

MINUTES

Tindall Hammock Irrigation and Soil Conservation District

Board of Supervisors Meeting
Wednesday, July 16th, 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 4:30 p.m. The meeting notice had been duly posted.

Roll Call:

The District Clerk called the roll. A quorum was present.

Supervisors:

Present:

Chair H. Collins Forman, Jr., Dr. Walter Forman.

Absent:

Eric Forman

Also Present:

Douglas R. Bell, Esquire, Patricia Mahaney (Everhart Management Group), Jay Ameno, P.E. (GAI), Bob Salerno (Fern Crest), M. Austin Forman (landowner) and Katherine Milam (court reporter for public hearing).

Approval of minutes for Board of Supervisors Meeting:

The minutes for the April 16, 2014 – 4:30 p.m. [Regular Board Meeting] were presented by Ms. Mahaney for approval. The Chair entertained a motion to approve the minutes from the Board of Supervisor's meeting of April 16, 2014.

Motion #1:

Dr. Walter Forman made a motion to approve the minutes of the April 16, 2014 meeting. Chair H. Collins Forman, Jr. seconded the motion. The motion carried.

Financial Reports

Review and approve financial statement for May 2014

Ms. Mahaney distributed the financial statement for the period of May 2014. The Chair entertained a motion to approve the May 2014 financial statement as provided.

Motion #2:

Dr. Walter Forman made a motion to approve the financial statement for May 2014. Chair H. Collins Forman, Jr. seconded the motion. The motion carried.

2014-2015 Budget Process and Discussion

Ms. Mahaney reviewed the meetings scheduled for the budget hearings and annual joint landowner and supervisors meetings. Ms. Mahaney reported that Mr. Salerno has prepared a draft of the enterprise fund budget for review. Ms. Mahaney is deferring budget reviews pending the receipt of, recording of and closure to the June 30 financial period. Subsequently, she will meet with the Chair to review draft assumptions and a budget for the utility to operate. Ms. Mahaney also commented that per the June meeting, the millage rate has been set at 6.0000 mills and she is set up on the eTRIM system for completion of the various forms and reports pertaining to the TRIM process. Mr. Bell has provided Ms. Mahaney with a draft of his calculation of the ad valorem taxes and roll back rate based on the current information from the property appraiser. All preliminary and contact information must be filed by August 4th, 2014. Mr. Bell reported that he calculated that the ad valorem taxes would increase to over \$2.2 million based on a 6.0000 millage rate. The Chair entertained comments from Mr. M. Austin Forman regarding any potential to lower the current millage rate given the significant increase in land values and the corresponding ad valorem tax revenue if no change is made to the millage rate. The Chair directed Ms. Mahaney to evaluate the opportunity for a rate reduction when developing the enterprise and general fund budgets.

AT THIS TIME THE REGULAR MEETING OF THE BOARD OF SUPERVISORS WAS RECESSED AT 4:45 p.m. for the Public Hearing to discuss, receive public comment and consider the adoption of proposed rates, fees, and charges for the Water, Wastewater and Reclaimed Water Utility for the District's Fern Crest Utility Enterprise Fund. Please refer to the attached verbatim transcript of the public hearing. Following discussion by the Board of Supervisors and public comment, the Chair entertained a motion to approve District Resolution No. 2014-05 as follows:

A RESOLUTION OF THE TINDALL HAMMOCK IRRIGATION AND SOIL CONSERVATION DISTRICT, PERTAINING TO WATER, WASTEWATER AND RECLAIMED WATER SERVICES; READOPTING WATER, WASTEWATER AND RECLAIMED WATER RATES FOR THE DISTRICT'S UTILITY ENTERPRISE FUND; ADOPTING REVISED MISCELLANEOUS CHARGES; ADOPTING REVISED WATER, WASTEWATER AND RECLAIMED WATER IMPACT FEES; ESTABLISHING EFFECTIVE DATES FOR SUCH REVISED RATES AND IMPACT FEES; ADOPTING A COST OF LIVING AUTOMATIC ADJUSTMENT AND UTILITY COST PASS-THROUGH; PROVIDING FOR IMPACT FEE TRUST FUND ACCOUNTING; PROVIDING FOR COMPLIANCE WITH THE FLORIDA IMPACT FEE ACT; PROVIDING FOR A COMPREHENSIVE REVIEW OF THE MISCELLANEOUS CHARGES AND IMPACT FEES EVERY THREE YEARS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

Motion #3:

Dr. Walter Forman made a motion to approve Resolution 2014-05 as presented. Chair H. Collins Forman, Jr. seconded the motion. The motion carried.

The Chair closed the Public Hearing at 4:58 p.m. The Chair reconvened the regular meeting of the Board of Supervisors at 4:58 p.m.

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

Mr. Ameno provided a status report. He reported that the only outstanding item remaining is the Water Atlas. BCHD is not expecting the Water Atlas until the construction is complete and is giving ample time for completion.

Discussion on status of Utility Plant Capital Improvement Plan

Mr. Ameno reported on the progress on the capital improvement plan. Construction is still on schedule with a completion date of March 2015. Mr. Ameno reported that the slab for the treatment unit was poured; the slab for the sodium hypochlorite feed systems is complete; the water tank dome has been replaced, the repairs completed and the tank is back in service; work is continuing on the underground piping; and the pump station covers have been delivered to the site. Mr. Ameno also reported that the FDEP permit renewal for Wastewater Treatment Plant is still being processed by FDFP. All construction permits are current. Photographs depicting the improvements were distributed.

Discussion on status of development projects:

- 1) *TOSCANA II Development* -- Mr. Ameno reported that the developer has installed the underground utilities and is doing above-ground work at this point. He was advised by Craven Thompson that the project would be ready for a walk-through sometime in August. Mr. Salerno received the certifications on the water system. Depending on the duration of the idle-time, a request for the developer to flush the building may need to be made.
- 2) *IDI [Davie Business Center] Development* -- Mr. Bell reported he is still waiting to get the Utility Easement #3 from the Toscana developer as it pertains to a small stub out that IDI is responsible for. Once received he will be able to finalize the bill of sale.
- 3) *IDI [Davie Business Center] Phase II Development* -- There is no report of any definitive action or direction.
- 4) *Elan 33 Development* - Mr. Bell and Mr. Gibney reported that all work is completed on this, that the documents required to be recorded have been recorded and the close out documents have been received as per the prior month report. This item can be removed from the agenda for future meetings.
- 5) *Value Place Development* -- Mr. Bell reported that he has been in contact with a Value Place representative and that a check has been approved for the impact fees. Ms. Mahaney requested that a Resolution be approved for a new bank account at PNC for the impact fees per the statutory requirements and the

Resolution 2014-05 approved at the Public Hearing of July 16th, 2014. The Chair entertained a motion to approve Resolution 2014-06 to approve a new bank account to be opened for an impact fee fund at PNC Bank.

Motion #4:

Dr. Walter Forman made a motion to approve Resolution 2014-06 approving a new bank account at PNC Bank for the impact fee fund. Chair H. Collins Forman, Jr. seconded the motion. The motion carried.

- 6) *Greystar Phase II Development* – Mr. Ameno reported that preliminary plans may have been submitted to the Town of Davie.

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

The Chair deferred this item due to Mr. Gibney's absence.

Discussion and consideration of request for Corrective, Supplemental and Restated Memorandum of Lease. This is a request by the prospective purchaser of the Elan 33 West property associated with the Rockpit Lease for discharge and treatment of wastewater which was assigned to the District in 2008.

The Chair commented on the need to resolve an ambiguity on this item after discussion with the attorney for the Elan 33 West property due to their potential buyer's title company requirements. Mr. M. Austin Forman, landowner, commented regarding the legal for reclaimed land and the concept of doing this for all of the affected former rock pit property. The Chair recommended the discussion on this item be tabled for further review by the District Counsel, District Engineer and landowners. Mr. Austin Forman suggested that an attorney be retained who specializes in this type of issue.

Discussion and consideration of proposed Pump Station/Drainage Easement for existing Northeast Pump Station and associated culverts on east side of Haul Road.

The Chair requested that a meeting be set up on site for him to meet with the District Engineer and landowner(s) to review this item. The Chair deferred this item until further review is complete.

Discussion and consideration of Approval and Acceptance of Flowage and Drainage Easement associated with Rockpit East of Turnpike.

The Chair deferred this item.

Reports:

- 1) *Update on DOT Condemnation proceedings for additional Turnpike Right-of-Way* – Mr. Bell reported that this is still pending appraisal by the affected landowner.
- 2) *Update on proposed access to Pump House facility adjacent to Turnpike and access to box culvert under Turnpike* – Mr. Salerno reported that the access is complete, but he is unaware of the status of the box culvert.
- 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* – This item is deferred due to Mr. Gibney's absence.
- 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 however the flooring approved at the last meeting is in. He reported that Comcast will be switching the phones and internet on Friday, July 18th. The move in is planned for over the weekend.
- 6) *Status of 5 year recertification program* – This item is deferred due to Mr. Gibney's absence.
- 7) *Update on status of District website and separate website for utility operations* – Ms. Mahaney distributed print outs from the District's current website and some draft pages showing some work on the proposed website..

Next meeting

The next regular meeting of the Board of Supervisors is scheduled for Thursday, September 18th, 2014 at 4:30 PM at 3941 SW 47th Avenue, Davie, Florida. It was confirmed that Board Members will be available either in person or by phone at this time and a quorum will be met.

Old Business

Mr. Bell distributed an updated property listing in advance of the Joint Landowners and Supervisors Meeting currently scheduled for September 25th, 2014 at 4:30.

New Business

Mr. Ameno commented that GAI received a request to be connected to the water system from Bridgepoint. He prepared a draft letter including the estimate for the impact fee. As Bridgepoint is an existing water customer, the Board approved crediting the impact fee for an amount based on the current building on site.

Public Comments and Concerns

There were no public comments.

Adjournment

There being no further business, the Chair adjourned the meeting at 6:05 p.m.