

Ref: #19-2010

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
NOVEMBER 18, 2010

1. CALL TO ORDER

Chairman Whalen called the Regular Meeting of November 18, 2010 to order at 7:04 P.M.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

Chairman Whalen called the roll and the following Board Members were in attendance:

Mr. Whalen
Mr. Boggie
Mr. Silverman

Mr. Ellis arrived at 7:24 P.M.

Staff Members in attendance were Dr. Arrington, Mr. Yerkes, Mr. Howard, Ms. Williams, Mr. DiCarlo, Mr. Sabin and Mr. Vaughn.

Consultants in attendance were Mr. Muniz from Hazen and Sawyer, Mr. Shenkman from DeSantis, Gaskill, Ms. Mathews and Ms. McLeod from Mathews Consulting, Mr. Fleming and Ms. Studley from Gehring Group, Mr. Lardieri from Aecom, and Ms. Krasker.

B. PREVIOUS MEETING MINUTES

The Minutes of the Public Hearing and Regular Meeting of October 21, 2010 and the Workshop Minutes of October 12, 2010 were presented for approval and the following motion was made.

MOTION: Made by Mr. Silverman, Seconded by Mr. Boggie,
Passed Unanimously.

“ THAT THE GOVERNING BOARD approve the minutes of the October 21, 2010 Public Hearing and Regular Meeting and the Workshop minutes of October 12, 2010 as revised.“

C. ADDITIONS & DELETIONS TO THE AGENDA

No items were pulled for discussion at this time.

3. COMMENTS FROM THE PUBLIC

No comments were received.

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Mr. Sabin and Mr. Howard reviewed the wastewater collection system information now available to field staff as well as progress achieved with the GIS system.

Dr. Arrington and Board Members applauded the program and commended staff for providing field personnel with such an excellent tool, which should result in efficiencies within the District.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the LRD operational, engineering, river health and administrative dashboard figures.

5. CONSENT AGENDA

MOTION: Made by Mr. Boggie, Seconded by Mr. Silverman,
Passed unanimously.

"THAT THE GOVERNING BOARD approve the Consent Agenda of November 18, 2010 as presented."

The following motions were approved as a result of the Board's adoption of the Consent Agenda:

A. Notice of Intent to Assess-198th Lane N. (Resolution 2010-18)

"THAT THE GOVERNING BOARD approve Resolution 2010-18, the Notice of Intent to Assess, the Pending Lien Notice, and the Exhibits for the 198th Lane North Assessment Area."

B. US 1 Bridge Force Main Relocation Contract – to award contract

"THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Arrow Directional Boring, Inc.. in an amount not to exceed \$78,500.00 for construction of the US #1 Force Main Relocation project in accordance with their bid dated November 10, 2010."

C. Change Orders to Current Contracts – to approve modifications

“THAT THE DISTRICT GOVERNING BOARD approve Change Order #1 to the contract with Lazarus Group for the Woodside Trail Neighborhood Sewering Project, reducing the contract by \$420.00.”

“THAT THE DISTRICT GOVERNING BOARD approve Change Order #2 to the contract with Stergas & Associates in the amount of \$8,688.62.”

“THAT THE DISTRICT GOVERNING BOARD approve Change Order #1 to the contract with Mathews Consulting, Inc. for the Toney Penna Drive Neighborhood Sewering Project, increasing the contract by \$12,937.00.”

“THAT THE DISTRICT GOVERNING BOARD approve an increase in the amount of Purchase Order #09-1476 with Process Control Consultants for instrumentation and calibration services for the additional amount of \$13,125.00.”

“THAT THE DISTRICT GOVERNING BOARD approve an increase in the amount of Purchase Order #10-0998 with Process Control Consultants for instrumentation and calibration services for the additional amount of \$15,000.00.”

6. REGULAR AGENDA

A. No Consent Items were pulled for discussion.

B. Employee Health Insurance

Ms. Studley reviewed her memorandum and recommendations.

Dr. Arrington reviewed his memorandum outlining the three motions available to the Board and a supplemental sheet outlining a fitness membership fee reimbursement plan.

Mr. Boggie reviewed his motion to institute a tobacco use surcharge.

Chairman Whalen reviewed a memo prepared by Mr. Howard on the Fitness Membership Fee Reimbursement Program.

MOTION: Made by Mr. Silverman, Seconded by Mr. Boggie,
Passed Unanimously.

“THAT THE DISTRICT GOVERNING BOARD, as part of our employee benefit package, authorize the Executive Director to enter into an agreement with CIGNA to provide health insurance, based on renewal of our existing health insurance plan with the rate increase shared proportionally between the employee and the District.”

MOTION: Made by Mr. Silverman, Seconded by Mr. Boggie,
Passed Unanimously.

“THAT THE DISTRICT GOVERNING BOARD, as part of our employee benefit package, authorize the Executive Director to enter into an agreement with MetLife to provide PPO dental insurance, Life Insurance, Accidental Death and Dismemberment Insurance, and Long Term Disability Insurance, as presented in the notebook.”

MOTION: Made by Mr. Boggie, Seconded by Mr. Ellis,
Failed by a 1-3 vote, with Mr. Ellis, Mr. Silverman and Chairman Whalen opposing.

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to institute a tobacco use surcharge, in order to reimburse the District for increased health care cost risk, at the rate of \$25 per month beginning in April 2011.”

The Board discussed potential costs savings the District might obtain from a smoking surcharge, options being used by other companies, and programs to encourage healthier employee lifestyles.

The Board decided to obtain further information and address the Fitness Membership Fee Reimbursement Program again at the December or January board meeting.

C. Neighborhood Septic Conversion Schedule

Chairman Whalen asked Dr. Arrington's to review his memorandum and the Board discussed the neighborhood sewerage schedule as it was adopted in April, 2010 and schedule revisions that had been suggested to increase efficiency through economy of scale.

The Board took no action regarding the neighborhood sewerage schedule that was unanimously approved at the April 15, 2010 board meeting. The District is guided by the Board Resolution of April 15, 2010.

D. Executive Director Annual Review – Preliminary Discussion

Chairman Whalen reviewed his draft memorandum outlining performance review categories and scoring criteria. Mr. Silverman recommended that any year-end bonus for the Executive Director be net of taxes and the Board concurred.

7. REPORTS

Items 7A (SWA Biosolids Pelletization Facility) and Item 7F (Busch Wildlife Sanctuary) were pulled for discussion.

A. SWA BIOSOLIDS PELLETIZATION FACILITY

Dr. Arrington stated that he had a meeting with SWA scheduled to review the arbitration findings. The Board discussed the costs and options available to the District concerning acceptance of the arbitration findings.

Dr. Arrington stated that the arbitration findings would most probably be used as a basis of any future settlement. The Board stated its' consensus position supporting the following statement made in Mr. Schauer's email dated November 9, 2010 "We believe that the award warrants our further consideration as a basis for negotiation of this and all potential claims NEFCO/HDR may be contemplating."

F. BUSCH WILDLIFE SANCTUARY

Mr. Boggie stated that the draft audit has been received by BWS and was being reviewed for comments back to the auditors. The auditors were working on certain individuals cost allocations within the audit, and the anticipated distribution schedule was not known at this time.

Dr. Arrington stated the architect has new plans and the review process had to be restarted, but the architect believed that plans would be ready before Christmas.

Dr. Arrington stated that the Board could address comments to the architect on the plans.

Dr. Arrington suggested that in an upcoming meeting with BWS and their architect, the LRD can provide verbal review comments on BWS plans. Chairman Whalen reminded staff that the LRD-BWS License Agreement states BWS plans must be submitted in writing and the LRD must respond in writing no later than 30 days with either request for additional information or approval.

The following reports stood as written:

B. NEIGHBORHOOD SEWERING

C. LEGAL COUNSEL'S REPORT

D. ENGINEER'S REPORTS

E. PUBLIC INFORMATION REPORT

G. FRIENDS OF THE LOXAHATCHEE RIVER

H. DIRECTOR'S REPORT

Mr. Silverman pointed out to the Board the decline in interest income from the District's investments and also the additional delinquencies of the ratepayers.

8. FUTURE BUSINESS

Chairman Whalen reviewed upcoming future business items. Dr. Arrington stated that the Friends Budget will be presented to the Board prior to Regular Meeting of December 9, 2010.

9. COMMENTS FROM THE BOARD

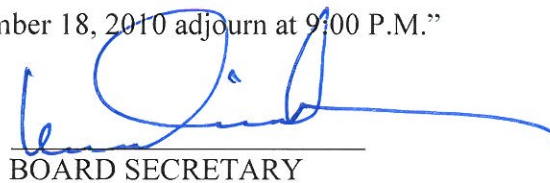
Mr. Boggie thanked Staff for communicating a recent billing and banking issue to the ratepayers in a timely manner.

10. ADJOURNMENT

MOTION: Made by Mr. Silverman, Seconded by Mr. Boggie,
Passed Unanimously.

“That the Regular Meeting of November 18, 2010 adjourn at 9:00 P.M.”


BOARD CHAIRMAN


BOARD SECRETARY


RECORDING SECRETARY