

MINUTES

*Tindall Hammock Irrigation and
Soil Conservation District*

Board of Supervisors Meeting
Wednesday, June 18th, 2014 at 4:30 p.m.
3941 SW 47th Avenue, Davie, FL

Call to Order:

The Chair H. Collins Forman, Jr. called the Meeting of the Board of Supervisors of Tindall Hammock Irrigation and Soil Conservation District to order at 4:39 p.m. The meeting notice had been duly posted.

Roll Call:

The Chair H. Collins Forman, Jr. called the roll. A quorum was present.

Supervisors:

Present:

Chair H. Collins Forman, Jr., Eric Forman; Dr. Walter Forman attended by phone.

Also Present:

Douglas R. Bell, Esquire, Patricia Mahaney (Everhart Management Group), Pat Gibney, P.E. (Craven Thompson & Associates), Jay Ameno, P.E. (GAI), Bob Salerno (Fern Crest) and Austin Forman (landowner).

Approval of minutes for Board of Supervisors Meetings:

The minutes for the March 19, 2014 – 4:30 p.m. [Regular Board Meeting] were presented by Ms. Mahaney for approval.

Motion #1:

Eric Forman made a motion to approve the minutes of the March 19, 2014 meeting. Dr. Walter Forman seconded the motion. The motion carried.

Financial Reports

Review and approve financial statements for March and April 2014

Ms. Mahaney distributed the financial statements for the period of March and April 2014. The Chair inquired as to the amount currently payable on the note with PNC. The Chair also inquired as to the amount of impact fees received through March to which Ms. Mahaney responded \$32,163.08 has been received for plan review & inspection fees. No Impact Fees have been received. The Chair entertained a motion to approve the March and April 2014 financial statements as provided.

Motion #2:

Dr. Walter Forman made a motion to approve the financial statements for March and April 2014. Eric Forman seconded the motion. The motion carried.

Approval of District's Financial Statements for Fiscal Year ending 9/30/13

Ms. Mahaney distributed the final draft of the audited financial statements for the fiscal year ending September 30, 2013 and discussed the minor revisions to the draft previously distributed. The Chair entertained a motion to approve the audited financial statements, subject to minor editing, for the fiscal year ending September 30, 2013.

Motion #3:

Eric Forman made a motion to approve the audited financial statements for the fiscal year ending September 30, 2013. Dr. Walter Forman seconded the motion. The motion carried.

Discussion on Broward County Health Department (BCHD) issues associated with the Utility Plant

Mr. Ameno provided a status report. He reported that the only outstanding items remaining are the Water Atlas and some final paperwork on the hypochlorite tanks. The BCHD is not expecting the Water Atlas until the construction is complete and is giving ample time for completion. Mr. Ameno also reported that BCHD had conducted the annual Sanitary Survey of the facility with a positive result for the facility.

Discussion on status of Utility Plant Capital Improvement Plan

Mr. Ameno reported on the progress of the Capital Improvement Plan. Construction is still on schedule with a completion date of March 2, 2015. Mr. Ameno also reported that the FDEP permit renewal for the Wastewater Treatment Plant was submitted on May 23, 2014 and that the Broward County one year permit application had been submitted.

Discussion on proposed Drainage Easements to District from CRP-GREP COLLEGE CROSSINGS, LLC and FORMAN INDUSTRIAL LAND, LLC for Drainage of College Crossings Two property across Elan 33 West property and FORMAN INDUSTRIAL LAND, LLC property to West Rockpit and East Rockpit [outfall canal]

Mr. Bell reported that in February he was asked to prepare easements to the District across the Elan 33 West property for drainage of the land North of Elan 33 West. To the Rock Pit South of Elan 33 West. Following discussions between Mr. Bell, Mr. Gibney, the Chair H. Collins Forman, Jr. and the landowner primarily affected, it was recommended that the easements not be prepared at this time. Chair Forman stated that the private easements that are in place on the CRP-GREP College Crossings property [Elan 33 West] require that they (Greystar) maintain the drainage improvements that are there at their expense.

Discussion on status of development projects:

- 1) *TOSCANA II Development* – Mr. Ameno reported that GAI had just received the developer's applications for completion for the Health Department and for Broward County. He advised the Board that the walkthroughs would most likely be scheduled in August. He raised the concern that given the water system(s) are disinfected now with a walkthrough not occurring for two months, there will be "stale" water and the developer will need to disinfect again. Mr. Bell inquired as to the status of the as-built plans and Mr. Gibney reported that they are not yet complete.
- 2) *IDI [Davie Business Center] Development* – Mr. Bell reported that the last item on the Phase I Building A is finalizing the easements for the stub-outs. Mr. Bell reported that the legal descriptions had been revised and he is in receipt of new descriptions.
- 3) *IDI [Davie Business Center] Phase II Development* – Mr. Gibney reported that he is not aware of any plans to construct a second building at this time.
- 4) *Elan 33 West Development* - Mr. Bell and Mr. Gibney reported that all work is completed on this and that all documents required to be recorded have been recorded and all required close out documents have been received.
- 5) *Value Place Development* – Mr. Bell reported that he has not received a return call from his contact at Value Place with regard to the status of the Agreement or payment of the Impact Fees. Mr. Bell reported that Value Place has received an invoice from GAI for the engineering fees.
- 6) *Greystar Phase II Development* – Mr. Bell reported that Greystar has submitted for site plan approval with the Town of Davie. Mr. Bell also reported that Greystar has not submitted any request for an Agreement or Impact Fee calculation.

Status of update to District's Water Control Plan and Facilities Report.

Mr. Gibney reported on the status of the Water Control Plan and Facilities Report. The Chair provided some additional changes. Mr. Gibney reported that the plan would be finalized by the end of June.

Discussion on proposed revisions to the District's Water and Wastewater Rates, Fees, Tariffs and Charges to be approved at Public Hearing by District Resolution 2014-05 [See Exhibit "A" to Resolution] which will replace Rates, Fees, Tariffs and Charges approved by District Resolution 2012-06.

- a) Mr. Bell reported that a notice of the July 16, 2014 Public Hearing has been sent to all District property owners.

- b) Mr. Bell reported that an ad has been placed in the newspaper and the public hearing has been scheduled for July 16th, 2014 at 4:45 p.m.
- c) Mr. Bell reported that an Impact Fee Report/Analysis has been prepared by GAI and is being distributed to the Supervisors. Mr. Bell requested that any comments or questions pertaining to the report be brought to his, Mr. Ameno or Mr. Friedman's attention at least one week prior to the meeting as the final document will be requested to be placed in evidence at the public hearing.
- d) Mr. Bell questioned the Board as to their desire to have Mr. Friedman physically present at the hearing. Mr. Bell suggested that Mr. Friedman be available by phone with a notary present with him in the event he must be sworn in to provide testimony.
- e) Mr. Bell reported that he had reviewed the Impact Fee paragraph in all prior utility rate/fee resolutions starting with 2008-07 and that the Impact Fee paragraph (paragraph 7) of Resolution 2014-05 has not changed. Mr. Bell reported that several changes are needed to comply with the Florida Impact Fee Act. Mr. Bell reported that he has yet to perform any detailed analysis on this issue but had requested that Mr. Friedman comment on this paragraph which is on page 4 of the proposed Resolution 2014-05.
- f) Mr. Bell requested the Board as to submit any additional information or review that might be needed on the rates and proposed changes. There were no requested revisions.
- g) Mr. Salerno reported that he has received only one question on the customer notices sent out
- h) Mr. Bell commented again that the Public Hearing is scheduled for 4:45 p.m. on July 16, 2014 on the proposed revisions to the Water and Wastewater Rates, Fees, Tariffs and Charges.
- i) The Chair questioned Mr. Ameno regarding the frequency of the reviews. Mr. Ameno stated that the review is recommended to be completed every five years in conjunction with a five year CIP plan. Mr. Ameno commented that the regular review protects the District from legal action from developer challenges to the impact fees, etc.
- j) There were no customer comments.

NOTE: Proposed Schedule of Rates, Fees, Charges and Tariffs have been advertised in the Sun Sentinel. Except for Impact Fees, new rates will be effective to be compatible with the next billing cycle after approval [August 1st, 2014]. No change in the current monthly water and wastewater rates are proposed. Impact Fees will be effective November 1st, 2014 [Have to wait a minimum of 90 days after approval].

2014-2015 Budget Process and Discussion

Ms. Mahaney commented that she would be meeting with Mr. Salerno to begin work on the Enterprise Fund budget for the utility in the near future. Subsequently, she will meet with the Chair to review draft assumptions and a budget for the utility to operate. The Chair opened discussion on the proposed budget and ad valorem tax for the 2014/15 fiscal year. For notice purposes the millage rate will be 6.0000 mills. Mr. Bell reported that the First Budget Public Hearing has been tentatively scheduled for 5:01 p.m. on Thursday, September 18, 2014 and the Second and Final Budget Public Hearing has been tentatively scheduled for 5:01 p.m. on Thursday September 25, 2014. Mr. Bell also reported that the Enterprise Fund Budget Hearing has been tentatively scheduled for 4:45 p.m. on Thursday, September 18, 2014. Each of the Board members confirmed their availability for the aforementioned dates and times and as such, the dates and times are considered final for notice and reporting purposes.

Annual September joint meeting of Landowners and Supervisors and election of three (3) Supervisors for 2 year terms has been scheduled for 4:30 p.m. on Thursday, September 25, 2014.

Mr. Bell reported that the annual meeting has been scheduled for September 25, 2014 at 4:30 p.m. Mr. Bell reported that he has distributed several land ownership and land area schedules reflecting non-exempt and exempt property for all land within the boundaries of the District for use in the upcoming election.

Reports:

- 1) *Update on DOT Condemnation proceedings for additional Turnpike Right-of-Way* – Mr. Bell reported that there has been no change on this item since the prior meeting.

- 2) *Update on proposed access to Pump House facility adjacent to Turnpike and access to box culvert under Turnpike* – Mr. Gibney reported that the access has been put in. This item can be removed from the agenda.
- 3) *Progress report on providing Water and Sewer service to property east of Turnpike* – This item is deferred to a future meeting.
- 4) *Update on I-595 construction and condition of culverts under I-595* – Mr. Gibney reported that he was contacted by a new representative from Dragados inquiring as to what was needed to close out the project.
- 5) *Progress report on new modular office building for water and wastewater treatment facility* – Mr. Salerno reported that the new office is still not in use. He also reported that the Town of Davie has not responded back on the issue of the storm shutters. Mr. Salerno reported that the wiring still needed to be completed and flooring needed to be installed. Mr. Salerno reported on the various proposals and pricing for flooring. After discussion regarding the use of vinyl flooring versus carpet, the Board determined that vinyl would be a better option. The Chair entertained a motion to spend \$6,600 on vinyl flooring for the office.

Motion #4:

Eric Forman made a motion to authorize spending \$6,600 on vinyl flooring for the office. Dr. Walter Forman seconded the motion. The motion carried.

- 6) *Update on Special District Legislation enacted for 2014* – Mr. Bell reported that there is no change to this item from what was previously reported. This item can be removed from the agenda.
- 7) *Status of 5 year recertification program* – Mr. Gibney reported that there have been no requests for recertification. He reported that letters have been issued advising owners of the need for recertification.
- 8) *Update on status of District website and separate website for utility operations* – Ms. Mahaney reported that she had finally been provided the access codes from the current web hosting provider. The statutory requirements for the web site need to be confirmed.

Old Business

There was no old business brought before the Board.

New Business

There was no new business brought before the Board.

Public Comments and Concerns

There were no public comments or concerns.

Next meeting

The next regular meeting of the Board of Supervisors is scheduled for Wednesday, July 16th, 2014 at 4:30 PM at 3941 SW 47th Avenue, Davie, Florida. It was confirmed that Board Members H. Collins Forman, Jr. and Dr. Walter Forman will be available in person at this time and a quorum will be met. Board Member Eric Forman stated that will not be available for the July meeting. Mr. Gibney reported that he will not be available for the July meeting.

Adjournment

There being no further business, the Chair adjourned the meeting at 5:32 p.m.