

Ref: #08-2011

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
REGULAR MEETING - MINUTES  
APRIL 21, 2011

1. CALL TO ORDER

Chairman Boggie called the Regular Meeting of April 21, 2011 to order at 7:02 P.M.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

Chairman Boggie stated the Roll Call and the following Board Members were in attendance:

Mr. Ellis  
Mr. Boggie  
Mr. Silverman  
Dr. Rostock

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

Consultants in attendance were Mr. Muniz from Hazen and Sawyer, Mr. Shenkman from DeSantis, Gaskill, Mr. Lardieri from Aecom, Mr. Brobst from WGI, Ms. Travis from Mathews Consulting, Mr. Cottrell from PRIA Insurance, Mr. Bennett and Ms. Vargas from Nowlen, Holt & Miner, P.A. and Ms. Krasker.

B. PREVIOUS MEETING MINUTES

The Minutes of the Public Hearing and Regular Meeting of March 17, 2011 were presented for approval and the following motion was made.

MOTION: Made by Mr. Silverman, Seconded by Dr. Rostock,  
Passed Unanimously.

“THAT THE GOVERNING BOARD approve the minutes of the March 17, 2011 Public Hearing and Regular Meeting as submitted. “

C. ADDITIONS & DELETIONS TO THE AGENDA

Item 6B was removed from the Agenda and Item 6D was placed before Item 6C.

### 3. COMMENTS FROM THE PUBLIC

Ms. Atkinson and Mr. Morel from Cake and Candy Design by Mary Lou requested an exception to the grease trap requirement for their business because their company will not be producing the quantity of grease that would require a 750 gallon capacity in-ground grease interceptor. Their belief is that an eight gallon under-the-counter grease trap would suffice. Ms. Atkinson stated she would have the interceptor cleaned quarterly and would submit the receipt for the quarterly cleaning to the District.

The building's owner, Mr. Dempsey, stated his belief that Ms. Atkinson would be responsible in maintaining the under-the-counter grease trap.

Mr. Morel stated that he believed District standards were too stringent and requested the specific section of our design standards requiring and 750 gallon grease trap. Dr. Arrington stated he would provide Mr. Morel the pertinent information on Monday.

Dr. Arrington relayed the following synopsis of a conversation with Ms. McArdle regarding the rate increase on her quarterly bill: Ms. McArdle wanted to express her frustration that her quarterly sewer bill is \$70.65 (\$23.55 per month). Her home has three toilets and she believes her sewer bill should be based on the flow of wastewater from her house-not the number of toilets in her home. Furthermore, she took exception that she could reduce her sewer bill by removing a toilet from her home.

### 4. STATUS UPDATES

#### A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard reviewed the presentations and highlights from the Loxahatchee River Watershed Science Symposium via a slide show presentation and relayed survey results indicating a very positive overall response to the symposium. Mr. Howard stated that all presentations would be put on our website.

A break was taken between 8:03 and 8:08.

#### B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District dashboard and the positive impact of the supplemental flows to the Loxahatchee River and the goal of reaching the minimum flow levels. Dr. Arrington stated that final numbers regarding the impact of the additional water on the River's health would be available in a couple of months.

### 5. CONSENT AGENDA

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

"THAT THE GOVERNING BOARD approve the Consent Agenda of April 21, 2011 as presented."

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

A. Preliminary Assessment Roll-1020 Lands End Way (Resolution 2011-10)

"THAT THE GOVERNING BOARD approve Resolution 2011-10 adopting the 1020 Lands End Way Preliminary Assessment Roll."

B. Final Assessment Roll-Pennock Point Interior (Resolution 2011-11)

"THAT THE GOVERNING BOARD approve Resolution 2011-11 adopting the Pennock Point Interior Final Assessment Roll."

C. Audit Services Contract

"THAT THE GOVERNING BOARD authorize the Executive Director to execute the Agreement with the firm Nowlen, Holt & Minter, P.A. for the provision of Audit Services for the fiscal year 2010-2011."

D. 198<sup>th</sup> Lane North Contract

No Board action was required.

E. Injection Well MIT Contract

"THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Youngquist Brothers, Inc. for conducting the Mechanical Integrity Test in accordance with the contract documents and in an amount not to exceed \$26,220.00."

F. Hydraulic Study Contract

"THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Mathews Consulting, Inc. for conducting the Northwest Service Area Wastewater Hydraulic Study in accordance with their proposal dated April 14, 2011 and in an amount not to exceed \$54,351.00."

G. Neighborhood Sewering Schedule Quail Run postponement

"THAT THE DISTRICT GOVERNING BOARD authorize the neighborhood sewerage schedule to be amended, with the date to be determined upon conclusion of the Northwest Service Area Hydraulic Study."

H. Vehicle Purchase Contract

“THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Al Packer Ford for the purchase of one new 2011 Ford F150 SuperCab XL in an amount not to exceed \$26,795.50.”

I. Change Orders to Current Contracts – to approve modifications

“THAT THE DISTRICT GOVERNING BOARD authorize execution of Change Order #2 to the contract with AKA Services, Inc. for the Church Street Force Main, reducing the total contract amount by \$60,097.00.”

“THAT THE DISTRICT GOVERNING BOARD authorize execution of Change Order #8 in the amount of \$187.08, #9 in the amount of \$508.80, #10 in the amount of \$157.50, #11 in the amount of \$452.81, and #12 in the amount of \$254.10 with Bayview Construction Corp. for the Lab Expansion contract.”

“THAT THE DISTRICT GOVERNING BOARD authorize approval of Change Order #1 to the Indiantown Road Master Lift Station #1 contract with TLC Diversified, Inc. reducing the Contract Amount by \$7,170.00.

“THAT THE DISTRICT GOVERNING BOARD authorize approval of Change Order #1 to the Dover Road Gravity Sewer Contract with Blazer Construction Industries, Inc. decreasing the total contract by \$1,441.26.”

6. REGULAR AGENDA

A. No Consent Items were pulled for discussion.

B. Removed - Developer Agreement – Institute for Healthy Living

D. Final Audit – Fiscal Year 2009-2010

Mr. Bennett and Ms. Vargas reviewed additions and modifications made to the draft audit.

MOTION: Made by Mr. Silverman, Seconded by Dr. Rostock,  
Passed unanimously.

“THAT THE DISTRICT GOVERNING BOARD receive the Financial Statements with the Independent Auditor’s Report for the fiscal year ended September 30, 2010 and 2009 as prepared and submitted by Nowlen, Holt & Miner, P.A.”

C. Liability Insurance

Dr. Arrington reviewed his memo and the two-year renewal option available to the District.

Mr. Shenkman reviewed the regulations on commercial motor vehicles and Commercial Drivers Licenses (CDL) with regard to drug testing requirements and the Controlled Substance Alcohol Use and Testing (CSA&T) regulation.

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

“THAT THE GOVERNING BOARD authorize the Executive Director to implement a program in accordance with the Federal Controlled Substance Alcohol Use and Testing (CSA&T) regulation for all District employees with a Commercial Drivers License (CDL) utilized for District purposes no later than May 15, 2011.”

MOTION: Made by Mr. Silverman, Seconded by Dr. Rostock,  
Passed unanimously.

“THAT THE GOVERNING BOARD authorize the Executive Director to enter into a two year agreement with Public Risk Insurance Agency for Property, General Liability, Automobile Liability and Physical Damage, and Workers Compensation insurance in the amount of \$277,879.00.”

Dr. Arrington will provide to the Board a recommendation on a District-wide drug free workplace policy within 90 days.

## 7. REPORTS

The following reports stood as written.

- A. SWA BIOSOLIDS PELLETIZATION FACILITY
- B. NEIGHBORHOOD SEWERING
- C. LEGAL COUNSEL'S REPORT
- D. ENGINEER'S REPORTS
- E. PUBLIC INFORMATION REPORT
- F. F. BUSCH WILDLIFE SANCTUARY
- G. FRIENDS OF THE LOXAHATCHEE RIVER
- H. DIRECTOR'S REPORT

8. FUTURE BUSINESS

The future business report stood as written.

9. COMMENTS FROM THE BOARD

Dr. Arrington commended and thanked Mr. Skellinger and Mr. Primus for their work on submitting the application for the David York "Best in State 5-15 mgd capacity" reuse award that will be presented to the District on May 3, 2011.

Mr. Boggie stated that BWS will have its next Board Meeting at 2:30 on April 26, 2011.

Mr. Boggie reviewed correspondence from a ratepayer who is unhappy with the rate increase and reviewed his response to her.

The Board viewed a news video on the District's reuse program.


10. ADJOURNMENT

MOTION: Made by Mr. Silverman, Seconded by Dr. Rostock,  
Passed Unanimously.

"That the Regular Meeting of April 21, 2011 adjourn at 8:58 P.M."

  
BOARD CHAIRMAN

  
BOARD SECRETARY

  
RECORDING SECRETARY