

**LAKE COUNTY WATER AUTHORITY  
REGULAR MEETING MINUTES**

<p><b>Wednesday, August 25, 2021 3:30 pm Lake County Administration Building</b></p>
--

The Regular Hearing of the Board of Trustees of the Lake County Water Authority was held at 3:30 pm Wednesday, August 25, 2021 in the Lake County Administration Building, County Commissioners Chambers at 315 West Main Street, Tavares, Florida.

**Members Present-District #**

Keith Farner, Chairman (At-Large)  
Courtney Stokes, Vice Chair (At-Large)  
Marty Proctor (#1)  
Tyler Brandeburg (#3)  
Butch Hendrick (#4) via Phone  
Rick Donohue (#5)

**Staff Present**

Dr. Jason Danaher, Water Resources Director  
Steve Crawford, Water Res. Project Manager  
Ben Garcia, Administrative Services Director  
Brain Nagy, Field Service Manager  
Tracey Percoco, Administrative Services Supervisor  
Tekesha Stephens, Office Associate  
Kevin Stone, Attorney

A list of others present at the meeting is part filed in the permanent files of the Water Authority.

**1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

**Chairman Keith Farmer** [00:00:04] Welcome everybody to the August 25th meeting of Lake County Water Authority lets stand for a moment of silence, meditation, and we'll follow that up with the pledge. If you guys have any electronic devices, please turn them off or on silent at this time thank you.

**All** [00:00:33] I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**Tab 15 2. APPROVAL OF MINUTES** – July 21, 2021 - Budget Workshop  
– July 28, 2021 - Regular Meeting

**Chairman Keith Farmer** [00:00:45] Thank you and be seated. All right, approval of minutes July 21st, I guess we have to do these separately.

**Mr. Proctor** [00:00:59] Oh do we make a motion; do we have a motion?

**Chairman Keith Farmer** [00:01:02] We did not yet, but somebody.

**Mr. Proctor** [00:01:04] I make a motion we approve the minutes.

**Chairman Keith Farmer** [00:01:05] Of July 21st.

**Mr. Proctor** [00:01:09] July 21st.

**Chairman Keith Farmer** [00:01:09] July 21st, do we have a second?

**Mr. Brandeburg** [00:01:10] Second.

**Chairman Keith Farmer** [00:01:11] We have a motion and a second, two, I think we have to do them individually, ok all right, we have a motion and a second July 21st meeting, all in favor of the budget shop approval of those minutes, ok. July 28 meeting, can we get a motion to approve the minutes.

**MARTY MADE A MOTION TO APPROVE THE MINUTES OF THE LAKE COUNTY WATER AUTHORITY MEETING OF JULY 21, 2021 BUDGET WORKSHOP AS WRITTEN.**

Tyler seconded the motion. **Motion approved 5-0**

**Mr. Brandeburg** [00:01:33] Motion to approve July 28th minutes.

**Chairman Keith Farmer** [00:01:36] I have a motion do I have a second.

**Mr. Donohue** [00:01:38] I'll second it.

**Chairman Keith Farmer** [00:01:38] I have a motion and a second, any discussion? All right, all in favor, and that is unanimous. All right, public comment. I have a Peter Tuite, come on up Mr. Tuite, if you could give us here, once you get up to the microphone, give us your name and address again, please.

**TYLER MADE A MOTION TO APPROVE THE MINUTES OF THE LAKE COUNTY WATER AUTHORITY MEETING OF JULY 28, 2021 REGULAR MEETING AS WRITTEN.**

Rick seconded the motion. **Motion approved 5-0**

### **3. PUBLIC COMMENT**

**Peter Tuite** [00:01:59] Ok, my name is Peter Tuite, Tuite, I live at 300 Croton Way in Howey in the Hills, I'm a concerned citizen. I wanted to get on this subject before the meeting gets gets on. I have a concern, I'm sure a concern of anyone who knew him Ron of what happened at the last meeting. And I just find it devastating and embarrassing for the Board here and for Lake County Water Authority, for citizens like me, for the whole county I think it's it's a shame. I would like to bring that to the attention of the Board that there was a nationwide search for a replacement for Mike Perry and they hired a consultant once, which they probably paid a few thousand dollars for and they came up with four good candidates. And Ron was head and shoulders above all four, despite the fact they already worked here, he was much more than qualified so it seems incredible to me that through rumor and innuendo and maybe some sort of vengeance, I don't know that he was fired. I think it was an absolute outrage and it's a really devastating blow to the environment. I mean, Lake County Water Authority is one of the few agencies that actually does good, and Ron is one of the best leaders. Everybody respects him throughout his peers and the people that work for him and I just can't believe that happen. And I would still I would make a case for reinstatement, but I think it's ridiculous to even to change hands. I would ask the Board Chairman, who seems to be in charge of this, to please step down and put somebody else in charge. What else did I want to say? I have some comments that are not my own. One was from a former committee that hired Ron. Ron's unique lifetime experience and knowledge of water bodies to Lake County will help Lake County Water Authority service to greater heights. His ideas and passion for expanding Lake County Water Authorities impact on Lake County water resources will be crucial to our organization continues to improve in the coming years. As a limnologist now, I liked Mike Perry, but Mike Perry was very much a politician I understand why that position is subject to a lot, a lot of pressure from a lot of big places. Lake County is one of the smallest, especially Lake district. I've watched him get toasted by the Harris Chain of Lakes Restoration Group, which is no longer with us Sabatini actually made sure that. As a limnologist, an expert in freshwater systems, Hart has worked extensively on Lake County water bodies for the majority of his career. He served as President of Florida Lake Management Side, it was supported by two Florida governments, supportive of the Green Swamp Lake Authority he oversaw the manage. This is an incredible the biggest NuRF nutrient reduction facility in the world he presided over, executed, got it to run. And we needed it because we had a horrible situation Lake Apopka and that was affecting all of our other lakes. Harris Lakes are known as impaired lakes they're still impaired, Apopka was absolutely the worst. So, I think that's an incredible achievement. Besides many others, I'd like to read a comment from an editorial, not my words. Running the county's unusual water Board comes with controversy the Authority, after all, has the power to tax property owners and its elected Board of trustees can be well informed and thoughtful, are out and out kooks whose knowledge of science rivals only that of a gnat um I think that's a pretty good summary. I mean, it may sound corny, but I think you've actually cut the heart out of Lake County Water Authority in more ways than one and I think it's a terrible travesty. I was looking forward to Ron being in charge, he would do great things, he's very scientific, very logical and if it's any way to bring him back, I would bring him back thank you.

**Chairman Keith Farmer** [00:06:36] Thank you, Mr. Tuite.

**Mr. Proctor** [00:06:38] Mr. Tuite we'd, I'd like personally to encourage you to remain involved in the Water Authority, in the Water Authority business. Go back, tell your friends tell the people that that gave you that knowledge to please continue to be involved in this process.

**Peter Tuite** [00:06:53] Thank you.

**Mr. Proctor** [00:06:53] Mr. Hart was always a part of this process and a part of this organization, but fortunately for those of us that are here, he was a part of it. We're still here, we're still listening, we still want to do the very best we possibly can for the benefit of the freshwater resources in Lake County so please continue to give us your support thank you.

**Mr. Proctor** [00:07:11] I will, thank you.

**Peter Tuite** [00:07:12] I think you're a good organization too, I would never suggest otherwise.

**Chairman Keith Farmer** [00:07:16] Thank you Mr. Tuite, all right any more public comment, any more public comment? All right, Ben. I don't know.

**Mr. Proctor** [00:07:28] Oh, you got to put uh, I don't think the dam's on the agenda.

**Chairman Keith Farmer** [00:07:33] Wont you get a card filled out, sir, we'll get you after Ben gives us a report, we'll get you up here, but let's fill out a card, ok. Ben what you got?

### **4. STAFF ORAL MONTHLY REPORT**

**Mr. Garcia** [00:07:43] Good afternoon, Board Members, Chairman, I just going to go ahead and do a quick report on things that are happening at the Water Authority. And I would like to go ahead and start by saying that we appreciated Ron, he did wonderful things for for us, for the staff and we would always be grateful for everything he did for us and he was a good, good Director. Moving on, I do have the centrifuge repair remember that we spend thousands and thousands of dollars repairing the centrifuge, well Jason came up with an idea, and that idea was to go ahead and submit a claim to the insurance, I did, I went ahead and filed the paperwork and did everything that we needed to do. Steve Crawford went ahead and follow it by getting all the adjusters requests done, all the legwork he did all that. As a result, we have two hundred and fifty-one thousand dollars we got to check for, for repaired centrifuge. So, I think that's a small victory that there I think there needs to be recognized, thanks to Jason's idea and because of Steve's legwork on it, two hundred fifty-one thousand dollars that we just got back from from the centrifuge repair. So as far as the NuRF, we also got good news at the NuRF we're running, and Steve will go ahead and fill you up with all the details on that report later on in the agenda. Regarding the Hickory Point um let me go ahead and show you some video here. This is the old tower, the entrance, as you can see, it was rotted when they started taking that thing apart. I mean, it was so easy. I mean, that thing could have been taken off with just a wind, but they went ahead and did it. Brian Nagy was in charge of that project, he saw it through, and they were able to get the tower all done in one day. So that was that was a project needed, oh by the way it was under way under budget, so twenty-three thousand dollars or so. And then C.J actually took ours our pilot, our drone pilot, he took up this video, so he put it together for us, so I want to recognize him, too. I went ahead and requested the staff to go ahead lay some sod, so we don't know what we want to do there but at least it does look kind of decent.

## Draft Regular Board Meeting Minutes – August 25, 2021

**Chairman Keith Farmer** [00:10:26] It looks better than decent, it looks fantastic, good job.

**Mr. Proctor** [00:10:30] Good job team, and did I hear I thought it was thirty-five thousand. It was, went from a hundred to thirty-five to twenty-three.

**Mr. Garcia** [00:10:37] Twenty-three five exactly, yes.

**Mr. Proctor** [00:10:39] It was a hundred that we thought it was gonna cost.

**Mr. Garcia** [00:10:41] Yeah no and they.

**Mr. Proctor** [00:10:42] Well done gentlemen.

**Mr. Garcia** [00:10:42] And the company did a really good job, we just had the entrance closed for a little bit, but we deviated the cars the other way, so kind of worked out pretty good. The other project that we actually were able to do is the Bathymetry Data Collection. This is a project that took many months Robert Belanger and Michael Titus they went ahead and went out on the on the water, even on very hot days and they went ahead and collected data for hours and they went ahead and got this done for us. Lake Yale is completed, as you can see, we have the data now, we can have that information on the water atlas. That is um, no that's not Eustis.

**Chairman Keith Farmer** [00:11:35] Cherry Lake.

**Mr. Garcia** [00:11:35] Cherry Lake, yes Cherry Lake, Cherry Lake is also done and Lake Eustis yeah, and Wilson Lake also done, including some of the Palatlahaha.

**Mr. Proctor** [00:11:45] Can you go back up to Cherry Lake for a second?

**Mr. Garcia** [00:11:46] Oh yes, sorry yes. So, um yeah, they got all that done within a few months and they were able to figure out the system as it was a new system, we incorporated. We bought the software and the hardware, and they were able to get it done. So now that we have this information, we're going to go ahead and display that on the water atlas people will be able to download that information ok. And last, I would like to go ahead and give my appreciation during this month to the staff. I know that it's been a little bit difficult sometimes, maybe for some of them to go to move on, but but I do appreciate the staff and I would like to know that let the Board know that we have a good staff, and the staff is here to support you in everything you guys want us to do. I would like to quickly mention their names because some of you guys may not be familiar with their names, in the front office we got Tracey she's here, Mary and Tekesha. In the Field Services we got Brian, Travis, Robert and Christopher. At Hickory Point we got Charles and Doug, on Land Resources we got Ben, Tracy, Brittney and Michael and at the Water Resources and the NuRF we got Jason, Steve, Eli, Dan and Andrew. And again, that will it will be very difficult to do my job without the support of this staff. And with that, I'm just going to go ahead and leave Jason Danaher he's gonna go ahead and do the water report. I don't know if you want to do the public comment now and then do the water report.

**Chairman Keith Farmer** [00:13:33] Yeah, we could do that.

**Mr. Proctor** [00:13:34] Can we leave this, cause this just happened to be part of that slide

**Mr. Garcia** [00:13:39] Ok.

**Mr. Proctor** [00:13:40] Leave this one up please.

**Mr. Garcia** [00:13:40] Ok.

*(Moved back to Public Comment)*

**Chairman Keith Farmer** [00:13:41] Ok all right Keith Kerr, how do you say that again sir?

**Keith Keogh** [00:13:48] Keogh.

**Chairman Keith Farmer** [00:13:49] Keogh.

**Keith Keogh** [00:13:49] Yes, thank you.

**Chairman Keith Farmer** [00:13:50] Come on up Mr. Keogh, please state your name and address again for the record.

**Keith Keogh** [00:13:53] It's, it's Keith Keogh I'm at 16738 Hunt Island Road in Groveland, Florida. I just wanted to stop by and have a brief conversation with the with the Board and the fact that I received in the mail a survey that said that there was a proposed lock system, that and how did everybody feel about it. This is the second time I've heard about it, I heard it was discussed at a Chamber of Commerce meeting a while back. I'm the owner of Hunt Island and nobody has approached me contractually. We have an agreement right, with the with the levy area as an easement. I use that easement to get to my home and back, I use that easement to harvest my fruit and back, my olives next year and back. And I have a five-year construction project which is one year into it, with three homes to be built on there for my family, it's a family compound and a farm. I would really appreciate a discussion with somebody on how that's going to affect this this proposed, I would have thought the core values of a group like this would say we better talk to the property owners, especially the ones that own land on both sides of this levy and find out what what this entails. How how are we going to accommodate this so that no business is lost, no construction is lost, there's no detriment to this this business. So, I'm just here to please ask, I didn't know Ron was gone Ron usually kept me up to date. He hadn't on this on this particular thing and we had a pretty strong working relationship with who owns the levees and keeps it up and all that. But I'm very concerned about government taking steps forward and making setting expectations with the public and not getting with the owners of the property first that really are impacted. I hope you keep that in mind as you move forward. I can't say I'm for or against it until I understand what the impact is to to my my place of business. I will come back and talk about later, you know,

## Draft Regular Board Meeting Minutes – August 25, 2021

private citizens having to keep the canal out to the out of Hunt Lake accessible, you know, that was done by a private citizen lately and all that and the erosion factor of people, with jet ski is going around in circles in that lake and eroding that. But I really would I really would implore you and just as you move forward to make sure that the property owners, the people that are specifically impacted by any ideas are discussed with before we set expectations with the public, thank you.

**Chairman Keith Farmer** [00:16:51] Hey listen thank you very much, I thought I would have thought that would have already been done, so I apologize. Now, we were up to speed that we have property owners that we have right away to that property, understand and easements. But he brings up an excellent point that I thought was already discussed and dealt with the property owners around there about changing this. So, it's something we need to look into before you before you. Would you mind coming back up for just I just wanted to ask you. How did you fill out your survey or are you in favor of this lock or are you against it?

**Keith Keogh** [00:17:27] I filled out under under the comments.

**Chairman Keith Farmer** [00:17:30] Yes, sir.

**Keith Keogh** [00:17:31] Until I understand erosion, until I understand impact, I have a hard where it said, are you in favor? I didn't answer. I mean, I need the information on impact, so.

**Chairman Keith Farmer** [00:17:43] No, I agree we need a lot more information before that moves forward, but I think this survey got sent out just to get people's thoughts on it but we're a long way probably from doing something. But I think your thoughts are very important.

**Keith Keogh** [00:17:58] Just for the expectations you know, I'm so afraid that it's going to come back, and I'll be the bad guy. Let me just say that, you know, we haven't discussed it up front, I love the guys across the way. I think that you should be opening up the other way to increase the property values in Groveland rather than towards towards Clermont. I think there's a lot more tax revenue going what would that be north than going south but that's a discussion for later. I did put that in my comments from a business side. I think that would be better investment. But I just I just want property owners to just be discussed so they're not taken by surprise, you know, in the survey said proposed and instead of idea and I said, well, that's that I've got to get with you, thank you.

**Chairman Keith Farmer** [00:18:42] Excellent points, very good.

**Mr. Proctor** [00:18:44] And to be clear Chef's property, see where is says Cherry Lake in this?

**Chairman Keith Farmer** [00:18:49] I do.

**Mr. Proctor** [00:18:49] That's why I asked to leave this up, where the E is starting there, that kind of circular area that's.

**Chairman Keith Farmer** [00:18:54] I see it.

**Mr. Proctor** [00:18:55] That it's more, that is that is Hunt Island, right?

**Keith Keogh** [00:18:58] Hunt island and then we own a little bit on the other side of the levee both sides.

**Mr. Proctor** [00:19:01] Both sides of the dam is kind of like in that area where the little dots are. So, Mr. Keogh, is a more than casually vested interest in this, that is his property, that is his future, it's his plan. So, I just wanted to he he's here on his own, I didn't encourage him to come, I certainly didn't discourage him. But I will commit to you, Chef that anything I learn as as I learn it, everything I learn, I will share with you directly and the other adjacent property owner that you know who it is, which owns land on the other side. I'm not responsible for the day-to-day operations that would be our our Interim Executive Director, Mr. Ben Garcia, who just spoke. If you have a direct issue like mowing or something like that, please do not hesitate to contact our office.

**Keith Keogh** [00:19:51] I don't mind mowing; I just want to be clear we own property on the other side too.

**Mr. Proctor** [00:19:57] Both sides.

**Keith Keogh** [00:19:57] On both sides yeah, we've got it boxed in there. I just just like to understand what's going on.

**Chairman Keith Farmer** [00:20:05] Courtney what you got?

**Mrs. Stokes** [00:20:06] We're getting waved back because he's not speaking on the mic.

**Chairman Keith Farmer** [00:20:08] Hey, you're not on the mic. Listen, we're going to move on, but you're going to be involved when if we get to that process, all right. I don't know when the survey is going to be complete.

**Mr. Proctor** [00:20:17] Several months or takes months to get that done and then we have to get the data back.

**Chairman Keith Farmer** [00:20:22] So there are people, this is going to be this is going to be a hot button issue. I can see it coming when you start talking about boats and traffic and locks and it's going to be a big deal. So, you'll be you'll be involved I'm sure ok, all right yeah thank you for coming in. All right we are moving back, Jason.

*(Back to Staff Oral Monthly Report)*

**Dr. Danaher** [00:21:00] Afternoon, Mr. Chairman, members of the Board and in regards to the water resources report, rainfall continued through July with the six stations averaging about eight point zero three inches, which is point four inches above the historic average of seven point six, three inches for Clermont and above what we received last time for this year as you can see in the graph there. We had a rain surplus in the month of April, June and July with the rain deficit in the month of January and March and May, the cumulative average rainfall for 2021 calendar year is currently thirty point four nine inches, which is zero point six eight inches above average. And this equates to about one hundred and two percent of our expected rainfall to date this year. So, we're slightly above or ahead of schedule in terms of rainfall. Regarding water levels in Lake Minnehaha during July, water levels increased zero point eight feet, an average ninety-six point seven three feet water level in Minnehaha currently is within regulatory range and as of yesterday was ninety-six point eight four feet. There was rainfall last night, but that didn't really affect the level more than just a couple one hundredth of a foot or quarter, half inch or so. So, we got still we have plenty of storage capacity there and combined flow from Big and Little Creek is currently about 20 cfs right now. In terms of Lake Apopka and the NuRF, flow through the NuRF increased in the later half of July due to several inches of rainfall and on Lake Apopka flow range from 150 to 200 cfs and that mainly went through the west pond. During August flows peaked at around one hundred and twenty-five cfs, but no discharge has gone through the Apopka-Beauclair spillway since February. Lake Apopka is regulatory schedule currently and flows at a minimum of about 10 cfs through the NuRF right now. The district reported earlier in the week that they plan on maintaining that flow of 10 cfs, but they may be changing that next week, depending on some of these tropical disturbances that are moving through the Caribbean, expected to leave Florida alone at this time, but you never know what sort of rainfall may spin off of them and come our way. With Lake Dora, Eustis and Lake Harris, all those are currently within regulatory schedule and as you can see, off to the far right, the top graph and see the regulatory schedule is starting to increase this time of year so, the district is doing a good job of maintaining those where they need to be. Lake Griffin, Lake Griffin was recently brought back down to its regulatory schedule this month after receiving heavy rainfall, as you can see in the second graph, the Moss Bluff rainfall, as reported at just over five inches of rainfall recorded during that time period. That's a huge amount of rainfall this is preliminary data, but there was a significant amount of rainfall in that area. The district was quickly able to recover through and get it back to regulatory schedule by discharge through the Moss Bluff Dam. It's been really interesting to kind of see I mean, we may be at your average rainfall for this time of year, but in terms of the distribution throughout the county north to south, it's hit, and miss is very sporadic so, like the Green Swamp, for example, isn't getting hit with much rain and it's been in the past been affecting the Clermont Chain flow from Big and Little Creek has been pretty low, but North Lake County has been getting slammed with rain it's quite a significant difference. Staff has observed higher than usual total phosphorus concentrations entering the NuRF for almost a two-week period during during July. This was during low flow rates of about 10 to 30 cfs so it wasn't a high flow rate with a high concentration, it was a low flow rate with a high concentration coming in. You know, we had sent those samples off to the county lab, which uses, you know, very precise measurement techniques. We also had Chemtrade representatives come to our site at that point in time and they they happened to confirm these high concentrations as well with some of their onsite testing. Luckily, we were able to control it, we were able to knock out about 80 percent of that phosphorus and reduce those those concentrations down. And staff has reached out to district representatives regarding trying to figure out what may have been the cause of it. And the district reported that they hadn't changed their operations in any fashion that significantly affected it. But it was observed as of right now, we're back to our traditional, you know, total phosphorus concentrations, our historic concentrations coming back into the facility, yeah, so it was just a one-week period where almost well, actually almost a two-week period where we saw these elevated concentrations. But speaking to the district staff, we couldn't pinpoint the reason why.

**Chairman Keith Farmer** [00:26:14] Let's keep a close eye on it of course, I know you guys are going to they're doing a lot of excavating up there on the North Shore, redoing all their flowing and all that stuff. So, I don't know if it played a part or not, I mean, as long as it drops off and goes back to abnormal and still the crazy abnormal, we'll work with that but um, keep a close eye on that for us.

**Dr. Danaher** [00:26:37] Ok, will do. And I know the Board requested information on secchi depths since the last Board meeting those those graphs wouldn't have changed, there's been no additional information added into the database yet.

**Chairman Keith Farmer** [00:26:53] Ok.

**Dr. Danaher** [00:26:54] So we can provide those updates when that's entered into the water atlas, we can download the data updates, graphs and provide the Board of the new information.

### **3. CONSENT ITEMS**

*(Consent Item moved to Discussion Items)*

### **4. DISCUSSION ITEMS**

Tab 1      a. Purchase Orders Changes and Budget Transfers

Tracey Rice

**Chairman Keith Farmer** [00:27:02] Very good, all right where we at Consent Agenda, consent items this has to do with purchase orders, Tracey.

**Mrs. Percoco** [00:27:44] Good afternoon, Chairman, Board Members, um, that were just a few changes during the year since we're at the end, um, just a few of them need slight changes. We did have an issue with Hickory Point being charged out of Field Services so therefore, we need to transfer that insurance money back into there so we can cover it for the remainder of the year. The other two, just a couple minor changes, City of Tavares we've had quite a few water leaks and we've actually applied to get some of the money back because they do allow that but we're not sure how much or when it will come. So, we're just asking to increase it for the remainder of the year.

**Chairman Keith Farmer** [00:28:27] Ok.

**Mrs. Percoco** [00:28:27] That's it

Draft Regular Board Meeting Minutes – August 25, 2021

**Chairman Keith Farmer** [00:28:31] Very good, that that issue about the water leaks it's going to be a future agenda item, we got some serious issues out there and our water bills are.

**Mrs. Percoco** [00:28:40] Yeah, they're all over the place.

**Chairman Keith Farmer** [00:28:41] Yeah, they're pretty outrageous, and I had asked if we could get some comparable bills from last year to this year, we can find out how much water is we're losing, is going to waste.

**Mrs. Percoco** [00:28:51] Yeah, it goes over the last like four months it's gone up like from three to four to six to eight to nine, I mean.

**Chairman Keith Farmer** [00:28:59] That's thousand?

**Mrs. Percoco** [00:29:00] Yeah, thousands and so it's incredibly gone up a tremendous amount.

**Chairman Keith Farmer** [00:29:09] Yeah, we need to get that addressed by getting that problem fixed, even if we could find out where it's leaking and put a band-aid on the problem until we can get the place replumbed.

**Mrs. Percoco** [00:29:18] Know there is some yeah, the piping in there but, you know, it's hard to know where it's going to break, I'm guessing.

**Chairman Keith Farmer** [00:29:25] Well, we'll work on it. Do we need a motion?

**Mr. Proctor** [00:29:27] Well, give me one second Mr. Director, Interim Director, is there how much time would you like to have to bring this forward as an agenda item? You want it next month or you want two months what do you what do you?

**Mr. Garcia** [00:29:40] I would be ready for next month; I know that we're going to be talking about it on the budget because we need to increase the new budget also if we're planning to do something about that. So, I do have the last two bills so you could actually see that and also the last repair of that, too. We will have definitely the comparison through the whole year and any other information you may want to see definitely, but we could be ready next month.

**Mr. Proctor** [00:30:08] Mr. Chairman, I would like to request that and again, we'll go through this procedure more thoroughly that we have this as an agenda item for the next agenda.

**Chairman Keith Farmer** [00:30:17] Absolutely now listen, we'll have it as an agenda item, but I don't know if they're going to have because they're going to get some contractors in there and take a look at it but at least we can be well made aware of what's going on out there. So, we got to do what they have to do. Absolutely so I don't know, like I said, I don't know how involved it'll be, but it'll be involved enough to keep the process moving forward.

**Mr. Garcia** [00:30:36] We went ahead and initiated I like a rough quote on it, so that's why we came up with that amount on the budget and you know, it's just a matter of finding the contractors.

**Mr. Proctor** [00:30:48] Ok, we'll get you going on that process.

**Chairman Keith Farmer** [00:30:49] All right, do we need a motion?

**Mr. Brandenburg** [00:30:56] I'll make one just in case I like to make a motion to authorize the Interim Executive Director to increase purchase order 20210402 for Lake County BCC by eighteen thousand one hundred ninety dollars to decrease line two a purchase order 20210691 for Cintas in the amount of one hundred dollars and increase line three by one hundred dollars and to increase purchase order 20210390 for the City of Tavares in the amount of ten thousand dollars.

**Chairman Keith Farmer** [00:31:27] I have a motion do I have a second.

**Mr. Proctor** [00:31:28] Second.

**Chairman Keith Farmer** [00:31:30] Motion and a second, any more discussion? Well, we still got to vote on it, yeah ok, we good everybody, all in favor? Unanimous.

**Mr. Proctor** [00:31:43] Thank you Tracey, very clear.

**TYLER MADE A MOTION TO AUTHORIZE THE INTERIM EXECUTIVE DIRECTOR TO INCREASE PURCHASE ORDER 20210402 FOR LAKE COUNTY BCC BY \$18,190.00. TO DECREASE LINE 2 OF PURCHASE ORDER 20210691 FOR CINTAS IN THE AMOUNT OF \$100.00 AND INCREASE LINE 3 BY \$100.00 AND TO INCREASE PURCHASE ORDER 20210390 FOR THE CITY OF TAVARES IN THE AMOUNT OF \$10,000.00.** Marty seconded the motion.

**Motion approved 5-0**

Tab 2      a.    Appointment of the Interim Executive Director      Kevin Stone

**Chairman Keith Farmer** [00:31:46] All right, discussion items, this is our Attorney, Mr. Stone uh deal.

**Attorney Kevin Stone** [00:31:54] Mr. Chairman, I think this one's been delegated to me because it involves Mr. Garcia, our Interim Executive Director. Since July 29th, we needed an agency head to perform the routine ministerial functions of the agency, assign checks, other documents, those kinds of things. And Mr. Farmer, as Chairman, appointed Mr. Garcia as a provisional Interim Executive Director to do those things. So that that was July 29th that's the morning after the termination of Mr. Hart um, and so it

## Draft Regular Board Meeting Minutes – August 25, 2021

is a action of the Board to make that appointment of a provisional Interim Executive Director into an appointment of an Interim Executive Director, and to ratify all those actions that he's taken up until now, it's the appropriate thing to do. As far as I know, there's been no objections, Mr. Garcia has done an excellent job with the things he's been doing. And so, my suggestion is that you appoint Mr. Garcia to be the Interim Executive Director, that the term of his Interim Executive Director role will extend until a new Executive Director is employed, so you don't have to come back and do this again. You can change your mind at any time this isn't a permanent appointment, of course, but that's my recommendation, that you appoint him effective July 29th until his successor is chosen and takes the position, um, and to ratify all actions that have been taken as an Interim Executive Director since that day.

**Chairman Keith Farmer** [00:33:29] And I think that's the appropriate course to take in fact, it was the other day after the last meeting, I was on the phone to the attorney first thing in the morning, what are we going to do at the same time I'm getting a phone call. Of course, I didn't get it because I was speaking with the attorney, well it was Ben the entire staff went to him to demonstrate leadership and respect. And he's done a good job and he's taken a lot of heat and he's held up and he's done a great professional job. So, I'm grateful to it and I would certainly support making him Interim Director and, uh, and getting him the financial difference and rewarding for the aggravation and the job that he's doing if that's ok with you guys.

**Mr. Proctor** [00:34:12] Mr. Chairman, I'm prepared to make a motion.

**Chairman Keith Farmer** [00:34:14] Let's make a motion.

**Mr. Proctor** [00:34:15] I'd like to make a motion to appoint Benjamin Garcia as the Interim Director for the Lake County Water Authority until a new Executive Director is hired and the start date is determined. I would also like to add that we will ratify all of the actions taken as Interim as a provisional Interim Executive Director starting on July 29, this term will extend to the start date of the new Executive Director.

**Chairman Keith Farmer** [00:34:49] I have a motion; do I have a second.

**Mr. Brandeburg** [00:34:50] Second.

**Chairman Keith Farmer** [00:34:51] Second, discussion, Rick what ya got, Courtney? I think it's the right move to make uh, in fact, um, Ben has already was on file as being able to sign and the absence of a Director so, that was all covered. Uh, the only people that wanted some documentation from our attorney was our treasurer and that went very simple, and we had moved on and we were progressing. So, you got anything else you want to?

**Mr. Proctor** [00:35:22] Yes, I do I do need a data point though um, can someone give me the hourly differential between the existing and the, do you have something on this point?

**Attorney Kevin Stone** [00:35:35] Sure so, that wasn't part of the motion that you just made, and I think we could we could handle it separately, but I was prepared to talk about that in the event anyone brought it up and I think I heard the Chairman mention it to.

**Chairman Keith Farmer** [00:35:44] I did mention it.

**Attorney Kevin Stone** [00:35:45] The the pay that Ron Hart received exclusive of his education bonuses that he received was one hundred and twenty-five thousand dollars per year salary. Um, that's where that was said at the time that he was hired. I don't know the actual differential, but certainly you could choose an annualized figure and we could do the math, if you were interested in doing something like that.

**Mr. Proctor** [00:36:06] Give me a number.

**Chairman Keith Farmer** [00:36:07] I thought it was about twenty-five hundred bucks a month, that's the way I scored it out.

**Mr. Proctor** [00:36:12] Thirty thousand dollars a year, twenty-five hundred a month, is that about, right?

**Attorney Kevin Stone** [00:36:16] As a differential?

**Mr. Proctor** [00:36:19] Yeah.

**Attorney Kevin Stone** [00:36:19] I don't know Mr. Garcia's current rate of pay, so I don't have enough information to solve that math problem. I think if you wanted to simply authorize the the pay to be an annualized amount, the hourly amount could be computed by the Treasurer.

**Mr. Proctor** [00:36:36] And in that count I can do the calculation with dollar signs in front of it.

**Chairman Keith Farmer** [00:36:40] Ok.

**Mr. Proctor** [00:36:41] Yeah that's fine, you just wanna do you want to do?

**Chairman Keith Farmer** [00:36:44] You need a motion or can we I just do it on consent?

**Attorney Kevin Stone** [00:36:45] There's a there's there's a there's a motion that's already been seconded, it's ready to be voted on to ratify his appointment.

**Mr. Proctor** [00:36:52] Right.

**Attorney Kevin Stone** [00:36:52] And then we'll do a separate motion to have to do with these compensation differentials.

**Chairman Keith Farmer** [00:36:56] All right all in favor of the, what ya got? I was gonna say, all in favor of the appointment? All right, do I have a second motion?

**MARTY MADE A MOTION TO APPOINT BENJAMIN GARCIA AS THE INTERIM DIRECTOR FOR THE LAKE COUNTY WATER AUTHORITY UNTIL A NEW EXECUTIVE DIRECTOR IS HIRED AND THE START DATE IS DETERMINED. I WOULD ALSO LIKE TO ADD THAT WE WILL RATIFY ALL OF THE ACTIONS TAKEN AS INTERIM AS PROVISIONAL INTERIM EXECUTIVE DIRECTOR STARTING ON JULY 29. THIS TERM WILL EXTEND TO THE START DATE OF THE NEW EXECUTIVE DIRECTOR.** Tyler seconded the motion.

**Motion approved 5-0**

**Mr. Proctor** [00:37:08] Yes, Mr. Chairman, if I may, I'd like to make a motion to increase the Interim Executive Director pay to be in line with the former Executive Directors pay which I understand to be thirty thousand dollars a year and it will continue until the starting date of the new the newly appointed Executive Director at which time Mr. Garcia will have the option and the desire to return to his current position and current compensation rate.

**Chairman Keith Farmer** [00:37:46] I have a motion do I have a second?

**Attorney Kevin Stone** [00:37:48] Mr. Proctor, a couple of clarifications.

**Mr. Proctor** [00:37:50] Please do, sir.

**Attorney Kevin Stone** [00:37:51] I just want to make sure I understood it right. So, the minutes I'll reflect it properly. Your thought in that motion was that Mr. Garcia's pay effective July 29<sup>th</sup> would be equal to the base pay that Mr. Hart received in his contract and you think that the difference might be thirty thousand dollars, but we're not sure as we sit here? So that's subject to someone doing the math but.

**Mr. Proctor** [00:38:17] Is that acceptable?

**Attorney Kevin Stone** [00:38:18] It is, if I'm understanding what you said, the way that.

**Mr. Proctor** [00:38:22] Did you guys understand that?

**Chairman Keith Farmer** [00:38:23] That's the way that's the way I, that's the way I would like to understand.

**Attorney Kevin Stone** [00:38:28] Ok, and just a couple of clarifications cause sometimes these things come back, if we're not clear. We're talking about Mr. Hart's base pay, he had some other benefits, including his education bonuses. We're only talking about the base pay of one hundred and twenty-five thousand dollars?

**Mr. Proctor** [00:38:42] Right.

**Attorney Kevin Stone** [00:38:43] And your intent as we sit here is that it begins on July 29th and continues indefinitely until a new Executive Director is employed?

**Mr. Proctor** [00:38:50] Correct.

**Chairman Keith Farmer** [00:38:51] Correct.

**Attorney Kevin Stone** [00:38:51] I think we've got an understanding.

**Mr. Brandeburg** [00:38:53] Second.

**Chairman Keith Farmer** [00:38:54] I have a motion and a second, any more discussion? All right, all in favor? And that is unanimous. All right, let's move on.

**MARTY MADE A MOTION TO INCREASE THE INTERIM EXECUTIVE DIRECTOR PAY TO BE IN LINE WITH THE FORMER EXECUTIVE DIRECTORS PAY WHICH I UNDERSTAND TO BE \$30,000.00 A YEAR AND IT WILL CONTINUE UNTIL THE STARTING DATE OF THE NEWLY APPOINTED EXECUTIVE DIRECTOR AT WHICH TIME MR. GARCIA WILL HAVE THE OPTION AND THE DESIRE TO RETURN TO HIS CURRENT POSITION AND CURRENT COMPENSATION RATE.** Tyler seconded the motion.

**Motion approved 5-0**

**Mr. Proctor** [00:39:05] Sorry sir.

**Chairman Keith Farmer** [00:39:06] What you got?

**Mr. Proctor** [00:39:07] I'd like to make a motion to allow the Interim Director use of the agency vehicle until the starting date is determined and set and passes for the new Executive Director.

**Chairman Keith Farmer** [00:39:19] Oh, I wouldn't even think that would need a motion, but that's ok if you've got a motion make it, somebody make a second.

**Mr. Proctor** [00:39:24] Again, please forgive me, sir, but.



**Chairman Keith Farmer** [00:39:26] No, no that's all right.

**Mr. Brandenburg** [00:39:27] Second.

**Mr. Proctor** [00:39:27] But I'm going to do everything in my power to be is absolutely crystal clear as possible through this entire ordeal.

**Chairman Keith Farmer** [00:39:32] Marty I like it.

**Mr. Proctor** [00:39:33] I don't I don't want so that that's the motion.

**Chairman Keith Farmer** [00:39:36] Motion and a second. All right, we good Courtney, all in favor of the motion? All right, Ben you got wheels.

**MARTY MADE A MOTION TO ALLOW THE INTERIM DIRECTOR USE OF THE AGENCY VEHICLE UNTIL THE STARTING DATE IS DETERMINED AND SET AND PASSES FOR THE NEW EXECUTIVE DIRECTOR.** Tyler seconded the motion.

**Motion approved 5-0**

**Mr. Proctor** [00:39:44] Sorry Mr. Chairman.

**Chairman Keith Farmer** [00:39:44] That's all right, what you got?

**Mr. Proctor** [00:39:47] I would, sir I'd like to make a motion to assign the Interim, Interim Director on the FRS Florida Retirement System as a senior class member starting on July 29<sup>th</sup>, if that's possible, to be backdated until the starting date of the new Executive Director.

**Chairman Keith Farmer** [00:40:06] Listen, I don't have a problem doing that, but there may be some legal deals here when you start dealing with FRS and senior management and stuff like that.

**Attorney Kevin Stone** [00:40:13] So I think there maybe I know that there are some restrictions on both the type and number of employees from a single agency that can be classified in that manner. It changes certainly the amount of payroll that has to be paid in by the agency, I'm not sure the extent to which it actually changes the benefit because the benefit is calculated, um, as a percentage of average final compensation times, years of credited service, right so I think that.

**Chairman Keith Farmer** [00:40:42] I know it is, there is a difference, and I can remember a while back talking about getting some of our upper management people in senior management. But there is a strict in the statute, the percentage of people, basically the only one that could be on special or executive pension was the Director. We didn't have enough personnel in our agency to have more than one person, so he was the only one.

**Attorney Kevin Stone** [00:41:14] Chapter 121 restrictive on those things, I think that, um maybe we look at the feasibility of that and you could always retro it from our next meeting if it's something that we can do.

**Mr. Proctor** [00:41:29] As long as we address it and get to it again, I believe that the FRS is very restrictive. I don't know anything about it other than it is very restrictive and has very specific goals and metrics that are important to people in the system. I just want to ensure that Mr. Garcia gets everything that he can because this process could go on for over an extended period of time.

**Attorney Kevin Stone** [00:41:53] That's right, you know, certainly the senior management class has different vesting periods. Um, the benefit calculation is going to be based on that brief time when he was earning service in that program, I think but there's a lot to think about, so let me bring the details back to you and we'll.

**Mr. Proctor** [00:42:08] Perfectly willing to rescind the motion and bring it just forward as a discussion item for the next meeting and then we'll make a motion at that time.

**Chairman Keith Farmer** [00:42:15] I think that's the best course of action we can take.

**Mr. Proctor** [00:42:17] Is that acceptable?

**Attorney Kevin Stone** [00:42:18] It's fine with me.

**Mr. Proctor** [00:42:19] I mean, is it?

**Attorney Kevin Stone** [00:42:21] That's appropriate.

**Mr. Proctor** [00:42:22] Ok.

**Chairman Keith Farmer** [00:42:22] Did we have a second? No, you just rescind the motion we're good to go.

**Mr. Proctor** [00:42:27] Ok cool, yes, I do want to rescind the motion please sorry.

**MARTY MADE A MOTION TO ASSIGN THE INTERIM DIRECTOR ON THE FRS FLORIDA RETIREMENT SYSTEM AS A SENIOR CLASS MEMBER STARTING ON JULY 29 IF THAT'S POSSIBLE, TO BE BACKDATED UNTIL THE STARTING DATE OF THE NEW EXECUTIVE DIRECTOR.** Motion was rescinded

## Draft Regular Board Meeting Minutes – August 25, 2021

**Chairman Keith Farmer** [00:42:33] What else you got Marty?

**Mr. Proctor** [00:42:34] So, I also think we need we went through the process with Mr. Hart of outlining meetings that we wanted him, expected him to attend and that and situations where we would expect him to use his expertise, knowledge and experience to speak directly to, things like public comment at BCC meetings and things like that. I don't feel like it's necessarily an appropriate expectation for us to have our Interim Executive Director and I would like to make a motion stating that we are limiting the primary responsibilities of the Executive Director to administration rather than publicly representing the agency at public meetings.

**Chairman Keith Farmer** [00:43:31] I thought that we had already dealt with this with our former Director saying that he was required to attend.

**Mr. Proctor** [00:43:39] This isn't a requirement this is in this case, I want to specifically use the word expectation limiting the primary responsibility and expectation. I don't want us to don't want to have in six or eight months.

**Chairman Keith Farmer** [00:43:52] We're going to get we're going to get an Executive Director sooner than you think, it's not that it's not going to drag out that long. I'm ok, you know, and I would like Ben to be able to speak for our agency if he has to. So, and I think I'm going to vote against that particular motion because I want him to have the full authority of the. Well, it's a Board decision I'm just saying I want him to have the authority as acting Director that any other Director would have. He's representing us but if you want to make a motion, go ahead and make a motion and we'll.

**Mr. Proctor** [00:44:22] I believe I just did.

**Chairman Keith Farmer** [00:44:23] Ok, do have a second?

**Mr. Brandeburg** [00:44:28] Second.

**Chairman Keith Farmer** [00:44:30] I have a motion and a second discussion?

**Mr. Donohue** [00:44:31] Better explain that now.

**Mr. Proctor** [00:44:34] I'll give it, I'll give it I'll give it my best try. Again I, I don't think it's fair to take a person who is predominantly an administrator who, as you pointed out, has taken the responsibility of the administration in addition to his current task load and taking that as well as the public face in Board of County Commissioner meetings and places like said Water Management District meetings, we have other resources in the agency that can do this for us that have technical expertise and background. For example, Jason, Steve would be to that come to mind. And I, I think we need to be clear so that six months from now we don't ask the question, well, how come nobody has been at Board of County Commissioners. If if a discussion on this is enough, I'm good with that but I would prefer that we pass a motion that protects the Interim Director from our expectations changing if this does drag out for four or six or eight months. That's where I'm going with this.

**Mr. Donohue** [00:45:43] I'm lost.

**Mr. Proctor** [00:45:44] Still not clear?

**Chairman Keith Farmer** [00:45:45] Well, the way I take it, you just want him to be like an office manager and run the staff, but you don't want him out there representing the agency to any other bodies or public or the public, is that what I'm catching?

**Mr. Proctor** [00:45:58] I don't want us to expect him to do that if he has the expertise in a particular subject to do it. Certainly, if he wants to delegate that to Jason or Steve to speak at the for the agency, I will support that, that's part of the Executive Director job. Again, we I don't think it's fair for us to expect the Interim Executive Director to attend a lot of public meetings and have people looking at him and expecting him to stand up and speak.

**Chairman Keith Farmer** [00:46:32] Well, like I say, I'm I'm going to vote against.

**Mr. Proctor** [00:46:35] That's where I'm at with it.

**Chairman Keith Farmer** [00:46:37] And the reason being.

**Mr. Donohue** [00:46:40] But he, we still want the representation that we would have had under the old Director, but he can choose to send somebody else is what you're saying.

**Mr. Proctor** [00:46:47] That's essentially that's essentially correct is that that, is there anything illegal about that?

**Attorney Kevin Stone** [00:46:52] I think there are circumstances in which the agency needs to be acting through its agency head, um, lots of those responsibilities are delegated to some of them might not be I can imagine all circumstances, but, um.

**Mr. Proctor** [00:47:05] Yeah, I mean, there's budget things that's going to have to do.

**Attorney Kevin Stone** [00:47:07] And I wonder if I have a clear understanding and I was going to ask not to put them on the spot. I was going to ask the Chairman to restate this motion before it was voted on just to make sure we're all on the same page. I wasn't sure if you were trying to make a motion that protects Mr. Garcia from criticism if he fails to attend things or if you trying to limit the powers of Mr. Garcia to act on behalf of the agency, I couldn't I wasn't sure which we were doing.

**Mr. Proctor** [00:47:34] I do not in any way, shape or form what I want to limit Mr. Garcia's ability to execute his job. I just want to protect him from possible changes in our perception of what his mission is as Interim Executive.

Draft Regular Board Meeting Minutes – August 25, 2021

**Chairman Keith Farmer** [00:47:49] Ok, listen I'm uncomfortable with it but the way I heard it and way I understood the first discussion, the motion was you basically just wanted him to run the office and the staff and the agency and have no contact with any other public entities. That's the way I took it if that's not the case, then you know, I'm more comfortable with it but um.

**Mr. Brandeburg** [00:48:09] I tend to agree with Keith on that, um, translation as well it was unclear to me to. I second it for the sake of discussion.

**Mrs. Stokes** [00:48:18] I also had the same understanding, what you expressed.

**Chairman Keith Farmer** [00:48:23] Listen I understand, listen Marty, Marty well, we can vote it down and that's fine or vote it out, but Ben is smart enough to know if he's beyond his depth when it comes to reporting water in the conditions of the lake. He asked Jason to step up here and do it for him, he's very smart and very respected. I've had conversations with all of our constitutional officers they all know Ben they all respect him. It wasn't even an issue with having him sign anything, the only one that had the issue was our own treasurer, and we got that resolved with a paragraph. So, I think he has the respect of just about everybody ok, so.

**Mr. Proctor** [00:49:06] Go ahead, vote I'm good with it.

**Chairman Keith Farmer** [00:49:09] Well, I will be voting, ok.

**Mr. Donohue** [00:49:13] I'm going to vote for the second excuse me, not for the protection, not for the limitation.

**Chairman Keith Farmer** [00:49:20] Let's do this then, let's restate this motion.

**Attorney Kevin Stone** [00:49:24] Mr. Proctor can you write that motion down, are you able to say again what you said?

**Mr. Proctor** [00:49:30] Yes.

**Chairman Keith Farmer** [00:49:31] Ok.

**Mr. Proctor** [00:49:35] Motion is to limit the primary responsibility of the Interim Executive Director to administration rather than the expectation of him publicly representing the agency at public meetings.

**Chairman Keith Farmer** [00:49:55] Yeah, that's the way and I'm going to vote against that because I'm sorry I want.

**Mr. Proctor** [00:50:00] That's fine.

**Chairman Keith Farmer** [00:50:00] That's, all right I just want you to know. All right we have a motion, we have a second all in favor of the motion raise your hand.

**Mr. Proctor** [00:50:06] I have to vote yes.

**Chairman Keith Farmer** [00:50:07] All opposed, ok

**Mr. Proctor** [00:50:09] I just want to get this out in the air.

**Chairman Keith Farmer** [00:50:11] I understand that.

**Mr. Donohue** [00:50:12] I do believe, like you're saying, he's going to know when he should be there and when to rely on somebody else. So, I don't think we really needed a motion for that.

**Mr. Proctor** [00:50:20] That's fine.

**Mr. Donohue** [00:50:22] I appreciate what you were trying to do, though.

**Mr. Proctor** [00:50:26] Ok cool, I have completed my act.

**MARTY MADE A MOTION TO LIMIT THE PRIMARY RESPONSIBILITIES OF THE INTERIM EXECUTIVE DIRECTOR TO ADMINISTRATION RATHER THAN THE EXPECTATION OF HIM PUBLICLY REPRESENTING THE AGENCY AT PUBLIC MEETINGS.** Tyler seconded the motion.

**Motion not approved 4-1. Rick, Courtney, Keith, and Tyler opposed.**

Tab 3      b. Sheriff's Marine Patrol Contract

Kevin Stone

**Chairman Keith Farmer** [00:50:29] You sure I about to ask you, you got anything else. All right, guys, let's move on Sheriff Marine Patrol Contract.

**Attorney Kevin Stone** [00:50:40] So each of you was handed a few minutes ago a copy of an interlocal agreement between the Water Authority and the Sheriff's office, and this was prepared. Uh, Mrs. Sabatini did the bulk of the work on this particular draft, but it points out the differences between the existing agreement and what was proposed in staff's recommendation at the last meeting in those bullet points. The Board's direction that our office was to go home and incorporate those bullet points from staff's recommendations into a new form. And then we would come back, look at it as a group and decide if that's what we wanted to forward on to the Sheriff's department as a proposal for a new working relationship. So, the main things that were recommended by Mr. Hart in that staff report and that the Board seemed to be good with were that the agency would just purchase a new boat and trailer every two years and that that would go on. That boats that are aged out would be returned back to the Water Authority.

## Draft Regular Board Meeting Minutes – August 25, 2021

And that the Water Authority would pay for the cost of employing four Marine Patrol deputies with no expectation of a match or special designations on the Sheriff's department, really no strings attached, we would pay full freight for the cost of employing four Marine Patrol deputies. Furthermore, we wanted to clarify that the storage space at Hickory Point could be used not only for Marine Patrol equipment, as it was originally intended, but also for Agricultural unit equipment and FWC equipment, so long as the storage doesn't infringe on Water Authority space. In other words, more formally authorizing the kind of activities that have already been going on in terms of storing those FWC vehicles and the and the AG vehicles. And I think there was some kind of some of these deputies were joint Marine Patrol and AG, which created some confusion. This would just avoid the issue by authorizing the Sheriff's department to do those things. Now, Mr. Garcia discussed this with us and did point out a couple of things that made sense to me. One was I left something out actually, we were going to specify the points of contact so that they wouldn't.

**Mr. Proctor** [00:52:58] It is a specific point or just in general?

**Attorney Kevin Stone** [00:53:01] Um what I was just talking about was paragraph 15, I think I left, I said at first, I think it was important we were going to specify the human beings that ought to be talking to each other to avoid confusion about, you know, if we need to call the Sheriff, who are we calling? If the Sheriff needs to call us, who should they be reaching out to? A little bit of a chain of command kind of concept. Now, when Mr. Garcia was discussing this with us, he had a couple of comments, which I think we're good. One had to do with responsibility for repair and maintenance, since we're going to be giving these boats with no strings attached to the Sheriff's department. We assume that we no longer have responsibility to maintain them either. It just sort of severs our relationship with the boat. We give you the boat and trailer and now it belongs to the Sheriff's department. It's theirs to maintain and operate from that point forward. So there had been this cost sharing concept that had literally never been used in anybody's memory, but we were going to take that out. The other thing Mr. Garcia mentioned, which is fair, it wasn't part of what Ron had proposed so it's not here but it's a, it's a good point is that at some point, if we're giving boats and trailers every two years, they're going to be full up on boats and trailers. And so, we might want to establish sort of an amount of boats, you know, what is the size of the fleet. When it gets to that point, we stop giving them boats until they reach a certain age so we could put an age in there. We could establish a useful life at I'm not a boat expert, but 8 years, 12 years, whatever is appropriate so that when a boat reaches that age, it would come out of circulation, come back to the Water Authority and we replace it at that time. So, we would do this one boat every two years until we reach the desired fleet size. And then after that, we would only give new boats when one aged out. That's not a concept that's written down in front of you, but it was an idea of Mr. Garcia's that really made a lot of sense to me. So, with that, I'll kick it back to you all for discussion. I think my impression was that you liked the ideas Mr. Hart was presenting a month ago, and that's what we've tried to reflect here.

**Chairman Keith Farmer** [00:55:16] This is just for information only?

**Attorney Kevin Stone** [00:55:18] It's not final, but the thought was to move this forward sooner rather than later. And if we wanted to use this draft or something very similar as a basis for an initial shot to the Sheriff, I think the Sheriff wanted our Board speaking as a Board to make its proposal. This could be it there's no deadlines, but I think sooner is better than the later.

**Chairman Keith Farmer** [00:55:41] And I agree with sooner is better, but I certainly would like to see the complete.

**Mr. Proctor** [00:55:47] I'd like to read it.

**Chairman Keith Farmer** [00:55:47] Yeah, the complete item before I vote on it and hand it to the Sheriff and I'm still not comfortable with them agricultural equipment in our marine patrol area because our last agreement kind of forbid that kind of stuff. And we've got a lot more public coming into the park now. And I want that to reflect well on the Sheriff and the Water Authority, of course, and Lake County. So, but I would like to see a completed agreement that we can actually read before we.

**Attorney Kevin Stone** [00:56:21] Mr. Chairman, you're hitting on exactly what I was hoping we could talk about for a few minutes, which is some of those points. I don't want to go home and get a final draft together that has things in it, such as including AG equipment out there, if that's not what the Board wants me to do. So, on the, we can take it point by point I don't think we have to spend very long on it because there's only three or four things here. But if if what I'm what if I just mentioned to you is different from what the Board wants to do let me know that.

**Mr. Brandenburg** [00:56:50] I mean, I have a couple of questions, if I can go and get it rolling, I think this will answer some of them. Do we have any idea how big, cause I know the Water Authority logos are on the existing boats we've purchased? So, we know the size of those logos currently? I just know we're and I understand laying it out for specificity but is that in line with what we have now or are we looking to increase the size or?

**Mr. Garcia** [00:57:14] Yes, it's in line with what we have in the vehicles right now.

**Mr. Brandenburg** [00:57:17] Ok, yes, perfect. Um answered that one and then kind of similar to Keith's point but the other direction on item number 13, my question was the point underlined that we've added to this part of the contract. Does that fully encompass everything they have parked there at this point to where we would be agreeing to what they have if it were to pass moving forward to keep all that equipment? Or does this limit what's already there in any way based on this wording?

**Attorney Kevin Stone** [00:57:44] My understanding was that Mr. Hart was trying to be inclusive of the things that the Sheriff was actually storing at the facility. Um, I I would think that if there were anything the Sheriff wanted to store that we had left off their list, they could point that out to us with any kind of counter offer they may have.

**Chairman Keith Farmer** [00:58:00] Listen, this is this is where I have a a problem when you say storage, you know, I mean, it's not a storage facility, I don't want to see the bomb squad parked out there and I don't want to see cow trailers parked out there, or horse trailers. I want it to be an exclusive as the Marine, whatever and I agree that, you know, there's all kinds of situations where something might happen. But this was a major concern when we first started funding the Sheriff's department years ago and let them use our facility, that it would turn into a storage facility for unused items. And that was a major concern, and it was in the agreement at the time that it would not be used as a storage facility for items that are not serviceable, so and I still have a problem.

**Mr. Brandenburg** [00:58:49] No, I agree. And this seems like a major point of contention in the contract. So, to Kevin's point, I'd like to clear it up now, if we could, to get a consensus of the Board on where we stand with what is acceptable, what isn't

## Draft Regular Board Meeting Minutes – August 25, 2021

acceptable out there, because I want to avoid as much back and forth moving forward as we can and get this crystal clear from the start.

**Chairman Keith Farmer** [00:59:06] All right, so I'll turn it over to Kevin if you want to go through these points.

**Mr. Proctor** [00:59:10] Is there another word for storage that we can use.

**Chairman Keith Farmer** [00:59:12] Let's just let's just stick with that. Um, the the point we have here is that if we go with what was in this packet of Mr. Harts, we would allow storage of Marine Patrol and AG unit and FWC equipment. If any of that is unacceptable to the Board, we should cross it out before we make our proposal.

**Mr. Brandeburg** [00:59:39] I mean, I'll get it started personally, I'm good with it, but that's just me I'd like to hear from others.

**Chairman Keith Farmer** [00:59:44] Let me do this let me ask this question, how long is this agreement for is it one year, two years?

**Attorney Kevin Stone** [00:59:50] It can be canceled any time, which effectively you know means that it's forever, until somebody doesn't like it.

**Chairman Keith Farmer** [01:00:01] Until somebody doesn't agree, I understand that. I mean, I think that we guaranteed through our last meeting that the Sheriff's funding is coming. He's going to get his funding this is going to be for our benefit that the Water Authority to have this agreement and of course, the Sheriff's benefit, too but let's let's move on, and what else you got?

**Chairman Keith Farmer** [01:00:27] So the funding commitment would be the three years of of boats and staffing, but the idea would be that it renews, and we continue providing boats biennially.

**Mr. Proctor** [01:00:37] Well yeah, my thing is, it's got to be a better word than storage or a way to to make it clear that it needs to be active or actively.

**Chairman Keith Farmer** [01:00:47] Serviceable.

**Mr. Proctor** [01:00:48] Serviceable.

**Mr. Donohue** [01:00:51] Something like that.

**Mr. Proctor** [01:00:52] Yeah, I mean, there's got to be a way to, you know,

**Attorney Kevin Stone** [01:00:59] In service

**Chairman Keith Farmer** [01:01:00] In service.

**Mr. Proctor** [01:01:01] You guys know better than

**Chairman Keith Farmer** [01:01:04] This is all kind of.

**Mr. Brandeburg** [01:01:06] I mean, I think storage is acceptable with that caveat of in service, I don't think we necessarily need holding and then in service or whatever along those lines, but I don't have any problem with specifying serviceable versus outdated.

**Mr. Proctor** [01:01:21] Still don't want it to be a storage area, parking lot ok, storage no, but I don't want to say.

**Chairman Keith Farmer** [01:01:27] That's a good way to put it parking lot ok, storage no, I like that.

**Mr. Proctor** [01:01:34] I would Google those words.

**Attorney Kevin Stone** [01:01:35] So if it's in service equipment and it's connected with Marine Patrol, we're good with it?

**Chairman Keith Farmer** [01:01:45] Yeap I'm ok with it.

**Attorney Kevin Stone** [01:01:45] If it's in service equipment and it's connected with FWC?

**Chairman Keith Farmer** [01:01:49] I'm ok with that, too.

**Mr. Proctor** [01:01:51] Right

**Attorney Kevin Stone** [01:01:51] I think there's a consensus.

**Mr. Proctor** [01:01:52] And I think we have to agree with the AG unit because there is no, I don't think there's a separation between.

**Chairman Keith Farmer** [01:01:57] Well, those are all together now, they're all together um.

**Attorney Kevin Stone** [01:02:03] If it's in service and it's part of the bomb unit, it wouldn't fall within that definition?

**Chairman Keith Farmer** [01:02:07] Correct.

**Noise** [01:02:08] (Sound of the phone call with Mr. Hendricks disconnected)

Draft Regular Board Meeting Minutes – August 25, 2021

**Mr. Proctor** [01:02:19] If they're going to dogpile, let them dogpile but let's not do it from our side.

**Chairman Keith Farmer** [01:02:22] No, I agree

**Attorney Kevin Stone** [01:02:24] So why don't we modify storage to clarify that, it's in service and any equipment that's there is associated with those three units and only those three units, and I'll make that the basis of that paragraph for my next.

**Mr. Proctor** [01:02:43] And I think, again, Mr. Garcia's point about fleet size, I think that's covered a number five. Purchase one new boat motor every two years for a total of four boats.

**Mr. Brandeburg** [01:02:53] Four new boats what about the existing boats?

**Mr. Proctor** [01:02:56] So maybe you need to clarify that, I think that's a really good point to have to a fleet number of X. Is four the magic number?

**Mrs. Stokes** [01:03:04] Well, the way I interpreted this and maybe I'm wrong, but for a total of four boats and then that the oldest when the new one has provided, the oldest one would be returned. So, I interpret that as four would be the limit and then we're still providing a new one every two years and the oldest of the four would age out at that point. Is that correct, what I'm interpreting?

**Attorney Kevin Stone** [01:03:25] So, if you do that, then your oldest boat would be getting replaced at six years. You'd have a zero, two, four and six year old boat at all times, and we weren't sure, speaking with Mr. Garcia, if that was too aggressive of a schedule. We don't mind getting the fleet to where it needs to be. But once it's there to the boats need to be replaced so frequently, that's a Board decision.

**Mr. Proctor** [01:03:50] Most of the motors today have either hour meters physically on the dash, or they have them as part of the computer program that goes on with the diagnostics. I don't know that we have the expertise to say, you know, a thousand hours, ten thousand hours, fifty thousand hours. Maybe we do, but that's that's a better measure typically of boat and equipment. You guys know, equipment better than, hours is more important than whether it's 19.

**Chairman Keith Farmer** [01:04:18] No, no, I agree with that, Marty, but I would just think that we could leave it to the Sheriff when they need to a new boat, they can come to us and we'll because some of these boats last. You know, I'm always one that it's it's we should keep it until it can't be financed anymore and then that's when they really depreciate, but I guess that's not the case with some of these boats. So, I would just say we're funding four deputies that we should provide four boats as well that are serviceable. When they need a new boat, we'll consider it the budget, they should be able to come at us every budget year and say we need a boat you know.

**Attorney Kevin Stone** [01:04:54] So and keeping in mind that this contract is subject to renegotiation before you get to that point by both sides. So, I think what we will plan on doing is saying that for every every two years they'll get a boat.

**Mr. Proctor** [01:05:11] No more than every two years how about that?

**Attorney Kevin Stone** [01:05:13] Well, but once they've had their four boats, they don't get any more boats till they come asking for one and we approve.

**Chairman Keith Farmer** [01:05:20] That'll work.

**Mr. Proctor** [01:05:21] Yeah.

**Mr. Brandeburg** [01:05:22] The wording fine.

**Chairman Keith Farmer** [01:05:22] That'll work.

**Mr. Brandeburg** [01:05:24] That was added in.

**Attorney Kevin Stone** [01:05:26] The way that it was proposed and Mr. Hart's bullet points from the last meeting, it was just about every two years and indefinitely.

**Chairman Keith Farmer** [01:05:33] Yeah, that's kind of.

**Mr. Donohue** [01:05:34] Actually was a question mark it didn't even so, we we haven't determined that.

**Attorney Kevin Stone** [01:05:38] Francesca and I were discussing infinity boats and how many boats? Seven.

**Mr. Proctor** [01:05:45] When again, I don't like the world's oldest, oldest replaced boat just simply replaced boat. Cause again, a boat that gets that sits idling at a boat ramp for eight years is completely different than a boat that's run up and down the St. John's or the length and breadth of the Harris chain.

**Attorney Kevin Stone** [01:06:03] That's a good point Mr. Proctor will clarify that. Those are the parts of this that I thought were worthy of discussion before putting it in final form and I think we've gotten good consensus from the Board. So, if you want to bring it back at your next meeting so that we can then deliver it to the Sheriff, we can do that.

**Mr. Brandeburg** [01:06:21] If I can bring up one more Kevin, what about number 15? Did we iron out who the parties we'd like to be included in that? Or how would we like to proceed with that just so you can try to get us as complete of a draft as possible?

**Attorney Kevin Stone** [01:06:33] We had put Executive Director somewhere in this draft and that might be appropriate between Executive Directors, so it's a blank.

## Draft Regular Board Meeting Minutes – August 25, 2021

**Mr. Proctor** [01:06:44] I ok ace card time, I met this afternoon with Sheriff now 1:30. I think he'd be happier if we put the Chairman, current Chairman of the Board which obviously is subject to change every year or.

**Chairman Keith Farmer** [01:07:03] Two whatever.

**Mr. Donohue** [01:07:05] When I met with him to, he did say that he wanted to deal with the Chairman.

**Mr. Proctor** [01:07:10] Or I'll add to again or the Chairman's designee. You made again, you've you've offered, as some suggested it several times.

**Attorney Kevin Stone** [01:07:20] So, I think the purpose of this paragraph was for operational kinds of things. You know, there's a tree down in the canal who do I need to talk to about it? It would be out of the ordinary for the Chairman to be involved in those day-to-day operational things, if we're talking about negotiating the contract, that's a different matter, right, that's a different level. But I think we're talking sort of the deputy to staff member day to day interactions.

**Mr. Proctor** [01:07:47] Suggestions from staff.

**Mr. Garcia** [01:07:51] Usually when there's a tree down, we contact the supervisor of the Marine Patrol unit and this case it's Matt Farner and we just given a call and then he just assigned whatever needs to be assigned.

**Mr. Proctor** [01:08:04] Who do they contact if the Sheriff has something who do they contact?

**Mr. Garcia** [01:08:07] Usually is Director calling him directly or sometimes actually we.

**Mr. Proctor** [01:08:11] The other way around if the Sheriff's office has an issue to come back to us with who they call?

**Mr. Garcia** [01:08:15] If they have an issue, then they usually come to the Board directly in the past, that's the way that was handled. The Sheriff would have an issue with something in the contract they would just discussing with the Board and bring it up before the board.

**Attorney Kevin Stone** [01:08:27] I don't think we're talking about the contract, though. So, if there's a tree down or, you know. They need to move a piece of equipment in and out, and they need to call someone at the Authority to get it done.

**Mr. Garcia** [01:08:39] It goes through the Director.

**Attorney Kevin Stone** [01:08:40] It was Ron and Mike before that?

**Mr. Garcia** [01:08:42] Yes, when when we had a better relationship with them, sometimes some of the staff members would just call it the Marine deputies directly and, you know, they would just if they were in the area, they would just go ahead and check it out, especially when there was a tree down there's no time to waste.

**Chairman Keith Farmer** [01:09:04] As a matter of fact, I'm coming through the Dora canal last week, week or so ago. And there's a tree down one, a big tree. But I think this was like a Wednesday or Thursday and there was a lot of still tour boats coming through there and a lot of traffic. I called Ben uh, we actually went we got around it, went to lunch and Tavares and rode over to Mount Dora and came back and it was cleared.

**Mr. Garcia** [01:09:26] And what I did is I went ahead and,

**Chairman Keith Farmer** [01:09:29] Uh, very responsive.

**Mr. Proctor** [01:09:31] Maybe the solution here is to separate in writing specifically those two issues, administrative things go through staff and if and when there are contractual changes to be made that it comes back to the Chairman.

**Attorney Kevin Stone** [01:09:47] I think by its nature that the Board thing so my impression of what they wanted to avoid was that Mr. Hart was channeling through the staff report was getting instructions from a bunch of different Water Authorities staff people out in the field, they wanted to have a single somebody that.

**Chairman Keith Farmer** [01:10:05] It's got to be the Director because it's got to be, I mean, listen, I am happy as the Chairman or Board member to meet with the Sheriff. I'll be happy to do that and represent us but as far as dealing with the day-to-day operations, it's got to go through the Director, got to.

**Mr. Garcia** [01:10:22] And that's exactly what I did I went and, I'm sorry, I went ahead and contacted Matt Farner and he went ahead and just got his guy to check it out. I went ahead and notify Brian his crew went out there within an hour and they had everything out. So, but usually there's that type of connection we call them up just to check it out. If they're in the area, they would do it. The other day we had about issue with our boat by the way it's 22 years old. So, we had an issue with our boat and they they were more than willing to actually go and check out what was the issue. So, there has been that cooperative.

**Chairman Keith Farmer** [01:11:03] I had actually supplied our Water Authority deputies chainsaws at one time, do we use them chainsaws.

**Mr. Garcia** [01:11:11] Yes.

**Chairman Keith Farmer** [01:11:11] And things like that so they can go out and respond and be responsive and very good at that you know. You can't make everybody happy because any time a tree falls down on somebody of these canal, they want somebody to come out there and cut it out but if it's connecting to lakes together, that is our turf.

Draft Regular Board Meeting Minutes – August 25, 2021

**Mr. Garcia** [01:11:26] And sometimes that will save us a lot of headache for somebody if it's a small tree that would just take it, take it out themselves and, you know, sometimes I wouldn't even know about it, but sometimes when we get them there, they know that to do it, they just go ahead and get it done.

**Chairman Keith Farmer** [01:11:40] You did a good job.

**Mr. Donohue** [01:11:42] And I still think there should be a I think one of the issues that the Sheriff did have was we weren't going to one person all the time if we were talking with the Sheriff's department and he felt like we were dictating what his employees were supposed to be doing. So, I think it's important to have that who our who are Director should be, you know, have a contact with.

**Attorney Kevin Stone** [01:12:04] And I think it's on both sides.

**Mr. Donohue** [01:12:06] I agree.

**Chairman Keith Farmer** [01:12:06] I agree.

**Mr. Brandeburg** [01:12:07] Yeah.

**Mr. Proctor** [01:12:08] Yes.

**Chairman Keith Farmer** [01:12:08] So our Director, so let me get this, our Director is the primary contact with the Sheriff's department on day-to-day operations or anything that needs dealt with and that everybody in agreement there.

**Mr. Proctor** [01:12:20] Yes, and then on the verbiage you can just put in the Sheriff we're requesting the Sheriff to designate his primary.

**Attorney Kevin Stone** [01:12:28] Expected to be the supervisor of the unit, but yes.

**Chairman Keith Farmer** [01:12:30] Ok, and then as far as dealing with the Sheriff directly the Chairman or his designee. We'll do that, but I will do that myself, of course, but if you want to put it in there or the Chairman or designee for future chairpeople whoever that.

**Attorney Kevin Stone** [01:12:50] Right, talking about this Board level things, the things I was thinking about in the contract or the things I really hope that the Chairman of the Authority and the high Sheriff of the county don't even have to hear about right.

**Chairman Keith Farmer** [01:12:57] Yeah, so I agree.

**Mr. Proctor** [01:12:59] Good point.

**Chairman Keith Farmer** [01:13:00] I agree. All right, what else we got?

**Attorney Kevin Stone** [01:13:04] Those were the major points that I had, and once there's any other points of contention, I can go home, draft this up and get it back to you.

**Chairman Keith Farmer** [01:13:10] Ok.

**Mr. Donohue** [01:13:11] So do we do we just um approve it next meeting?

**Attorney Kevin Stone** [01:13:15] It sounds like that's the preference.

**Chairman Keith Farmer** [01:13:17] I'd like to see the final draft before we approve it, unless Kevin wants to shoot it and everybody and if there's a problem, you can't do that can we?

**Attorney Kevin Stone** [01:13:28] Not, not in a naked proposal.

**Chairman Keith Farmer** [01:13:30] All right, let's just make it at the next meeting then.

**Mr. Proctor** [01:13:32] Can you provide it to us a week?

**Attorney Kevin Stone** [01:13:37] It'll be in it'll be on your agenda packet.

**Mr. Proctor** [01:13:39] Can we possibly get it before that?

**Attorney Kevin Stone** [01:13:40] Yeah, sure whenever I got it, ready.

**Mr. Proctor** [01:13:42] When you get done with it may I ask you to send it to us?

**Attorney Kevin Stone** [01:13:44] You may Mr. Proctor.

**Mr. Proctor** [01:13:45] I'd like to I'd like to have that and Mr. Chairman, I would like to request this to be an agenda item for the next meeting please.

**Chairman Keith Farmer** [01:13:50] Absolutely.

**Mr. Proctor** [01:13:52] Are we all ok with that?



Draft Regular Board Meeting Minutes – August 25, 2021

**Chairman Keith Farmer** [01:13:54] Yeah.

**Mr. Proctor** [01:13:55] I did speak with him today he is totally cool on the support and on the the fact that we have to go to month to month if we don't make it by October one, he's all right with that.

**Chairman Keith Farmer** [01:14:06] Yeah, we're good.

**Mr. Proctor** [01:14:07] And the only thing I'm curious about is where the letter how'd the letter get so delayed? Where was the delay in the letter that didn't go until the 19th when we had a Board meeting on the 23rd of July?

**Chairman Keith Farmer** [01:14:20] I don't know I mean; the Sheriff was well aware of the decision to continue funding ahead of that, maybe there was.

**Mr. Proctor** [01:14:30] We made a motion to do a letter in a prompt.

**Chairman Keith Farmer** [01:14:32] I understand that.

**Mr. Proctor** [01:14:33] Wasn't executed and I'm just curious where that breakdown was.

**Chairman Keith Farmer** [01:14:36] I don't know that it's breakdown, but I don't know that it was that urgent either.

**Mr. Proctor** [01:14:44] You know, again, I did, I did word the the motion specifically to try to get it done, and you were encouraging me to be in touch with him. And I would not have waited four weeks to get in touch with him I would have waited about hours.

**Chairman Keith Farmer** [01:14:58] I contacted the Sheriff the day after our meeting and said that his funding was assured. He was comfortable with that and he starts we can do this, we can do that. I say I'm not that concerned about that, I just want you to know your funding is ensured and we're going to come to an agreement. But as far as the letter having to be delivered immediately, I didn't think that was that urgent of a, the thing to do when we had a pretty good agreement and understanding that his funding would be continued that we're going to work it out.

**Mr. Proctor** [01:15:31] I'm being very specific, and I've been very specific about this on purpose because I don't want any anybody to misunderstand or have a different level of expectation as we go forward.

**Chairman Keith Farmer** [01:15:44] Ok.

**Mr. Proctor** [01:15:44] Cause there's been a lot of things that have been well, we always did it that way. I've heard that probably four times in this discussion. It's always been well, you know what, that's that's obviously been breaking down. And I would like to do what's in my power and that's what I told the Sheriff today, that I will do what I can to get some specificity and promptness to this process. To try to get it to move forward as best we can as a Board, and he understands the political aspects and it's going to take meetings and things like that, he's fine with that and again, he gets that.

**Chairman Keith Farmer** [01:16:16] Well, if he agrees to everything in our letter, then we'll have this resolved next month.

**Mr. Proctor** [01:16:22] It depends on how fast he gets it turn around.

**Chairman Keith Farmer** [01:16:24] It's true too.

**Mr. Donohue** [01:16:26] But he's already had a copy of those bullet points and his people have already been looking, looking those over. We haven't had any feedback from that.

**Mr. Proctor** [01:16:34] You believe that's true?

**Mr. Donohue** [01:16:35] He told me that.

**Mr. Proctor** [01:16:37] Again, from the Executive Director, that that's a memo from our Executive Director that he said he was going to stop communicating with so that's all.

**Mr. Donohue** [01:16:43] But he did say to me that he had it in someone in his department was looking it over.

**Mr. Proctor** [01:16:48] Ok.

**Mr. Donohue** [01:16:48] So.

**Chairman Keith Farmer** [01:16:49] Ok.

**Mr. Proctor** [01:16:49] So now he's going to have this for us after next meeting and.

**Chairman Keith Farmer** [01:16:52] After next meeting ok.

**Mr. Proctor** [01:16:55] I like the other Board members to be here, too, when we get that.

**Chairman Keith Farmer** [01:16:59] All right.

**Mr. Proctor** [01:17:01] Is that cool are we done?

**Chairman Keith Farmer** [01:17:02] We're done with the Sheriff. All right, Agenda Procedures for Robert's Rules, Mr. Stone, this is yours again.

**Attorney Kevin Stone** [01:17:11] Very busy.

**Chairman Keith Farmer** [01:17:12] I see that, earning your money.

**Attorney Kevin Stone** [01:17:15] Ben just stuck this one on me. So, there was some discussion at our last meeting about how things get put on the agenda, how things get taken off the agenda, and rather than have any future confusion about that I figured maybe we'll adopt a policy, just want to make sure that you guys are good with it. So, Robert's Rules, which we can't follow entirely because of other things that constrain us, has a provision that at the beginning of any meeting, the agenda is set by a majority vote of the Board. And after that point, once the meeting's begun and under way, the agenda can be modified by a super majority vote of two thirds of your parliamentary body, which in this case is five out of seven. That's all well and good, except that you have a requirement that your agenda be posted on your website under Chapter 189, seven days in advance of a meeting. So, we've got to deviate from Robert's Rules a little bit on that one. So, our proposal is that if anybody on the Board would like an item to be placed on the agenda by staff, you got to let staff know at least seven days prior to the meeting. Now, if in good faith, something comes up later that you couldn't have known about in advance, you didn't just leave it off the agenda that was posted on the website because you wanted to. You left it off because it was an emergency, or it came up late. The agenda can still be adjusted, in my opinion, even if something didn't make it onto the website. But you have to try with things that everybody can look at and know you could have thought of seven days in advance to get those things to the Executive Director Ben, um, prior to that posting time when it's got to be put on our website under statute. I think once we get to the meeting, what I would recommend and I have other City Councils and District Boards that do this that that I represent is just at the very beginning, you say the pledge, you have your moment of silence, you call the roll, and then there's an agenda review that's actually on the agenda. And if you want to make a comment about what's on the agenda, that's your opportunity to. But if there are no changes, the Board votes for that agenda, motion, second vote, approves it, and that's what the agenda is for the meeting. Things don't get added, things don't get deleted. I think that doesn't actually, as a practical matter, probably change very much the way things have been when Board members have wanted things on the agenda as items of business they've generally been there. I know there's been some dispute about that, some things that have been added or or taken out of a packet. That brings me to my next point, there's a difference between an agenda, which is a listing of the order, the items of business and your order of business and the agenda package, which is all the backup material that gets distributed to everyone ahead of a meeting those are two different things. The agenda itself is what I just talked about, items of business, what will be discussed at a meeting or presented for motion at a meeting. The packet is put together by staff to some extent in its discretion with input from the Board, but I would encourage you all if there's something that you need to disseminate to the Board, and it isn't in the agenda packet. There's nothing that prevents any of you from disseminating that piece of information to the Board, and they can't engage in discussions that would violate the Sunshine Law. But if there's a piece of backup material that you think would be helpful in considering a piece of business that's on the agenda. You can ask staff to disseminate that to the Board and the staff will, um, you know, these are all public records. You have the right to share things with your your parliamentary body as you see fit. So, I just wanted to draw that distinction, I think sometimes when people talk about, I thought this was going to be in the agenda or I thought this wouldn't be an agenda, you were thinking about things that are really not the agenda per say but the package. Does that make sense?

**Chairman Keith Farmer** [01:20:56] Yes

**Attorney Kevin Stone** [01:20:57] So, what we wanted to propose is that we go ahead and adopt a policy, you can do it today, don't have to do it today, you can do it later. Like the one that we handed out, um, that would require items as long as you know about them in good faith to be identified seven days prior to the meeting so they could be put on the website and then once we're at the meeting, we'll follow Robert's Rules in connection with approving the agenda. If you wanted to make a motion to adopt that, you could, um, but certainly it's not urgent, and there's room for discussion about how that could work.

**Mr. Brandeburg** [01:21:37] I'll make a motion; I'd like to make a motion to adopt the agenda procedures based on what Attorney Stone just laid out.

**Mr. Donohue** [01:21:45] I'll second it.

**Chairman Keith Farmer** [01:21:48] I have a motion and a second, discussion Rick, what ya got?

**Mr. Donohue** [01:21:51] I'm still reading it.

**Mr. Proctor** [01:21:53] That's the only challenge I have with that I'm still reading it. I don't I don't pay attention to what going around me I'm not able to do that when I'm reading,

**Mr. Brandeburg** [01:22:02] Again, just did that for discussion, I think we needed a motion to talk about it, so for the record.

**Chairman Keith Farmer** [01:22:06] Listen, I kind of do have a problem with it. Um, most of our agenda is put together with our Director. Of course, the Chairman has some discretion in there, but I've been on this Board in the past when there have been some some members of our Board that are just, I'm trying to be kind and politically correct. But I don't know that you would necessarily want them adding things to the agenda every month because it could get off the chain. All right and you start losing control and we've had some real card-carrying extremists on this Board in the past. So, I don't know that, and listen I have never denied as Chairman, I have never denied anybody having anything on the agenda. All right so, that's why I think it's important you had a good Chairman but at the same time, there may come a time if there was some type of an extremist on here that I would not be catering to them and having things on our agenda to cater to them. Because we've had some people here, I'm just saying, I think it would be better if we have a good chairperson, that understands our members, that certainly you can put anything on the agenda that you want if you have that weeks ahead of time, but at the same time, I think the Chairman needs to have some type of I'm not going to say control, but discretion about what goes on that agenda and that's the way I feel about it. But at the same time, I've never myself as Chairman of this Board, ever refused anybody having something on the agenda but at the same time, at one time

## Draft Regular Board Meeting Minutes – August 25, 2021

when I was a Board member and we had a chairperson, there was a time that I wish they would have excluded somebody's agenda item because it was really kind of in left field. So that's the way I feel about it so.

**Attorney Kevin Stone** [01:24:11] Mr. Chairman, I would point out that the the new inclusion of a Robert's Rules style agenda review at the beginning of a meeting would enable the Board to deal with those kinds of outlandish things and simply remove them by a majority vote um.

**Mr. Proctor** [01:24:25] Or things that become irrelevant.

**Attorney Kevin Stone** [01:24:27] We were thinking about that when we when we drafted this, and Mr. Proctor has a good point as well. Many times, when I see that used, it's because you know, there was a proposed agreement with the Sheriff and the Sheriff called us up and told us they didn't want to do it, so it's appropriate to remove it from the agenda. Seven days ago, it made sense and now it doesn't something like that, so that that is the safeguard that's intended to be there, um, without providing too much discretion to the Chair.

**Chairman Keith Farmer** [01:24:56] So, as a Board at that point, before every meeting, we look at the agenda and somebody in the Board at that point can determine whether an item is to be removed and then we vote whether to remove the item, is that's not the way it works?

**Attorney Kevin Stone** [01:25:12] So typically, the way I see it is that there will be an agenda and the agenda review will be there and the Chair will say, does anybody see a need to modify the agenda now, and I'll take a motion, somebody will move to approve the agenda as presented, there'll be a second, and I'll get voted on. It's ninety percent of the time I don't see any changes to the agenda, every now and then the Executive Director or or City Manager or County Manager will speak up and say, in fact, item 14 needs to be pulled because there is a change in circumstances or I need to add an item because there was a hurricane and we need to allocate funding, something like that. So, that's usually how I see it happen every now and then maybe it's because there's something that's that's insane on the agenda that shouldn't be there.

**Mr. Brandeburg** [01:25:54] Overall, I think this is good procedure, Chairman I certainly appreciate where you're coming from and kind of those ideas, but I just I think it's a fine line between that and.

**Chairman Keith Farmer** [01:26:03] If you're comfortable with it, I'll vote in favor of it as long as a Board has that discretion.

**Mr. Brandeburg** [01:26:09] And I think it was a supermajority to.

**Mr. Donohue** [01:26:11] What about consent agenda items? What's the proper process to go through to have something moved from the consent agenda down to the discussion agenda?

**Attorney Kevin Stone** [01:26:20] And that agenda is usually created at the discretion of staff. If anybody wants to discuss at all a consent agenda item, it's automatically no longer on the consent agenda. Today, when we had a presentation from staff about your consent agenda item. Technically, it removed it from your consent agenda and when the motion came, it wasn't a motion to approve the consent agenda. It was the motion to approve, you know, whatever the language wasn't right, that's right. I don't speak up about those things because it would make the meeting longer. But, um, but typically, if any discussion or any dissent or any staff presentation is desired in connection with the consent agenda item, it's automatically no longer there.

**Mr. Proctor** [01:27:02] Again, to Tyler's question the agenda can be modified by a majority vote?

**Attorney Kevin Stone** [01:27:08] So it's a majority vote during the agenda review at the outset of the meeting under Roberts Rules that a super majority vote once the meeting is underway, which prevents people from getting ideas late in the meeting or.

**Chairman Keith Farmer** [01:27:21] I think I'm good with that, you good with that?

**Mr. Donohue** [01:27:23] Yes.

**Mr. Brandeburg** [01:27:23] Yes

**Mr. Proctor** [01:27:25] It was clarifications.

**Chairman Keith Farmer** [01:27:28] All right, we have a motion, we have a second, all in favor of the motion? And that is unanimous. Kevin, you're probably going to have to help us through the next meeting or so until we get this um, this is a new little deal we got to do.

**Attorney Kevin Stone** [01:27:44] I'll send this out to everyone and remind both the Board and staff about the procedures, so nobody misses their opportunities.

**Mr. Proctor** [01:27:51] And let's remember, too, that we can we can skip the consent agenda by just saying we wanna approve the consent of agenda.

**Chairman Keith Farmer** [01:27:56] You can do that, yes. Well, you still have to approve you still have to approve the consent agenda all right and any time there's money involved, I'd like to hear it myself.

**Mr. Proctor** [01:28:08] And it comes off.

**Chairman Keith Farmer** [01:28:10] Ok, we're good. If we are done with that anything else, we can think of there, Kevin, we good? Ok.

**Attorney Kevin Stone** [01:28:24] Yes Chairman.

**TYLER MADE A MOTION TO ADOPT THE AGENDA PROCEDURES BASED ON WHAT ATTORNEY STONE JUST LAID OUT.** Rick seconded the motion.

**Motion approved 5-0**

Tab 5 c. Status of NuRF Improvement Professional Contracts

Jason Danaher

**Chairman Keith Farmer** [01:28:25] Jason, let's talk about NuRF.

**Dr. Danaher** [01:28:32] Members of the Board several months ago, we had had several meetings to discuss improvements at the NuRF, one of the focus areas we wanted to move forward with was improvement of the alum injection technology on site. Staff had reached out to Pegasus Engineering, Pegasus engineering as a continuing service contract with the Lake County Water Authority and we would like to proceed forward with their services for design and construction management of improvements with the alum, the alum injection technology there at the NuRF. Their proposal was to provide those services for fifty-seven thousand two hundred dollars and seventy-four cents, and we would like to proceed forward with that and get that underway.

**Mrs. Stokes** [01:29:21] I'd like to make a motion to authorize staff to execute a contract through existing services agreement with Pegasus Engineering for construction management and design of alum injection technology improvements at the NuRF for an amount not to exceed fifty-seven thousand two hundred ten dollars and release a request for bids once design work is completed.

**Chairman Keith Farmer** [01:29:41] I have a motion do I have a second?

**Mr. Brandeburg** [01:29:43] Second.

**Chairman Keith Farmer** [01:29:46] I have a motion and a second, discussion, Rick?

**Mr. Donohue** [01:29:47] So, so the fifty-seven thousand and then the two sorry, explain to me the fifty-seven, the difference in the fifty-seven and the two hundred thousand.

**Dr. Danaher** [01:29:58] Sure yes, I can clarify that for you, sir. The fifty-seven thousand two hundred seventy-four dollars is for the design and the construction management. So, they'll lay out what the equipment and the piping and everything needs to be through the design process. Once we go to bid and select the contractor, they will then provide construction management support for us to come to the site, make sure that the work is being done according to the design, to help support staff in that that process.

**Mr. Donohue** [01:30:29] Ok, so the two hundred thousand.

**Dr. Danaher** [01:30:30] So, the two hundred thousand is right now what we estimate the capital improvement itself to be. So, the pumps and the the the piping and the electrical and stuff.

**Mr. Donohue** [01:30:49] Ok got ya, I understand now.

**Chairman Keith Farmer** [01:30:49] Any more questions, comments Marty?

**Mr. Proctor** [01:30:51] I'm good.

**Chairman Keith Farmer** [01:30:53] We have a motion and a second, all in favor of the motion? And that is unanimous. All right, Jason, you're still up Chemtrade Alum Discussion and Water Quality Parameters.

**COURTNEY MADE A MOTION TO AUTHORIZE STAFF TO EXECUTE A CONTRACT THROUGH EXISTING SERVICES AGREEMENT WITH PEGASUS ENGINEERING FOR CONSTRUCTION MANAGEMENT AND DESIGN OF ALUM INJECTION TECHNOLOGY IMPROVEMENTS AT THE NURF FOR AN AMOUNT NOT-TO-EXCEED \$57,210.00 AND RELEASE A REQUEST FOR BIDS ONCE DESIGN WORK IS COMPLETED.** Tyler seconded the motion.

**Motion approved 5-0**

Tab 6 d. Chemtrade - Alum Discussion & Water Quality Parameters

Jason Danaher

**Dr. Danaher** [01:31:04] Sure, a couple of months ago, some members of the Board had requested some additional information on the liquid alum and how it chemically reacts with the water, what particular water quality parameters it reacts with, which ones are important to monitor. I know that we're proceeding forward with monitoring and control of alum injection of the facility at the NuRF facility and staff had reached out to Chemtrade, who is our supplier of alum. They have an engineering staff, along with our regional sales manager here today to explain that process of how the liquid alum is applied to the water, how it reacts with certain water quality parameters, what parameters are important for us to consider in terms of continuous monitoring as well coming into the facility that just at a high level, they want to kind of lay that out and explain that a little bit better to our Board members who are interested in hearing that information. So right now, I'd like to introduce Brad Key of Process Application Engineer with Chemtrade and Mr. Vincent Martin, who's our Regional Sales Manager, I'd like to have about a 15-minute presentation to talk about these these processes.

**Chairman Keith Farmer** [01:32:27] Ok, thank you.

**Vincent Martin** [01:32:46] Good evening.

**Board** [01:32:49] Good evening.

**Vincent Martin** [01:32:49] I appreciate the opportunity to be here, my name is Vincent Martin, like Jason said, I'm the Account Manager for this region for a Chemtrade. I brought with me I'm one of our technical engineering staff members for applications Brad Key and he'll talk to you a little bit. First at the beginning, I want to talk a little bit about Chemtrade and then he'll talk specifically about some of the alum and questions that you might have. But even before or after the meeting, I'm going to leave some business cards. So, if you have questions and stuff, you want to meet with me individually or separately other times I can schedule times that I can come down here and do that, too. So, hopefully I just would like to thank the opportunity because it's the first time I've been to the to to this meeting and so I'd like to introduce and just start that dialog. So, Chemtrade the first thing I wanted to make it clear is where a chemical manufacturing company we're not a distributor. We produce a lot of different chemicals and I'll show you a map here in a second in Canada, in the United States. Where a Canadian company, our headquarters is in Toronto, and we also have operations in Brazil, but we won't talk about that, but we have operations in Canada, United States, and these are the various chemical products that we produce and sell. We don't sell them all in Florida you know, some of these are freight large, freight logical and all that kind of stuff. So, it just gives you an idea of the breadth and the knowledge that we have about different products and stuff. The ones you see on the left are the water treating chemicals that we we produce, five different products that we sell into the water, wastewater, water treating different different things and lake applications kind of stuff. This map shows the water treating plants that we have that we produce chemicals in Canada, the United States. You can see the alum ones of the yellow, a different products ACH and PACI are the red, and then we also do one site that makes ferric sulfate, and we have ammonium sulfate. The one thing I wanted to note here, though, is we have two sites in Florida, and we have a lot of sites in Georgia and so we're one of the unique facilities that blankets Orange, Orlando, Lake County with having two sites on either side of the coast. And it gives us an opportunity to supply you hopefully from either direction, depending on weather events and road problems in that kind of thing, so that's one nice thing that we have. I would say, again, we ship these products throughout the United States, but primarily in in Florida, we mainly supply alum and that's about the only product we do supply here. But we have other knowledge about other other products and so if you do have questions, you see that list and you have questions about chlorine or caustic or something like that, I can bring in or we can have conference calls and talk to you about that. And now turn it over to Brad and he can start talking about alum.

**Brad Key** [01:36:16] Hello, thanks for letting us come in and go through this with you guys.

**Chairman Keith Farmer** [01:36:21] Sure, you welcome thank you for coming.

**Brad Key** [01:36:21] Sure, good to be here we've got it narrowed down it should be about five to six hours' worth of material, so it shouldn't be long. Now we just have a few slides and if you would if you have any questions, please write them down at the end we'll be glad to answer any that we can, and if we can't, don't know the answer we'll try to find out for you. So, what is phosphorus removal? Coagulation, it's addition of chemicals of coagulants neutralize electrical charge on suspended solids, allowing them to collect together and settle out. Flocculation, gently moving water to promote the gathering together small particles into larger, heavier particles or masses. Then clarification is the separation and removal of suspended solids and floc from treated water before filtration. So, we bring it all together and then we separate the solids from the liquids. This, to me is probably as far as what we do the most important slide, and it really affects you guys as well as everyone, we deal with. Factors affecting coagulation you have three things, you have concentration, that's the amount of chemical that you use that your dosage ok. You have time, two different things with time, you have reaction time with the chemical and the phosphorus, then you also have settling time once they've reacted. And the third is mixing energy and that's one of the points we have coming up to specifically on the mixing energy and possibly the way that you guys could, could improve on that. So, if you lose anything on the three, for instance, if we lose a mixer or something like that, you have to counteract it with one of the other two. You'd have to go up and dosage on the concentration or we have to increase our time. So, and that goes for all three, if we lose one of them have to add somewhere with the others to make up for that. Aluminum sulfate, alum is everybody in the industry calls it. Qualities of alum, it's a low-cost product historically used in late treatment, multiple chemical production sites, as Vincent was saying and can be used in liquid or solid form. Inorganic, I'm sorry, incoming organics create coagulant demand, this is something that at your facility, especially is is a big deal. Removal of phosphorus in organics, sorry, decaying plant matter are competing reactions. Organics create a very large coagulant demand. In Florida coagulant demand is mostly dependent on organics. When I say that we do phosphorus removal in wastewater treatment plants, we do it in lakes also of any facility I've ever been in the highest number I've ever had as it Lake County for organics. We got what we call our UV 254 your average wastewater treatment plant will get a number like .07 to .09. I have seen it as high as .9. So, we're talking tenfold the organics that you would see coming into a waste treatment plant that you guys did, that was after two hurricanes back a few years ago. But even in under normal circumstances, the organics that you guys deal with and treat are about five times what we would see coming into a typical wastewater treatment facility, so you deal with a lot of organics. Currently use flow to determine dosage, as flow into the facility meaning when I say flow, I'm talking about the water coming in that you're going to treat. Goes up and down so does your alum volume, pH which is used to help prevent a low pH discharge violation. When alum has decreased the pH of the water to a certain set point, the chemical pumps are shut off. So, that that keeps you from putting too much alum in there and getting below where you can be fine for too low pH. Potential issues with flow dosing, I'm not a huge fan of this, and here's why. Just because the incoming flow doubles for instance, doesn't mean the incoming phosphorus concentration doubles. The reality is this almost is never the case. I've seen flow come into different facilities and be five or six times what it was maybe the day before because of rain events and things of that nature. But you it tends to dilute the phosphorus for the most part. You get a lot more water in there, but you're not getting a lot more of the phosphorus. The one area can change slightly is when you get twice the flow of what you have had. You've got half the time, if we go back to our time concentration and mixing energy, you've got half the time to treat it. So that does change it a little bit, but it doesn't mean that if we got four times the flow, we need to feed four times the chemical, that is not the case. Incoming phosphorus concentration isn't measured currently, which means they're flying blind and it's very difficult to officially treat something that isn't measured. Dosing on incoming phosphorus in organics, inline meters can measure incoming phosphorous and organics as well coming in, you've got two different ways you can do the organics with TOC's or total organic compounds, as well as something called UV 254, which is a particular spectrum of organics. But both will give you a good idea of what you've got coming in organics wise. As phosphorous organics decrease or increase, so does the alum demand the amount of alum used as determined by these two factors that require removal instead of just flow. Right now, as far as if you measure what's going out, if you find if we get a bunch of organics come in or even a bunch of phosphorous once we've measured it, that it's going out is high. It's too late to do anything about it it's already gone. That's what say, mean by when I say we're flying blind. Now, these are just some suggestions that I had that I was talking to Jason about and put it together in a little report for him. Suggested equipment for desired water quality. The best opportunity for cost savings is to tie effective coagulant dosing with water quality. That's what we mean by the organics and the phosphorus, not on the flow of water inline phosphorous in organics meters at influent and the effluent. Reason I said that is because we got them at the effluent that's great, we know what's going out, but it's too late to do anything about it it's already going out. So, if we have them that both we can we can check it as it comes in, do something about it before it goes out. Number two automatic alum dosing

## Draft Regular Board Meeting Minutes – August 25, 2021

system, you can figure it to whereas as these parameters go up, we go up in doses, they go down we go down and we can set it. And it's something that truthfully will take some time because this is looking at the phosphorus as well as organics. Both is something that very few places have done, so it's going to take some time to hone that into your facility and what works best here. Increased mixing apparatus, I go back to the three important things you guys have it's to me, it's similar to what you would see with an aquarium type set up where you have a lot of bubble bubbles coming in. I don't believe that most of the time you're getting adequate mixing. So, what as I said before, if you lose one, you've got to go up on something else where you can't really change your time there for the most part, unless I guess you can restrict your flow to some degree but that's really not practical. So, what's the easier thing to do? Go up on your alum so if we increase our mixing, I believe we can reduce the amount of alum you guys use currently. So, it's just about as the technical guy I guess I want you guys to be as efficient as possible we want you to run as efficiently as you can. And that is pretty much all I have any questions?

**Chairman Keith Farmer** [01:45:08] Rick, Courtney? So, you're saying the organic's, it's better to have them separated from the water column before it enters our nutrient reduction facility?

**Brad Key** [01:45:16] No, no, what I'm saying is when it comes in, the alum is going to react, you've got what you call competing reactions in there where it's pulling out some organics and it's pulling out some phosphorus. So, what I'm saying is, let's measure what we've got coming in on both of those. So, we know we can formulate ok, well, we see it coming in and it goes to this point, point A, we have to raise to this point or if it comes down to this point, we go down. And that's something I can work with you guys to help tailor as well as we don't do equipment, but whomever the the manufacturer of the equipment can also help.

**Chairman Keith Farmer** [01:45:53] The reason I mentioned that we've got the flow way just on the north shore of Lake Apopka. That water comes out of there and it's pretty organic free if it's working properly. Of course, we're getting a bunch of debris into our ponds over the years and then building up but the water column to be treated is better if it goes through that, I'm asking.

**Brad Key** [01:46:11] Oh absolutely yes, if you have lower organics, then the reaction is going to lean even more towards the phosphorus itself.

**Chairman Keith Farmer** [01:46:19] Less competition.

**Brad Key** [01:46:20] Exactly less competition.

**Vincent Martin** [01:46:21] Let me make a comment about that just to clarify what we're talking about organics. The organics we're talking about is a small, very suspended material. We're not talking about a tree, for example, or a branch or a leaf. We're talking about the small, colloidal or small particles that are suspended in the water that compete with attaching to the alum, if that makes sense.

**Chairman Keith Farmer** [01:46:47] Yeah.

**Vincent Martin** [01:46:48] Ok, any the other question.

**Chairman Keith Farmer** [01:46:51] I want to ask.

**Vincent Martin** [01:46:54] No it's fine ask as many as you want.

**Chairman Keith Farmer** [01:46:55] So what you're saying is there is and necessarily a higher flow doesn't necessarily mean a higher dosage of alum?

**Brad Key** [01:47:03] That's correct.

**Chairman Keith Farmer** [01:47:03] There is a management like a sweet spot in there.

**Brad Key** [01:47:07] That is correct.

**Chairman Keith Farmer** [01:47:08] That this telemetry will monitor not only the, it will measure the water calling for organic as well as inorganic.

**Brad Key** [01:47:17] As well as the phosphorus yes, that's correct. It will measure that and then you can make adjustments to dosage based off of that instead of just everything that's coming in in the water.

**Chairman Keith Farmer** [01:47:30] And that's what we're trying to get down to the science a little and get a little closer so we can manage this and not waste taxpayer dollars, of course.

**Brad Key** [01:47:38] Exactly.

**Chairman Keith Farmer** [01:47:40] Something else I wanted to say, and I can't recall right now, but I'm gonna move on and it'll come to me in a minute, Marty.

**Mr. Proctor** [01:47:46] Yeah, again, you've got a lot of experience in this general market. You know, maybe not facilities like ours, but in general. So, as we go from sporadic testing, I think twice a week we test the water now coming in. We also measure the flow rate, and we go from that to real time monitoring system where we're measuring the TOC's, we're measuring the phosphorus levels, we're adjusting the alum to that, and we're going to measure the affluent that will actually be able to see the net result of that. From your experience, I mean it's going to take some time once this system of we've got a new mixing technology coming onboard, we've got new pond geometries which are going to change the time. So, we're going to change the mix, we're going to change the time, we're going to change the measurement, both ends. How long do you think it's going to take us to really kind of get our our not just us, whoever is running this system, how long it's going to take somebody to get their head around those that kind of numbers in the data that we're going to be creating?

## Draft Regular Board Meeting Minutes – August 25, 2021

**Brad Key** [01:48:55] Well, once all of those are done, all of those, it's probably going to take, I would say, a minimum of six months to get a good a good, pretty good grasp of of ok here, when we do A it leads to B, you know, as far as increasing or decreasing. It'll take some time to figure that out so I would say a minimum of six months or so. Plus, as the seasons change, it's gonna it's gonna change on some other factors, too. So, I would say six to 12 months now you know, you guys don't get a lot of freezing weather down here, so it would not be as extreme as is some of the other areas, but it will change as the seasons change to.

**Mr. Proctor** [01:49:37] Thank you.

**Brad Key** [01:49:38] Sure.

**Chairman Keith Farmer** [01:49:40] What ya got anything, you're good? Thank you.

**Brad Key** [01:49:44] I object to him, I just could not help it, I was up here.

**Chairman Keith Farmer** [01:49:48] No, no Marty did the question I was going to I was going to talk about real time telemetry and that's a very good question.

**Vincent Martin** [01:49:53] Yeah and and just to be clear to Chemtrade is ready to help with that whole effort, you know, of being able to help with that monitoring or suggesting how to go about that process. Cause we do a lot of that with our our customers, making sure that they're trying to, you know, how they're measuring and how they adjust and do that over a period of time, cause it takes it takes a period of time and it's not something that's going to be done quickly. Your facility, I can't emphasize enough, it's very different from from any other facility. It's not special, it's not unique, but it has unique incoming materials. The equipment that you have is is very robust and good, but your incoming water is just different than a lot of places. And so being able to understand the water is critical to being able to know how to optimize it.

**Chairman Keith Farmer** [01:50:44] And it can change.

**Vincent Martin** [01:50:45] And it can exactly.

**Chairman Keith Farmer** [01:50:47] Rapidly.

**Vincent Martin** [01:50:47] Right now we do have other wastewater treatment sites that they get it out of a creek or a river. And during a rain event, that river can can change drastically, you know, so we do have a lot of experience with that kind of thing. But it's it's still their flow rates don't drastically change as much as yours can, you know, I mean, you're just, as we've talked about, go from 10 cfs to 200 cfs and then you still have a spillway that you're that you're having to accept, so it's big difference.

**Chairman Keith Farmer** [01:51:20] Listen, it's true that it can go that high. In fact, I think we can probably achieve 400cfs if they're properly dredged and everything, but we have a pretty good agreement with St. John's now, that kind of limits. We're all of a sudden, we can't go from 100 cfs to 200 overnight. You know, it's a gradual 50 cubic feet a week, I believe.

**Vincent Martin** [01:51:42] A day I think, I'm very familiar with that too, cause Jason and I have talked about that at length because one of the big constraints on us not going into the weeds too much, if we're talking too long, you can stop us. But the biggest constraint to us is knowledge about what your needs are. And because you're your demand of alum can change drastically and so before now it's much more slower, that helps us. Only adjusting 50 cfs a day allows us to have predictable numbers so that we can, you know, dispatch truck drivers, we can schedule truck drivers and schedule our carriers. We have private fleet drivers and we also use three additional trucking companies just to be able to have backup so we can meet your demand and all that comes at a cost and that unpredictability is at a cost. Predictability results, as you can imagine for anything, allows us to be better stewards and you to be better stewards of your of your money.

**Chairman Keith Farmer** [01:52:44] Absolutely, any other comments, Board members?

**Brad Key** [01:52:48] No, but just one more thing. I once again, I go back to I cannot stress enough how much more organic you guys deal with then than your average place. It just and that really, I guess, in one way does make you a little unique in that when you get to that factor of it, I mean, it is going to create some situations that you don't see a lot of other places. One thing I was impressed with last time I was there talking to a couple of operators is it was really neat to see they have a really good hold of everything. And they can tell from from just talking with them, from talking to one of them, he was talking about when I see the weather and I see it's going to do this, I know we're going to probably have to do this. They've got a really good a good grasp of what you guys are doing. So, they may pick up more quickly than I think on on the new technology because they have a good idea of what's happening now. But I would still say 6 to 12, 6 to 12 months something like that.

**Chairman Keith Farmer** [01:53:50] Well the numbers may take that long, but I have 100 percent confidence in our staff out there. They're sharp, they're sharp but I agree with you. You're going to need some timeline to get a good paper trail of where things are going and how things are working. But our management with St. John's now has greatly improved than what it was just a couple of years ago with the flow way coming through our NuRF project. So that was a major, major accomplishment right here, just managing it better. So, any other comments, Board members? Guys, thank you very much.

**Brad Key** [01:54:22] Thank you for having us we appreciate it.

**Mr. Proctor** [01:54:25] Good knowledge thank you very much.

**Chairman Keith Farmer** [01:54:26] Thank you guys don't be a stranger.

**Mr. Donohue** [01:54:29] Quick break.

**Chairman Keith Farmer** [01:54:30] Hey guys, we're going to take 10 minutes all right, Steve.

(10-minute break)

Tab 7 e. Updates for Current NuRF Projects

Steve Crawford

**Chairman Keith Farmer** [01:54:32] Steve what ya got?

**Mr. Crawford** [01:54:45] Ok, the Board had requested a progress update of the NuRF and there's been a lot of things going on out there with tank paintings, and centrifuge breakdown, and equipment that's been purchased and so it's just going to give you an update on all that. This this is actually a drone shot from yesterday and so

**Chairman Keith Farmer** [01:55:04] Our dredges working.

**Mr. Crawford** [01:55:05] You can see in that that the dredges are working.

**Mr. Donohue** [01:55:09] Is that the old dredge or the new dredge.

**Mr. Crawford** [01:55:11] That's that, I'll get to that, that's the old dredge. And so, the tank was finished, it was completed in painting just last week, August 18th, it was a three-month ordeal. They encountered on the interior, the the tanamac, which is the paint company required in order to warranty this for seven years, required some really specific work to be done and required them to take that paint on the interior down to the original steel. The paint was much, much thicker than what they thought and it just they went through gyrations trying to get that off. And plus, with all the rain we've been having and that being an open tank and enclosed nowhere to drain, you know, almost every day, they had to come and get rid of water, so it was they were very glad to leave. So, so as soon as the interior of the tank was done, which was I think on the 16th or whatever, that Monday, Monday or Tuesday was, we started filling that tank with floc. Anybody have any questions on the tank painting? It's it's done, it looks good. And hallelujah, after a year we've got to restart our centrifuge. We started a soft start on Tuesday the 17th, we had Wyndell Kirkland come and as I've told you before, he's the one that has installed a lot of our controls and monitors, he's an engineer that we consult with regularly. And Wyndell showed up to check the vibrations and, you know, everything else that was going on to make sure everything was up to speed and and helped consult with the staff. So, they were you know, everybody was doing the right thing and our staff two of the staff there operated this machine quite a lot and and they were up to speed. So, we started producing some really good cake and that actually is a period of time where it wasn't particularly good cake, if you remember in that first photo, I showed you of the ponds, you can see where the dredge has gone through, but if you go up a little bit up above that, you can see all the inconsistency in the floc material. And so, our current dredge can't see the difference between thick floc and voids and so we get areas of thin, thin floc in the centrifuge doesn't dewater as well. The new the new machines will have that capability to be able to sense that. So, everything's going good with the centrifuge we did have a little glitch I showed you this last month, is one of the components that's involved in centrifuges. This is our main control panel that the operators operate well, even though this was working three weeks prior to the centrifuge cranking up Wyndell had come in and check out everything. Somewhere in that interim period this this monitor crashed and so he ordered another one and installed it to the tune of eighteen hundred bucks, but that was all cost of the equipment. And so as of August 19th, everything's up good and running. Questions on centrifuge?

**Chairman Keith Farmer** [01:58:59] How often are you running it?

**Mr. Crawford** [01:59:01] Good question we're running five days a week, two shifts a day.

**Chairman Keith Farmer** [01:59:06] So that's 16 hours.

**Mr. Crawford** [01:59:07] 16 hours correct. The dredges, as to Rick's question, this, this is a photo of the dredge as of yesterday, and to the right there is one of the control boxes that would be on the shoreline area. As of this morning, we got bad news we are anticipating getting these dredges in this month. And this Ellicott, who's building these dredges have a contractor that they deal with to supply the pump, the pump that contractor with all the supply problems that people have been having has had a lot of trouble getting the metal in for for a lot of the components of the pump. And they actually subcontract out part of the pump to another contractor who built the built that equipment and just last week received it from the second contractor, received it from that third contractor, and it was the wrong size yeah, they built it too thick not to specs. So, it was rejected the sub subcontractors now having to rebuild that and they said worst case scenario might be five to six weeks before they get finished with it and then it's five to 10 days before Ellicott could get everything installed and ready to go. Worst case scenario they're giving us right now is late October that we get these.

**Mr. Donohue** [02:00:51] Is that worst case?

**Mr. Crawford** [02:00:51] That that was our worst case, I've come to expect worst cases, though.

**Mr. Donohue** [02:00:57] Now they're still going to come down and train our people?

**Mr. Crawford** [02:01:00] They are.

**Mr. Donohue** [02:01:01] And they specify a timeline for that?

**Mr. Crawford** [02:01:04] It'd be several days that they'd be here, it's going to take several days from the install everything and um and then they'll train staff at the same time. And I believe, Jason, you can add to this maybe, but I believe Jason talked with Michael, who's with Ellicott today, and that he may be able to be available to come and talk to y'all about what the training would entail.

**Dr. Danaher** [02:01:31] Yeah, if you're all are interested, we can try and arrange around the delivery, Michael is going to be present on site anyways if it's towards the end of October, he may be able to work into his schedule coming here and talking to you about this actual model of dredge that we have and answer any questions you may have before it goes in. He had offered that if we can try and coordinate schedules to do so.



## Draft Regular Board Meeting Minutes – August 25, 2021

**Chairman Keith Farmer** [02:01:54] That'd be cool.

**Mr. Proctor** [02:01:54] Sounds incredibly boring, let's do it.

**Mr. Donohue** [02:01:57] Well, I think it would be helpful to Butch who doesn't want, you know what I mean.

**Mr. Crawford** [02:01:58] Spoken like an engineer who doesn't want.

**Dr. Danaher** [02:02:00] Yeah yeah, there is I believe a four-day training session that's going to be put in post installation for staff, yeah.

**Chairman Keith Farmer** [02:02:11] Very good.

**Mr. Crawford** [02:02:14] That's not great news there, but that's where we are right now.

**Chairman Keith Farmer** [02:02:18] But our other dredges are operational, we have flow going through there we are treating water?

**Mr. Crawford** [02:02:23] Yes.

**Chairman Keith Farmer** [02:02:24] The one pond is fairly clear, is that correct?

**Mr. Crawford** [02:02:28] Respectfully so, it's been taken on up to two hundred cfs since CNN has been out of there at points in time.

**Chairman Keith Farmer** [02:02:37] Ok.

**Mr. Crawford** [02:02:38] So it's hard to tell how much floc is out there, but it has quite a lot of capacity at this point in time.

**Chairman Keith Farmer** [02:02:45] I mean, you can't see it from the photo in here and the other is.

**Mr. Crawford** [02:02:48] Right.

**Chairman Keith Farmer** [02:02:48] Clearly visible that it's full.

**Mr. Crawford** [02:02:49] When you're out there, you can see a little bit of it toward the you know, the the southern in there where flow comes in you see a little bit there.

**Chairman Keith Farmer** [02:02:59] All right guys, keep at it.

**Mr. Crawford** [02:03:07] So the other thing that's been going on is, are preventative maintenance program, that Wyndell Kirkland has been working with. He spent three days at the NuRF going through all of our equipment, everything like I have just some examples there, everything from our mobile equipment, to the conveyor, the centrifuge, the pumps, the monitoring equipment, everything and developed from the manuscripts that are available for prevent for maintenance on those on that equipment. Developed a daily, monthly, quarterly, annual routine for the operators to complete and I just have some examples of what those paper sheets show at this point in time. Currently, Wyndell getting that where it will be electronic, the operator will have a iPad that they walk around with on that given day. They'll enter in all the different aspects of what they're doing checking and doing maintenance on. I will see a copy of that and so we'll be able to track and be able to pull up at any point in time when what equipment's been maintained. I've seen already a number of benefits from this, the staff really, he went through all the equipment with the staff on another three different days and got their comments and so they have buy in on this and seem to be very plugged in to this preventative maintenance. I think it's going to have long term benefits, obviously to the equipment.

**Chairman Keith Farmer** [02:04:54] How many hours on our centrifuge before maintenances, I know they got like a minimum maintenance and a maximum or extreme maintenance, do you know the hours, how many hours?

**Mr. Crawford** [02:05:04] I think it's, is it four thousand. Jason's had to do this before several times.

**Dr. Danaher** [02:05:17] So, the minor maintenance is just below our bells, belts and gaskets and some small bearings and stuff is every four thousand hours.

**Chairman Keith Farmer** [02:05:26] Really.

**Dr. Danaher** [02:05:26] And then eight thousand hours is a major, what they consider major for the primary and the secondary gears.

**Chairman Keith Farmer** [02:05:33] The bearings and all that stuff?

**Dr. Danaher** [02:05:33] Bearings yeah.

**Chairman Keith Farmer** [02:05:35] Eight thousand hours.

**Dr. Danaher** [02:05:37] Eight thousand hours for that, yeah.

**Chairman Keith Farmer** [02:05:38] So you got two men out there working two shifts, that's four thousand hours a year right there.

**Mr. Proctor** [02:05:47] Five hundred days, sixteen-hour days, so that's a hundred weeks, which is essentially two years.

**Chairman Keith Farmer** [02:05:56] Two years, that's before a major?

**Dr. Danaher** [02:05:57] That was based on four thousand or eight thousand Marty?

**Mr. Proctor** [02:06:02] Eight thousand.

**Chairman Keith Farmer** [02:06:03] Eight thousand.

**Dr. Danaher** [02:06:03] Eight thousand ok.

**Chairman Keith Farmer** [02:06:04] Two years

**Mr. Proctor** [02:06:05] Sixteen hours a day, five hundred days.

**Dr. Danaher** [02:06:07] Thank you.

**Chairman Keith Farmer** [02:06:09] All right good enough lets, I like this preventative maintenance guys I think that's where we kind of screwed up the last time on that deal and um. First of all, compliments to you Jason I never would have thought about filing a claim with an insurance company when that thing went, that was brilliant thank you. Yeah, but, you know, that was smart, and I never would have even thought about doing something like that but all compliments to all staff doing a great job out there.

**Dr. Danaher** [02:06:40] We were edged down by Kevin to do so, I'm not going to claim full credit for it, but staff did follow through in a very long process to do that. So, I'll take credit where credit's deserved, but the idea came from legal counsel. The staff did the footwork and was able to get it done.

**Chairman Keith Farmer** [02:06:59] Good job, good job, guys, good job. So good job on setting up the preventative maintenance program as well, where you've got some documentation involved, because I think that's like I said, this we've only got one. You know, we got to keep it operational.

**Mr. Crawford** [02:07:18] Right and I mean, some of our equipment's old, like the centrifuge. And so, you know, that has it's I'm wearing out, I don't know about you, Keith, but I'm wearing out as I get older.

**Chairman Keith Farmer** [02:07:36] All right, let's move on.

**Mr. Crawford** [02:07:40] So the other is the new equipment that we have that the Board has been gracious enough for us to purchase. The the tractor is four-wheel drive, and that's allowed us to get to areas that have not been mowed for over four years the old blue Ford just would not have gone there. And so, we've been able to, what happened I mean, the reason for that the reason that's important is when you let a wetland just go and you don't do anything with it at all, woody stuff grows up and you get willow trees growing all in there, and it's just it's hard to maintain, it's a fire hazard, so the tractors help tremendously. The slope mower I was hoping to also have a video to show you how that works but you can see in the middle picture that's Dan there with the remote control and that slope mower can run, this is a small slope here being the berm just outside. That's a small sloop in the being the berm just outside of the compound there, but the larger slopes this thing just chews up the grass and in ways in places we could not possibly mowed.

**Mr. Proctor** [02:08:56] Glad to see that, it was a difficult piece of equipment to budget in my mind.

**Mr. Crawford** [02:09:00] It well was to me, too, Marty, I mean, they they doubled in price over the last five years. And then finally, we purchased new lights for all the light poles, about at least half of them were out, the truck drivers were that bring in the alum were a little concerned at night and sometimes and so now we have light all down the roads. And Eli installed all that using we didn't have to rent a lift, we used lift that the painters had, and they weren't using it at the time, so I saved some some money there. Any question on an equipment?

**Chairman Keith Farmer** [02:09:48] Anybody, no, you good? Ok.

Tab 8      g. Installation of Additional Dredge Pipeline

Steve Crawford

**Mr. Crawford** [02:09:50] Ok, the next one is the Installation of Additional Dredge Pipeline.

**Mr. Proctor** [02:09:55] Can I interrupt you?

**Mr. Crawford** [02:09:57] Yes, you may.

**Chairman Keith Farmer** [02:09:57] Go ahead.

**Mr. Proctor** [02:09:58] I'd like to make a motion, I like the authorized staff to award Utility Technicians Inc, RFP 2021-07 for an amount not to exceed a hundred and forty-eight thousand five hundred dollars to install piping valves and fittings adjacent to the existing pipeline and attach new six-inch piping to the exterior of the steel storage tank at the NuRF.

**Chairman Keith Farmer** [02:10:22] I have a motion.

**Mr. Brandeburg** [02:10:23] Second

**Chairman Keith Farmer** [02:10:23] And I have a motion and a second.

**Mr. Donohue** [02:10:24] I have a question, you're saying it can be done later on this year, do you think our price is gonna hold, do they have a thing it's only good for this period of time?

**Mr. Crawford** [02:10:36] No, they did not, when we had our pre-bid meeting, all three of these companies were present and we discussed that it would probably be done in the fall, that was their preference because of rain.

**Chairman Keith Farmer** [02:10:48] So that was their preference. All right, we good?

**Mr. Crawford** [02:10:55] Right, Jason said the bid contract or not contract, but the bid said that they needed to hold the price for at least 90 days.

**Chairman Keith Farmer** [02:11:03] Ok. All in favor? Unanimous. All right, let's move on Brian.

**Mr. Crawford** [02:11:13] Next one.

**Chairman Keith Farmer** [02:11:14] Oh wait a minute you got another one?

**MARTY MADE A MOTION TO AUTHORIZE STAFF TO AWARD UTILITY TECHNICIANS INC. RFB 2021-07 FOR AN AMOUNT NOT-TO-EXCEED \$148,500.00 TO INSTALL PIPING, VALVES, AND FITTINGS ADJACENT TO THE EXISTING PIPELINE AND ATTACH NEW 6-INCH PIPING TO THE EXTERIOR OF THE STEEL STORAGE TANK AT THE NURF.**

Tyler seconded the motion. **Motion approved 5-0**

Tab 9      h. Loading and Removal of Dewatered Sediments from NuRF      Steve Crawford

**Mr. Crawford** [02:11:16] I have one more Loading and Removal of Dewatering Sediments from the NuRF.

**Mr. Brandeburg** [02:11:23] Steve if I may, I'd like to authorize staff to release a request for bid to obtain a contractor to load alum residual as it is produced and haul the material to an approved off-site location.

**Chairman Keith Farmer** [02:11:35] I have a motion do I have a second?

**Mrs. Stokes** [02:11:37] I'll second it.

**Chairman Keith Farmer** [02:11:38] A motion and a second, Rick what are you getting, any comments? I think it's a good idea. Yep, it's a once and done one and done, you know. All right uh, do we have to vote?

**Mr. Proctor** [02:11:56] Yes, we do.

**Chairman Keith Farmer** [02:11:57] All right, we have a motion, right?

**Mrs. Stokes** [02:11:58] Yes.

**Chairman Keith Farmer** [02:11:59] We have a motion in second, all in favor? Unanimous, good job. All right, Brian now you're up.

**TYLER MADE A MOTION TO AUTHORIZE STAFF TO RELEASE A REQUEST FOR BID TO OBTAIN A CONTRACTOR TO LOAD ALUM RESIDUAL AS IT IS PRODUCED AND HAUL THE MATERIAL TO AN APPROVED OFF-SITE LOCATION.** Courtney seconded the motion.  
**Motion approved 5-0**

Tab 10      i. New Roadway for Soccer Field Parking      Brian Nagy

**Mr. Nagy** [02:12:14] Ok, come on, Mr. Chairman, members of the Board, first of all, I'd like to thank you for approving the seal coating and the restriping of the parking lots and the roads. It's really going to make a major improvement out there, if you've been out lately to see how the screenings screening's gone looks phenomenal on that road and it's going to be great. Along with that project, I had to try to get contractors to put another road in between our existing road and the soccer field. The way the cars come in and out to go there and then jump onto the grass, they're really starting to rudup the roadway. So, I found contractors that will put in six inches of lime rock, inch and a half of blacktop, and then sealcoat it and strip it, with feathering to the existing curb, with a one-foot curb on either side so we don't damage the blacktop going on and off. And you can see the low bid thirty-four thousand eighty dollars.

**Chairman Keith Farmer** [02:13:37] Can I have a motion from somebody.

**Mrs. Stokes** [02:13:39] I'll make a motion to authorize the Interim Executive Director to execute a contract with Pro Way Paving Systems LLC for the Hickory Point Center Lane Parking Area Paving Project for an amount not to exceed thirty-four thousand eighty dollars.

**Chairman Keith Farmer** [02:13:54] I have a motion do I have a second?

**Mr. Proctor** [02:13:55] I will happily second that.

**Chairman Keith Farmer** [02:13:57] This is the same company that did all our stripping out there didn't they?

**Mr. Nagy** [02:14:00] They're the ones that's going to do it, that's why we got that low bid, cause they're going to be there doing the work to begin with.

**Mr. Brandeburg** [02:14:05] Well that answers my question perfect.

**Chairman Keith Farmer** [02:14:08] Good job.

**Mr. Proctor** [02:14:08] And good work and getting the concrete added.

**Mr. Nagy** [02:14:10] Yeah.

**Mr. Proctor** [02:14:11] That'll really, I think it's going to be a long-term difference.

**Mr. Nagy** [02:14:14] Definitely.

**Mr. Proctor** [02:14:14] The cost differential was that I believe will pay very nicely for itself. Nice job, sir.

**Chairman Keith Farmer** [02:14:19] All right we have a motion and a second, all in favor? That is unanimous.

**Mr. Brandeburg** [02:14:23] Thank you sir.

**COURTNEY MADE A MOTION TO AUTHORIZE THE INTERIM EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH PRO WAY PAVING SYSTEMS, LLC FOR THE HICKORY POINT CENTER LANE PARKING AREA PAVING PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$34,080.00.** Marty seconded the motion.

**Motion approved 5-0**

Tab 11      j. FY 2021-22 Budget Updates

Ben Garcia

**Chairman Keith Farmer** [02:14:32] Ben what ya got here, 2021 budget updates.

**Mr. Garcia** [02:14:36] I just going to go ahead and browse quickly through some of the updates for the budget, you're going to have one more chance to actually make any changes. If you want any changes, we can incorporate those changes, you know, after today. And then a board budget meeting, the final budget meeting is September 8th, so just please mark your calendar at 5:05 and that is the time that we will go ahead and start and that will be the final budget. So, some of the changes that we actually encounter, that we have to make some notes account 100-340, those changes are marked on the on the budget. Starting with that, the Contractor Services for Cintas has increased a little bit from the time that we first sign it, so we had to make those adjustments in there. It was it was sixteen hundred dollars and then we had to actually add some staff members into it to, to that contractor so that that came up to thirty-two hundred. The 100-460 Repairs and Maintenance we basically had a thousand dollars for just retouching paint and stuff like that. We decided it's about time to repaint the whole building, so we went ahead and added nine thousand dollars, which is the price that Brian went ahead and got some quotes for so we could actually get the whole building painted. The we just added a new item into the budget, which is the repairs and maintenance is a preventive maintenance for our generator, it's about five years old and it does need to be maintained. So, we just added that preventive maintenance into the budget also. Of course, the utility services we actually had I want ahead, and, on the memo, I think there was a mistake there, instead of seventy, it was sixty-five thousand. We increase up to ninety thousand just to cover the the the latest bills that we based on the average that we're getting. Hopefully we don't have to use of that amount hopefully we could do something about it. And that's why we went ahead and added on the 400-460 repair maintenance. We had a hundred and fifty thousand dollars to re-pipe of replumb the whole park. We have several leaks in the past four months there have been devastating. And especially with the bill, we getting nine-thousand-dollar bills and we need to do something about it. I was going to bring you a piece of the pipe, but it's too big to carry it and it's just basically just old pipe and one of the issues that we have is that it doesn't have valves in the different areas. So, we have to add what kind of valve system so if there's a problem one of the areas in bathrooms we can stop the water from from actually going through the rest. We actually we actually went to the utility company and asked for them to do a little bit of review on it and see maybe we could get some money back.

**Mr. Proctor** [02:17:54] They should give you a break.

**Mr. Garcia** [02:17:56] And I would be talking about that, the whole deal in detail, you know, the next Board meeting so, yes, that will be an agenda item. Of course, when we went ahead and add the dredge pipe that you just approve. We decided that the hundred fifty thousand dollars in there. We also added the Lake Joanna, the second baffle box that has been added. We incorporated the two hundred fifty-one thousand dollars into the general funds of the of the budget and we were able to carry that forward. At the end of the day, when no big changes have been made, we went ahead and had a balanced budget. As you can see here, so our total budget is eighteen thousand, eighteen million two hundred and sixty-three thousand and as you can see it's balance, so and that is with the rollback rate.

**Chairman Keith Farmer** [02:18:56] Rollback rate.

**Mr. Garcia** [02:18:56] Yes. So, any questions about the budget, any concerns, any changes, any wish changes?

**Chairman Keith Farmer** [02:19:06] The only thing I think is a good job, let's see if we can expedite getting our water breaks out there.

**Mr. Garcia** [02:19:10] Yes.

**Chairman Keith Farmer** [02:19:11] Five thousand dollars a month.

**Mr. Garcia** [02:19:12] We gonna be talking about that in a few. Which week instead of just waiting to next year, next year budget, we could just try to see if we could find funds to get it done. I will go ahead and work on that yeah, I would actually go ahead and work on that.

**Chairman Keith Farmer** [02:19:28] I think that's a good idea.

Tab 12 k. Executive Director – Job Description and Posting Update

Ben Garcia

**Mr. Garcia** [02:19:30] Ok, so I'm moving on from the budget, my last item on the agenda is the Executive Director job description posting update. After the July meeting basically, I got the approval from the Chairman to go ahead and start advertising, which I did the next week after. We started advertising and a lot of different websites, all these websites that are listed here. We went ahead and I started talking to different HR coordinators and asking them a little bit of their feedback, it seems like right now there's a lot of competition for for heads out there. And even the County just they just announced that they're basically looking for a County Manager. So, what I did is I went ahead and contacted the HR, the County, too, and I asked them to review the job description, which I sent to all the Board members and there's a few things that we actually need to get done today. So, there's first of all, is the job description, if everybody's ok, I need some kind of feedback it doesn't have to be a vote or anything like that. Just some kind of feedback as far as the description, the job description. If you want, also you could actually voice your preference through the candidate that you wish we could actually start looking for, because all that information will be used either by the County HR or it could be used by an agency. Also, I thought it would be a good idea to have some type of formal request from the Board members to the Lake County BCC Board members to actually be able to use the HR County to be able to help us in this process also. And, you know, it's good so they could actually have that so they could proceed with it. So, it would be a good, good idea just to have a letter.

**Chairman Keith Farmer** [02:22:00] Are they comfortable helping us?

**Mr. Garcia** [02:22:02] They are, but he was sincere he told me that basically they're looking for the same type of person. So, we will be compensating, sorry, competing, we'll be competing for the same type of person. So, they will have the same kind of requirements pretty much, yeah.

**Chairman Keith Farmer** [02:22:22] Well, we're better, I know our Attorney you were speaking with, did you speak with legal staff at the County, or did you speak with the HR?

**Attorney Kevin Stone** [02:22:33] So I had a very brief conversation with, um, legal department person and also talked with the clerk's office briefly. Kind of get the same feedback that Ben, that they're willing to help, but they would want specific direction from us on what it is we're looking for. I think that sometimes that's the concern is make sure that they're doing what the Board thinks they're doing, so I think they are happy to help.

**Chairman Keith Farmer** [02:22:57] Do we have I'm just curious, since we've been advertising, do we have any feedback from do we have applicants in?

**Mr. Garcia** [02:23:02] Yes, we had seven applications, seven people actually filled the LCWA applications. We got those in, and we got about maybe 20 interested in Indeed and then we have a lot more, I would say maybe about 20 interested in Employee Florida. Now, the issue with Employee Florida is that many of those people are required to actually use that for their own employment requirements. So, a lot of applications in there don't count to what we're looking for. Like I said, we did advertising in National Water Resources pages, we pay some fees to be able to do that. So, we are trying the best we can as far as advertising so some of those, they take a little bit longer to actually post on their website. So, the feedback from those, we have not received them yet. So, I mean, we're still in the initial phase of just posting. My concern is that, of course, being in a competitive environment, we need to be sure that we do the best we can as far as, you know, knowing exactly we want. The first thing that I think that we need to clarify is whether the salary range that we posted is correct, if the Board is comfortable with that salary range and the salary range that we posted was ninety thousand to hundred thirty-three thousand. Whether or not the job description is sufficient for for the Board members, also whether or not the degree that you require is the master's degree or you want higher or you want bachelors ok, but you want more experience? Do you prefer to have experience in more administration or engineering or financial or all three? And also, we need to list the vehicle as a benefit. So that's something that we do not post on the but um, you know, we could do that.

**Chairman Keith Farmer** [02:25:13] My only thoughts are to have it as wide as possible so we can get cause it doesn't look like I mean, you've only got less than 50 applications have been made. So, my thoughts are I wanted to be as wide as possible so we can get as many applicants as possible. But then again, other Board members may feel differently about that so.

**Mr. Brandeburg** [02:25:37] Ben one question I have on this slide it kind of goes back to Kevin's point from earlier. The salary range of ninety to one thirty-three is at the base, before any education or anything else they may be entitled to, kind of based on what we've done in the past? Or is that a is that the first-year range and then it grows naturally from there or is that the max we're looking at from as base standpoint?

**Mr. Garcia** [02:25:58] Actually the base was for Ron's position was ninety to a hundred five thousand, yes that was the base.

**Mr. Brandeburg** [02:26:05] But then his experience got him to the max of the base and.

**Mr. Garcia** [02:26:07] Yes.

**Mr. Brandeburg** [02:26:08] From there, got it.

**Mr. Garcia** [02:26:10] But Ron's salary was one hundred thirty-three when he left.

**Mr. Brandeburg** [02:26:18] Got it.

**Mr. Garcia** [02:26:18] So, I mean, those are some of the feedback that I need from the Board. So, another idea that I came up with was to contact HR firms because I mean City of Mt Dora is doing it, City of Groveland is doing it. So, there is a lot of cities out there and counties that basically just hiring HR firms to hire their people. Not only that, but also when you get a lot of applications, you have to filter a lot of those applications. And that will be almost an impossible task for just myself to be able to do that. So, in that case, what I did is I went I went out and got some quotes from HR companies, and I provided that to the Boards

## Draft Regular Board Meeting Minutes – August 25, 2021

for your review also. Again, it could be those are ideas doesn't mean that it has to be implemented. But, you know, I'm trying to look for the best candidate out there and I'm trying to do the best I can as far as, you know, promoting it. And I think that maybe having a HR company wouldn't be a bad idea.

**Mr. Brandeburg** [02:27:20] Chairman, I'd like to make a motion if I can?

**Chairman Keith Farmer** [02:27:21] Absolutely.

**Mr. Proctor** [02:27:24] Can you go back one, just for a second? Ok go ahead, I'm sorry.

**Mr. Brandeburg** [02:27:27] No, you're good.

**Mr. Proctor** [02:27:29] I'd like to authorize staff to hire Colin Benzinger and Associates, HR firm for just this process of hiring an Executive Director for an amount not to exceed thirty thousand five hundred dollars and to make an official request to the BCC Board for approval of the County's involvement reviewing applicants for the Executive Director position.

**Mr. Proctor** [02:27:52] I'll be happy a second that.

**Chairman Keith Farmer** [02:27:53] I don't have a problem with it at all, except for the motion you said was hiring or is it screening or?

**Mr. Brandeburg** [02:28:00] I was just basing it off the agenda packet based on yeah, based on reviewing Ben's material and what was in the packet. It appears to me that the the Colin Benzinger and Associates is far and away the best option of the respondents. They've got the experience here and with as critical as this position is moving forward, I don't want to skimp on this and think they've got the the know how to to bring us the right candidate for for a long-term success.

**Chairman Keith Farmer** [02:28:26] Any more discussion, Rick?

**Mr. Donohue** [02:28:29] No I'm ok.

**Chairman Keith Farmer** [02:28:29] Marty?

**Mr. Proctor** [02:28:32] Again, to the two slides previous Ben, I'm very confident that if Benzinger is who we hire, they'll have more than a little bit of input into all of these points, and they've got great experience hiring water people. They've hired water people out of Tampa, they brought my guy into Groveland, they brought good candidates Mascot. What what impresses me the most is not the results, not their client list, not who they are, but their process. They have an excellent process that they replicate over and over successfully. They don't just get contracts to hire people, they hire people. People go into positions they have on their website, two, three, four, five years later, guess where the people are? They're still there so they're the city or the government entity is happy when they're almost exclusively government entities are happy with the candidates that they get, and the candidates are happy with the accurate representation of the job position. And I think that to your point earlier, you know. That's how you prevent having this go into a six, eight, 10-month process.

**Chairman Keith Farmer** [02:29:41] There you go. I'm good with it.

**Mr. Garcia** [02:29:43] And just a quick comment I went ahead and did some references. I checked references and everything else and they seemed to me the more experience in our type of environment, you know, government agencies, and they do have an extensive experience, you know, hiring for for counties and cities and their local.

**Chairman Keith Farmer** [02:30:08] So we will still be working with the county, though and all that as well?

**Mr. Garcia** [02:30:11] Yes, still do that with the county but then us them to start to filter all those.

**Chairman Keith Farmer** [02:30:15] These are our go to people though.

**Mr. Proctor** [02:30:15] Let's let experts do, what they did.

**Chairman Keith Farmer** [02:30:17] Yeap, I agree with that. All right all in favor of the motion? And that is unanimous. Thank you, Ben good job.

**Mr. Proctor** [02:30:24] Yes, indeed well done, sir.

**TYLER MADE A MOTION TO HIRE COLIN BENZINGER AND ASSOCIATES HR FIRM FOR JUST THIS PROCESS OF HIRING AN EXECUTIVE DIRECTOR FOR THE AMOUNT NOT-TO-EXCEED \$30,500.00 AND TO MAKE AN OFFICIAL REQUEST TO THE BCC BOARD FOR APPROVAL OF THE COUNTY'S HR INVOLVEMENT REVIEWING APPLICANTS FOR THE EXECUTIVE DIRECTOR POSITION.** Marty seconded the motion.

**Motion approved 5-0**

**Mr. Garcia** [02:30:27] Oh, I'm sorry yes, the transfer thank you Tracey. Yeah, we need that motion for the transfers let me put that on the.

**Mr. Brandeburg** [02:30:41] Chairman, I'd like to make a motion um, do we do we have the actual amount.

**Mr. Garcia** [02:30:47] The second one will be thirty thousand five hundred.

**Mr. Brandeburg** [02:30:49] Ok, for just part two got it. I'd like to make a motion to authorize a transfer of thirty thousand five hundred from account seven ten dash three four zero other contractual services to account one hundred dash three one zero professional services to pay Colin Benzinger and Associates for Executive Search Services.

**Chairman Keith Farmer** [02:31:06] I have a motion do I have a second?

**Mr. Proctor** [02:31:08] Again second.

**Chairman Keith Farmer** [02:31:10] I have a motion and a second, any more discussion? All in favor? Ok, good job guys, good job Ben.

**Mr. Brandeburg** [02:31:17] Good call Tracey.

**TYLER MADE A MOTION TO AUTHORIZE A TRANSFER OF \$30,500.00 FROM ACCOUNT 710-340 OTHER CONTRACTUAL SERVICES TO ACCOUNT 100-310 PROFESSIONAL SERVICES TO PAY COLIN BENZINGER AND ASSOCIATES FOR EXECUTIVE SEARCH SERVICES.** Marty seconded the motion.

**Motion approved 5-0**

## 7. LEGAL COUNSEL REPORT

Kevin Stone

**Chairman Keith Farmer** [02:31:20] All right, legal counsel, what we got?

**Attorney Kevin Stone** [02:31:25] I do have a report this evening, it would have been an agenda item except received notice very late about this. As you all know, Mr. Hart's employment was terminated on July 28th. In the past couple of days, you reached out to me by email, I think may have spoken to one or more Board members. I don't know who he spoke to, but I also spoke to him briefly by phone. And he was essentially wanting to discuss some kind of separation agreement with us, whereby he would waive all kinds of legal rights as are standard in these kinds of separation agreements in exchange for severance pay. And so, what I would like to do is share with you what his proposal was, if you want to move forward with something like that, we've just received this proposal. You could authorize me to do that totally up to the Board it's a business decision. If the Board doesn't want to authorize me to do that um, what I will do is make this a routine employment law claim, as we've done in the past, and let it be handled by the employment professionals that we pay insurance premiums to for these kinds of things. So, let me tell you what Ron was proposing to me, um, I won't try to guess at the merits of any employment law related claims that he may have. As I sit here, I don't know the facts of any of those kinds of things, but what he was requesting was four months of severance pay, which is authorized by statute, we can pay up to four months of severance pay. His contract for a no cause termination only provides for one year of severance pay for each year of employment or one month of severance pay for each year of employment as Executive Director. So even though he'd been here almost twenty-five years, he was only entitled to one month of severance pay under his contract unless we chose to pay him more. Also, he pointed out that he was receiving a capped amount of leave time, three hundred hours of sick or of vacation leave and half of his sick time in accordance with our employee policy, which is what we do for everyone. He pointed out that if he had resigned, he would not have been capped on that amount. And he also was requesting that his family health insurance coverage continue for the period of his severance pay. That's what his contract would say, that for each month of severance pay he receives, he also gets health insurance. He's just asking to receive four months instead of one month. Um, I would not, um, recommend that you do this unless in exchange for this, he's willing to enter into what I consider a fairly standard form of the separation agreement that would waive his rights pursuant to a variety of federal and state laws, including the Age Discrimination and Employment Act, the Americans with Disabilities Act, Title Seven, National Labor Relations Act, ERISA, the Equal Pay Act, all those kinds of things. There are some kinds of employment law claims that cannot be waived, there's no amount we can pay to make those claims go away. For example, wage hour claims but every claim that we can have released, we would ask to be released in exchange for any kind of enhancement. So, the short summary, I'll say again, I don't think it's anything I didn't already say. He's asking for four months of severance pay and insurance benefit instead of the one month that his contract provides for. And he didn't specifically ask for any additional of that leave accrued leave time to be paid out to him, he was just pointing that out to us um, and then.

**Chairman Keith Farmer** [02:35:01] How much time did he have on the books do you know? It was capped at three hundred.

**Attorney Kevin Stone** [02:35:05] Yeah, it was capped at three hundred and he had three hundred and twenty-eight point one nine nine. And he his sick leave was five hundred and sixty-six point one nine two hours. And he said that he was paid out half of that instead of all of it. Um, his position would be that the contract a little ambiguous on whether he should receive all of it. What it says is if you're terminated for cause, you don't receive it, if you resign it's not capped. But his contract was silent on what happens if he's terminated without cause. So, his position would be that he should be treated like someone he resigns as opposed to someone that's terminated with cause, if that makes sense. So, I invite discussion, I invite you to give me instructions if we don't reach a conclusion today or just treat this like any other.

**Chairman Keith Farmer** [02:35:56] I think we've got a pretty good idea of what he wants. Can we just make this an agenda item at the next Board meeting and, uh?

**Chairman Keith Farmer** [02:36:02] Well, if you're interested in moving forward with some kind of arrangement with him, you could authorize me to do that now. He has a twenty-one-day period under statute to consider this and then a seven-day period to rescind it before any payment would be made to him. So, it's kind of a long process anyway. Um, if you want to discuss at a later date, that's that's fine to.

**Chairman Keith Farmer** [02:36:25] So there is a time frame though, that we need to be considering, all right Board members, I want to hear from Board members.

**Mr. Proctor** [02:36:31] And that time frame is less than the time from now to our next?

## Draft Regular Board Meeting Minutes – August 25, 2021

**Attorney Kevin Stone** [02:36:34] It is, and his clock is ticking on certain kinds of claims to I don't know what his claims would be, but some of those employment law claims require something to be filed within a 30-day period of termination something like that.

**Chairman Keith Farmer** [02:36:44] So he's basically asking for three months more pay and benefits, is what I got the gist of it. Is that what you got, you comfortable with it?

**Mrs. Stokes** [02:36:53] I would like to do that because I feel like he worked for the agency for a long time. And I know he wasn't Executive Director for a long time, but he has a lot of years of service, and I don't think it's a huge increase over what he's getting now. It's not, you know, another year or something, so I'm comfortable with that.

**Chairman Keith Farmer** [02:37:16] Rick? Three months more pay.

**Mr. Donohue** [02:37:19] I'm ok with it.

**Chairman Keith Farmer** [02:37:20] You know what, I'm ok with that myself, because if he's going to relieve us of all these other legal expenses, we have an attorney over there. We pay over 200 bucks an hour. If he gets into a legal these issues and stuff like that, we're going to go to that expense. So, I'm comfortable with that so we're going to give him a salary, insurance benefits for three extra months. So, it'll be four months total, is that correct?

**Attorney Kevin Stone** [02:37:43] Yep.

**Mr. Brandenburg** [02:37:44] And so just to make sure we're clear on this one, too, I agree with all that, I think that's a very appropriate way to try to separate as amicably as possible. But I'd also like to see full vacation and sick time awarded to it just seems silly to squabble over that give the man what he's earned and move on.

**Chairman Keith Farmer** [02:38:02] Listen, even when I retired after 30 years with the Sheriff's department, you only got twenty-five for your sick up to like 400 hours, you know I had four thousand hours on the books of sick time. So how much sick time did he have?

**Mr. Proctor** [02:38:16] Twenty-eight hours.

**Chairman Keith Farmer** [02:38:17] No, no that was twenty-eight more hours of vacation time.

**Mr. Proctor** [02:38:21] And then the sick time was seven weeks.

**Attorney Kevin Stone** [02:38:25] Two hundred eighty-three hours that these numbers are right. I'm relying on his correspondence to me.

**Mr. Proctor** [02:38:30] Divided by 40 hours a week is seven weeks, so it's not an infinite amount.

**Chairman Keith Farmer** [02:38:36] It's two months.

**Mr. Proctor** [02:38:37] Yes.

**Chairman Keith Farmer** [02:38:38] It's two months' pay.

**Mr. Proctor** [02:38:38] Which you know, I my perception on this is, again, I've been separated both ways and the industries that I was in it the tend the tendency was and I'm not an executive, I'm just a guy was the severance was either one or two weeks per year of service was fairly typical in the industries that I was involved in electronics, sales, engineering. So effectively, that's what we end up at, if we give the four months, plus the seven weeks plus, the half week, we end up with six months, which is twenty-four weeks, which would be one week per year of his service regardless of position. So, on the one hand, I want to see it that way, but I like the other way better the way Tyler presented it, because then at the end of the four months, the benefits and the severance is done, and the payouts been done. And I thought that was again, that's why I like listening to you guys, because a lot of times I think there's better ways and a better idea. I like I don't like your idea; I don't like his but together I like them both.

**Chairman Keith Farmer** [02:39:49] I'm comfortable with the guys.

**Mr. Proctor** [02:39:51] You need a motion.

**Attorney Kevin Stone** [02:39:52] Yeah, and I'd like to be specific about what we're paying, one thing that Mr. Garcia pointed out to me that I would have missed is that when you're thinking about these hours of leave time, Mr. Hart, weeks for thirty-seven point five hours. So, your math's a little bit different than it would be with a 40-hour week. I don't know if it changes anything, but it's a little bit different. It just means that when we talk about seven weeks, it's actually a little bit more than seven.

**Mr. Brandenburg** [02:40:19] But I'm saying if you looked at it one hundred eighty hours.

**Attorney Kevin Stone** [02:40:21] I don't think it makes any difference; I'm just looking at hours.

**Mr. Proctor** [02:40:25] That goes to seven point seven weeks instead of seven.

**Attorney Kevin Stone** [02:40:28] Right, one more thing that I don't think needs to be part of any motion, but I just wanted to disclose to you the county, when they were calculating his final paycheck, asked me about the amounts that Ron was entitled to for his education expenses, which he had two claims, both in the one thousand and something range between one and two thousand, if I recall right. There is something in our employee manual that says that if a person elects to leave within one year, they have to reimburse the agency for those payments. My opinion, and I told the county was was that Ron didn't elect to leave and so he doesn't have to reimburse.



Draft Regular Board Meeting Minutes – August 25, 2021

**Chairman Keith Farmer** [02:41:09] I agree with that.

**Attorney Kevin Stone** [02:41:10] There's another payment that he hasn't received yet but has already applied for. My opinion is that he ought to receive that payment, I think it was thirteen hundred dollars, but I'm not 100 percent sure. I just want to I just want you to know that I had given that opinion in case you had anything to say about it.

**Chairman Keith Farmer** [02:41:26] Ok.

**Mr. Proctor** [02:41:26] Is this something he earned?

**Mr. Donohue** [02:41:26] The thirteen hundred?

**Chairman Keith Farmer** [02:41:32] It was tuition uh tuition.

**Attorney Kevin Stone** [02:41:35] So we have a program in place where training expenses and tuition and expenses, it's not just not just tuition, but all kinds of training expenses are paid on behalf of the employee. What the handbook says is that if you leave right away, you have to pay that back to the agency. My understanding is we've never enforced that policy with other employees, so it would be tricky to do it now. That was part of the reason I gave the opinion that I did.

**Mr. Proctor** [02:42:00] Especially with the termination versus

**Chairman Keith Farmer** [02:42:01] I had thought that he had completed, cause any time he completed those classes and needed reimbursement, I can remember signing off on that.

**Attorney Kevin Stone** [02:42:10] I believe his last claim was from several months ago so.

**Chairman Keith Farmer** [02:42:12] Yeah, I thought I signed off on it, but double check on it you know, we're obligated we're the ones that told him so I'm ok with that.

**Mr. Brandeburg** [02:42:20] Do we need a motion for all this?

**Chairman Keith Farmer** [02:42:22] We need a motion?

**Attorney Kevin Stone** [02:42:23] I would like to have my direction given in a specific motion, so I know exactly what I'm authorized to negotiate.

**Mr. Brandeburg** [02:42:29] I think I got it. I'd like to make a motion to authorize payment to Ron Hart for four months' severance, four months health insurance premiums, his fully accrued vacation and fully accrued sick time, and the outstanding educational expenses to be reimbursed in full.

**Mr. Brandeburg** [02:42:49] We have a motion do we have a second?

**Mrs. Stokes** [02:42:50] I'll second it.

**Chairman Keith Farmer** [02:42:51] I think that's a good motion and a good second. All right, any more discussion?

**Mr. Proctor** [02:43:00] Actually, yes, thank you for being stand up, this is good I like this. I watch the Perry activity it was ugly sitting out there watching it and it was unpleasant. And it was really a lot of it was unnecessary in my outside looking in opinion. This is an amicable, amicable, logical separation done for what I think are good reasons, ignoring the fact that we have we're losing a great employee, in my opinion.

**Attorney Kevin Stone** [02:43:30] Yeah, to be, to be clear, this is only going to be paid pursuant to a fully executed and binding separation agreement that waives all the rights that I described to you earlier. If there's any discussion about that let me know but my intent was that this wouldn't be done unless we receive that consideration in exchange.

**Chairman Keith Farmer** [02:43:51] I'm glad that got clarified.

**Mr. Brandeburg** [02:43:53] Do I need to start over; do I need to re-make the motion?

**Attorney Kevin Stone** [02:43:54] As long as that's consistent with what your thought was when making it.

**Mr. Brandeburg** [02:43:58] Oh no completely consistent but I can say it again if you need me to.

**Chairman Keith Farmer** [02:44:01] Ok all right, all in favor? And that is unanimous.

**TYLER MADE A MOTION TO AUTHORIZE PAYMENT TO RON HART FOR FOUR MONTHS SEVERANCE, FOUR MONTHS HEALTH INSURANCE PREMIUMS, HIS FULLY ACCRUED VACATION AND FULLY ACCRUED SICK TIME, AND THE OUTSTANDING EDUCATIONAL EXPENSES TO BE REIMBURSED IN FULL .** Courtney seconded the motion.

**Motion approved 5-0**

**Mr. Garcia** [02:44:07] And just for clarification, we do need another motion for transfer in the budget, the amount from account seven hundred ten three forty to account one hundred and one, one, one. Yes.

**Mr. Proctor** [02:44:34] Seven, seven one zero dash three four zero, one zero zero dash one one one.

## Draft Regular Board Meeting Minutes – August 25, 2021

**Mr. Garcia** [02:44:41] Yes.

**Chairman Keith Farmer** [02:44:46] Let's make a motion.

**Mr. Proctor** [02:44:48] Do the amount that do we have a amount, or can we just say the necessary amount?

**Mrs. Percoco** [02:44:53] Yes please.

**Mr. Proctor** [02:44:53] The amount.

**Chairman Keith Farmer** [02:44:56] Just the necessary funds will not be sufficient, cause we don't know exactly.

**Attorney Kevin Stone** [02:45:01] Let's go with the necessary funds for today the payment is going to be subject to those waiting periods I was talking about, so we can confirm it at our next meeting.

**Chairman Keith Farmer** [02:45:10] Ok.

**Mr. Brandeburg** [02:45:11] Chairman, I'd like to make a motion to transfer funds from account seven one zero dash three four zero to account one hundred zero zero dash one one one, to include the necessary funds to pay out Ron Hart's severance package subject to the waiting period.

**Chairman Keith Farmer** [02:45:28] I have a motion.

**Mrs. Stokes** [02:45:28] Second it.

**Chairman Keith Farmer** [02:45:30] And a second, any more discussion, all in favor? And that is unanimous. Thank you very much, Board members. All right Kevin, you got anything else down there?

**Attorney Kevin Stone** [02:45:43] No Mr. Chairman, thank you.

**TYLER MADE A MOTION TO TRANSFER FUNDS FROM ACCOUNT 710-340 TO ACCOUNT 100-111 TO INCLUDE THE NECESSARY FUNDS TO PAY OUT RON HART'S SEVERANCE PACKAGE SUBJECT TO THE WAITING PERIOD.** Courtney seconded the motion.

**Motion approved 5-0**

### **8. BOARD MEMBER COMMENTS AND ITEMS FOR FUTURE AGENDA**

**Chairman Keith Farmer** [02:45:45] Board member comments, Rick, what you got?

**Mr. Donohue** [02:45:49] Nothing new.

**Chairman Keith Farmer** [02:45:49] Courtney.

**Mrs. Stokes** [02:45:50] Not much, but I will say I like the drone footage that staff was showing us in the photos and videos.

**Chairman Keith Farmer** [02:45:59] Marty what you got?

**Mr. Proctor** [02:46:01] Just that I did attend the staff meeting at the Water Authority office on August four in the morning, that was a very enlightening opportunity to see how the operation on a day-to-day basis get started. And I did also I want to report that I met with the Sheriff today I mentioned it earlier, very amicable discussion, I outlined the specifics of what our motions were, what our intentions were. And I wanted to look him in the eye and have him nod his head and say yes, I understand, yes, I agree. He looked me in the eye and said, yes, I understand to all three points, and yes, I agree.

**Chairman Keith Farmer** [02:46:39] Good enough.

**Mr. Proctor** [02:46:40] So those were the primary activities again, I'm not accepting any mantle of responsibility, but if we if we if it ends up, something I can support I'd be happy to do it if it will help the Board.

**Chairman Keith Farmer** [02:46:55] Absolutely.

**Mr. Brandeburg** [02:46:58] All right, I've got a bit of a three parter I'd like to discuss at a future meeting doesn't necessarily need to be the next meeting, but whenever is convenient for staff. I fielded a lot of separate questions lately on canals we maintain versus canals we do not maintain and one to get clarification on our stance on that. So, I'm more educated moving forward and to consider what our options are from that standpoint. I get it at a very high level but to really understand more of the finer details in there would help me. Part two with that would be to consider if it's viable, if it makes sense, if it's necessary, a potential grant funds similar to the stormwater fund for certain canals that meet certain parameters that may not necessarily meet whatever our current definition of public waterway is now but may have X number of homes or X number of industry or whatever on it. That could be quantifiable to consider if funds are available, if we've got some additional funds and we can clean up some additional canals where it makes sense, I think that's worth considering for everyone's benefit of the waterways. And lastly, with that is a fielded that some calls and just want to get some information from staff on some concerns with some residential canals off County Road 448 kinda off the AB canal. There's some residents that have reached out with some longstanding concerns that just wanted to get the full information on and understand, Mrs. Moss, understand what's happened in the past and how we can hopefully either put this to bed or at least all of us new Board members be up to date on what's transpired and why it is where it is.

## Draft Regular Board Meeting Minutes – August 25, 2021

**Chairman Keith Farmer** [02:48:37] That's good, that's good the Board members that need to be involved and get full understanding about this canal situation, problems and issues and cause it doesn't go away, you know, so I would the only comments, where you done, I'm sorry.

**Mr. Brandeburg** [02:48:55] The first one is more of an agenda request just as a high-level presentation on the canals we maintain now versus the canals we do not currently maintain, but then also for staff to at least consider if it's viable for a canal restoration project similar to the grant stormwater grant funding that we do on a cost sharing basis or whatever for a community of size that wouldn't necessarily meet our current requirements as a public waterway. And then just more information on on the Ms. Moss situation and where we are with that.

**Chairman Keith Farmer** [02:49:26] Ok.

**Mr. Proctor** [02:49:27] I apologize, Mr. Mr. Chairman, in that vein I wasn't thinking about agenda I was just thinking about what I'd done. I'd like to also have us reach a decision, I was put in an uncomfortable position the first time, my first board meeting of being in the last one to vote on an issue that was I didn't have enough knowledge necessarily to vote on. I voted, I voted with my heart and I did the right thing. With the determination situation, I don't think it's fair for a person just because of where they sit to have to be always be last, take a roll calls from there to here when the roll calls come. All I'm asking is that we consider having some kind of when there's going to be roll call votes like that to have some kind of a rotation, so the end person isn't always on the hot seat. I felt that when it occurred to me and I was sensitive to Tyler going through that in the Ron thing, I would not have been put into the position of the vote coming to me three to three. Having it happen every time, just because he sits there, I don't think it's like, you know, if you.

**Chairman Keith Farmer** [02:50:31] Marty I'm ok with that, you come up with some type of a system, we'll draw outta a hat I don't care, we'll come up with something I don't.

**Mr. Proctor** [02:50:38] You know, reverse alphabetical order then alphabet order and then.

**Chairman Keith Farmer** [02:50:43] Listen, this is this is one of those positions where you're not going to be comfortable all the time, you're going to have to make decisions and the public's going to have problems with it. And you're bringing up canals and that's you know, and we want to have a review on that. And our staff can bring you up to speed about our policies and things like that. But, um,

**Mr. Proctor** [02:51:05] But if he's not here on that guy.

**Chairman Keith Farmer** [02:51:11] Well, we'll figure it out, let's don't have anything to vote on controversial from now on, all right we can do that all right and we can do that. But I would like to uh compliment our staff again. We have a wonderful staff there that tree was down in the canal, one phone call within a couple of hours it was cleared. That's impressive and I just happened to have some government officials with me. And of course, they're egging me on hey, you know, the trees down there. I said, as a matter of fact, this is our turf you know what I mean. And, uh, and then, of course, we're coming back through the canal and then there you think it's clear, you think it's clear, I said of course it's clear. I'm thinking yeah, you know, and it was so everybody was happy. But I like to compliment our staff and not only on that, but our park looks fantastic. Now we're going to get through this water issue, but I really want to compliment the staff about the park. It is the appearance of it is it's really taking shape and it looks good and they really deserve a lot of credit for all the efforts you're doing. And Steve, out of the NuRF project is doing a wonderful job keeping that thing up and running and online and making improvements. So, we've got a good staff, we have a good staff, and they are doing the job and I am grateful so as we should be but.

**Mr. Donohue** [02:52:38] Real quick, Wednesday September 8th here five o five.

**Chairman Keith Farmer** [02:52:40] Yeah, that's what that was the budget meeting it will be here, ok. All right, do we have anything else? I think we're good guys unless we, nothing else, meeting adjourned, good job.

---

Tekesha Stephens, Recording Secretary

---

Gary Cooney, Secretary-Treasurer

---

Keith Farmer, Chairman