

MINUTES

*Tindall Hammock Irrigation and
Soil Conservation District*

Board of Supervisors Meeting
Wednesday, June 21st, 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 4:30 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., Dr. Walter Forman

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 presented the audited financial statement for September 2016 for review and approval. Mrs. Mahaney reported that there were no changes or adjustments to the final audit report as compared to the interim statement and no management letter comments. The Chair entertained a motion to approve the audited financial statement for September 2016.

Motion #1:

Dr. Walter Forman made a motion to approve the audited financial statement for September 2016. The Chair seconded the motion. The motion carried.

Mrs. Mahaney presented the interim financial statement for April 2017 for review and approval.

Motion #2:

Dr. Walter Forman made a motion to approve the interim financial statement for April 2017. The Chair seconded the motion. The motion carried.

Discussion on District Regular General Budget for Fiscal Year 2017/2018 [tentative Budget needs to be posted on web site 60 days prior to First Budget Hearing; Preliminary budget should be a discussion item at June meeting since July meeting is less than 60 days before the first September Budget Hearing]

Mrs. Mahaney presented the draft general fund budget for Fiscal Year 2017/2018. Mrs. Mahaney reported that consistent with previous discussions regarding budget assumptions, the draft budget includes the millage rate at 1.9 mils, a salary increase of 3% and assumes that all capital is expended. Mrs. Mahaney reported that the budget will be published at the District website in compliance with the sixty day requirement. The Chair entertained a motion to approve the draft budget for publication on the District website.

Motion #3:

Dr. Walter Forman made a motion to approve the draft budget for publication on the District website. The Chair seconded the motion. The motion carried.

Discussion on the Utility Plant Capital Improvement Plan

Mr. Ameno reported that American Generators, Inc. of Miami had been onsite to inspect the old generator. Mr. Ameno reported that no offer has been received.

Mr. Ameno reported, as in the prior meeting, that with respect to Phase II of the Capital Improvements Plan, the contract front end documents have had legal review and the specification documents for the mechanical improvements have been forwarded to Mr. Salerno and Mr. Bell for review. Mr. Ameno reported that the Phase II drawings had an on-site review and the changes recommended by Mr. Salerno are now being incorporated.

As discussed at the prior meeting, Mr. Ameno reported that the raw water well #3 is the first step in the Phase II improvements. Mr. Ameno requested approval for the low bidder, Florida Design Drilling, Inc., in the amount of \$189,500. Mr. Ameno reported that he is familiar with the vendor through other projects and recommends them. The Chair asked Mr. Salerno if he was familiar with the firm to which Mr. Salerno responded that he had no direct experience with them but believed they were well-regarded in the industry. Mr. Ameno reported that he had the contract documents, executed by Florida Design Drilling Inc., but requested that Mr. Bell review the contract documents prior to submission to the Chair for execution.

Mr. Ameno reported that he had a pre-application meeting with the Health Department scheduled on Friday, June 23rd. Mr. Ameno also reported that the FDEP response to their Request for Information (RFI) was sent on June 6, 2017 and he is waiting on another RFI or the permit. He has asked for another meeting so that the Phase II project can be discussed with them.

Review and approval of Drainage Canal Aquatic Herbicide Maintenance

Mrs. Mahaney presented a proposal from Envirosapes Plus Inc. for the quarterly aquatic herbicide application maintenance to five drainage canals, totaling 3,550 linear feet of canal, in order to control invasive vegetation and allow for unrestricted water flow. Mrs. Mahaney reported that in order for the District employee to handle this inhouse he would be required to obtain and maintain multiple licenses in addition to equipment. Mrs. Mahaney reported that the cost of the maintenance program would be \$2,400 per quarter or \$9,600 per year. The Chair asked Mrs. Mahaney what the former (now retired) District employee George Turner had done on this issue to which Mrs. Mahaney responded that he had done nothing which was why the issue was problematic at this point. Mr. Austin Forman commented that he believed the maintenance program was needed. The Chair inquired if this was an annual contract. Mrs. Mahaney responded that it was a one-year contract. The Chair entertained a motion to approve the maintenance contract with Envirosapes Plus Inc. at an annual cost of \$9,600 per year. Mr. Bell requested that the proposal be modified to include the Chapter 119 provisions regarding public record requests at the bottom of the conditions page.

Motion #4:

Dr. Walter Forman made the motion to approve the maintenance contract with Envirosapes Plus Inc. at an annual cost of \$9,600 per year with the revisions to the language as requested by Mr. Bell. The Chair seconded the motion. The motion carried.

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

The Chair deferred discussion on this item until later in the meeting.

Discussion on status of development projects:

IDI [Davie Business Center] Development – Building B

Mr. Bell reported that he has no update since the previous meeting.

IDI [Davie Business Center] Phase II Development

Mr. Bell reported that he has no update since the previous meeting.

HWW Davie LLC (Waterwalk)

Mr. Bell reported that he has no update since the previous meeting. Mr. Ameno reported that he had received one email on this project but has received nothing recently. Mr. Ameno reported that the bill has been paid.

Mr. Salerno requested to return to the discussion regarding IDI and an incident involving a “wash-out” that had occurred by one of the valves. Mr. Salerno reported that his staff had looked at the site and he had Jackson Construction also on site to inspect the area. Mr. Salerno reported that there does not appear to be any leak however it does appear that there is still a layer of muck approximately one foot down that was not removed before it was asphalted, the valvebox was not properly sealed and with the volume of rain he believes that the water got under the asphalt and raised it. Mr. Salerno reported that they have inspected under full service and have seen no evidence of a leak. The Chair requested that Mr. Salerno prepare a letter to IDI and advise them that there is no evidence of a leak and it may be that the contractor did not properly prepare or compact the site for the improvements. Mr. Ameno asked if there could be a fracture in the stormline. Mr. Salerno responded that the hole is ten feet away from the drainage pipe. Mr. Salerno stated that he could respond that his statement would be limited to the water and sewer lines. Mr. Gibney reported that IDI owns the drainage lines. Mr. Salerno believes that if the hole was created by a fracture in the stormwater pipe it would be more apparent. Mr. Gibney reported that the location is in the middle of the drive isle in between the loading bays. Mr. Gibney reported that he would follow up with Jackson Construction to and ask them if they have an opinion as to cause.

Elan Maison (GS Davie II (Grevstar))

Mr. Bell reported that easements have been recorded and he has to confirm the cost numbers with Mr. Ameno for the bill of sale. Mr. Bell reported that he has received the lien affidavit and the warranty however a final walk-thru and punch list are outstanding prior to the finalization of this item. Mr. Ameno reported that he and Mr. Salerno would be doing a walk-thru for the water and sewer inspections on Building #1 the following day. Mr. Ameno asked if the engineering fees had been paid and Mr. Bell confirmed that the impact fees had been paid.

Flagler Construction

Mr. Bell reported that he has no update since the previous meeting. Mr. Ameno reported that he had calculated some numbers on the ERCs. Mr. Ameno reported that they are adding 2,611 square feet of warehouse, 703 square feet of office and a wash-bay. Mr. Ameno reported that the wash-bay equates to 3.2 ERCs itself. Based on his calculations, Mr. Ameno reported that the impact fees for water service only are \$12,795.80.

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

The Chair returned the discussion to item #8. Mr. Gibney reported that he had received a response from the Town of Davie representative, Phil Holstein, who indicated that the Town did not want the property. Mr. Gibney reported that Mr. Holstein indicated that the Town did not want to take on the maintenance of District facilities. Mr. Austin Forman indicated that the Town Manager may be readdressing this issue after the definition of “maintain” was clarified with him to mean the Town would “maintain” the flow of water in the facilities, not maintain the facilities themselves.

Reports:

Update on DOT Condemnation

Mr. Bell reported no change from the prior meeting.

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.

Update on District’s Utility Water and Wastewater Facilities Report

Mr. Bell reported that he had provided comments to Mr. Ameno and requested a map of the easements. Mr. Ameno reported that the map is complete and will be provided to Mr. Bell.

Update on Legislative Activities

Mr. Bell reported that there is a Senate Bill 80 which has been approved by the Governor. Mr. Bell reported that the bill addresses attorney’s fees on public records litigation. Mr. Bell reported that historically if an entity did not provide the records in a timely manner and the entity was taken to court, the entity would be required to pay the legal fees of the person(s) requesting the records. Mr. Bell reported that the bill addresses criteria for proper notice on both the entity’s website and at the primary meeting location. Mr. Austin Forman suggested that the District should adopt a charge for record copies and publish the cost on the District website. Mrs. Mahaney reported that the District had received public records requests usually regarding staff salary information, vendor information or escheatable-related information. Mr. Bell reported that he would work with Mrs. Mahaney on this matter and questioned where a notice could be posted. Mrs. Mahaney stated that her concern was the amount of time required to respond and asked if there were any guidelines as to response time. Mr. Bell responded that there is a five-day response time, not to produce documents, but to provide an initial response to the request. Mrs. Mahaney asked Mr. Bell what latitude the District has in terms of the form of the request, delivery method of the request, payment for the request, etc. Mr. Austin Forman suggested that the policies in place for both Broward County and the Town of Davie be reviewed and the District policy be developed consistently with theirs. Mr. Bell reported that the bill applies to any request made after May 23rd, 2017. Mr. Austin Forman commented that the bill was an amendment and the entire statute should be reviewed.

Old Business

Mrs. Mahaney reported that there was one qualified respondent for the sale of the boat. Mrs. Mahaney also asked Mr. Salerno to provide comments on the disposition of the GMC truck. Mr. Salerno reported that the truck needs a new transmission costing \$1,200 with a one-year warranty. Mr. Salerno reported that the truck is ten years old and has 200,000 miles on it. Mr. Salerno questioned whether the transmission could be repaired and provided to the staff to use when they had to travel to the lab, Home Depot, etc. in lieu of using their personal vehicles. Mrs. Mahaney responded that the truck would need to be insured at an approximate annual cost of \$2,400. Mrs.

Mahaney reported that the truck would need to be declared surplus and assign a value to it which would certainly be less than \$5,000. Mr. Bell confirmed that the truck would need to be declared as surplus. The Chair entertained a motion to declare the ten-year old GMC truck as surplus property.

Motion # 5:

Dr. Walter Forman made a motion to declare the ten-year old GMC truck surplus property. The Chair seconded the motion. The motion carried.

New Business

Mr. Salerno reported that representatives from 33 West came into the office and met with him. Mr. Salerno reported that there was a three-month period, specifically March, April and May, that Elan 33 had to pay late fees of approximately \$5,000 per month on their bill payment due to some internal management issue at Elan 33. Mr. Salerno reported that the owners are upset over the situation and are demanding the employees make restitution for the fees. Mr. Salerno reported that the employee(s) requested a refund of the late fee payments to which Mr. Salerno responded to them that he would bring the issue up to the Board.

Mr. Gibney reported that he had been in contact with South Florida Water Management about putting on a stilling well on both the north and south pump stations. Mr. Gibney distributed a proposal from MWI Pumps for a total of \$4,500 for the control panels and stilling wells and \$4,400 for the installation of same. Mr. Gibney reported that it is a simple on/off float system. Mr. Gibney reported that he feels the price is extremely low and he has attempted to contact the vendor several times to get additional confirmation that the price is inclusive of all of the materials and work that needs to be done.

Mr. Gibney also reported that he has to modify the overall permit that he had prepared for the filling of the Di-Mar pit and will be sending the application for the modification to the Chair for signature. Mr. Gibney also reported that there will be a permit fee of \$500-\$1,000 and will advise the Chair of that as well.

The Chair directed conversation back to the issue of the controls at the pump stations. Mrs. Mahaney reported that the budgeted amount for this project was \$150,000. Mr. Gibney commented that the amount included telemetry which he was not certain if the District was prepared to do at this time. Mr. Gibney reported that the telemetry features would allow the District to monitor the pumps from a central station. Mr. Salerno stated that he felt there were less expensive means of monitoring. Mr. Salerno stated that if the District used "full" telemetry the pumps could be controlled remotely in addition to being monitored. Mr. Gibney confirmed that even with the controls in place the stations could be manually overridden by a District employee if needed. Mr. Salerno stated that he was considering a project to include remote monitoring of the lift stations in the upcoming budget. Mr. Gibney stated that he would revisit the proposal to include monitoring of the pump stations in the proposal.

Mr. Bell reported that the Board needed to determine the date of the first public tax hearing. Mrs. Mahaney reviewed the guidance provided by the property appraiser's office. Mrs. Mahaney reported that the first meeting must be held between September 3rd and September 18th. Mrs. Mahaney also reported that the second meeting must be held within fifteen days of the second meeting. Mrs. Mahaney reported that the date of the first meeting must be certified by August 4th. The Chair recommended Thursday, September 7th, for the date of the first meeting and directed Mrs. Mahaney proceed with that date for the certification. After further discussion, Mrs. Mahaney recommended that the second hearing be held on the date of the regularly scheduled on September 20th and the Joint Supervisor's and Landowner meeting be held on September 7th which would shorten the duration of the meeting for the 20th in light of the beginning of Rosh Hashanah beginning at

sundown on September 20th. The Board concurred with Mrs. Mahaney's recommendation. Mrs. Mahaney confirmed that the regularly scheduled meeting in August is scheduled for August 16th.

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, July 19th, 2017 at 3941 SW 47 Avenue, Davie, FL 33314.

Adjournment

There being no further business, the Chair adjourned the meeting at 5:37 p.m.