

MINUTES OF THE REGULAR BOARD MEETING
of the
LAKE COUNTY WATER AUTHORITY
April 27, 2016

The Regular Hearing of the Board of Trustees of the Lake County Water Authority was held at 3:30 p.m. on Wednesday, April 27, 2016 in the Lake County Administration Building, County Commissioners Chambers at 315 West Main Street, Tavares, Florida.

Members Present-District #

Staff Present

Peggy Cox, Chairwoman (#1)
Adam Dufresne, Vice Chair (At Large)
Mr. Doug Bryant (#4)
Charles Clark (#5)
John Harris (At Large)
Carolyn Maimone, (#3)

Michael J. Perry, Executive Director
Patricia Burgos, Environmental Prog. Mgr.
Ron Hart, Water Res. Prog. Mgr.
Sergio Duarte, Water Res. Proj. Mgr.
Ben Garcia, GIS Manager
Carole Barice, LCWA Attorney
Linda Marino, Administrative Assistant
Anna Ely, Recording Secretary

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

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

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

2. APPROVAL OF MINUTES

VICE CHAIR DUFRESNE MADE A MOTION TO APPROVE THE MINUTES OF THE LAKE COUNTY WATER AUTHORITY BOARD MEETING OF WEDNESDAY, MARCH 24, 2016 - REGULAR MEETING. Ms. Maimone seconded the motion.

Motion approved 6-0.

3. EXECUTIVE DIRECTOR REPORT

Mr. Perry gave the water level report and showed a graph of water levels for Lake Apopka. He stated that the lake barely made it to regulatory schedule before the water levels began to drop. He stated that the lake is slightly below the regulatory level at this time and slightly above the minimum desirable. He noted that the average flow through the NuRF at this time is 19 cubic feet per second (cfs).

He reported that the Middle Lakes/Superpond (Lake Eustis, Lake Dora, and Lake Harris) has fallen below regulatory schedule slightly and is in a downward trend with the drier weather.

He stated that Middle Lakes are just below the regulatory schedule at this time and about a foot above the minimum desirable level at this time.

He showed a chart comparing the regulatory levels of Lake Apopka, the Middle Lakes/Superpond, and Lake Griffin and reminded the Board that the St. Johns River Water Management District has changed the regulatory levels for all lakes except Apopka. The current regulatory schedules for Lake Apopka started down on March 1st and will continue the decline until June where they will remain through the summer. The regulatory schedule for the Middle Lakes/Superpond and Lake Griffin will start down on May 1st and continue to decline until August 1st.

Mr. Perry stated that the target water level for the Clermont chain is 97 feet above mean sea level and as of that morning it was at 96.9. He stated that the water levels are expected to decline between now and the rainy season which doesn't begin until the 15th of June.

He showed a graph of the water levels for Lake Minnehaha and stated the lake is approximately a tenth of an inch lower at this time than it was at this time last year. He stated that all structures on the Clermont Chain are closed at this time.

Mr. Perry reported that as of that morning, the combined flow from Big and Little Creeks was 31 cubic feet per second.

He stated that county-wide, the year to date rainfall is 11.43 inches, which is 2.83 inches above the historical average rainfall of 8.60 inches and is 133% of the yearly average rainfall. He noted that April and Nov are normally the driest months of the year and it will be interesting to see what happens in May and June.

Mr. Clark asked whether there was any water flowing out of Moss Bluff Lock and Dam and Mr. Perry answered that Moss Bluff is at the minimum flow of 25 to 30 cfs, as is Burrell Lock and Dam. He noted that water flowing out of Lake Griffin is approximately the same as that coming into the lake.

Mr. Perry also informed the Board that James R. Gregg died Saturday, April 16, 2016 at the age of 92. He stated that Mr. Gregg had served on the Board from 1988-1995, where he served as Vice Chairman from December 1988 to October 1989 and LCWA Board Chairman from 1989 to 1995.

Mr. Perry stated that he and Chairwoman Cox had taken a trip to the Clermont Chain to look at a couple of issues. He showed a picture of the sign near Emerald Lakes, in between the bridge and Lake Palatlahaha. He explained that the sign is used to indicate water levels and inform boaters that when the water level is at 97 feet, boats should be at idol speed with no wake. He stated that the sign is confusing and staff is looking into ways to make it easier to understand.

He stated that he was pleased to let the Board know that the Water Authority had hired Marcia Robinson as a Maintenance/Field Ranger to fill the vacancy left by John Grimaldi. He stated that she is the second employee to join us from Lake County Parks and Recreation.

Chairwoman Cox stated that while she and Mr. Perry were out on the boat with Deputy Cory Anderson they looked at a community being built by Ryland Homes called Waterside Pointe. She noted that the community is on the north side of State Road 50 and is barely higher in elevation than Emerald Lakes. She stated that houses have been built right along the large waterway that connects Lake Minneola and Lake Hiawatha, with some of the homes less than 20 feet from the waterline.

She stated that there is no speed limit or wake zone in that area and stated that Deputy Anderson stated that he sees potential problems with this. She noted that she had talked with the people at Ryland Homes and let them there is no speed limit and if they have issues, there would be many steps to go through to have a Wake Zone put it place.

She noted that they also looked for a reported algal bloom in Lake Minneola, but were unable to find it.

4. CONSENT ITEMS

MS. MAIMONE MADE A MOTION TO APPROVE THE CONSENT AGENDA. Vice Chair Dufresne seconded the motion.

Motion approved 6-0

- a. No-Cost Time Extension for Timber Harvest Contract

AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A NO-COST TIME EXTENSION TO THE FLATWOODS FOREST PRODUCTS, INC. AGREEMENT THROUGH DECEMBER 31, 2016.

5. DISCUSSION ITEMS

a. Extreme Groves PUD

Ms. Burgos stated that staff had met with representatives from Extreme Groves and they have been great to work with. She noted that she had provided each Board member with a map of Scrub Point Preserve and the area. She explained that the developers are requesting to amend the current Future Land Use from Rural to Urban Low Density. She stated that the property owners and their consultant were both in attendance should the Board have any questions.

Tom Daly of Daly Design Group addressed the Board and stated that he is an Urban Planner and Landscape Architect. He gave a PowerPoint presentation and stated that they had made their application to Planning and Zoning just before the first of the year. He explained that at the time of their application, the Wellness Way Program was moving forward. He stated that he understands that it has been put on hold at this time because of appeals, but noted that everything that they are requesting is going to be consistent with the Lake County's vision for the Wellness Way land use map.

He explained that they had to file using the old regulations and the only category that fit their request was the Low Density category which allows up to four homes per acre. He stated that they do not intend to develop at that density.

He stated that the owners of the property are organic farmers and they have tried to reactive the old orange grove for many years, but the citrus greening has taken its toll and it is no longer feasible to grow citrus on the property.

He stated that the property is adjacent to the Orange County line, with the City of Winter Garden bordering the eastern side of the property. He noted that the adjacent property in Winter Garden is Urban Village and is zoned for four homes per acre. He stated that the Wellness Way allows a maximum of 1.85 units per acre, and they are asking for that density which will be a maximum of 122 homes.

He stated that the Wellness Way requires that there be a non-residential component to each development for job creation, etc. and he showed a copy of their zoning plan and pointed out a five acre parcel that the property owners plan to retain as a location for an agricultural research and education facility. He stated that the property owners do a lot of research in conjunction with the University of Florida and other research entities nationwide.

Mr. Daly explained that he works for Meritage Homes, which is the company that is planning to purchase and develop the property. He stated that minimum proposed lot sizes are 85 feet wide by 120 feet deep and the homes will be 4000 square feet or more, with a starting price of \$350,000 to \$375,000.

He stated that they held a neighborhood meeting during March to talk with residents in and around that area. He explained that one of the things that was brought to their attention was that currently the access to the property is via Flynn Court. He stated that Flynn Court is a Lake County public right-a-way with very little traffic, but there are sight distance issues at the main intersection, which could cause problems.

He stated that they were urged to look at the roadway corridor that runs along the property's western boundary that is owned by the Water Authority and runs all the way to Marsh Road. He stated that one of the main reasons they are there to address the Board is to discuss the possibilities of using that right-a-way with the Board.

Mr. Daly stated that they a good meeting with Chairwoman Cox and the Water Authority staff just to talk about the possibility of utilizing that corridor and make it more feasible to open up Scrub Point Preserve.

He stated that the Water Authority staff had asked about buffering along the boundary of Scrub Point Preserve in order to protect the preserve by not putting homes right up to the boundary. He stated that the plan will call for such a buffer between the development and the preserve. He stated that there was also discussion regarding pedestrian access between Scrub Point and the development, with the potential to connect to the West Orange Trail.

He asked the Board if they could direct staff to continue forward with the discussions and possible agreement between the Water Authority, Extreme Groves, and Meritage Homes regarding the road access, the trail connection, and buffering.

He stated that there will be a hearing before the Lake County Board of County Commissioners (LCBCC) On May 17th, which will be for the transmittal of the Land Use request to be sent to the State of Florida. He explained that they will then come back to the LCBCC during the first part of August.

Mr. Daly stated that before that time they would like to get approval for utilities from the City of Clermont, clear up any roadway issues, as well trail connections, etc. and that hopefully by the middle of August, when they go back to the LCBCC, most of those items will be wrapped up.

He stated that Clermont City Council has recommended approval as well as the Lake County Planning staff, and the Lake County Planning and Zoning Board.

Chairwoman Cox asked when they would be applying for rezoning and Mr. Davy stated that they are requesting a simultaneous hearing.

Chairwoman Cox noted that some of the items that the Water Authority would like to discuss and work out are the buffers, understanding of the prescribed fire program, the possibility of utilities in the future for a site residence at Scrub Point, as well as the entrance road.

Mr. Bryant asked for more information regarding their request to use the access road. He asked if they would construct it and maintain it with a long-term agreement, with the Water Authority retaining title.

Mr. Daly stated that details still need to be worked out, as they are just beginning to explore the idea. He stated that the access road is seventy foot wide and has an easement from the 1990s over it that gives access for the public. He stated that it could end up being a county-maintained road up to the development and then continue forward, or could be an easement with a maintenance agreement. He stated that there are lots of details to work out. He noted that a couple of other things to be discussed with the Water Authority staff are signage and utilities.

Mr. Bryant asked when they anticipate having some sort of resolution or agreement and Mr. Daley stated they hope to have everything by August. He stated that once they have gotten their zoning approval they will have to go through a preliminary plat and then the final construction plans. They are hoping to start construction the beginning of 2017.

Mr. Clark asked if any group had expressed an interest in the agricultural component.

Ben McClain stated that he is one of the owners of Uncle Matt's Organic, and stated that Uncle Matt's has been an organic orange juice brand in the Clermont area since 1999 and have been doing joint cooperative research with the University of Florida for the last seven years. He noted that they have also been working with the USDA. He explained that most of the interest will be from the University of Florida and their Organic Degree Program. He stated that they have also been doing cooperative research on the adjacent Edy Grove.

Chairwoman Cox stated that the issues to be resolved are an agreement regarding the road/easement and insuring there is an adequate buffer area adjacent to the preserve, as she doesn't want to have houses backing right up to the preserve.

She noted that the road would have to be a paved, with a width of fifty feet, to meet Lake County easement requirements. Ms. Maimone stated that she would like the road to be paved all the way to Scrub Point Preserve if the Board were to allow use of the access road.

Mr. Harris asked about prescribed burns and Ms. Burgos replied that they have been working on prescribed burns on the property for the last 8 years. She explained that that they only burn when the wind will take the smoke out into Johns Lake and not across Hartwood Marsh Road.

The Board requested that representatives of Extreme Groves come back to the Board in a month or so with any updates and details and a draft agreement regarding the road and buffer to Scrub Point.

b. Risk and Benefits Interlocal Agreement with Lake County BCC

Mr. Perry stated that for many years the Lake County Water Authority has relied on the Lake County to handle our Employee Benefits Program, as do many other governmental agencies. He explained that Lake County has decided that it wants to formalize that agreement and is asking for all agencies to sign a Risk and Benefits Interlocal Agreement. He stated that a copy of the agreement had been included in their Board Memo.

Attorney Barice asked if any other government agencies had made any significant changes to the agreement and Robert Anderson, with Lake County, stated that so far none of the government agencies have had any issues with it or made any changes.

MR. HARRIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE INTERLOCAL AGREEMENT WITH THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS TO PARTICIPATE ONLY IN THE EMPLOYEE BENEFITS PROGRAM. Vice Chair Dufresne seconded the motion.

Motion approved 6-0.

c. Review of SLRWI Phase III Project

Mr. Perry stated that the last time the Board met there was some confusion regarding what is to be included in the South Lake Regional Water Initiative Phase III Project. He stated that he had invited Brian Sheahan to give an overview of the project and answer any questions the Board may have.

Brian Sheahan addressed the Board and explained that Phase I of the project was to determine just how much water is available. He explained that the study found that there is enough potable water for the foreseeable future but there is not going to be enough non-potable water (landscaping, water to flush toilets and takes showers, etc. He stated that they are projected to fall short of that amount by about 14 million gallons a day, and part of their goal is to determine where that water will come from, whether it be from the Lower Floridan, surface water or some other source.

Chairwoman Cox explained that her complaint regarding the basin study is that on page two it states that the model will be used to make informed decisions regarding the water control structures. She stated that the Lake County Water Authority (LCWA) owns the water control structures and their purpose is to protect the water. She noted that LCWA is not listed in the Basin Study and is not part of the SLRWI (South Lake Regional Water Initiative) Interlocal Agreement and she felt they need to be included regarding any decisions made involving the water control structures.

Mr. Sheahan explained that the agenda item was changed and clarified when it went before the Lake County Board of County Commissioners to include that this would be done in coordination with the Lake County Water Authority. He stated that the SLRWI has no regulatory power and cannot not make regulatory decisions.

Chairwoman Cox stated that even if the Water Authority becomes a part of the Interlocal Agreement, the Water Authority would still have the regulatory authority and the SLRWI (South Lake Regional Water Initiative) will not have any regulatory power.

Attorney Barice asked if she could get a copy of the Interlocal Agreement and the language that was approved.

Mr. Sheahan explained that Mr. Perry had provided them with a copy of the Scope of Work approved by the Legislation Appropriations through the DEP (Department of Environmental Protection) to Lake County. He stated that this is the original language and has not changed, nor can it be changed without rescinding the grant and going back through the Legislature.

He explained that Lake County chose not to do that, and instead to clarify at the Board level, what they were going to do, and what the intent of the appropriation was going to be used for. He stated that they clarified that there is no intent to enter into anyone's regulatory authority or reduce it in any way.

Ms. Maimone stated that what she is wanting doesn't exist yet and once it has been written the Water Authority will received a copy.

Chairwoman Cox explained that the original application for the grant was submitted by the South Lake Regional Water Initiative and Lake County. The Lake County Water Authority was not an applicant for the grant. She noted that the approval to accept the grant includes the Lake County Water Authority and when the report comes out, the Water Authority will be included.

Mr. Sheahan noted that they are currently in the consultant selection process.

d. Wekiva Trail and Wolf Branch Innovation District

Ms. Burgos stated that she had spoken to staff at the City of Mt. Dora regarding the Wolf Branch Innovation District and they had informed her that Mt. Dora is not the lead contact for the project at this time. She noted that once the Wekiva Parkway is completed and the area is annexed into the city, they will be more involved. She explained that at this time the project is still with the Lake County's Economic Growth Department and there really isn't anything new to present to the Board at this time.

She introduced Michael Woods with the Metropolitan Planning Organization (MPO) and stated that he would fill them in regarding the Wekiva Trail Project.

Mr. Woods gave a PowerPoint presentation regarding the Wekiva Trail. He explained that the trail is a long-range project with several segments to built over several years. He explained that the goal for the future is to connect the Wekiva Trail to the West Orange Trail and eventually the Heart of Florida Trail and the Coast to Coast Trail which is slated to be completed by 2023.

He explained that one of the segments is slated to run along the active railroad line through Mt. Dora, across US 441 and along the northern boundary of Wolf Branch Preserve. He talked about potential trailheads along the trail and the amenities that are planned for each trailhead. He noted that they are also planning for a bird blind along one segment. He stated that the Department of Transportation no long provides funding for trailheads and all trailheads would be built using local funding.

Mr. Woods noted that they have funding for the design of the trail, but it will be a couple of years before they will have funding for the construction.

Ms. Burgos explained that she had asked Mr. Woods to update the Board regarding the Wekiva Trail as the Water Athority is trying to vacate roads within Wolf Branch Sink and it may be brought up during our vacation petition as a requirement to dedicate an area for the trail.

6. PUBLIC COMMENT

None

DISCUSSION ITEMS CONTINUED

e. Approval to Award City of Clermont Stormwater Grant

Mr. Hart

VICE CHAIR DUFRESNE MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A 25% COST SHARE AGREEMENT WITH THE CITY OF CLERMONT FOR THE WATER QUALITY PORTION OF THE WEST LAKE WETLANDS AND POND FACILITY TO AN AMOUNT NOT TO EXCEED \$643,030. Ms. Maimone seconded the motion.

Mr. Bryant asked how this stormwater grant fit into the budget and Mr. Perry explained that the Board had approved \$1,000,000 in stormwater funding and only \$250,000 had been awarded, so the amount requested is within the budget.

Motion approved 5-0.

(Mr. Harris was not in the chambers for the vote)

f. Creating a Pond Pals Program at Legacy

Mr. Hart explained that the Legacy subdivision has requested that the Water Authority authorize sampling of some of the stormwater retention ponds within their subdivision. He showed a site plan of the Legacy subdivision and explained that the subdivision has been experiencing algal bloom, and fish and turtle kills.

Chairwoman Cox asked if the problems are being caused by their stormwater system or if the purpose of the sampling is to find out what is causing the problems.

Mr. Hart stated that the problems could be caused by a number of issues, from the management of their stormwater ponds to reuse water being discharged when they flush their reuse lines into the ponds.

MS. MAIMONE MADE A MOTION TO AUTHORIZE STAFF TO IMPLEMENT OPTION 3 CREATING A POND PAL PROGRAM FOR A COST NOT TO EXCEED \$1,652. Vice Chair Dufresne seconded the motion.

Motion approved 5-1 with Vice Chair Dufresne in opposition.

The Board took a short break at 5:23 pm and returned at 5:46 pm.

g. Status of Proposed Volleyball Fieldhouse at Hickory Point

Chairwoman Cox stated that the next item on the agenda is a proposed volleyball fieldhouse at Hickory Point for which the Lake County Economic Development And Tourism will be going before the Lake County Board of County Commissioners (LCBCC) on May 17, 2016.

She explained that they are getting estimates on architects and construction costs at this time and that the proposed building is approximately 4,000 square foot with 3,000 of it being under air.

Mr. Perry stated that he had informed the Board briefly about this topic last month, when the USA Volleyball Association had been to Economic Development And Tourism and they had authorized them to move forward with a preliminary design and cost estimates to design a facility with a cost up to \$750,000. He explained that their stance is that in order to attract NCAA or international caliber events, this is the type of facility needed. He stated that the Water Authority's expectations were that they were going to design a bathroom/shower and locker room facility.

Chairwoman Cox stated that the original agreement only calls for bathroom/shower and locker room facility. She noted that the lease is for three acres and stated that there is no way a building of this size will fit within what is left of those three acres.

She questioned whether the Water Authority should say something now, or wait for the County to come to us demanding more land.

It was noted that a building this size would require more retention area, which likely would require more acreage and revision of the lease agreement.

Mr. Perry explained that Robert Chandler had stated they wanted to go to the Lake County Board of County Commissioners (LCBCC) to get their opinion on whether to move forward with the idea or not, and if the LCBCC was supportive of the idea, then they were planning on coming to the Lake County Water Authority Board. He stated that the Water Authority may want to have someone attend that meeting to address any issues our Board may have at that time.

Mr. Perry stated that he thinks the size and the location are both issues, as well as the total required footprint for the building, stormwater, sidewalks and parking.

Vice Chair Dufresne stated that the Economic Development and Tourism should come speak to the Water Authority Board before going to the LCBCC.

Ms. Maimone asked how the Water Authority had found out about this, and Mr. Perry explained that they brought it to staff.

Mr. Harris stated that he didn't recall talking about a structure that big during the original discussions. He stated that in his personal opinion he would like to help them, but he doesn't see changing Hickory Point to the point that the Volleyball complex is the biggest thing out there.

Chairwoman Cox stated that she felt the LCBCC had pressured the Water Authority into allowing the installation of the volleyball courts in the first place. She stated that the proposed facility is way above what was discussed as part of their plan for the future. She stated that there are plenty of other facilities in Lake County where it could have been built, such as the South Lake Training Center.

Ms. Maimone stated that the Board needs to decide their stance before someone goes to the LCBCC, so that whoever speaks, speaks for the Water Authority Board.

Mr. Clark stated that he was against the volleyball facility from the beginning. He stated that when the volleyball facility was presented to the Board, it was not presented as a recreational venue for the public, but rather a way to bring high-caliber athletes to Lake County. Mr. Clark stated that if the Water Authority doesn't let them build the fieldhouse, they won't be able to bring the caliber of athletes and competitions they are hoping to draw.

Chairwoman Cox questioned whether the Water Authority should require them to pay us more to lease the land and Mr. Clark stated that nothing is free.

Ms. Maimone stated that the proposed facility could be half the size and would still suffice for what they need it for.

The Board was of the opinion that the proposed facility would cost a lot more than the allowed \$750,000.

Mr. Bryant asked how much of an investment the LCBCC has in the facility and how much the Water Authority has invested as it stands now.

Mr. Perry explained that the LCBCC has about \$300,000 of Economic Development and Tourism money invested in the facility. He also explained that while the Water Authority has no actual money invested in the facility, there is a 10 year declining scale cost to the agreement and it would cost the Water Authority approximately \$270,000 at this time to break the lease.

Mr. Bryant asked if there are any long term development plans by the Water Authority for Hickory Point and Mr. Perry stated that the Water Authority has pretty much built what they plan to at this time.

Chairwoman Cox stated the usage of Hickory Point has increased with the population increase in Lake County. She stated that the pavilion is used extensively and that it doesn't work well when there is a large volleyball competition going on and someone is holding a wedding at the pavilion. She noted that there isn't any conflict with weddings and fishing tournaments as the boats are out in the lake and not right next to the pavilion yelling and shouting. She stated that the soccer fields are far enough away that they disturb the use of the pavilion and picnic grounds. She stated that if this continues, you will see less and less use of the pavilion as there will be too many conflicts.

Mr. Perry explained that the Economic Development and Tourism and the Lake County Water Authority have different missions. He stated that Economic Development and Tourism's mission is to bring tourists and business into Lake County.

Mr. Perry stated that one option to lessen the footprint of the building might be for them to build a two-story building with the meeting rooms on the second floor.

Mr. Bryant stated that if this keeps up the Disc Golf Association will want to build something at Hidden Waters.

Chairwoman Cox stated that for many years Lake County didn't want to build parks and now they want the Water Authority's park.

Mr. Bryant stated that he's not sure he wants to totally dismiss the idea until they know where they are proposing to put the building.

Ms. Maimone stated that the Water Authority had requested that a restroom facility be built as part of the original agreement. She asked if other volleyball facilities have this type of fieldhouse and Mr. Perry stated that Robert Chandler had explained to him that this is the type of facility required to attract NCAA National and International events.

Mr. Harris stated that some of the issues are the size of the building and whether it fits in with the park. He asked how many meeting rooms are needed and if there is any way to reduce the number of meeting rooms or the size of the training area.

It was suggested that the Board invite representatives from USA Volleyball and the Lake County Economic Development and Tourism to an open meeting with the Water Authority Board Members to talk it out and see what they are expecting. It was noted that they should get a handle on it before it goes too far. Members of the Board were in agreement. Mr. Harris suggested going out to the site to do a visual survey of the area and get an idea of where they might be able to put the building.

Vice Chair Dufresne stated that he also felt that the Economic Development and Tourism needs to meet with the Water Authority before they go to the Board of County Commissioners to discuss their plans and where they are proposing to put the building.

Mr. Perry stated that most likely Robert Chandler with Economic Development and Tourism and Commissioner Cadwell that would come to speak to the Board. He stated it would probably be better if they were to hold an informal meeting rather than trying to have a discussion during a formal Board meeting.

h. Status of Old Office Building Bid

Mr. Perry explained that in accordance to the Board's policy regarding the disposition of real property, a bid had been posted for the sale of the old office building. He stated that the bid deadline was Friday, April 22, 2016, at which time the Water Authority had received just one bid.

He explained Jim Ellrodt's bid proposal offered an exchange of property along with \$20,000 in cash in exchange for the Water Authority's old office building. He showed a map and pointed out the location of the proposed property along the State Road 19 and the Dora Canal.

When asked about the activity on the property at this time, Mr. Ellrodt explained that the City of Tavares has a utility right-of-way and are putting in a lift station to provide sewer services to that side of State Road 19. When asked the size of the property it was noted that it is approximately 31 acres, with a little less than 3 acres of uplands.

Mr. Perry pointed out the the property is along the Dora Canal and asked the Board how they want to proceed. He explained that they can accept his bid or reject all bids and decide how to proceed from there.

Vice Chairman Dufresne asked Ms. Burgos her opinion, and she replied that the property would be hard to take care of, and stated that it would be more of a water quality purchase as she didn't know of a recreational use for the property, unless the Board wants to put a canal or kayak launch at the Dora Canal. It was noted that a public canoe and kayak launch is available at Summerall Park which is nearby on the Dora Canal.

Mr. Hart stated that the only benefit he sees to owning the property would be that if the Water Authority were to ever decide to do another dredging project on the Dora Canal, they could use the uplands portion of the property as a disposal site for the dredge sediment.

Ms. Maimone asked if there was a recent appraisal, and it was noted that a copy of an appraisal from 2006 was attached to the bid and states that the value at that time was \$310,000.

Chairwoman Cox asked the appraised value of the Water Authority old office building and property and Mr. Perry answered that the appraised value is \$330,000.

Attorney Barice noted that Mr. Ellrodt isn't the sole owner the property he is offering to exchange and Mr. Ellrodt stated that he would be buying Scott Winn's half of the property. He

explained that that agreement was made with Mr. Winn before he had made the offer to the Water Authority.

Ms. Maimone questioned whether the Water Authority needed more land to manage and Mr. Perry stated that in his opinion they do not.

Mr. Perry stated that the majority of the land is wetlands and as the property is located along the Dora Canal you could safely assume that it will always be wetlands. He stated that staff is recommending that they reject the bid. He asked Board Members for their opinion of the offer and how they wanted to proceed.

Mr. Harris asked Mr. Ellrodt if he had offered the property to the City of Tavares and Mr. Ellrodt answered that he had not.

Ms. Maimone asked Mr. Ellrodt what plans he had for the building should he be awarded the bid and He stated that he doesn't have any plans for it at this time.

When asked if there was a deadline to the offer, Mr. Ellrodt stated that there wasn't, and stated that the Board was free to take more time to think about it should they wish to do so.

Mr. Clark stated that when the Board first began talking about building a new office, they had discussed how the sale of the old office building would help recoup some of the costs of building the new office and if they were to take Mr. Ellrodt's offer, they would not be recouping any of the money.

Ms. Maimone noted that is would basically be the same as spending \$300,000 for a piece of property they don't want or need.

MS. MAIMONE MADE A MOTION TO REJECT THE OFFER. Mr. Clark seconded the motion.

Vice Chair Dufresne stated that he would personally recommend doing the exchange of land, as he would like to not see any more building along State Road 19.

Motion approved 4-2 with Vice Chair Dufresne and Mr. Harris in opposition.

Chairwoman Cox stated that she would like to postpone the Lake Louisa Bathymetry and Status of Bourlay House until the next Board meeting.

She asked Ms. Maimone her opinion on how to proceed with the sale of the old office and property and whether they should list the property.

Ms. Maimone stated that was what she wanted to do all along, but noted that there is no guarantee that it would sell quickly. She stated it could sit on the market for months without selling.

She explained that if she were to list the property, she would have to get her broker to guarantee that they would not take any commissions, as she would not want anyone to think that she had made a profit off of the Water Authority. She stated that she would talk to her broker and if he is not willing to do that, the Water Authority would need to find an agent that is willing to list it that way.

Ms. Maimone stated that she could keep her name totally off of any listing and have one of the broker's commercial agents list it with the stipulation that the buyer has to pay all commissions.

Attorney Barice stated that if Ms. Maimone's employer were to make any money off the sale of the property, it would be a violation of the Ethic's rules. Ms. Maimone explained that the broker is not her employer. She stated that all realtors are independent contractors. Attorney Barice stated this if that is the case, it may not be an issue at all and is worth looking into.

It was noted that the Board was were in agreement with listing the property.

- i. Lake Louisa Bathymetry

Postponed until May 25, 2016 Meeting.

j. Status of Bourlay House

Postponed until May 25, 2016 Meeting.

7. LEGAL STAFF REPORT

Attorney Barice stated that she had sent a request to the Ethics Commission to ask if a Board Member could also be a site resident and the Ethics Commission had replied that it would be a conflict of interest and a Board Member could not also be a site resident.

She informed the Board that the bill that had been introduced regarding payment of attorney fees did not pass. She explained that the Florida Supreme Court had ruled that payment of attorney fees is “mandated” under the statute.

Attorney Barice also informed the Board that changes to the Public Corruption Law concerning bid tampering and bid corruption had passed the Florida Legislature. She explained that the statute was changed by removing the word corrupt, and replacing it with if you “knowingly” accept a bribe.

8. BOARD MEMBER COMMENTS

Mr. Bryant stated that he appreciated Ms. Maimone’s offer to list the old office building if it is permissible with her broker.

Mr. Harris stated that he had visited Emerald Lakes to talk to the residents. He noted that the water is higher than the parking lot. He stated that he was asked if the Water Authority would provide money to raise their seawalls and he had informed them that the Water Authority doesn’t usually give that kind of grant.

He noted that after taking a look at their stormwater system and seeing that it drains into the lake, he had informed them about the Water Authority Stormwater Grants and explained that they were welcome to apply for one should they wish to redo their stormwater system.

Mr. Harris stated that they are still asking that the water level be lowered six inches and Chairwoman Cox replied that the Board had decided to leave water levels as they are.

Mr. Harris stated that he thinks they will be back to address the Board and noted that they have been talking to Senator Hays and Representative Metz.

Ms. Maimone asked if anything is being done about the current Board vacancy and Chairwoman Cox stated that it is on the ballot for November and they are not going to appoint anyone to fill the position at this time. It was asked whether it would be on the ballot for a two-year or four-year term and it was stated that it would most likely be for a two year term.

When asked if anyone had put their name on the ballot, Chairwoman Cox stated that Keith Farnar is on the ballot for an At-Large seat, and he is the only candidate at this time.

Ms. Maimone requested that when staff knows someone is going to come to the meeting to speak to the Board, if staff would put them on the agenda near the beginning of the meeting if possible.

Vice Chair Dufresne stated that he had gone to visit Emerald Lakes that morning. He stated that the residents are worried and although they have raised their seawall, the water is still just six inches from the top of the seawall. He stated that while he understands their situation, he had explained to them that the Water Authority is not going to flood the neighbors to the north or put the waterways in jeopardy. Both Vice Chair Dufresne and Chairwoman Cox stated that the best solution is to buy them out but they don’t want to sell.

There was additional discussion on different ways the waterway sign for Lake Minneola/Lake Hiawatha could be changed to be more easily understood. Mr. Harris stated that he has something in mind and will draw something up.

Chairwoman Cox reminded Board members to check their calendars and get back with Mr. Perry regarding meeting with Lake County to discuss the volleyball fieldhouse request.

9. BOARD MEMBER ITEMS FOR FUTURE AGENDA

10. INFORMATION ITEMS

- a. Staff Reports
- b. Monthly Financial Reports – March 2016

11. ANNOUNCEMENT OF UPCOMING MEETINGS AND EVENTS

- Mt. Dora Earth Day, Saturday, April 16, 2016 (10 am to 4 pm)
- Invasive apple snail egg removal with Lake Prep at Venetian Gardens, Thursday, April 28, 2016 (9am)
- Clermont Elementary 5th grade at Hickory Point, Thursday, May 5, 2016 (9pm to 1pm)
- Grassy Lake Elementary Science Night, Thursday, May 5, 2016 (5:30pm to 7:30pm)
- Minneola Elementary K-3 Science Fair, Tuesday, May 10, 2016 (5:30 pm - 7:30 pm)
- Sorrento Elementary K-5 at Bourlay, Friday, May 13, 2016 (10am to 1pm)
- Beverly Shores STEM night, Thursday, May 19, 2016 (5pm – 7pm)
- Sawgrass Bay Elementary at Lake Louisa State Park, Friday, May 20, 2016 (9am to 1pm)
- Board Meeting - Wednesday, May 25, 2016 (3:30 pm)
BCC Chambers/Admin. Building

12. ADJOURNMENT

The meeting was adjourned at 6:56 p.m.