

Ref: #06-2011

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
MARCH 17, 2011

1. CALL TO ORDER

Chairman Boggie called the Regular Meeting of March 17, 2011 to order at 7:03 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
Mr. Rockoff arrived at 7:19 P.M.

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

Consultants in attendance were Mr. Silva from Hazen and Sawyer, Mr. Gaskill from DeSantis, Gaskill, Mr. Lardieri from Aecom, Mr. Brobst from WGI, Mr. Cottrell from PRIA Insurance, and Mr. Bennett and Ms. Varga from Nowlen, Holt & Miner, P.A.

Mr. Hitzig from BWS was also in attendance.

B. PREVIOUS MEETING MINUTES

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

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

“THAT THE GOVERNING BOARD approve the minutes of the February 17, 2011 Public Hearings and Regular Meeting as amended. “

C. ADDITIONS & DELETIONS TO THE AGENDA

Item 5C (Audit Services Contract) was removed from the Consent Agenda.

3. COMMENTS FROM THE PUBLIC

No comments were received.

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Dr. Arrington reviewed the Loxahatchee River Watershed Status and reviewed the freshwater flows during the dry season. Dr. Arrington stated that the rock pits acted as a reservoir and supplemental flows are now being delivered to the river for a 30-day test period. Dr. Arrington stated his belief that the SFWMD flow measuring sensors at Lainhart Dam was not working properly, so flows at Lainhart Dam are likely being underestimated. Dr. Arrington discussed the monitoring and analysis that will take place after the supplemental flows are discontinued.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington stated the District Dashboard now includes grease trap inspections and delinquent account information and that the new services category has been removed. Dr. Arrington stated that when the Lainhart Dam instrumentation issue was resolved, flow data would be amended.

5. CONSENT AGENDA

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

"THAT THE GOVERNING BOARD approve the Consent Agenda of March 17, 2011 as modified to remove Item 5C."

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

A. Preliminary Assessment Roll-Pennock Point Interior (Resolution 2011-09)

"THAT THE GOVERNING BOARD approve Resolution 2011-09 adopting the Pennock Point Interior Preliminary Assessment Roll."

B. Greenwich Developer Agreement Buy Back

“THAT THE DISTRICT GOVERNING BOARD authorize the “buy-back” of 29.0 equivalent connections from Abacoa Real Estate Partners in the amount of \$14,015.12.”

D. Lift Station #29 Rehab

“THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Bessent Enterprises in the amount of \$26,100.00 for the Lift Station #29 Rehabilitation in accordance with their bid dated March 8, 2011.”

E. Lift Station #52 Rehab

“THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Bessent Enterprises in the amount of \$26,780.00 for the Lift Station #52 Rehabilitation in accordance with their bid dated March 8, 2011.”

F. Lift Station #61 Rehab

“THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Bessent Enterprises in the amount of \$34,635.00 for the Lift Station #61 Rehabilitation in accordance with their bid dated March 8, 2011.”

G. Change Orders to Current Contracts – to approve modifications

“THAT THE DISTRICT GOVERNING BOARD authorize the change in the contracted amount of the Joint Project Agreement with Palm Beach County by an increase of \$7,581.89.”

“THAT THE DISTRICT GOVERNING BOARD authorize execution of Change Order #1 in the amount of \$600.00 to the contract with AKA Services, Inc. for the Church Street Force Main.”

“THAT THE DISTRICT GOVERNING BOARD authorize the execution of Change Order #6 to the Contract with Bayview Construction, Corp. for the performance of the Lab Expansion Contract in the amount of \$10,152.17.

“THAT THE DISTRICT GOVERNING BOARD authorize the execution of Change Order #7 for a credit of \$3,605.00 to the Contract with Bayview Construction, Corp. for the Lab Expansion contract.

6. REGULAR AGENDA

A. No Consent Items were pulled for discussion.

B. Liability Insurance

Dr. Arrington introduced Mr. Cottrell with PRIA Insurance. Mr. Cottrell reviewed the various factors involved in the District's renewal rates with PRIA and the two additional quotes that were received. Mr. Cottrell reviewed the policy details, limits, deductibles, and carrier ratings and the Board discussed the possible advantages of a two-year policy.

C. Fixed Asset Policy

Dr. Arrington discussed the auditors' suggestion that the District's Fixed Asset Policy be revised to be clearer, and stated that the proposed revisions were reviewed and approved by our auditors.

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

"THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to implement, and revise as necessary, the attached Fixed Asset Policy as presented."

D. Draft Audit for Fiscal Year 2009-2010

Mr. Bennett discussed the various categories and corresponding figures in the draft audit, internal control procedures and depreciation and thanked staff for their assistance in preparing the draft audit.

E. Master Lift Station Rehab Phase III

Mr. Yerkes gave an overview of the Phase I and Phase II Master Lift Station rehabilitation work that was done previously and reviewed the Phase III work to be done.

Dr. Rostock inquired about improving the landscaping at this site. Dr. Arrington stated that landscaping could be improved upon completion of the Phase III rehabilitation.

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

"THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Intercounty Engineering, Inc. in the amount of \$195,474.00 for the Master Lift Station Rehabilitation Phase III, in accordance with contract documents and their bid dated March 7, 2011."

F. 2011 Rates, Fees & Charges Rule Revision

Dr. Arrington reviewed his memo outlining the results of the rate study model and his recommendation that the Board keep the scheduled rate increases and add a 5% increase for the period of April 1, 2015 through March 31, 2016. Dr. Arrington stated that the District's rates are in the least expensive 25 percentile in the country based on the 2007 AWWA Benchmarking Study.

The Board discussed the various factors involved in determining upcoming rates and the need to keep the District in a financially stable position.

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

“THAT THE DISTRICT GOVERNING BOARD approves the following Rule revisions:

1) In 31-10.005 & 31-10.007, to extend the 5% annual rate increase one year through March 31, 2016.”, and

2) In 31-10.005 (3), add the District’s Installment Agreement method of collection.”

A break was taken between 8:40 and 8:45 P.M.

7. REPORTS

Item 7F Busch Wildlife Sanctuary was pulled for discussion.

F. BUSCH WILDLIFE SANCTUARY

Dr. Arrington noted the letter from the Secretary of the Interior in Washington congratulating BWS on their award from Coastal America recognizing their work on invasive species management.

Mr. Hitzig reviewed his dashboard, discussed with the Board what categories and parameters should be tracked on the dashboard and what sponsorship assistance could be provided from the Board Members to BWS.

Mr. Hitzig presented the BWS final audit to the Board.

Mr. Rockoff stated that he had submitted an application on behalf of BWS and the River Center for funds from the Admiral’s Cove Cares Charitable Foundation.

Mr. Hitzig stated that he would provide revised dates for submitting his quarterly reports.

The following reports stood as written:

- A. SWA BIOSOLIDS PELLETTIZATION FACILITY
- 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

8. FUTURE BUSINESS

Dr. Arrington reviewed the District's future business and discussed with the Board how often auditing firms should be switched. Chairman Boggie mentioned the upcoming Science Symposium March 29th – 30th and Dr. Arrington reviewed the symposium agenda.

9. COMMENTS FROM THE BOARD

Mr. Silverman commended Mr. Vaughn and his staff for receiving the Palm Beach County Safety Award.


10. ADJOURNMENT

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

“That the Regular Meeting of March 17, 2011 adjourn at 9:03 P.M.”


BOARD CHAIRMAN


BOARD SECRETARY


RECORDING SECRETARY