

**MINUTES
REGULAR MEETING
ENGLEWOOD WATER DISTRICT BOARD OF SUPERVISORS
201 SELMA AVENUE, ENGLEWOOD, FL 34223
JUNE 4, 2015 @ 8:30 A.M.**

Board of Supervisors:

Steven Samuels, Chair
Eric Fogo, Vice Chair
Sydney B. Crampton
Phyllis Wright
Taylor Meals

Staff:

Michael J. Ray, Administrator
Robert Berntsson, District Counsel
Pat Zoeller P.E., Technical/Operations Support Manager
Sonia R. Zoeller, Finance Director
Philip E. Wagoner, Wastewater Operations Manager
Teresa L. Herzog, Board Secretary

1. The meeting began with the Pledge of Allegiance and a roll call to establish a quorum.
2. ANNOUNCEMENTS – Chair Samuels announced a change in the agenda, moving item 4a, Audit Report – Martin Redovan, CliftonLarsonAllen. He stated that Mr. Redovan would make his presentation and a motion on the item would be made after public input.

4a – Audit Report Presentation – Mr. Redovan began by stating that overall the District received a good report. He summarized changes in the accounting standards which created a change in the financial statements, reviewed pages 40 and 41, Internal Control over Financial Reporting, where no material weaknesses were noted and no instances of noncompliance were found. Pages 42 and 43, Management Letter, where no finding were reported. Page 44, Prior Year Findings 13', findings were cleared. Page 45, Independent Accountants' Report, the District's Investment Policy was found to be out of compliance with the length of maturity of investments going over the maturity date. He concluded his report by explaining changes to reporting for 2015.

3. PUBLIC INPUT –

1. Joe Blais and Bart Tracy, President of the FEA Board, Mr. Blais presented the background of the non-profit organization Friends of Englewood Archives (FEA). The FEA is housed in the Englewood branch of the Charlotte County Public Library and archiving will cover from El Jobean to South Venice. The goal is to preserve the history of Englewood and at this time they are looking for members and sponsorship. Mr. Tracy continued by describing the types of items that will be archived and asked that Englewood Water District consider sharing historical documents to become part of this project. Brief discussion ensued with a decision to discuss the item at a later date.

2. Helen Searle - 925 Gull Road, outside the District. Ms. Searle read a letter from Tamzin Rosenwasser that was received by all the board members on May 1st. She added comments from the "group" and concluded by asking who the injured parties would be if the V-9C area did not receive sewers and who would benefit from it?

3. Rick Eaton – 3550 Roslyn Road, outside the District. Mr. Eaton distributed a document that defined "extortion," (attached) and stated that he is running for U.S. Senate. He gave his opinion of why the project is being done and detailed EWD's water

quality. In conclusion, he said there is no justification for this project and described a past experience he'd had with EWD.

4. Michael Fowler – 50 Cocconut Avenue, not in the V-9C project area, but lives inside the District. Mr. Fowler read from the Old Testament and stated that he prayed the Board would change their vote and not proceed with the V-9C project without a vote from the residents affected.

5. Terry Angley - 601 Palamino Circle, outside the District. Ms. Angley read from the letter entitled "Sarasota County Grand Jury by the People" that was sent to each Board member.

6. John Saunders - 4439 MacEachen Boulevard, outside the District. Mr. Saunders continued to read from the letter "Sarasota County Grand Jury by the People" where Ms. Angley left off.

7. Frank Patti - 4608 Crystal Road, outside the District. Mr. Patti listed the Officials he had spoken with then asked the Board to revote to stop the project right now or at least wait until funding is available.

8. Rita Reinoso - 6195 Pecan Road, inside the District and in the V-9C project area. Ms. Reinoso spoke of the increase the V-9C project would cause on property tax bills and EWD monthly bills then asked the Board to delay construction until some financial relief can be obtained through state funding.

9. William Steen – 791 Cumberland Road, outside the District. Mr. Steen detailed how septic systems were permitted now and in the past. He then expressed his concerns that if a central sewer system is installed it would change the dynamics of his neighborhood.

10. Pat Wayman – 3071 Boarder Road, outside the District. Ms. Wayman listed the reasons septic tanks are better than central sewer systems and stated that the residents should have an option, not a mandate to hook up to the system. In conclusion she asked the board to employ the free market principles that we have and depend on in the United States, but also in property rights.

11. Susan Gibbs – 900 Tamiami Trail South #422, outside the District. Ms. Gibbs continued to read from the letter "Sarasota County Grand Jury by the People" where Mr. Saunders left off.

12. Kathy Bolam - 131 Flamingo Road, outside the District. Ms. Bolam asked why the Engineers, Attorney, and Administrator made the decision not to sewer Lemon Bay Estates and not the Board in the public? Detailed the reasons EWD chose not to install sewers in that subdivision, stated there was no guarantee that hardship money will be available and demanded the project be put on hold until after the 2016 legislative session. She suggested that EWD pay to install the sewer system and let those who want to connect pay their fees. She then questioned if Jerry Paul was being paid to speak, and if so how much. Additionally she asked if EWD has an oversight committee.

13. Egan Tancre - 6031 Osprey Road, inside the District and part of the V-9C project area. Mr. Tancre accused the board of not listening and not following the enabling act.

Recess from 9:42 a.m. to 9:51 a.m.

4. PRESENTATION

a. Audit Report – CliftonLarsonAllen- agenda item moved to follow announcements.

Mr. Meals moved, **“approve the auditor’s report as published,”** seconded by Mr. Fogo.

UNANIMIOUS

15-06-04 A

Full motion read: That the Financial Statements as of and for the years ended September 30, 2014 and 2013 and the management discussion and analysis, in accordance with Section 10 of the Enabling Act, be accepted as presented.

b. Hardship Funding Request from the State Water Projects List – Jerry Paul, Esq. Capitol Access – Mr. Paul was unable to attend, and will be rescheduled to a later date.

5. CONSENT SECTION – Chair Samuels called for removal of either and/or both items, hearing no objection, he called for a motion.

Mr. Fogo moved, **“to accept as presented,”** seconded by Ms. Crampton.

a. Minutes of the Regular Meeting dated May 7, 2015

15-06-04 CS A

b. Attorney’s Invoice dated May 17, 2015

15-06-04 CS B

UNANIMIOUS

6. ACTION ITEM

a. BMG Three, LLC Land Exchange Agreement – Mr. Ray gave a brief overview of the item and stated that District counsel had reviewed and approved the agreement. Brief discussion followed and a motion made.

Mr. Meals moved, **“to authorize the Chair to sign and the Secretary to the Board attest the Land Exchange Agreement between Englewood Water District and BMG Three, LLC,”** seconded by Ms. Wright.

UNANIMIOUS

15-06-04 B

b. Mid-Year Review and Budget Amendment – Mr. Ray began the review by stating the budget is mostly in line but funds are being requested to do some additional projects. Ms. Zoeller went on to explain the changes to the organizational chart and the need for an additional WTP employee, the budget amendment will also cover the cost of a new employee for the next 4 months. She then asked Mr. Quick and Mr. Wagoner to detail the \$288,000.00 budget amendment being requested. Mr. Quick listed the needed items in the WTP which are a replacement vehicle and replacement transfer pumps. A majority of the budgeted funds in repairs and maintenance was used for the well rehab and the fence replacement project. Mr. Wagoner continued with the items that are needed at the WRF which are the lift station and headworks tank that both

need to be rehabbed and suggested that the work be done during the lull season. Ms. Zoeller concluded the mid-year review by evaluating the revised revenue projection and the revised budget projection.

Ms. Crampton moved, **“to approve budget amendment to the operating budget totaling \$287,550.00 which includes one (1) additional full-time employee,”** seconded by Ms. Wright.

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15-06-04 C

7. DISCUSSION

a. Donation Option on Utility Statements – Ms. Crampton asked that a donation option similar to what FPL has be considered as an addition to EWD statements. Brief discussion ensued to include how the donation program would be administered and a decision was made to have staff investigate and report back to the board.

8. ADMINISTRATOR’S REPORT – Michael J. Ray

a. WASTEWATER OPERATIONS MANAGER – Philip E. Wagoner

1. Tank Cleaning Project – no firm date has been set for work to begin, issues with plants 1 & 2 have been addressed and they are ready to go.

2. DEP Operator Outreach – attended a conference on May 21st to review rules and regulations for wastewater treatment operators, it was a good meeting.

Mr. Quick continued,

1. Injection Well Permit – should be completed in the next 60 days.

2. Fence Project – will start next week.

3. Well Rehabilitation Project – began 2 days ago, and as part of this project a 15 year old pump and motor will be replaced.

4. Damaged Well – was repaired as an in-house project.

b. TECHNICAL/OPERATIONS SUPPORT MANAGER – Pat Zoeller, P.E.

1. Villages of Manasota Beach – the comp plan amendment and rezoning was approved. Only general layout at this point and currently it is designed in 3 phases with construction to begin at 776 and head east.

2. Stearns Property – Sarasota County Commission approved the rezoning and it is now combined with Boca Royale.

3. EWD Warehouse – sand pines, a protected species have been identified on the property where the warehouse is proposed to be built. A meeting with the County will be scheduled to determine how we proceed. It is possible that the location of the warehouse will need to be changed.

4. Charlotte County Sidewalk Project No. 3 - the 60% plans have been received and will be reviewed for utility conflicts.

5. Swepston Bridge – the removal of the abandoned water pipeline will proceed with \$50,000 moved from the warehouse project which will likely be delayed.

6. V9B True Up (attached) – highlighted lines are items that went over the contracted amount per line item but the project did not exceed the budgeted contract amount.

c. FINANCE DIRECTOR – Sonia R. Zoeller

1. Customer Service Manager Susan Franklin has retired and a Construction Coordinator will now be hired.

Mr. Ray concluded the Administrator report.

9. ATTORNEY'S REPORT – Robert Berntsson – Attorney Berntsson commented on statements made during Public Input.

1. The letter "Grand Jury by the People" that was sent to the Board was treated as a public records request. The items requested in their list of demands were sent to the address provided and came back to the District as undeliverable, it was later picked up at the EWD office.

2. The statement "we don't have to follow the law if we don't borrowing money" was incorrect, said was "our enabling act requires us to have two public hearings if we are borrowing money it does not require us to do that if we're not borrowing money."

10. OLD BUSINESS – Ms. Crampton stated that it was her understanding that because she voted against the project she could not bring it up again, to which Attorney Berntsson replied she cannot make a motion to reconsider and Ms. Crampton added it would have to be someone who voted for it.

11. PUBLIC COMMENT – None

12. NEW BUSINESS – Chair Samuels announced that Administrator Mike Ray had changed his retirement date to the first of August and asked the board if they would all be attending the July meeting? Because there were potential conflicts it was decided that a special meeting could be scheduled and published if necessary.

13. BOARD MEMBER COMMENTS – The entire Board expressed appreciation of Mr. Ray's many years of service and the difficult task it will be to replace him.

14. ADJOURN@ 10:59 a.m.



Eric Fogo, Vice Chair

/tlh