

# MINUTES

## *Tindall Hammock Irrigation and Soil Conservation District*

### **Board of Supervisors Meeting**

Wednesday, May 20<sup>th</sup>, 2015 at 4:30 p.m.  
3941 SW 47<sup>th</sup> Avenue, Davie, FL

#### **Call to Order:**

H. Collins Forman, Jr. called the Meeting of the Board of Supervisors of the Tindall Hammock Irrigation and Soil Conservation District to order at 4:33 p.m. The meeting notice had been duly posted.

#### **Roll Call:**

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

#### **Supervisors:**

##### **Present:**

Dr. Walter Forman and Eric Forman. [H. Collins Forman Jr. arrived at 4:45 p.m.]

##### **Attending by phone until 4:45:**

H. Collins Forman, Jr.

##### **Also Present:**

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

#### **Approval of September 30, 2014 year-end financial statement:**

Mrs. Mahaney presented for approval the year-end financial statement for the period ending September 30, 2014. Mrs. Mahaney reported that she was in the process of drafting the audited financial statements which will differ from prior year's statements due to the addition of the impact fee fund. This fund must be presented separately and footnotes drafted accordingly. Based on discussions with the District Auditor, Mark Wichrowski, Mrs. Mahaney anticipates the audited financial statement to be completed and ready for issuance by Friday, May 29<sup>th</sup>, 2015. Mrs. Mahaney also reported that all prior years management letter comments had been cleared and she had been advised by Mr. Wichrowski that there will be no comments relating to the 2013/2014 fiscal year. In the interest of time, Mrs. Mahaney requested that the Board approve the September 30, 2014 financial statement and authorize the Chair to review and approve the draft audited financial statement once the District Auditor has given final approval. In doing so, the statement may be issued and filed with the State of Florida earlier than in previous years. The Chair entertained a motion to approve the September 30, 2014 year-end financial statement and authorize the Chair to approve the audited financial statement once approved by the District Auditor.

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#### **Motion #1:**

Eric Forman made a motion to approve the September 30, 2014 year-end financial statement and authorize the Chair to approve the audited financial statements once approved by the District Auditor. Dr. Walter Forman seconded the motion. The motion carried.

#### **Approval of interim financial statements:**

Mrs. Mahaney presented for approval the financial statements for February and March 2015. Mrs. Mahaney again reported that the statements did incorporate any audit adjustments as recommended by the District's auditor for the fiscal period ending September 30<sup>th</sup>, 2014. Mrs. Mahaney also provided a quarterly actual to budget summary report through the period ending March 31, 2015. Mrs. Mahaney reported that all activity was trending consistent with the budget with the exceptions of the various contingency items and legal and engineering fees. Overall, actual performance was trending favorably against the fiscal year budget. Mrs. Mahaney noted that the significant item was the upcoming \$1M payment of the principal balance of the note with PNC on July 1<sup>st</sup>, 2015. Mrs. Mahaney reported that she had again reviewed the current commitments under the Capital Improvement Plan, the current cash position, and felt that the District was positioned to make the loan payment as scheduled. Mrs. Mahaney had contacted a representative from PNC Bank in their commercial loan division in follow up to the direction from the last Board meeting. Per the contact, the request was being reviewed.

The Chair entertained a motion to approve the February and March 2015 financial statements as presented.

**Motion #2:**

Dr. Walter Forman made a motion to approve the February and March 2015 financial statements as presented. Eric Forman seconded the motion. The motion carried.

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

Mr. Salerno distributed a photo of an installed sampling station to the Board. He reported that six stations have been installed. A seventh station is also going to be installed at Value Place. The sampling plan will continue with five samples but there will be more than five sites from which to sample. The sites were used for the five samples obtained on Monday, May 18<sup>th</sup>, and all five samples passed.

**Discussion on status of Utility Plant Capital Improvement Plan**

Mr. Ameno provided an update on the Water and Wastewater Plant Improvements occurring since the prior meeting of April 22<sup>nd</sup>, 2015. These include the following:

- Starts ups or training or both are scheduled or are in process for the plant pump station, thickener pump station, equalization basin-2 pumps, electrical/instrumentation, treatment unit/blower/pumps, and rotary drum thickener
- Effluent piping is in process
- Review of the contractor O&M manuals continues

Mr. Ameno provided additional updates on the FDEP & Broward County Wastewater Treatment Plant renewal permit(s). Mr. Ameno reported again that the re-use report was submitted to and discussed with the FDEP. Mr. Ameno also reported that a request for time extension has been submitted to and was approved by the FDEP. He also reported that the Broward County Annual Operational Permit application has been submitted. Mr. Ameno also reported that he would be required to provide partial certifications to FDEP prior to any treatment plant process start-ups mentioned earlier. Mr. Ameno recommended that the EQ (equalization) basin be cleaned out. Mr. Salerno reported that this has not been done for several years and the cost was in the \$70k range but also included the aeration tank. The Chair requested that pricing be obtained for this recommendation for the EQ basin.

Mr. Ameno noted that the project is lagging behind the original estimated completion date of March 2<sup>nd</sup>, 2015 predominantly due to FP&L scheduling and the change order #3 scope of work. He reported that the schedule is being revised based on the delivery date of a piece of equipment.

Mr. Ameno stated that Change Orders #1, #2 and #3 are included in the project.

Mr. Ameno also provided preliminary information on the Water & Wastewater Improvements Phase II including provisions for:

- Well number 3 – under review by hydro-geologist
- Spiractor & filters upgrade and repair
- Backwash and Transfer pump evaluations
- HSP pump control conversion to variable frequency drives
- Lime silo repairs and modifications
- Rehabilitation of existing wastewater facilities including process design to make modifications based on new incoming wastewater strength and to be compatible with the new MLE treatment system; Repairs to aging tanks and walkways and Generator facility

Mr. Ameno again recommended that additional bids be requested for portions of the Phase II work to ensure the District is receiving best price and quality. This recommendation is particularly suited for the generator facility.

Mr. Ameno reported that he will be providing updated information in June for inclusion into the tentative budget for 2015/16.

Dr. Walter Forman discussed the issue of the ad valorem tax rate and the need for careful consideration in the upcoming budget process given the extensive capital needs of the District.

Mr. Ameno reported that the proposed service to the east side of the Turnpike is on hold pending the nature of business being developed in that service area.

Mr. Ameno reported that there are no new updates with regard to the water interconnect with the Town of Davie.

**Discussion on District Regular General Budget for Fiscal Year 2015/2016:**

Mr. Bell reported that the tentative budget needs to be posted on the District's web site 60 days prior to the First Budget Hearing (currently scheduled for September 3<sup>rd</sup>, 2015). The preliminary [tentative] budget should be a discussion item at the June meeting since the July meeting is less than 60 days before the first September Budget Hearing.

**Discussion on District Enterprise Fund Budget for Fiscal Year 2015/2016:**

Mr. Bell reported that this item is related to the previous item.

**Discussion on proposed Corrective, Supplemental and Restated Memorandum of Lease or Amendment to the Rock Pit Lease between the District and Forman Industrial Land, L.L.C.:**

Mr. Bell reported that this is associated with request to confirm the description of the rock pit property which is subject to the Rock Pit Lease for discharge and treatment of wastewater which was assigned to the District in 2008. This will also delete property from the leased property description which is no longer part of the rock pit. Mr. Bell distributed Review Draft No. 1 which requires legal description of remaining rock pit area and Draft No. 2 which automatically deletes filled in portion of rock pit from the Lease after it is filled in. The Chair and Mr. Bell recommended that a self-executing provision and "non-revival" language be drafted to resolve this issue. The Chair directed Mr. Bell to pursue this avenue and to further discuss with the landowner(s) involved. The Chair reviewed the rock pit descriptions provided by Mr. Gibney and advised that a final version of his would be used as an exhibit to the Corrective, Supplemental and Restated Memorandum of Lease.

**Utility Easement (water only) and Ingress/Egress Easement from BridgePoint-Davie to THISCD:**

Mr. Bell presented for approval and acceptance the Utility Easement from Bridge Point-Davie to the District. Mr. Ameno and Mr. Bell concurred that no documents would be recorded pending the "as-built" drawings to ensure they are consistent with the documents. Mr. Ameno reported that the developer still needed to provide pressure tests, disinfect the lines, receive certification from the BCHD and provide "as-builts" to the District. The Chair entertained a motion to approve and accept the Utility Easement from Bridge Point-Davie to the District subject to receipt of the "as-builts" and other required approvals and verifications.

**Motion #3:**

Eric Forman made a motion to approve and accept both the Utility Easement from Bridge Point-Davie to the District and the Ingress/Egress Easement from Bridge Point-Davie to the District subject to acceptance of the "as-builts" and other required approvals and verifications. Dr. Walter Forman seconded the motion. The motion carried.

**Discussion on status of development projects:**

**Toscana II**

Mr. Bell reported that all the documents were complete and he had sent a second invoice to the developer. Mrs. Mahaney reported that the developer has not yet paid its final bill and this item should not be removed from future agendas until paid.

**IDI [Davie Business Center]**

Mr. Bell reported that he is still waiting on a response from IDI on several documents. Mr. Bell reported that IDI still had a substantial bill outstanding and no other approvals would be given until the debt was satisfied. Mr. Salerno reported that IDI has broken ground on the second building (which has been previously approved). In follow up to information provided at the last meeting, Mr. Salerno reported that he had responded to IDI as to the additional impact fees that would be due for the potential reagent manufacturer and that a separate meter could be installed upon receipt of the fees. Mr. Salerno also advised that he would need to know what would be in their waste stream and what they were planning to do with it. He has not yet received a response back from IDI.

**IDI [Davie Business Center] Phase II**

Mr. Gibney and Mr. Ameno reported that there was no new information on IDI Phase II.

**Value Place**

Mr. Bell reported that Value Place is basically complete and documents have been circulated to all involved parties

**Bridge Point-Davie**

Mr. Bell reported that with respect to the Bridge Point –Davie development the easements were addressed previously in the agenda and the project appears to be proceeding on schedule.

**Reports:**

**DOT Condemnation**

Mr. Bell provided an update on DOT Condemnation proceedings for additional Turnpike Right-of-Way and reported that there a hearing was held on May 9<sup>th</sup>, 2015. There is a calendar call scheduled for mid-June. Currently there is a 5 day trial has been set for the week of July 6, 2015.

#### **I-595 construction and condition of culverts under I-595**

Mr. Gibney reported that he is still working on the issue of the I-595 construction and condition of culverts under I-595. He has received a reply from Dragados and noted that they still needed to raise the one man-hole as reported previously, provide “as-builts” and additional video of the culvert. Mr. Gibney will be reviewing their response and continue the dialogue with DOT and Dragados.

#### **Permit Criteria Manual**

Mr. Bell reported that he is still reviewing the District’s Permit Criteria Manual.

#### **5 year recertifications**

Mr. Gibney reported that two 5-year re-certifications have been completed in the last month.

#### **Turbidity in North-South Canal South of rock pit**

Mr. Gibney reported that Shenandoah Construction will be onsite June 1<sup>st</sup> cleaning the culvert. Mr. Salerno reported that the canal has cleared up significantly and the aquatic life has returned. Also, Mr. Gibney reported that he has solicited proposals for reconstructing/extending the headwall at the south end of the rock pit and flap gates. Mr. Gibney estimated the work at approximately \$75,000. The first proposal received is \$100,000 and there are two proposals outstanding..

#### **Water Control Plan and Facilities Plan**

Mr. Gibney reported that the District Water Control Facilities Report was still in process but should be in final draft form within one month’s time. Also, Mr. Gibney reported that he has solicited proposals for reconstructing/extending the headwall at the south end of the rock pit and flap gates. Mr. Gibney estimated the work at approximately \$75,000. The first proposal received is \$100,000 and there are two proposals outstanding.

#### **Special District Legislation for 2015**

Mr. Bell reported that there have been no substantive changes since the last meeting and recommends this item be removed from future agendas until the next legislative session.

**Loan/Letter of Credit with PNC Bank** Mrs. Mahaney provided an update on communication with PNC Bank during the financial statement overview.

#### **Next meeting**

The Chair reported that the next regular monthly meeting of the Board of Supervisors is tentatively scheduled for 4:30 p.m. on Wednesday, June 17<sup>th</sup>, 2015.

#### **Old Business**

There was no old business brought before the Board.

#### **New Business**

Mr. Salerno reported that there has been a problem with the control panel on the plant generator. Mr. Salerno also reported that the generator needs to be replaced. As an interim remedy, the generator control panel was rebuilt by Don Hillman & Associates at a cost of \$4,900 including advance diagnostics and interim measures. Mr. Salerno stated that the cost of a new generator is approximately \$300,000.

Mr. Bell inquired about scheduling for the July 15<sup>th</sup>, 2015 meeting. After discussion among the Board members, the Chair entertained a motion that the July meeting be cancelled.

#### **Motion #4:**

Eric Forman made a motion to cancel the meeting scheduled for July 15<sup>th</sup>, 2015. Dr. Walter Forman seconded the motion. The motion carried.

Mr. Bell asked about the availability of the Supervisors for the August 19, 2015 meeting. All 3 Supervisors stated that they would be available for the meeting.

#### **Adjournment**

There being no further business, the Chair adjourned the meeting at 5:48 p.m.