

**DRAFT**  
**MINUTES OF THE REGULAR BOARD MEETING**  
**of the**  
**LAKE COUNTY WATER AUTHORITY**  
**February 24, 2016**

1 The Regular Hearing of the Board of Trustees of the Lake County Water Authority was held  
2 at 3:30 p.m. on Wednesday, February 24, 2016 in the Lake County Administration Building,  
3 County Commissioners Chambers at 315 West Main Street, Tavares, Florida.

4 **Members Present-District #**

**Staff Present**

5 Peggy Cox, Chairwoman (#1)	Michael J. Perry, Executive Director
6 Doug Bryant (#4)	Patricia Burgos, Environmental Prog. Mgr.
7 Charles Clark (#5)	Ron Hart, Water Res. Prog. Mgr.
8 John Harris, (At Large)	Sergio Duarte, Water Res. Proj. Mgr.
9 Carolyn Maimone, (#3)	Ben Garcia, GIS Manager
10	Carole Barice, LCWA Attorney
11	Linda Marino, Administrative Assistant
12	Anna Ely, Recording Secretary

13 A list of others present that signed the attendance roster is filed in the permanent files of the  
14 Water Authority.

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

16 The meeting was called to order at 3:30 p.m. and everyone stood for the Pledge of Allegiance.

17 **2. APPROVAL OF MINUTES**

18 **MS. MAIMONE MADE A MOTION TO APPROVE THE MINUTES OF THE LAKE**  
19 **COUNTY WATER AUTHORITY BOARD MEETING OF WEDNESDAY, JANUARY 27,**  
20 **2016 - REGULAR MEETING.** Mr. Bryant seconded the motion.

21 **Motion approved 5-0.**

22 **3. EXECUTIVE DIRECTOR REPORT**

23 Mr. Perry addressed the Board and gave the current water level reports. He stated that there was  
24 significant rainfall in January and Lake Griffin has been holding steady at the Regulation  
25 Schedule for most of the winter. He noted that it actually was close to maximum desirable for a  
26 short time.

27 He reported that the Middle Lakes/Superpond (Lake Dora, Lake Harris and Lake Eustis has been  
28 above the Regulatory Schedule and maintained that level all of January.

29 He also reported that Lake Apopka has been as close two tenths of a foot to Regulation Schedule  
30 and a half a foot above Minimum Desirable. He noted that the District had turned off the flow

31 from Lake Apopka on December 21<sup>st</sup> and re-opened it on February 10<sup>th</sup>. He explained that the  
32 flow from Lake Apopka and through the NuRF is at approximately 16 to 18 cfs at this time. He  
33 noted that most likely it would stay at that rate for a while longer.

34 Mr. Perry reported that the Clermont Chain has experienced a significant amount of rain in the  
35 last month and staff has tried to keep the water level at 97 feet msl. He stated that the water level  
36 at this time is actually .2 feet lower than it was at this time last year. He noted that the combined  
37 flow through Big Creek and Little Creek is at 102 cfs at this time and the discharge out of the  
38 system is at about 100 cfs. He stated that staff is keeping an eye on the levels and will adjust the  
39 flow through the structures as needed.

40 He stated that the total rainfall for January was 6.13 inches which is over 3 inches above the  
41 average rainfall for January. He noted that year-to-date rainfall is at 249%, but he expects that to  
42 change over the next couple of months.

43 Mr. Perry also informed the Board that he had attended a Peer Review Committee meeting for  
44 the model from which St. Johns River Water Management is preparing the Minimum Flows and  
45 Levels (MFL) and possible changes to the Regulatory Schedule. He stated that two days were  
46 spent discussing the model and the focus of the conversations were on several technical issues.

47 He stated that he expects the review of the model to be approved and that he felt that it is  
48 important that the Water Authority pay attention to what the District does with the results when  
49 they determine the Minimum Flows and Levels.

50 He explained that they will continue to work on updating and reviewing the model through  
51 September and will hold another Peer Review Committee meeting in October. He stated that  
52 hopefully the model will be completed and approved by January 2017 and they will begin setting  
53 the MFLs and Regulatory Schedule.

54 Chairwoman Cox asked if the model is to be used on every lake and river and Mr. Perry  
55 explained that it is specific to the Upper Ocklawaha/Harris Chain.

56 He stated that there is still a lot of work ahead, and sometime after January 2017, the District will  
57 begin actually creating the MFLs. He explained that after the MFLs are established, the District  
58 will most likely talk about changes to the Regulatory Schedule. He explained that even though  
59 the process was supposed to be completed in 2013, there is still significant work to be done.

60 He stated that this is the most significant thing regarding the Harris Chain that they need to pay  
61 attention to and he will do his best to stay on top of it and keep the Board informed. He stated  
62 that hopefully the District will allow the Water Authority to be a participant of the process.

63 Mr. Perry stated that the slope repair at the NuRF had been completed. He noted that Mr. Duarte  
64 supervised the project and stayed on top of it through completion. He showed a picture of the  
65 completed project (*included as an exhibit in the backup documentation*).

66 Mr. Perry reported that the alterations to the parking lot at Hickory Point had been completed.  
67 He showed pictures of the completed sections (*included as an exhibit in the backup*

68 *documentation*) and noted that Mr. Duarte had also done an excellent job of supervising that  
69 project also.

70 He also reported to the Board that the replacement of the Hickory Point Pavilion first floor  
71 decking had also been completed and the boards are seasoning and drying out. He stated that  
72 after the boards have seasoned and dried, they will caulk and seal the deck.

73 Mr. Perry also reported that there are still some issues with the new office building air  
74 conditioning unit and it is still not functioning correctly. He stated that there are issues with the  
75 air conditioning for the main part of the building as well as the server room. He explained that  
76 the server room is not being cooled at all and staff is worried about the equipment being  
77 damaged due to the high temperatures in the server room.

78 He stated that Mr. Hart has sent daily emails, as well as made daily phone calls trying to get the  
79 problems resolved. He stated that while they have been responding to calls, they have not been  
80 able to resolve the issues.

81 Chairwoman Cox asked if they are dealing with the contractor that installed the units and Mr.  
82 Perry stated that staff has been working with the contractor as well as the builder. He stated that  
83 while the builder is trying to resolve the issue, the problem seems to be with the contractor.

84 Ms. Maimone asked about the server room, and Mr. Perry stated that the unit for the server room  
85 is not working at all. He explained that staff is using a fan in the room and keeping the door to  
86 the room open to the hallway so that heat can escape and the room can have access to the cooler  
87 air of the main part of the building.

88 Mr. Hart explained that there are two different air conditioning units, one for the building and a  
89 separate Mitsubishi Mini-Split unit for the server room. He stated that the HVAC contractor has  
90 stated that the Mitsubishi had originally refused to provide parts under the warranty and once  
91 they were able to get the parts, they were sent the wrong parts. He stated that once they received  
92 the right parts, the unit still didn't work, as it appears that the compressor also needed replacing.

93 He stated that the HVAC contractor is wanting to completely replace the unit with another unit  
94 that is manufactured by a company that he is not familiar with. He explained that he is  
95 concerned about going from a top of the line unit to something that may be poorly manufactured.

96 Ms. Maimone and Mr. Harris asked why Mitsubishi hasn't provided a new unit, since there have  
97 been problems from the beginning. Mr. Hart stated that now they are saying the problem is not  
98 in the unit, but is being caused by power surges. He explained that SECO has placed monitoring  
99 equipment on the building to check the incoming power supply for power surges, but he doesn't  
100 have any results of the monitoring as this time.

101 Mr. Harris asked about putting a surge protector on the unit, and Mr. Hart stated that they want  
102 to know whether the power supply is spiking, as it may also damage the other units.

103 Ms. Maimone stated that the HVAC contractor needs to be aware that they will have a much  
104 higher expense than just the price of the unit, should any part of the server be damaged. Mr. Hart

105 stated that he has informed them that it would cost \$12,000 to replace a server, should one of  
106 them become damaged.

107 Chairwoman Cox asked if Mr. Hart if had spoken to Mr. Sapp and Mr. Hart stated that  
108 everything he has done has been through Emmett Sapp Builders, who in turn works with the  
109 HVAC contractor. He explained that the contractor is aware of the issues and has indicated a  
110 willingness to get a new subcontractor to resolve the issue should they need to.

111 The Board was of the opinion that the HVAC contractor needs to replace the server air  
112 conditioner under warranty with same unit ASAP, as the problem has gone on long enough.

113 Ms. Maimone stated that the server room should have hooked up to the main a/c unit, with the  
114 Mini-Split being used as a back-up. She stated there should always be two units connected to a  
115 server room, so there is a back-up should one fail.

116 The Board instructed staff to look into adding a vent from the building air conditioning into the  
117 server room to supplement the server room unit and to also look into the possibility of adding a  
118 back-up unit for server room.

119 The Board gave Mr. Perry permission to utilize Attorney Barice's services to help resolve the air  
120 conditioning issue should he feel that it is necessary.

121 Mr. Perry also informed the Board that a Field Ranger had recently resigned and staff has posted  
122 the position on the Water Authority website and in the newspaper.

123 **4. CONSENT ITEMS**

124 **MS. MAIMONE MADE A MOTION TO APPROVE THE CONSENT AGENDA.** Mr.  
125 Harris seconded the motion.

126 **Motion approved 5-0**

127 a. Approval to Extend the Contract Time for the Land Management Services  
128 Agreements

129 **AUTHORIZE STAFF TO EXTEND THE CONTRACT TIME OF THE LAND**  
130 **MANAGEMENT SERVICES AGREEMENTS FOR TWO ADDITIONAL YEARS.**

131 b. Approval to Extend the Contract Time for the Prescribed Fire Services Agreements

132 **AUTHORIZE STAFF TO EXTEND THE CONTRACT TIME OF THE PRESCRIBED**  
133 **FIRE SERVICES AGREEMENTS FOR TWO ADDITIONAL YEARS.**

134 **5. DISCUSSION ITEMS**

135 a. Approval to Award 2015-2016 Stormwater Grant

136 Mr. Hart stated that the Water Authority did not receive as many Stormwater Grant Applications  
137 this year as it normally does. He explained that staff sent information regarding the Grant to every

138 City Public Works Director and City Manager, as well as the head elected official for each city, as  
139 they do every year, but only three applications were received.

140 He noted that the three applications received were fairly high in the amount of money they  
141 requested. He stated that the highest ranked project comes from the City of Tavares with a request  
142 that involves the same project the Board has heard in the two previous years. He explained the  
143 original funding awarded to the City was \$253,000 and the following year they were awarded  
144 another \$100,000. He stated that the City has requested an additional 11% funding this year,  
145 which would bring the total award of \$639,000 for the project.

146 Chairwoman Cox asked if the City was going to finally begin working on the project, if the  
147 additional funds are awarded. Mr. Hart explained that the project is out to bid at this time. He  
148 stated that it is a large project, and is estimated to be an \$8 million project in total, with the  
149 stormwater portion costing about \$2 million.

150 Mr. Hart stated that while staff is recommending approval of the additional funding, there are still  
151 some additional details to work out, as the Agency has to be careful that none of the approved  
152 areas will cause an increase in loading into the lake. He stated that normally any project that  
153 would create an increase in loading into the lake, is not funded, but the final computation for this  
154 projects shows that overall there will be a dramatic decrease in loading into the lake.

155 He explained that the City plans to rework the wetland behind the jail and create a series of  
156 stormwater ponds. He showed a map of the stormwater system and pointed out three pipes that  
157 will still outfall into Lake Dora. He explained that during high rainfall events they would not be  
158 able to divert the full flow of water to the treatment areas. He stated that the pipes will have a  
159 smart box with a weir and under normal conditions the water will divert to a treatment area and  
160 water won't enter the lake except in times of high rainfall

161 Mr. Bryant asked if the City of Tavares is requesting the additional \$286,000 because of an  
162 increase in the cost of the project, or if they have lost some of their other funding.

163 Mr. Hart explained that the original grant application had been for 25% funding and the Water  
164 Authority did not have sufficient funds to award them that much at that time, and they received a  
165 significantly lower amount than they had requested. He explained that awarding this year's  
166 request will bring them closer to the original 25% they had requested.

167 **1. City of Tavares' Downtown Stormwater Improvements**

168 **MS. MAIMONE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR**  
169 **TO AMEND THE EXISTING 25% COST SHARE AGREEMENT WITH THE CITY OF**  
170 **TAVARES FOR THE WATER QUALITY PORTION OF THE DOWNTOWN**  
171 **STORMWATER IMPROVEMENTS TO AN AMOUNT NOT TO EXCEED \$639,330.** Mr.

172 Harris seconded the motion.

173 **Motion approved 5-0.**

174 **2. City of Clermont’s West Lake Wetlands and Pond Facility**

175 Mr. Hart stated that the City of Clermont has submitted a project for the west side of the  
176 downtown area. He showed a map of the downtown area and pointed out the location of a linear  
177 stormwater pond that had been funded by the Water Authority in 1996.

178 He point out an area to the west where they propose to construct another stormwater pond and  
179 explained that the City is proposing to divert water from the east side stormwater pond to a new  
180 pond on the west side in order to create overflow parking to the east. Mr. Hart stated that  
181 creating parking in a stormwater ponds doesn’t work.

182 He pointed out another treatment area and stated that the City is proposing to eliminate that  
183 treatment area and rerouting the stormwater runoff to West Lake. He noted that they are also  
184 proposing to fill some of the flood plain of West Lake and use the new treatment pond as  
185 compensating storage for the elimination of the flood plain area.

186 He stated that there are several parts of the project that do not seem appropriate for the Water  
187 Authority to fund, as it does not provide for water quality improvement. He stated that they need  
188 to figure out just how much of a decrease in loading there will actually be to Lake Minneola and  
189 determine what construction activities are necessary to achieve those results. He noted that the  
190 Water Authority does not want to provide funds to retreat an area that they have already provided  
191 funds to treat in the past.

192 He also noted that they are planning on building new town homes in the area where they are  
193 proposing to fill in the flood plain, which will create new impervious area which will cause more  
194 stormwater runoff that will need to be treated. He explained that the area would need to be  
195 separated out from the rest of the project as the Water Authority does not fund stormwater  
196 treatment for new construction.

197 Chairwoman Cox asked if this is a fully designed project and Mr. Hart explained that it is just in  
198 the preliminary design stage and he didn’t feel the project is ready for the Board to consider at  
199 this time.

200 **3. City of Umatilla’s Stormwater Master Plan**

201 Mr. Hart explained that City of Umatilla recently had a turnover in staff and there is all new  
202 staff. He stated that they are requesting the Water Authority to fund a Stormwater Master Plan  
203 for the City at \$125,000. He stated that the issue with this request is that the Water Authority  
204 already funded a Stormwater Master Plan at \$12,000, just three years ago.

205 He noted that he has asked City staff how this project differs for the previously funded project  
206 and stated that he has not received a response at this time. He explained that until he receives  
207 more information from the City of Umatilla, staff is not recommending that the Board take any  
208 action.

209 b. Review of the Alum Storage Tank Situation

210 Mr. Hart stated that a representative from PolyProcessing had finally visited the NuRF and  
211 inspected the leaking alum tank. He explained that after inspecting the tank, the representative of  
212 the factory had stated that the crack was a weld defect that was common in 2008 when the tank  
213 had been manufactured. He reported that the representative had explained that occasionally there  
214 would be bubbles in the seams and they would have to weld those seams to repair.

215 He had stated that the tank at NuRF had been repaired and welded at the factory during  
216 manufacture and the tank has failed along the repaired seam. He noted that the representative has  
217 offered to come back and repair and weld the seam on site, at no charge.

218 He explained to the Board that the representative from PolyProcessing had stated that with the  
219 type of use and the temperatures here in Florida cause the tanks to stress and with the flexing of  
220 the tanks, they shouldn't expect to get more than 10 years out of the tanks.

221 Chairwoman Cox asked how age of the tanks and Mr. Hart stated that the tanks have been in use  
222 for seven years.

223 He explained that while they had the chance, staff had a contractor remove the tank with the hole  
224 in bottom. He showed a picture of the bottom of the tank and pointed out the location of the leak  
225 along the seam. He stated that the leak is in the "knuckle" of the tank which is an area that cannot  
226 be repaired. He explained that it's common for the tanks to fail in that location from, due to the  
227 flexing of the tank as it is continually filled and emptied.

228 Chairwoman Cox asked if the estimates provided in the staff memo are recent estimates and Mr.  
229 Hart stated that the stainless steel company has indicated that the price quoted for the steel tank is  
230 still available.

231 He stated that Mr. Duarte had met with the sales rep from PolyProcessing and they have indicated  
232 that they will offer a replacement tank directly from the factory at a price below their current  
233 contract prices. He noted that to purchase any poly tanks in the future, the Water Authority would  
234 need to go through the local supplier.

235 Chairwoman Cox asked how much of a discount were they going to give and Mr. Hart stated that  
236 they haven't been given a price yet.

237 Ms. Maimone asked if the life expectancy would still be ten years or less for the poly tank and Mr.  
238 Hart explained that while the company has improved the manufacturing process of the tanks, the  
239 life expectancy is still ten years or less.

240 **MS. MAIMONE MADE A MOTION TO AUTHORIZE STAFF TO RELEASE A BID FOR**  
241 **TWO 12,150 GALLON TYPE 316L STAINLESS STEEL TANKS FOR THE NUTRIENT**  
242 **REDUCTION FACILITY.** Mr. Harris seconded the motion.

243 Mr. Clark asked what the real cost would be including shipping and installation and Mr. Hart  
244 stated that shipping charges would be same for all the tanks, no matter what type they chose.

245 Chairwoman Cox asked about the repair and/or replacement warranty for the stainless steel tanks  
246 and Mr. Hart stated that he didn't have those details at this time.

247 Chairwoman Cox noted that under a roofed location the stainless steel tanks have an expected  
248 lifespan of 25 to 80 years versus the poly tanks. She asked if there is any disadvantages to the  
249 steel tank not being under a roof. Mr. Hart explained that corrosion is extremely low on the  
250 stainless steel tanks and he didn't think there would be much of a difference. It was noted that  
251 there wouldn't be any flexing of the stainless steel tank to cause stress on the tank, and that it  
252 wouldn't damage the tanks to sit empty during a drought.

253 Ms. Maimone asked what would be done with the old tanks and Mr. Hart stated that staff would  
254 cut them up and take them to the landfill.

255 Mr. Bryant asked the life expectancy of the NuRF and Mr. Hart stated that is a Board decision, as  
256 it could be run as long as the Water Authority wants it too. He noted that originally it was hoped  
257 that Lake Apopka would some day be clean enough to meet the water quality requirements of  
258 Lake Beauclair which is downstream.

259 Mr. Perry explained that there will always be a need for the NuRF, even if Lake Apopka meets its  
260 TMDLs. He explained that the District has set the TMDL for Lake Apopka at 55 parts per billion,  
261 while the Harris Chain TMDL is 33 parts per billion. He stated that any water entering the Harris  
262 Chain and Lake County from Lake Apopka will need treatment to take it from 55 parts per billion  
263 to 33 parts per billion. It was noted that recent TMDLs amounts for Lake Apopka have been  
264 between 115 to 180 parts per billion.

265 Mr. Hart stated that one of the reasons the tanks need replacing is due to logistics of the delivery  
266 of alum. He explained that it takes a certain amount of turn around time between ordering and the  
267 delivery of the alum.

268 He explained that the Water Authority doesn't control the flow rate from Lake Apopka and  
269 depending on the flow it can take several tanks to keep NuRF in operation. He noted that the  
270 previous week the facility was using one tank of alum a day and they have to have at least a three  
271 day supply on hand for a typical weekend and four tanks for a long weekend. He stated that with  
272 increased flows, the amount required also increases, which increases the need for more storage  
273 tanks.

274 Chairwoman Cox asked if they would be replacing both defective tanks with stainless steel at this  
275 time and Mr. Hart explained that PolyProcessing would patch and repair the tank that is repairable  
276 for free and only need to replace the non-functional tank at this time.

277 Mr. Bryant asked if they would be replacing others with stainless steel as they break down and Mr.  
278 Hart stated that the plan is to use the poly tanks as many years as possible until they have an issue,  
279 at which time they will already have the bid and contract price in place to purchase a stainless steel  
280 tank.

281 Mr. Clark noted that the NuRF can handle a flow up to 300 cfs and asked how much alum was  
282 needed at that rate. Mr. Hart replied that it would take three tanks of alum a day at that rate.



283 [MS. MAIMONE MADE A MOTION TO AUTHORIZE STAFF TO RELEASE A BID FOR  
284 TWO 12,150 GALLON TYPE 316L STAINLESS STEEL TANKS FOR THE NUTRIENT  
285 REDUCTION FACILITY. Mr. Harris seconded the motion.]

286 **Motion approved 5-0.**

287 c. Review of Annual and Sick Leave Policies

288 Mr. Perry explained that this topic is a follow-up to last month's discussion related to the  
289 differences between the FRS (Florida Retirement System) and the Water Authority policies.

290 He stated that Ms. Marino had looked at the Annual and Sick Leave policies of the other many of  
291 the government agencies that are similar to the Water Authority (Clerk's Office, Lake County, the  
292 Tax Collector, the Property Appraiser and St. Johns River Water Management District).

293 He stated that the Annual Leave policies seem to be fairly consistent regarding accrual rates with  
294 exception of the Property Appraiser whose policy is a bit more generous. He explained that Sick  
295 Leave policies vary widely between agencies, with the Property Appraiser again being a bit more  
296 generous.

297 He explained that the Florida Retirement System allows a payout of up to 500 hours of accrued  
298 Annual Leave. He noted that none of the local government agencies allow up to that amount, so in  
299 looking at making things a bit closer to FRS, he is suggesting allowing a payout of up to 400  
300 hours.

301 He noted that they want people to take their annual leave, but if conditions exist over the years that  
302 caused someone to accrue more than the existing 300 hours, they wouldn't be penalized.

303 He explained that for Sick Leave, he is recommending that the Agency adopt a policy similar to  
304 Lake County, with a tiered level of payout.

305 Mr. Harris asked what the effective date of the changes would be and Mr. Perry stated that they  
306 would be effective at the time of Board approval, should they approve the changes.

307 Mr. Harris asked how would it affect the budget and Mr. Perry explained that it is budgeted for in  
308 each year's budget. He stated that Linda Marino would be the next one to retire and they would  
309 only need to adjust the budget within the next couple of years to cover the slight increase.

310 Mr. Bryant asked how many of the Water Authority's present employees have accumulated over  
311 300 hours of vacation and Mr. Perry stated that some are close but no one is over 300 hours at this  
312 time.

313 Mr. Bryant asked why they would want to make a change in the policy and Mr. Perry explained  
314 that it would bring the Water Authority's policy more in line with the Florida State Retirement  
315 policy and more in line with other local government agencies.

316 After discussion of Lake County's policy it was realized that the County's policy institutes a  
317 phase-out of the higher 50% payout on sick leave. It was noted that the Water Authority's policy

318 is already at 25% so there is no need to implement a phase out schedule and several members of  
319 the Board felt they should leave that portion of the policy as it is.

320 Mr. Harris stated that he felt they should look at it a little further and bring it back for discussion  
321 when there is a full Board attendance.

322 Chairwoman Cox instructed staff to bring this topic back to the Board in a month or so and Ms.  
323 Maimone asked that staff make sure that Vice Chair Dufresne knows that it will be coming back  
324 for discussion.

325 **6. PUBLIC COMMENT**

326 None

327 **CONTINUATION OF DISCUSSION ITEMS:**

328 d. Status of Bourlay House

329 Mr. Perry reported that progress is being made at the Bourlay House. He stated that the plumber  
330 has repaired all the water valves, faucets and leaks. He explained that the hole in the downstairs  
331 ceiling was caused by water splashing over the tub in the upstairs bathroom and not by a leak. He  
332 stated that the ceiling has been repaired.

333 He noted that the electrician has inspected the house and replaced several outlets and the  
334 electrician feels that the electrical system is safe and working properly.

335 He showed a photograph of the downstairs bathroom and stated that the dark slate in the shower  
336 has been replaced with fresh white tile and a new faucet and showerhead have been installed. He  
337 noted that new vanity lights and a medicine cabinet have also installed.

338 Mr. Perry stated that the staircase railing and balusters have been sanded and are ready to installed  
339 and painted. He explained that when the vinyl floor in the kitchen was pulled up, more vinyl was  
340 found underneath. He stated that both layers have been removed and the hardwood floor appears  
341 to be in good condition and can probably be sanded and refinished rather than putting down more  
342 vinyl.

343 He stated that the house will probably be ready to be occupied in about a month.

344 e. Status of Lake Norris Acres Appraisal

345 Mr. Perry reported that St. Johns River Water Management has selected an Appraiser. He  
346 explained that the appraisal is going to cost \$2,500 and will done within 30 days. He stated that  
347 they also have a Reviewer selected and that fee will be \$1250, for a combined cost of \$3750. He  
348 explained that the Water Authority's share would be 50% of that amount. It was noted that the  
349 Board has previously approved a limit of \$3500, so 50% of \$3750 would be well under that  
350 amount.

351 f. Status of Old Office Building

352 Mr. Perry stated that it is time to start thinking about what they want to do with the old office  
353 building. He stated that they have the appraised amount and the Board needs to determine how  
354 much they want for the building and how they want to sell it. He explained that Ms. Maimone has  
355 offered to act as the agent at no cost, if her broker agrees.

356 He stated that Ms. Maimone has had someone inquiring about the building and both the County  
357 Manager and the Clerk of Courts have also shown and interest.

358 He also informed the Board that Attorney Barice had taken a look at some of the Water Authority  
359 policies and explained that there was a resolution put in place in 2003 that mostly pertained to old  
360 computers and items that the Water Authority needed to dispose of. He noted that the policy also  
361 includes real property and explained that because of that policy, the property would need to be put  
362 out to bid.

363 Chairwoman Cox stated that they would need to advertise that the property is available in a public  
364 paper. She stated that it doesn't have to be auctioned, but can be put out to bid.

365 She stated that when she and Mr. Perry had spoken with Lake County Manager, David Heath the  
366 day before, she got the impression that the County wants the property and is ready to go forward  
367 with the purchase.

368 She noted that the Lake County Water Authority can set their own asking price. She explained  
369 that they are not restricted by the appraisal and can ask over the appraisal price should they wish.  
370 She stated that Mr. Heath had stated that any government agency looking to purchase a piece of  
371 property would get their own appraisal and if the amount differed, then they could negotiate.

372 Attorney Barice reminded the Board that they could rescind the policy in place or modify it,  
373 should they wish.

374 Mr. Bryant stated that as the Water Authority has a good policy in place, it makes sense to follow  
375 the policy. He stated that as much as he would like to see the County acquire the property, he felt  
376 that it should go to the highest bidder. He stated that he didn't see any need to modify or rescind  
377 the policy.

378 Ms. Maimone stated that they need to make sure that notice of the sale gets out to everyone that  
379 might be interested. She explained that listing it with the MLS and LoopNet would be one of the  
380 fairest ways to sell the property and get the best price.

381 Chairwoman Cox stated that they would need to set a minimum price when listing the property  
382 and Mr. Perry stated that they could set a minimum bid when putting the property out to bid.

383 Attorney Barice stated that there are ethics statutes that prohibit an officer from doing business  
384 with an agency for which they are an officer. She noted that as long as Ms. Maimone and her  
385 employer receive no money from the sale, it may be okay, but suggested speaking with the Ethics  
386 Commission to make sure they have no problem with it.

387 Ms. Maimone explained that they couldn't put a bid in the MLS. She also explained that a MLS  
388 listing would require a listing agreement and it would have to state there would be no commission  
389 on the sale.

390 Mr. Harris stated that he would like to see it go to the highest bidder that would use the property  
391 for the good of the community.

392 Chairwoman Cox stated that she expects Lake County to come forward with a bid and Ms.  
393 Maimone stated that Economic Development is interested in the property for a Community  
394 Theater.

395 Mr. Bryant asked if they were going to advertise the property at the appraised value. Ms.  
396 Maimone explained that the Board could set a minimum bid price and would be free to pick the  
397 best price and the best terms offered. She stated that the Water Authority is the owner of the  
398 property and can determine the best choice for the Agency.

399 Mr. Perry explained that in looking at an example of a bid listing from the City of Tallahassee,  
400 they can make any number of provisions to the bid such as allowing the Board to reject any or all  
401 bids, accept a bid other than the highest bid, waive informalities and/or accept other minor  
402 irregularities with the bid received, or accept the bid.

403 Chairwoman Cox stated that she thought the minimum bid should be the appraised value and Mr.  
404 Harris stated that he felt they should set the minimum bid at what they would minimally accept for  
405 the property, regardless of the appraised value. Ms. Maimone stated that she agreed with Mr.  
406 Harris. There was discussion regarding the minimum price with Mr. Perry suggesting that they set  
407 the minimum bid at \$300,000 and Chairwoman Cox stating that maybe \$310,000 would be more  
408 appropriate.

409 **MS. MAIMONE MADE A MOTION TO AUTHORIZE STAFF TO PUT THE FORMER**  
410 **WATER AUTHORITY HEADQUARTERS OUT TO BID FOR A MINIMUM BID OF**  
411 **\$310,000, AS PER THE WATER AUTHORITY'S POLICY; AND THE BID SHALL BE**  
412 **POSTED IN THE REAL ESTATE SALES SECTION OF A NEWSPAPER OF**  
413 **GENERAL CIRCULATION FOR A MINIMUM OF TWO WEEKS. THE BOARD**  
414 **DIRECTED THAT THE AD BE PLACED IN DAILY COMMERCIAL AND THE**  
415 **SENTINEL.** Mr. Harris seconded the motion.

416 It was noted that the bid notice should be listed on the marquee sign at the old office.

417 **Motion approved 5-0.**

418 **7. LEGAL STAFF REPORT**

419 Attorney Barice updated the Board regarding the alum class action suit and stated that she has  
420 spoken to the attorney and the investigator at the Florida Attorney General's Office. She stated  
421 that they had explained that there have been a number of class action suits filed and they are  
422 being consolidated into one class action suit in a Federal Court in New Jersey. She explained  
423 that they had informed her that the Water Authority is already listed as a member of that class

424 action suit. She stated that the Attorney General’s Office had asked for the Water Authority’s  
425 records and staff has provided them with the information they requested.

426 She also noted that during the previous Board meeting she had advised the Board that there was  
427 a Bill before the Legislature regarding public records. She explained that the way the statute is  
428 currently written, if someone sues you over public records and wins the judgment, they “shall”  
429 get attorney’s fees and costs.

430 She stated that several law firms have been using the statute to sue local governments all over the  
431 state to make millions of dollars. She explained that the Legislature has introduced a bill to  
432 allow the court to refuse to grant attorney’s fees, if it determines that the plaintive has acted with  
433 ulterior motives.

434 **8. BOARD MEMBER COMMENTS**

435 Chairwoman Cox reminded the Board of the upcoming Clermont Chain Lakes Academy to be  
436 held in the Clermont Community Center on March 3<sup>rd</sup>, March 10<sup>th</sup> and March 12<sup>th</sup>.

437 **9. BOARD MEMBER ITEMS FOR FUTURE AGENDA**

438 **10. INFORMATION ITEMS**

- 439 a. Staff Reports
- 440 b. Monthly Financial Reports – January 2016

441 **11. ANNOUNCEMENT OF UPCOMING MEETINGS AND EVENTS**

- 442 - Tavares HS at NuRF 9am to noon, Thursday, February 25, 2016 (9:00am to  
443 noon)
- 444 - Fishing Clinic at Hickory Point, February 27, 2016 (8:00 am to noon)
- 445 - Citizen’s Lakes Academy - Clermont Chain, March 3, 2016 (6:30 pm - 9:00 pm)
- 446 - Love Our Lakes clean up - Clermont, March 5, 2016 (8:30 am to noon)
- 447 - Montverde Academy at NuRF 9am to noon, Wednesday, March 9, 2016  
448 (9:00 am to noon)
- 449 - Umatilla 5th grade at Hickory Point, March 10, 2016 (10:00 am to 1 pm)
- 450 - Citizen’s Lakes Academy - Clermont Chain, March 10, 2016
- 451 - South Lake at NuRF Friday, March 11, 2016 (9:00 am to noon)
- 452 - Citizen’s Lakes Academy - Clermont Chain, March 12, 2016
- 453 - Board Meeting - Wednesday, March 23, 2016 (3:30 pm)  
454 BCC Chambers/Admin. Building
- 455 - Freshwater Master Naturalist program at Hickory Point, Friday, March 18,  
456 2016 (9am to 3pm)
- 457 - Trout Lake Nature Center Spring Break Camp at Hickory Point, Wednesday,  
458 March 23, 2016 (9am to 3pm)
- 459 - Round Lake Elementary at Gilbert Park, Thursday, April 7, 2016 (9am to  
460 1pm)
- 461 - Lake County Fair, April 7 through April 16, 2016

- 462 - Lake Sumter State College & Master Naturalists at NuRF, Friday, April 8,  
463 2016 (9am to noon)
- 464 - Mt. Dora Earth Day, Saturday, April 16, 2016 (10 am to 4 pm)
- 465 - Grassy Lake Elementary Science Night, Thursday, May 5, 2016 (5:30pm to  
466 7:30pm)
- 467 - Minneola Elementary K-3 Science Fair, May 10, 2016 (5:30 pm - 7:30 pm)
- 468 - Sawgrass Bay Elementary at Lake Louisa State Park, Friday, May 20, 2016  
469 (9am to 1pm)

470 **12. ADJOURNMENT**

471 The meeting was adjourned at 5:46 p.m.

DRAFT