to formally censure Supervisor Mancuso for disruptive, rude and belligerent behavior with total (dis)regard for the rules governing the St. Lucie West Services District Board of Supervisors' Meetings as per the attached word for word true copy of the minutes of the meeting of July 2, 2013.

He noted that he would hold that motion in abeyance, but stated that any further incident of any nature or any comments which are derogatory to this Board and to anybody on it in the future, he will make the motion and try his best to have Supervisor Mancuso censured formally for it. Chairman Cutler also noted that he understood what Supervisor Mancuso was saying when he noted that he did not have any intent, but that is not the case, it's not the point. He also agreed that he believed that Supervisor Mancuso owed an apology to the Board.

Supervisor Mancuso indicated that he would take what Chairman Cutler said into consideration and reiterated that he did not have any intent to insult the Board; it was merely a form of communication. He also noted that he would try his very best to assure that it does not happen again.

Chairman Cutler asked if anyone else had anything they'd like to say. Hearing none, Chairman Cutler stated that he would entertain a motion to adjourn.

A motion was made by Supervisor D'Amico, seconded by Secretary Altwein to adjourn at the meeting at 9:56 a.m. There were no objections.

Regular Board Meeting Minutes Signature Page

Summit S. Child
Chairman/Vice Chairman


Secretary/Assistant Secretary

Date Approved 09/10/13