

Ref: #15-2011

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
REGULAR MEETING - MINUTES  
AUGUST 18, 2011

1. CALL TO ORDER

Chairman Boggie called the Regular Meeting of August 18, 2011 to order at 10:45 P.M.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

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

Mr. Rockoff  
Mr. Boggie  
Mr. Silverman  
Dr. Rostock

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

Consultants in attendance were Mr. Muniz from Hazen and Sawyer, and Mr. Shenkman and Mr. Gaskill from DeSantis, Gaskill.

B. PREVIOUS MEETING MINUTES

The Minutes of the Public Hearing and Regular Meeting of July 21, 2011 were presented for approval and the following motion was made.

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

"THAT THE GOVERNING BOARD approve the minutes of the July 21, 2011 Public Hearing and Regular Meeting as amended."

C. ADDITIONS & DELETIONS TO THE AGENDA

No additions or deletions were made.

### 3. COMMENTS FROM THE PUBLIC

Mr. Morel representing Cake & Candy Designs by Mary Lou discussed the proposed Local Limits standards covered under Section 2.4 of the draft revision of Chapter 31.13 of the District's Sewer Use Rule.

### 4. STATUS UPDATES

#### A. LOXAHATCHEE WATERSHED STATUS

Chairman Boggie recused himself from this portion of the discussion as he lives in the area of the proposed dredging to be covered in Mr. Howard's report.

Mr. Howard reviewed his report on Jupiter Inlet District's South Channel Dredging Project and discussed the benefits to the Loxahatchee River's seagrasses. Mr. Howard requested the Board review a draft letter prepared by staff for Board signature.

The Board suggested minor changes to the letter and the following Motion was made:

MOTION: Made by Mr. Rockoff, Seconded by Dr. Rostock,  
Passed 3-0 with Chairman Boggie abstaining.

"That the Governing Board authorize the Vice Chairman to sign the Jupiter Inlet District letter drafted by Mr. Howard, as modified."

#### B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District dashboard and highlighted the status of the river's health during the transition from the dry season to the wet season.

### 5. CONSENT AGENDA

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

"THAT THE GOVERNING BOARD approve the Consent Agenda of August 18, 2011 as presented."

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

#### A. Preliminary Assessment Roll-198<sup>th</sup> Lane N. Gravity (Resolution #2011-19)

"THAT THE GOVERNING BOARD approve Resolution 2011-19 adopting the 198<sup>th</sup> Lane N. Gravity Preliminary Assessment Roll."

B. Notice of Intent to Assess-Loxahatchee Landing (Resolution #2011-20)

"THAT THE GOVERNING BOARD approve Resolution 2011-20, the Notice of Intent to Assess, the Pending Lien Notice, and the Exhibits for the Loxahatchee Landing Assessment Area."

C. Notice of Intent to Assess-19055 Loxahatchee River Road (Resolution #2011-21)

"THAT THE GOVERNING BOARD approve Resolution 2011-21, the Notice of Intent to Assess, the Pending Lien Notice, and the Exhibits for the 19055 Loxahatchee River Road Assessment Area."

D. Plant Fencing Phase III-Award of Contract

"THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Daniels Fence, Inc. for the Phase III Security Fence Replacement Contract in the amount of \$32,571.00 in accordance with District specifications and their bid dated August 8, 2011."

E. Disposal of Fixed Assets

"THAT THE GOVERNING BOARD authorize the Executive Director to dispose of the boat motor listed in the August 2, 2011 memorandum. The total book value of the motor is \$0.00."

F. Change Orders to Current Contracts-to approve modifications

No Change Orders were presented.

6. REGULAR AGENDA

A. Consent Items Pulled for Discussion

B. Palm Beach County Intergovernmental Coordination Program-Clearinghouse Designation

Dr. Arrington reviewed his memo and thanked Mr. Yerkes for representing the District over the years. Dr. Arrington stated that Mr. Rockoff had volunteered to be the Board Member representative.

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

"THAT THE DISTRICT GOVERNING BOARD designate Mr. Rockoff, and Clinton R. Yerkes as representative and alternate, respectively, to the Palm Beach County Intergovernmental Coordination Program-Clearinghouse."

C. Palm Beach County Interlocal Agreement-Utility Service Area

Dr. Arrington reviewed his memo and outlined the Agreement for the proposed Interlocal Agreement with Palm Beach County regarding the revision to the District's Wastewater and Reclaimed Water Utility Service Area.

The Board suggested the Chairman execute the agreement.

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

"THAT THE DISTRICT GOVERNING BOARD authorize the Chairman to execute the Palm Beach County Interlocal Agreement establishing joint utility service area boundaries."

D. Chapter 31-13 Regulation of Sewer Use

Dr. Arrington reviewed his memo on the revision of the District's Chapter 31-13 and outlined the upcoming steps for obtaining DEP approval of the revisions.

Chairman Boggie opened the floor to Public Comments.

Mr. Morel representing Cake & Candy Designs by Mary Lou expressed concern about the District's ability to implement mass limits in addition to concentration limits. He also questioned some of the concentration limits published under Section 2.4 of the draft revision of Chapter 31-13.

Ms. Atkinson representing Cake & Candy Designs by Mary Lou stated her concern that District constituents were not aware of the District's Rules and Regulations and would like the District to disseminate information by additional means, not just via our website.

Dr. Arrington explained the potential need for mass based limits in addition to concentration based limits, and that both were included in the EPA's model ordinance.

No action was taken by the Board.

E. Chapter 31-3 Regulations for Sewer Systems

Dr. Arrington reviewed his memo on the proposed revision of the District's Chapter 31-3 which moves sub-sections 31-13.002, 31-13.003, 31-13.004 and 31-13.006 from Chapter 31-13 to Chapter 31-3.

Chairman Boggie opened the floor to Public Comments. No comments were received.

No action was taken by the Board.

F. Budget – Matrix Review Fiscal Year 2012

Dr. Arrington first mentioned the effect of the revised Fixed Asset Policy on the FY 2012 budget and stated that a budget amendment may be necessary for the FY 2012 budget in September or October.

Dr. Arrington proposed a one-time employee reward increase of \$550 in lieu of merit increases to recognize District employees' significant contributions to the State and National awards for excellence the District has recently received. Furthermore, he suggested maintaining District's informal "policy" of a cost of living increase consistent with the May CPI value in order to maintain employee purchasing power against inflation.

The Board discussed the various scenarios of wage increases, employee rewards and/or cost of living adjustments and the impact they would have on the budget.

No action was taken by the Board.

7. REPORTS

The following reports stood as written.

A. SWA BIOSOLIDS PELLETIZATION FACILITY

B. NEIGHBORHOOD SEWERING

C. LEGAL COUNSEL'S REPORT (no report)

D. ENGINEER'S REPORTS

E. PUBLIC INFORMATION REPORT

F. BUSCH WILDLIFE SANCTUARY (no report)

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

No comments were received.

10. ADJOURNMENT

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

"That the Regular Meeting of August 18, 2011 adjourn at 11:39 P.M."

  
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BOARD CHAIRMAN

  
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BOARD SECRETARY

  
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RECORDING SECRETARY