

Ref: #12-2011

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
REGULAR MEETING - MINUTES  
JUNE 16, 2011

1. CALL TO ORDER

Chairman Boggie called the Regular Meeting of June 16, 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. Rockoff  
Mr. Boggie  
Mr. Silverman

Dr. Rostock arrived at 7:03

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

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

Mr. Hitzig and Mr. O'Neill from BWS were also in attendance.

B. PREVIOUS MEETING MINUTES

The Minutes of the Public Hearing and Regular Meeting of May 19, 2011 were presented for approval and the following motion was made.

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

“THAT THE GOVERNING BOARD approve the minutes of the May 19, 2011 Public Hearing and Regular Meeting as submitted. “

C. ADDITIONS & DELETIONS TO THE AGENDA

No changes were made.

3. COMMENTS FROM THE PUBLIC

Mr. Morel from Cake and Candy Design by Mary Lou submitted a verbal public records request which he will put in writing and submit to the District.

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard reviewed the Florida Department of Environmental Protection's Total Maximum Daily Load (TMDL) Program and the District's sewer conversion status in Water Body ID 3226C.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Mr. Yerkes reviewed the District dashboard.

5. CONSENT AGENDA

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

"THAT THE GOVERNING BOARD approve the Consent Agenda of June 16, 2011 as presented."

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

A. Final Assessment Roll-Dover Road (Resolution #2011-15)

"THAT THE GOVERNING BOARD approve Resolution 2011-15 adopting the Dover Road Final Assessment Roll."

B. Preliminary Assessment Roll-180<sup>th</sup> Street N. Gravity (Resolution #2011-17)

"THAT THE GOVERNING BOARD approve Resolution 2011-17 adopting the 180<sup>th</sup> Street N. Gravity Preliminary Assessment Roll."

C. Change Orders to Current Contracts-to approve modifications

"THAT THE GOVERNING BOARD authorize the execution of Change Order #13 in the amount of \$276.00, #14 in the amount of \$467.25 and #15 in the amount of \$236.25, with Bayview Construction Corp. for the Lab Expansion contract."

6. REGULAR AGENDA

A. No Consent Items were pulled for discussion.

B. Lift Station #71 (Tequesta CC) – Property Transfer and Execution of Easement

Mr. Shenkman reviewed his and Dr. Arrington's memo on the Quit Claim Deed, the Permanent Easement and Temporary Construction Easement required to accommodate the District's conversion of Lift Station #71.

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

“THAT THE DISTRICT GOVERNING BOARD approve the real property exchange with Tequesta Country Club, of the District owned property for Lift Station #71 in exchange for a Permanent Easement and a Temporary Construction Easement to accommodate a conversion of Lift Station #71, and authorize the Chairman to sign the Quit Claim Deed, and also authorize the Executive Director and/or Deputy Executive Director to sign the exchange related documentation.”

C. Developer Agreement and Installment Agreement Form

Mr. Yerkes reviewed Mr. Shenkman's memo on the Non-Standard Developer's Agreement and Installment Agreement for Connection Charges in regard to the Western Indiantown Road Sub-regional Line Area.

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

“THAT THE DISTRICT GOVERNING BOARD approve the Forms of Non-Standard Developer Agreement, and the Installment Agreement for Connection Charges, for use in the Western Indiantown Road Sub-regional Collection Facilities Area.”

D. Sierra Square Utility Easement

Mr. Shenkman reviewed his memo regarding the District's proposed action regarding the current Easement compliance, Proposed Utility Easement and Declaration of Covenants, Conditions and Restrictions for the Sierra Square property and his suggested Motion once all the conditions required by the Board have been satisfied.

The Board discussed the duration of Sierra Square's obligation to install fire hydrants. Mr. Silverman supported the 20-year recommendation of legal counsel.

MOTION: Made by Mr. Rockoff, Seconded by Dr. Rostock,  
Passed 3-1 with Mr. Silverman voting against.

“THAT THE GOVERNING BOARD authorize the Chairman to sign and approve: (1) the grant of a Utility Easement upon the District’s lands adjacent and to the east and south of Sierra Square, finalized consistent with Board direction to District staff and legal counsel to work with the Town of Jupiter as to its potable water line, and (2) the corresponding Declaration of Covenants, Conditions and Restriction upon Sierra Square, and (3) Declaration be finalized with the exception that it be a 15 year duration in terms of the owner’s obligation to install two fire hydrants on the District’s property as opposed to the originally contemplated 20 year duration.”

D. Busch Wildlife Sanctuary Wildpine Amendment

The Board acknowledged receipt of the proposed changes for the Wildpine Amendment and discussed the timeline for reviewing and executing the amendment.

F. Budget – General Assumptions Fiscal Year 2012

Mr. Yerkes outlined Dr. Arrington’s budget general assumptions for the upcoming fiscal year and major capital and R&R projected expenditures and reviewed the timeline for finalizing the budget.

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. 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 from the Board.

10. ADJOURNMENT

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

“That the Regular Meeting of June 16, 2011 adjourn at 8:14 P.M.”

  
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BOARD CHAIRMAN

  
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BOARD SECRETARY

  
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RECORDING SECRETARY