

MINUTES
Tindall Hammock Irrigation and
Soil Conservation District
Board of Supervisors Meeting
Wednesday, January 18, 2017 at 4:30 p.m.
3941 SW 47th Avenue, Davie, FL

DRAFT

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 4:38 p.m. The meeting notice had been duly posted.

Roll Call:

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

Supervisors:

Present:

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*), and Bob Salerno (*Fern Crest*), Austin Forman (*landowner*)

Report from the District Manager

Mrs. Mahaney reported that the loan with BB&T was closed. She reported that to date there have been no draws on the line and she does not expect to draw on the line at any time in the near future based on the status of Phase II of the Capital Improvement Plan coupled with the District's positive cash position. Mrs. Mahaney advised the Board that the available draw period was twenty-four months. At the end of the draw period, the outstanding loan balance can be converted to a five-year amortizing loan. In doing so, the District would potentially be positioned to further reduce the millage rate once the Phase II improvements are completed. Mrs. Mahaney also reported that the various bank accounts used by the District are being migrated over to BB&T from BankUnited.

Mrs. Mahaney reported that she had completed all the work on the 2015/2016 statements and the District auditor had rescheduled and would be onsite the following week for field work. Mrs. Mahaney reported to the Board that the accounting fee for the 2014/2015 audit had been reduced by approximately \$3,000 and she expected the fee for 2015/2016 to be consistent with the prior year.

Mrs. Mahaney presented the interim financial statements for the periods of August through November 2016. The Chair entertained a motion to approve the interim financial statement for August, September, October and November 2016.

Motion #1:

Eric Forman made a motion to approve the interim financial statements for August, September, October and November 2016. Dr. Walter Forman seconded the motion. The motion carried.

Eric Forman asked Mrs. Mahaney if there is amount determined for a "prudent" reserve. Mrs. Mahaney reported that to her knowledge there has been no discussion on this issue other than the amounts currently established in the two accounts for a hurricane reserve and a capital reserve which

total approximately \$150,000. Mrs. Mahaney also reported that a separate account is established for the impact fees received and the payment of qualified expenses from this fund.

Discussion on the Utility Plant Capital Improvement Plan

Mr. Ameno reported that the backflow resolution for FDEP was submitted to Broward County Health Department (BCHD). BCHD had several comments which have been addressed. Mr. Ameno reported approval is pending from BCHD and then the permit will be forwarded to FDEP for final approval of the Phase I project.

Mr. Ameno reported that the Broward County operating permit will be coming up in April although occasionally the county is late in getting the application out.

Mr. Ameno reported that with respect to Phase II of the Capital Improvements Plan, the contract front end documents have had legal review and a preliminary design report (PDR) is in complete and in quality control review. He also reported that the permit applications are approximately 90% complete and BCHD and FDEP have been contacted regarding the upcoming permits requests.

Discussion on the status of Generator acquisition and installation

Mr. Ameno reported that the new generator was on site and CR Dunn has installed the conduits for the new generator as previously reported. Mr. Ameno reported that CR Dunn has left the existing generator connected until the new start-up with Pantropic. Mr. Ameno reported that Broward County observed the filling of the new tank on Tuesday, December 6th and will be back for the start-up and testing of the new generator. Mr. Ameno also reported that CC Controls Inc. is coordinating the instrumentation with Pantropic with start-up and testing of the new generator to be scheduled in the next two weeks.

The Chair inquired on the size and age of the old generator. Mr. Salerno responded that it is a 200kW and was purchased used approximately twenty-five years ago and would be approximately thirty years old.

The Chair inquired as to the timing of the start of the Phase II improvements. Mr. Ameno replied that the project must first be permitted which he anticipates will take approximately three months and then the project would need to be bid. The Chair instructed Mr. Ameno and Mr. Salerno to first make sure that the new generator project was complete and the generator fully functional by the start of hurricane season.

Mr. Austin Forman requested that a current summary document outlining the Phase II improvements and related budget be circulated to the members again for their review.

Request by Town of Davie for transfer of Oakes Road Drainage Easement property to Town of Davie

Mr. Austin Forman expressed concern that prior to any transfer of the easement property a very clear definitive agreement with the Town of Davie regarding their responsibilities to maintain the drainage and a request for the Town to culvert the entire way which would affect the maintenance and provide for a safer situation. The Chair commented that he was unsure if this would run much further than 61st even though the Town had requested the full strip. Mr. Gibney commented that the Town is only building to 61st. The Chair commented that this may provide an opportunity to address several issues with the Town of Davie and careful analysis was needed. Mr. Austin Forman suggested that a visit to the site be made, the site inspected and reviewed considering the District's responsibilities before any action is taken on this item. Mr. Gibney suggested that this also be reviewed in the context of the Town's master plan and traffic flow. The Chair requested that Mr. Gibney

communicate back to the Town that he has been directed to review and evaluate this matter in greater detail, discuss several issues and options with the Town and provide a report back to the Board. Mr. Austin Forman advised the Board that as a landowner representative, the property had been offered to the Town of Davie previously by the landowner and was rejected. The land was then given to the District. The Chair entertained a motion to table this item pending a report from the District Engineer.

Motion #2:

Eric Forman made a motion to table this item pending a report from the District Engineer. Dr. Walter Forman seconded the motion. The motion carried.

Discussion and consideration of District Resolution 2017-01

The Chair presented District Resolution 2017-01 which approves and adopts Procedure for the disposal of surplus tangible personal property owned by the District. Mrs. Mahaney reported that she has brought this subject up for discussion in the past with both the District Auditor and District Counsel. Mrs. Mahaney reported that there is a state statute that governs this topic and she requested that Mr. Bell draft a policy and resolution addressing the issue. Mr. Bell reported that the policy was drafted similarly to the South Broward Drainage District policy and complies with the statutory requirement. Mrs. Mahaney reported that she is of the understanding that there is some latitude in the administrative code as it pertains to small value items under \$5,000 and the proposed policy provides the same latitude. The Chair entertained a motion to approve Resolution 2017-01 Disposal of Surplus Property.

Motion #3:

Eric Forman made a motion to approve Resolution 2017-01 Disposal of Surplus Property. Dr. Walter Forman seconded the motion. The motion carried.

Discussion on status of development projects:

IDI [Davie Business Center] Development – Building B

Mr. Bell reported that there is no update since the previous meeting. Mr. Salerno reported that he was recently at the property and the building is done. He said it appears that a tenant may be moving in as there was some activity on site.

IDI [Davie Business Center] Phase II Development

Mr. Ameno reported that the drawings for the civil work and parking lots are drawn up. Mr. Ameno and Mr. Gibney reported that it appears IDI has not decided what they will build on the site at this time.

HWW Davie LLC (Waterwalk)

Mr. Bell reported that he has spoken with the attorney who represents the owner and he is awaiting a response. Mr. Ameno reported that the bill has not yet been paid.

Elan Maison (GS Davie II (Grevstar))

Mr. Bell reported that all parties, including the lender, are satisfied with the agreement and it will be moving forward for signature. Subsequently, Mr. Bell will begin work on the other related documents. Mr. Salerno reported that in the very near future they will be needing meters to have installed. Mr. Ameno reported that both the impact and review fees have been paid. Mrs. Mahaney reported that there may be some small balances still open but nothing that should delay work on the project. Mrs. Mahaney will circulate the report detailing any amounts due on the development projects.

Reports:

Update on DOT Condemnation

Mr. Bell reported that he is still working with Mr. Gibney on getting the answers to the interrogatories that he was requested to produce.

Update on Additions and Amendments to District's Permit Criteria Manual

Mr. Bell reported no change from the prior meeting.

Status of 5-year recertification program

Mr. Gibney reported that there were zero 5-year re-certifications completed since the last meeting. Mr. Gibney reported that he has sent out re-certification letters twice but is received little to no response.

Update on District's Utility Water and Wastewater Facilities Report

Mr. Bell reported that he is waiting on some additional easement information from Mr. Ameno.

Update on Legislative Activities

The Chair reported that the annual agreement with Ericks Consulting had been renewed. Mr. Bell reported that there is one bill proposed that would require each Board member to take an annual four-hour certification course in addition to several other proposed bills that may affect the District if passed. Mr. Bell will continue to monitor the legislative activities.

Old Business

There was no old business brought before the Board.

New Business

Mr. Ameno reported that there are two additional developers around Reese Road that did not follow the proper procedure. One issue involves the installation of a fire suppression system to the building. In reviewing the project, Mr. Ameno has requested as-builts to determine if additional impact fees are required and to obtain the plans for the water lines for our files. Mr. Ameno reported that the owner is working with him to resolve any issues. The second site involves the installation of a fire hydrant. Mr. Ameno questioned whether to charge them an inspection fee and to obtain the as-built plans. Mr. Ameno and Mr. Salerno reported that there are no impact fees, but we do need the easements turned over and as-built plans.

Next meeting

Mrs. Mahaney reported that neither Eric Forman or Dr. Walter Forman would be available to attend the next regularly scheduled Board meeting on February 15, 2017. Dr. Walter Forman is available on February 22, 2017. Eric Forman may be available on that date by phone. The Chair reported that the next regular monthly meeting of the Board of Supervisors is originally scheduled for 4:30 p.m. on Wednesday, February 15, 2017 at 3941 SW 47 Avenue, Davie, FL 33314 will be rescheduled to February 22, 2017 at the same time and place. Mr. Bell advised that he will advertise the meeting change and Mrs. Mahaney will circulate the information about the meeting change.

Adjournment

There being no further business, the Chair adjourned the meeting at 5:27 p.m.