

St. Lucie West Services District
Public Hearing and Regular Board Meeting Minutes
November 4, 2014, 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

Harvey Cutler, Chairman
Everett Child, Vice Chairman
Charles B. 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 (via conference call)
Bob Lawson, District Engineer, ARCADIS-US, Inc.
Jason Pierman, 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 Regular Board Meeting to order at 9:00 a.m.

B. Pledge of Allegiance

C. Roll Call

It was noted that all five (5) Supervisors were present.

D. Public Comment

Barbara Bernstein of the Cascades thanked Mr. Pickle for his work on the Cascades ponds. She stated that they were now clear and moving. Another lady in the audience stated that the lakes look great.

Chairman Cutler thanked both ladies for making it a point to come to the meeting to advise of their appreciation. He stated that the District is made up of a good group of

people who take pride in their work and that it is a pleasure to serve with such people.

E. Approval of Minutes

- 1. October 6, 2014, Workshop**
- 2. October 7, 2014, Regular Board Meeting**

A motion was made by Vice Chairman Child, seconded by Secretary Altwein approving the minutes of the October 6, 2014, Workshop, as amended, and the October 7, 2014, Regular Board Meeting, as amended. Upon being put to a vote, the motion carried 5 to 0.

F. Public Hearing 1

- 1. Call to Order**

Chairman Cutler called to order Public Hearing 1 at 9:04 a.m.

- 2. Roll Call**

Ms. Archer took roll and acknowledged that all five (5) Supervisors were present.

- 3. Receive Public Comment on the Adoption of Resolution No. 2014-11 of St. Lucie West Services District Amending the Employee Pay Grade Schedule; and Providing an Effective Date**

There was no public comment on the Adoption of Resolution No. 2014-11 of St. Lucie West Services District Amending the Employee Pay Grade Schedule; and Providing an Effective Date.

- **Consider Resolution No. 2014-11 – Amending the Employee Pay Grade Schedule**

Resolution No. 2014-11 was presented, entitled:

RESOLUTION NO. 2014-11

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE ST. LUCIE WEST SERVICES DISTRICT AMENDING
THE EMPLOYEE PAY GRADE SCHEDULE; PROVIDING
AN EFFECTIVE DATE.**

A motion was made by Supervisor D'Amico, seconded by Secretary Altwein to adopt Resolution No. 2014-11 – Amending the Employee Pay Grade Schedule, as presented. Upon being put to a vote, the motion carried 5 to 0.

**G. District Attorney
DA 1 – Status Report/Updates**

Mr. Harrell had no updates at this time.

**H. District Engineer
DE 1 – Status Report/Updates**

Mr. Lawson stated that the Martin Memorial Special Exception Use had been approved at the September 27, 2014, City Council meeting, which will allow for a reservoir on the property.

Mr. Lawson indicated that the Invitation to Bid on the 2014 Water Management Improvement Project – Wetland No. 1 Vertical Relocation was out on the street. He noted that there was a non-mandatory pre-bid meeting in which five contractors had appeared. He advised that 13 packages were sent out to contractors who were interested in bidding. Mr. Lawson advised the Board that the bids would be opened on November 12, 2014. He also noted that he is expecting to present the FEMA grant paperwork to be presented to the Board at the December meeting.

Mr. Lawson reminded the Board that only one bid had been received for the Lake Ernie pump station back in October. He noted that it was not opened and another Invitation to Bid was published. The response to that invitation netted only two responses.

Mr. Lawson advised the Board that the contract for the 2C and 3B gates had been signed.

Mr. Lawson indicated that they were moving forward with the 4E/5 canal turnpike ditch work.

Discussion ensued regarding the timing of the Martin Memorial property project.

That concluded Mr. Lawson's updates.

- I. 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 September, 2014**
 - CA 6 - Consider Approval to Transfer Funds for the R&R Account, WCF Account and the UCF Account Requisitions**

Consent Agenda items CA 1 through CA 6 were presented for consideration.

A motion was made by Vice Chairman Child, seconded by Supervisor D'Amico approving Consent Agenda items CA 1 through CA 6, as presented. Upon being put to a vote, the motion carried 5 to 0.

**J. District Manager
Action Items**

DM 1 - Consider Acceptance of Annual Engineering Certification of the Utility Systems

Mr. Pickle presented the item and indicated that it was a good report, as discussed at yesterday's Workshop. He recommended approval.

A motion was made by Secretary Altwein, seconded by Vice Chairman Child to accept the Annual Engineering Certification of the Utility Systems, as presented. Upon being put to a vote, the motion carried 5 to 0.

DM 2 - Consider Approval of the Agreement with Odyssey Manufacturing Company

Mr. Pickle presented the agreement and briefly reviewed the details. He recommended approval.

A motion was made by Secretary Altwein, seconded by Supervisor D'Amico approving the Agreement with Odyssey Manufacturing Company for the delivery of liquid sodium hypochlorite at a price of \$0.58 per gallon. Upon being put to a vote, the motion carried 5 to 0.

Chairman Cutler then asked Mr. Harrell if, because all the items were discussed in detail at yesterday's Workshop, they could be considered Consent Agenda items. Mr. Pickle noted that once the item is on the agenda, it is considered an action item and cannot be considered a Consent Agenda item. Chairman Cutler indicated he was merely trying to save some time. Mr. Pickle indicated that purchase items, if already within the budget, could be put under the Consent Agenda. Mr. Harrell indicated that a Board Member could move to amend the agenda at the start of the meeting so that those item could be placed under the Consent Agenda.

Vice Chairman Child indicated that he believed the items needed to be exposed to the general public and that it would be too easy to skip the items by lumping them together.

Chairman Cutler stated that Vice Chairman Child's statement was a good point, but noted that the item could be pulled from the Consent Agenda for further discussion, if necessary.

Secretary Altwein agreed with Vice Chairman Child's comments and felt that placing items under the Consent Agenda could impede the transparency of the Board. It was his belief that Consent Agenda items were routine items, but that the purchase of equipment should be discussed openly.

Supervisor Mancuso referred to the transfer of fund and indicated that he believed that each transfer should be done individually; that they should not be lumped into Consent Agenda items.

DM 3 – Consideration and Approval for the Purchase of Two (2) Ford F-150 Pick Up Trucks

Mr. Pickle presented the item and briefly reviewed the details, as discussed at yesterday's Workshop. He recommended approval.

A **motion** was made by Vice Chairman Child, seconded by Supervisor D'Amico approving the purchase of two (2) Ford F-150 4x4 Pick Up Trucks from Velde Ford of Vero Beach for an amount not to exceed \$55,990.90; Available Project Budget: \$109,000; This Project: \$55,990.90; leaving an Available Balance of \$53,009.10. Upon being put to a vote, the **motion** carried 5 to 0.

DM 4 – Consider Approval of SW078 Water Treatment Plant Painting and Sealing

Mr. Pickle presented the item and briefly reviewed the revised abstract. He recommended approval.

A **motion** was made by Secretary Altwein, seconded by Supervisor Mancuso accepting the proposal from M&P Painting in the amount of \$32,970 for the Painting and Sealing of various outside water storage tanks and buildings, as presented. The Utility R&R Fund Balance Before the Project: \$1,310,880; This Project: \$32,970; leaving the Utility R&R Fund Balance After the Project of \$1,277,910. Upon being put to a vote, the **motion** carried 5 to 0.

DM 5 – Consider Approval for the Purchase of an Excavator for the Underground Utilities Division

Mr. Pickle presented the item indicating that all 3 bids received were very close. He recommended approval of the bid submitted by Florida Coast Equipment of Boynton Beach in the amount of \$42,252.45. Mr. Pickle advised that the balance of \$5,747.55 left in the budget would be used for the purchase of a trailer for the excavator.

A **motion** was made by Vice Chairman Child, seconded by Supervisor D'Amico approving the purchase of a U35 Kubota Excavator from Florida Coast Equipment of Boynton Beach in the amount of \$42,252.45; Available Project Budget: \$48,000; This

Project: \$42,252.45; leaving an Available Balance of \$5,747.55. Upon being put to a vote, the motion carried 5 to 0.

DM 6 – Consider Extension of Auditor Engagement

Mr. Pierman briefly reviewed the details of the auditor engagement. He then recommended approval.

A motion was made by Vice Chairman Child, seconded by Secretary Altwein approving the extension of the Auditor Engagement with Grau & Associates for audit services for the fiscal year 2013/2014. Upon being put to a vote, the motion carried 5 to 0.

DM 7 – Presentation of Management Staff's Fraud Prevention Steps

Mr. Pierman went over the 5 fraud risk prevention steps, as follows:

- a. Each month the District's bank account is reconciled by someone who has not deposited fund to or written checks from that particular account;
- b. Every check requires two signatures and neither signature may be from the preparer of the check;
- c. A Member of the Board, typically the Chair, has an opportunity to review expenditures prior to the checks being mailed;
- d. The District hires an independent firm to audit the prior year's financial activities; and
- e. Within 60 days of the end of the fiscal year, the District's Board of Supervisors reviews the prior year's budget relative to actual revenues and expenditures.

No action was necessary on this item.

DM 8 – Consider Resolution No. 2014-12 – Expressing Appreciation to Everett Child for His Dedicated Service to the District

Chairman Cutler expressed his sorrow in having to consider Resolution No. 2014-12, entitled:

RESOLUTION 2014-12

RESOLUTION OF APPRECIATION OF THE BOARD OF SUPERVISORS OF ST. LUCIE WEST SERVICES DISTRICT TO EVERETT CHILD

He conveyed his pleasure working with Vice Chairman Child for the past 6 to 7 years and appreciates his efforts. Chairman Cutler indicated that we all wish him the best and stated that he and his wife are in our thoughts and prayers. Chairman Cutler then presented Vice Chairman Child with a plaque for his service.

Chairman Cutler then passed the gavel to Vice Chairman Child. Acclamation

An **acclamation** was made by Supervisor Cutler to adopt Resolution No. 2014-12, Expressing Appreciation to Everett Child for his Dedicated Service to the District. There was no objection.

Vice Chairman Child passed the gavel back to Chairman Cutler.

DM 9 – Consider Resolution No. 2014-13 – Adopting an Amended Budget for Fiscal Year 2013/2014

Mr. Pickle presented Resolution No. 2014-13, entitled:

RESOLUTION NO. 2014-13

**A RESOLUTION OF THE ST. LUCIE WEST SERVICES DISTRICT
ADOPTING AN AMENDED FISCAL YEAR 2013/2014 BUDGET; AND
PROVIDING AN EFFECTIVE DATE.**

Mr. Pickle reiterated that this resolution was a formality and that it is required to be adopted within 60 days of the fiscal year end.

A **motion** was made by Secretary Altwein, seconded by Supervisor D'Amico to adopt Resolution No. 2014-13, as presented. Upon being put to a vote, the **motion** carried 5 to 0.

DM 10 – Other Items/Updates

Mr. Pickle then distributed to the Board Members a revised Organization Chart, which had been approved during the budget process. He indicated he was seeking ratification of the document.

A **motion** was made by Vice Chairman Child, seconded by Supervisor Mancuso to accept the Organization Chart dated November 3, 2014 with 54 Budgeted Employees, as presented. Upon being put to a vote, the **motion** carried 5 to 0.

Mr. Pickle advised the Board that he would be on vacation next week and had a funeral to attend at the end of this week.

Regarding the matter Supervisor Mancuso had brought up at the Workshop yesterday concerning Florida Statutes, Chapter 190.012, Paragraph 4, Subsection

(d), it was noted that an advisory board is not needed. Mr. Harrell indicated that that provision does not apply to St. Lucie West Services District, that it only applies to those entities in which there are deed restrictions and covenants, where there is an HOA, not a Board of Supervisors.

Mr. Hayden addressed the matter regarding the irrigation schedule. He noted that we do not have the water to irrigate 3 times per week. He also confirmed that South Florida Water Management District does not allow watering on Fridays.

K. Supervisor Requests

Supervisor D'Amico had no requests.

Secretary Altwein had no requests.

Supervisor Mancuso indicated that he has noticed no media presence at any of our meetings, specifically from *The Voice*. He expressed his disappointment because of their duty to advise the residents of the District as to the work we do and our duties. He gave, for example, the recent purchase of the Martin Memorial property and that the public has not yet been advised that the primary purpose is for stormwater purposes. He believes that the media is not serving the residents properly.

Supervisor Mancuso also stated that he was terribly sorry to see his friend, Vice Chairman Child leaving. He indicated that he appreciated Vice Chairman Child's input. Supervisor Mancuso also noted that he missed the presence of Vice Chairman Child's wife in the audience.

Vice Chairman Child thanked everyone for their kind words and appreciation. He also indicated that he would like to see *The Voice* at District meetings.

Mr. Pickle indicated that a new reporter from *The Voice* was at the District's previous two meetings. He indicated that the Board was not aware that he was a member of the media and explained that his absence at today's meeting might be a sign that he is covering local elections. Mr. Pickle advised that the previous reporter, Nicole Rodriguez, had moved on to the *St. Lucie News Tribune* and that the new reporter's name was Brandon.

Vice Chairman Child indicated that *The Voice's* loss was our loss as well. He noted that she was familiar with the background of the District.

Chairman Cutler then passed the gavel to Vice Chairman Child so that he could make the following motion:

A motion was made by Supervisor Cutler, seconded by Supervisor D'Amico to not renew the FASD membership. Upon being put to a vote, the motion carried 5 to 0.

Supervisor Cutler then made a **motion** to discontinue the Water Conservation Program, seconded by Supervisor Mancuso.

The Board Members were advised that this discontinuation requires a rule change, which requires the setting of a Public Hearing.

Supervisor Cutler then made a **motion** to set a Public Hearing for January or February to consider discontinuing the Water Conservation Program, seconded by Supervisor Mancuso.

Supervisor D'Amico indicated that he was not in favor of discontinuing the Water Conservation Program because it is good PR.

Mr. Pickle indicated that the rule should be researched and he would be happy to bring it back to the Board at the December meeting.

Secretary Altwein suggested rather than setting a Public Hearing, that the District continue the program with an annual limit. He recommended that if not all funds are used, then they could rollover into the following year. He also recommended limiting rebates to being submitted during the fiscal year.

Vice Chairman Child stated that it is already in the budget for \$5,000 and that the determination of who receives the rebate is a function of the District Manager.

Mr. Pickle agreed with Vice Chairman Child's comments and indicated that the budget on the program could change annually. He noted that there is currently an issue with people submitting the rebate requests late because they were not aware of the program and now it is in the appeals process.

Discussion ensued regarding the time involved in managing such a program and the fact that costs have probably tripled since it was started.

Vice Chairman Child asked Mr. Pickle to prepare information on the program for the next meeting and include a staff recommendation. Mr. Pickle indicated he would do so.

The motions were withdrawn until further investigation could be done.

There were no further comments or requests.

L. Adjournment

There being no further items to be addressed, the Regular Board Meeting was adjourned at 10:25 a.m. There were no objections.

Regular Board Meeting Minutes Signature Page



Chairman/Vice Chairman



Secretary/Assistant Secretary

Date Approved 12/02/14