

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

The Regular Hearing of the Board of Trustees of the Lake County Water Authority was held at 3:32 p.m. on Wednesday, July 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)  
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  
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 3:32 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, JUNE 22, 2016 - REGULAR MEETING.** Ms. Maimone seconded the motion.

**Motion approved 6-0.**

**3. EXECUTIVE DIRECTOR REPORT**

Mr. Perry gave the water level report and stated that Lake Apopka has been below Minimum Desirable since the end of May, and there is no flow of water from Lake Apopka through the NuRF. He stated that currently the lake is at 65.04 feet, which is .6 foot below the Regulatory Range and a little bit more than a third of a foot below the Minimum Desirable.

He stated that the Middle Lakes (Lake Eustis, Lake Harris and Lake Dora) are at 61.37 feet, which is .3 feet below the Regulatory Range and approximately half a foot above the Minimum Desirable.

Lake Griffin is approximately .2 feet below the Regulatory Range and .7 feet above Minimum Desirable. He stated that it is not just about how much it rains but also where it rains, and parts of Lake Griffin have been receiving a bit more rain over the last month. He noted that the Burrell Lock and Dam Structure area had not received much rain at all over the last month.

Mr. Perry stated that rainfall for the month of June averaged 6.41 inches, which was 9.6 below the historic average for the Clermont area. He stated that the year-to-date total rainfall is just slightly above the historical average. He noted that this past winter and spring were fairly wet, but rain levels have been declining over the last month or so and July is also looking to be a fairly dry month.

He noted that when it has rained in the Clermont area over past month, it has been significant rain and staff has had to open the structures to keep the water level at 97. He stated that the combined flow of water into the system from Big and Little Creeks at this time is about 91 cfs and the flow leaving the system through the structures is about 87 cfs. He also stated that staff has been able to keep the water level right around the target elevation of 97 feet over most of the past year. He noted there are a couple more months left in the rainy season.

Ms. Maimone asked why the desired water level on the Clermont Chain is called the target elevation instead of maximum desirable.

Mr. Perry explained that the adopted measurement method for the Clermont Chain is a regulatory range rather than a regulation schedule. He noted that the idea is to keep as much water in the system as possible with 97.5 being the highest level they would allow. He explained that keeping the target elevation at 97 feet, if there is a heavy rainfall, they are able to let water out of the system at a rate fast enough to keep the water level from going over 97.5 feet.

Chairwoman Cox stated that the Clermont Chain has a slow elevation gradient from where it begins at the Green Swamp. She stated that the 97-foot elevation target is measured at the north end of Lake Minnehaha at the CR 561 Bridge. She noted that other areas of the Clermont Chain might be lower or higher in elevation.

Mr. Hart stated that in 1951, when Gee and Jenson were hired by the Legislature to produce a document to recommend the regulation levels, they did the same process for the Harris Chain and the Clermont Chain. He explained that they defined a Maximum Desirable and a Minimum Desirable for both Chain of Lakes, as well as a Regulation Schedule for both Chains.

He noted that on the Clermont Chain the Maximum and Minimum Desirable is called the Regulation Range, with 97.5 feet being the maximum and 96 feet being the minimum. He explained that they also developed a Desirable Water Elevation Schedule, like what is used for the Harris Chain of Lakes with a low pool elevation at the beginning of the rainy season and a high pool elevation during the rainy season. He stated that the high pool elevation that was set was 97.25 feet, which is a quarter of a foot below the maximum.

He explained that the Water Authority Board at that time chose to implement different systems for the two Chains. He stated they chose to regulate the Harris Chain of Lakes using the Regulation Schedule and to regulate the Clermont Chain of Lakes by the Maximum and Minimum Regulatory Range.

Mr. Perry stated that there have been questions regarding the election and the date that any newly elected Board Members will take their seat on the Board. He stated that Election Day is November 8 and the next Board meeting following the election will be November 16. He explained that new Board Members do not take office until the second Tuesday after the election, which comes after the November 16 Board Meeting.

He noted that the existing Board Members will be sitting through the November 16 meeting and the newly elected Board Members will take over at the December 14 meeting, after they have been sworn in. He stated that current Board Members need to be in attendance at the December Board Meeting until the new members have taken office. He stated that elections of new officers would be the first order of business after they have been sworn in. He noted that there will be a ceremony in November to recognize the Board Members who are leaving and in December to recognize newly elected Board Members.

Mr. Perry reminded the Board that Extreme Groves is looking to develop land adjacent to Scrub Point. He stated that there are road and setback issues that the Water Authority would like to have addressed if the land is developed. He explained that the developers had sent staff a proposed agreement but several attachments were missing.

He stated that staff has now received the maps and attachments and noted that Attorney Barice has several concerns regarding the agreement. He stated that staff will be bringing this topic back to the Board in August for discussion.

Mr. Perry also informed the Board that during Lake County's BCC meeting of July 12, there were members of the public who addressed the Board and stated they were in opposition to the property being annexed into the City of Clermont. He explained that they also have concerns regarding density and traffic related issues.

He noted that they were also concerned that they could not get any response from the City of Clermont officials because they were not residents of the City. He stated that they asked the County to intervene on their behalf to address their concerns.

He also stated that Water Authority staff has also heard that the City of Clermont staff may also have concerns regarding the development.

Mr. Perry informed the Board that staff had received a couple of letters regarding Emerald Lakes and stated that staff has provided them with copies of the letters. He stated that one of the letters is from an attorney that was sent to SJRWMD and copied to the Water Authority. He explained that the letter requested that SJRWMD speak to the Water Authority and direct the Agency to do something to help Emerald Lakes.

He also informed them that staff had provided them with a copy of a letter from Senator Hays, stating that he thinks the Water Authority needs to lower and maintain the water elevations at 96 feet to 96.5 feet rather than 97 feet.

Mr. Perry stated that he had prepared a letter of response to Senator Hays and it has been circulated among Board Members for comments. He noted that any comments he received have been incorporated in the final draft of the letter. He stated that he is looking for authorization from the Board to submit the letter of response back to Senator Hays.

Chairwoman Cox stated that she, Commissioner Sean Parks and Mr. Perry all agree that the best thing is to buy them out. She stated that Mr. Brooks is a fairly well known attorney on the west coast and is trying to use scare tactics.

Ms. Maimone stated that she has talked to Representative Jennifer Sullivan and to Commissioner Leslie Campione and explained the situation.

Vice Chair Dufresne stated that he felt that Emerald Lakes is going to have to be bought out, but the question is where the money would come from. He stated that he doesn't want to lower the lakes to a level that would interfere with other citizens' ability to use the lakes.

Mr. Harris stated that he had met with the homeowners and taken pictures and tried to explain the Water Authority's position. He stated that he had also talked to others living on the lakes and noted that since the recent drought, a drop in water levels of even one foot is a big deal. He also stated that if the Water Authority were to lower the lake elevation it would have adverse effects on the sawgrass marsh adjacent to Emerald Lakes, as it would change the whole habitat of the animals that live there.

He noted that it hasn't rained for a few weeks in the area of the Green Swamp where he lives and the water level is dropping swiftly.

Mr. Harris stated that he feels for the residents of Emerald Lakes and wishes there was a better way to control the water, but the situation is driven by the weather. He stated that this issue is not one they can put a bandaid on and fix. He noted that the Board is going to have to try to do what is right.

He stated that he had explained to the residents of Emerald Lakes that as an At-Large Member he tries to look at what the people of the whole county want and need, and what is best for everyone. He noted that it is hard to focus on one small group and make a decision on just their needs. He stated he thinks that Mr. Perry did a good job on the letter of reply to Senator Hays.

Chairwoman Cox stated that there is money available from other agencies to purchase Emerald Lakes, but during an election year, it will be hard to get Legislatures and others focused on the issue. She stated that local legislatures have stated that water levels should be lowered, and she noted that this is not the answer. She explained that she is hoping to put together a meeting with people at the Federal level to talk about finding money to handle the issue, whether it is Senator Nelson or someone else.

She stated that they need to make the best presentation as possible to the residents of Emerald Lakes and if they want to continue to insist on lowering the lake levels even after being given a chance to move and be safe from flooding, it won't be the Water Authority's problem anymore.

Mr. Clark stated that he holds a minority opinion on the Board about what needs to be done. He asked why anything would need to be done to the bridge if the Board were to lower the water levels.

Mr. Harris explained that the bridge in question between Lake Winona and Lake Crescent is like a big steel culvert, so you wouldn't be able to dredge through the steel culvert. He stated that the whole structure would have to be lowered.

Chairwoman Cox noted that it is a very old structure and to dredge the canals and lowering the bridge would cost as much as buying out Emerald Lakes.

Mr. Clark asked at what level do those who have permits to withdraw surface water such as Cherry Lake Tree farm, lose their ability to withdraw water. Mr. Hart stated that he would check but he thinks it is at 96.5 feet, as which time they would have to withdraw from ground water. Mr. Hart stated that they would research and find out the exact level.

Mr. Clark stated that he would also like to know how many times it has dipped below their permitted level, with the water level being held at 97 feet, versus how many times it would have dropped below that amount if the water level were set at 96.5 feet.

Mr. Hart stated that even with the water level set at 97 feet, they are unable to withdraw from surface water at least 50% of the time.

Mr. Clark asked that wording in the letter regarding economic conditions be changed from "some of the permitted users such as Cherry Lake Tree Farm and Palisades Golf Course lose their ability to withdraw lake water when the levels are below their permitted elevation" to "some of the permitted users such as Cherry Lake Tree Farm and Palisades Golf Course *may* lose their ability to withdraw lake water when the levels are below their permitted elevation."

Mr. Clark noted that St. Johns River Water Management District changed the Regulation Schedule within the last year or so. He asked what kinds of meetings were held for public input regarding the changes in the schedule.

Mr. Perry stated that a large public meeting was held at Mission Inn with over 500 people in attendance, as well as the St. Johns River Water Management public Board meetings that are held in Palatka.

Mr. Clark stated that the Water Authority should do something similar if they were to consider lowering the water level on the Clermont Chain.

Mr. Perry stated that would be what staff would recommend if the Board were to decide that they wanted to consider changing the way that the water levels are regulated. He explained that when the regulation level was set initially, there were public meetings held in Clermont. He noted that the regulation level for the Clermont Chain was set before the St. Johns River Water Management District was even in existence.

Mr. Clark suggested managing the lake levels with a regulatory range similar to the one on the Harris Chain of Lakes, rather than a regulation level. He noted that some parts of the year the water level could be held at 96.5 feet and at other times, it would be held at 97 feet.

Chairwoman Cox stated she doesn't think that lowering the water level to 96.5 feet would solve the problem and Mr. Clark agreed. He stated that it probably wouldn't solve the problem in the long run but it may give the residents a longer time to realize what it going to happen. He stated that he thinks they haven't had time to adjust to the reality of the situation. He explained that he would like to do some type of compromise to give the residents some time to adjust to the situation and to research possible funding if the community is to be purchased.

Chairwoman Cox noted that Palisades Golf Course is closing. She stated that from that she understands a housing development is going to be built there.

Chairwoman Cox stated that she would like the issue put on August meeting as a discussion item to look at possible solutions to the problem at Emerald Lakes. She stated that she didn't want to take any action, and she doesn't want another agenda item that makes it look like the Board is going to vote on lake levels.

Mr. Clark stated that it's a good compromise when no one is happy. He stated that if one of two sides is happy, it is not a good compromise. He explained that they should remember that they

are not trying to make anyone happy. He stated that if they were to do what he suggested, no one would be happy and that would be a good compromise.

Mr. Perry informed the Board that Mike Stone has passed away. He explained the Mr. Stone was instrumental in creating the Lake County Soccer Club and maintaining the fields at Hickory Point in the early days. He stated that Mr. Stone was the one that secured the County grant money to build the restroom, concession stand and storage building there at the fields.

He explained that members of the public have asked about naming the soccer fields in his honor and staff doesn't have an issue with that as long as they understand that the land is leased and if the lease goes away, the soccer fields may not remain. He stated that there has been talk that the County is also looking at naming one of their fields in honor of Mr. Stone.

Chairwoman Cox stated that she wouldn't have an issue with them putting up a sign, with the understanding that were the soccer fields go away, so would the sign.

He stated that he would get in contact with County Manager and let him know that people have already been in contact with the Water Authority about naming the Soccer Fields in his honor and find out whether the County is planning to name one of their parks or fields in honor of Mr. Stone.

Ms. Maimone stated that if the Soccer League wants to come a Water Authority Board meeting and read something into the minutes to dedicate the Soccer Field in memory of Mr. Stone, she wouldn't mind.

#### **4. CONSENT ITEMS**

There were no consent items on the agenda.

#### **5. DISCUSSION ITEMS**

##### **a. Vacant District 2 LCWA Seat**

Mr. Perry stated that the District #2 has been vacant since Mr. Oppelaar left. He noted that the Governor could have made an appointment, but as of today, no one has been appointed.

He explained that no one signed up for run for the District #2 seat in the upcoming elections, although a couple of people have stated they intended to run, but missed the deadline. He noted that the Governor still has the option of appointing someone to the empty seat and he and Chairwoman Cox have been discussing whether the Board should make a recommendation to the Governor or just leave it up to the Governor to appoint someone.

He stated that this situation has never happened at the Water Authority before and there isn't a set process for dealing with the issue. He noted that there are also two or three people sitting in the audience that might be interested in being appointed to the Board.

Chairwoman Cox stated that the appointment would be for a two-year term, which is what is remaining of Mr. Oppelaar's term. She stated that District #2 covers the Clermont and Minneola area and the majority of the population in South Lake County. She noted that Mr. Harris will be leaving office at the end of this term and the Board is in need of another representative in from that area.

Mr. Perry asked the Board if they really wanted to get involved in vetting individuals and making a recommendation or if would it be better to gather information regarding those who are interested and pass the information on to the Legislative Delegation and ask them to intercede with the Governor.

Mr. Harris stated that he likes the suggestion that the Board make a list of those interested and send their information to the governor, stating that the Board would like to have someone appointed as soon as possible.

Kelly Pitcher addressed the Board, stated that she lives in South Lake County in District #1 and had previously served on the Board. She noted that she would be interested in serving again and working on behalf of the South Lake County area.

Trampus Bonjourn addressed the Board, stated that he would be interested in serving on the Board and would do what is in the best interest of the county.

Chairwoman Cox asked Board members what they would prefer to do. She asked whether they wanted to make a recommendation to the Governor, or would prefer to send all the applications in to the Governor and let him decide.

Mr. Bryant stated that he didn't think that the Board needed to make a recommendation but they could send a letter to the governor encouraging him to appoint someone. Mr. Clark also stated that he didn't think the Board needed to get involved with recommending anyone.

Mr. Harris suggested that they send the Governor information about those that are interested and Chairwoman Cox agreed.

MS. MAIMONE MADE A MOTION TO HAVE THE THREE INDIVIDUALS WHO HAVE EXPRESSED INTEREST IN SERVING SUBMIT THEIR RESUME AND THE WATER AUTHORITY CAN SEND THAT INFORMATION TO THE LEGISLATION AND THE GOVERNOR WITHOUT ANY PREFERENCE. Mr. Bryant seconded the motion.

The Board directed Mr. Perry to send a letter to the Governor asking him to look at appointing someone to fill the empty seat in District 2 as soon as possible.

Vice Chair Dufresne stated that staff and Board Members needed to stay out of it. He stated that they should inform those who are interested in the District 2 Seat to send their resumes to the Governor. Ms. Maimone noted that those interested could also ask people to send letters of recommendation to the Governor on their behalf.

*Ms. Maimone withdrew her motion and Mr. Bryant withdrew his second.*

MS. MAIMONE MADE A MOTION TO DIRECT MR. PERRY TO SEND A LETTER TO GOVERNOR ASKING THAT HE LOOK AT APPOINTING SOMEONE TO FILL THE EMPTY SEAT IN DISTRICT #2 AS SOON AS POSSIBLE. Mr. Harris seconded the motion.

**Motion approved 6-0**

b. FY 2016-17 Budget - Set Proposed Tentative Millage Rate

Mr. Perry explained that the only major change to the budget was to move Ben Garcia's salary from under Information Technologies and move it to Administration. He noted that staff had also reformatted the budget based on the information and comments received during the Budget Workshop. He informed the Board that the only action they needed to take at this time was to set the Tentative Millage, which is the highest rate the Board would adopt.

Chairwoman Cox noted that the current millage rate is .2554 mils and the roll back rate is .2465 mils and would bring in the same amount of revenue as the current fiscal year.

Mr. Perry pointed out both amounts on the budget and stated that he had listed them side by side per Mr. Bryant's request so the difference in revenue could be easily noted.

VICE CHAIR DUFRESNE MADE A MOTION TO SET A PROPOSED TENTATIVE MILLAGE RATE AT THE ROLLED-BACK RATE OF 0.2465 MILS AND SET THE TENTATIVE BUDGET HEARING FOR WEDNESDAY, SEPTEMBER 14, 2016 NO SOONER THAN 5:05 PM IN THE BCC CHAMBERS/ADMINISTRATION BUILDING, 315 WEST MAIN STREET, TAVARES, FL. Ms. Maimone seconded the motion.

Mr. Bryant stated that since the tentative millage is the highest rate that they plan to adopt, he felt they should set it at the present .2554 mils until after the public hearing.

He stated that it is easy to go with the roll back rate, as the Water Authority is still able to maintain programs and keep them moving forward, as well maintaining funds in the Land Acquisition Fund. He stated that fortunately, the Water Authority is able to maintain its programs on half the tax rate allowed, but should there be an economic down turn, the Water Authority would have to raise taxes to maintain their programs.

He explained that with the increase in property valuations, by keeping the present .2554 mils, it allows the Water Authority to raise approximately a quarter of a million dollars over last year. He suggested that should they decide to keep the current millage rate, they should put the additional money received into the Land Acquisition Fund. He noted that the current three to four thousand dollars in the Land Acquisition Fund is not a lot of money for land acquisition.

He stated that if the Board wants to consider purchasing the Lake Norris property, the Lake Denham Muck Farm property, or any other property, funds need to be available.

He noted that in six months, there will be at least four new people on the Board and he didn't want to limit what future Board Members can do.

Chairwoman Cox reminded that if the Board votes to set the tentative millage rate at the roll back rate, they cannot raise it after it is set.

Ms. Maimone stated that she has watched the Water Authority as it has dropped its millage and she is comfortable with the current .2554 mils and would hate to reduce it to the point that the Agency can no longer be functional. She stated that she agrees with Mr. Bryant's suggestion to leave it at the current rate.

Mr. Clark stated that he thought the Water Authority had been criticized for keeping excess cash on hand. Mr. Perry explained that most of the cash that the Water Authority carries forward is for encumbered projects (stormwater projects, contracts, etc). He stated that all funds are specified and detailed as to where the money goes. He noted that Boards in the past have been fiscally conservative. He also noted that even when keeping the same millage, any increase in revenue will be advertised as a tax increase.

Chairwoman Cox stated that keeping the millage the same is not a tax increase, it is an increase in revenue based on growth. She stated that with the population growth and the upcoming needs of the county, and more people using the lake systems, she is in agreement with keeping the millage rate at the current rate.

Mr. Harris stated that the Board could choose to set the millage at the roll back rate in September should there be a large public outcry, but he is in agreement with keeping it at current rate of .2554 mils at this time.

*Vice Chair Dufresne withdrew his motion and Ms. Maimone withdrew her second.*

**MR. HARRIS MADE A MOTION TO SET THE TENTATIVE MILLAGE RATE AT 0.2554 MILLS AND SET THE TENTATIVE BUDGET HEARING FOR WEDNESDAY, SEPTEMBER 14, 2016 NO SOONER THAN 5:05 PM IN THE BCC CHAMBERS/ADMINISTRATION BUILDING, 315 WEST MAIN STREET, TAVARES, FL.** Mr. Bryant seconded the motion.

**Motion approved 6-0.**

c. Status of Old Office Building

Mr. Perry informed the Board that an offer has been made for purchase of the old office building, and stated that each of them had received a copy of that offer at their desks. He stated that it is up to the Board to decide whether they want to accept, reject or counter the offer.

He stated that the offer is for \$240,000 and reminded the Board that when they put the building up for bid the Board had set a minimum price of \$310,000.

Chairwoman Cox asked Mr. Perry whether he had heard anything more from Lifestream and he replied that he had not.

Rick Gonzalez stated that he was there to represent the buyer and answer any questions.

Chairwoman Cox asked if the prospective buyer is looking to use the property as a commercial venture and Mr. Gonzalez explained that the prospective buyer owns an extensive classic car collection, and is looking for a place for him and his friends to store their cars and pick them up when they want to go for a drive.

Chairwoman Cox asked the Board what they wished to do and Ms. Maimone stated that she thought they should make a counter offer of \$275,000.

Mr. Perry reminded the Board that the appraised value is well in excess of minimum bid of \$310,000.

Chairwoman Cox stated that she would be in favor of a counter bid of \$300,000. Ms. Maimone stated that they also needed to discuss line 293, which indicates that seller will pay a commission of 5% to the broker. She noted that the Board had originally stated that they were not going to pay the cost of the commission. She stated that because of this she thinks a higher counter off is in order. Mr. Clark stated that he would be willing to make a counter offer of \$310,000.

Ms. Maimone asked if the Water Authority is going to pay the commission, or are they going to expect the buyer to pay the commission. Chairwoman Cox noted that in most real estate transactions the seller pays the commission. Mr. Harris stated in his opinion, if the final offer is \$300,000 or more, the Water Authority should pay the commission, but if the Water Authority should accept a lower offer, the seller should pay the commission.

Ms. Maimone noted that the commission on \$310,000 would come to \$15,500 in commission.

**MR. BRYANT MADE A MOTION TO MAKE A COUNTER OFFER OF \$300,000, WITH THE WATER AUTHORITY TO PAY THE 5% COMMISSION.** Mr. Harris seconded the motion.

**Motion approved 5-1 with Chairwoman Cox in opposition.**

Mr. Gonzalez stated that he would discuss the counter offer with his client.

Mr. Harris stated that he would like the Board Attorney to be present before they officially accept any offer.

*Vice Chair Dufresne left the meeting.*

d. Status of Lake Norris Property Options

Ms. Burgos stated that she had nothing new to report regarding the Lake Norris property.

Julia Tzobanakis addressed the Board and stated that her family has lived in that area since the 1920s. She showed photos Lake Norris and encouraged to Board to purchase and preserve this piece of property if possible.

**6. PUBLIC COMMENT**

Susan Fetter of Leesburg addressed the Board and stated that she is a candidate for the At-Large seat. She spoke regarding the sale of the old office building and noted that typically the seller has an agent representing them. She stated that usually a 5% to 6% commission is usually split between the buyer's and the seller's agents, and stated that the Board might want to consider negotiating the commission price down and saving the Board several thousand dollars.

Miss Maimone stated that Commercial commissions are usually more, with residential typically being 3% for each side. She explained that the Board is not using a realtor for the sale. She stated that she is a realtor and she chose not to list the sale, as she didn't want to be taking any commission. She stated that buyer's real estate agent with have to do a lot of work being the only realtor on the transaction, so a 5% commission was reasonable.

Andrew Thompson, who is also a candidate for the Board, addressed the Board and asked the typical commission rate for commercial properties and Ms. Maimone stated that it is usually 5% for each side.

e. Renewal of Contract Attorney Agreement

Mr. Perry informed the Board that Attorney Barice's contract expires at the end of the fiscal year and asked the Board to provide direction to staff regarding renewal of the Contract Attorney Agreement.

He stated that they can choose to extend the agreement the way it has been written in the past, with a renewal of three years or they could change the term and/or amount of the agreement. He noted that Attorney Barice has kept the rate for the nine years that she has been the Board Attorney.

He stated that another option would be to put out an RFQ, such as they do for Engineering and Land Management Services, to get a feel for who else is out there and whether there are any new firms, etc.

Chairwoman Cox noted that they usually set aside \$95,000 in the budget for legal fees and asked if all the funds are used each year. Mr. Perry stated that only half of the funds are usually spent. It was noted that the extra funding is held in the budget should it be needed.

Mr. Harris stated that as he needed to leave the meeting, he wanted to state that he felt that Attorney Barice has done a wonderful job at a very reasonable rate. He stated that he fully supports the work that she is doing.

*Mr. Harris left the meeting.*

Chairwoman Cox stated that, as Attorney Barice's contract does not expire until the end of the fiscal year, they do not have to be in a hurry to make this decision. Mr. Perry noted that if they plan to go out for an RFQ they would need to start now, as that takes time.

Mr. Clark asked what Attorney Barice charges per hour and Mr. Perry noted that during Board meeting, the cost is \$150 per hour and outside of Board meetings, she charges \$300 per hour.

**MR. CLARK MADE A MOTION TO RENEW THE EXISTING AGREEMENT WITH MS. BARICE FOR ANOTHER THREE (3) YEARS WITH THE SAME TERMS.** Mr. Bryant seconded the motion.

Ms. Maimone stated that she still has the same opinion as she has always had, that the Board should put out an RFQ. She stated that it doesn't mean that she won't be awarded the contract, it just means that the Board is doing the best job for its constituents.

Chairwoman Cox stated that she has been friends with Attorney Barice's husband for over 40 years and has personally known Attorney Barice for over ten years. She asked if this would affect her ability to vote on this topic. Mr. Clark noted that Chairwoman Cox does not benefit monetarily from knowing Attorney Barice, so there wasn't an issue with her voting.

Mr. Bryant stated that Attorney Barice's rates seem to be reasonable as well as her quality of service.

**[MR. CLARK MADE A MOTION TO RENEW THE EXISTING AGREEMENT WITH MS. BARICE FOR ANOTHER THREE (3) YEARS WITH THE SAME TERMS.** Mr. Bryant seconded the motion.]

**Motion approved 3-1 with Ms. Maimone in opposition.**

f. Approval to Transmit 2015 Annual Report

Mr. Perry stated that staff is ready to transmit the 2015 Annual Report.

**MR. BRYANT MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO TRANSMIT THE ANNUAL REPORT AND FIVE-YEAR PLAN TO THE SENATE PRESIDENT, SPEAKER OF THE HOUSE, THE LEGISLATIVE DELEGATION AND LOCAL ELECTED OFFICIALS IN ACCORDANCE WITH THE GUIDING LEGISLATION.** Mr. Clark seconded the motion.

**Motion approved 4-0.**

## **7. LEGAL STAFF REPORT**

No Legal Report as Attorney Barice was not in attendance.

**8. BOARD MEMBER COMMENTS**

Mr. Clark noted that Senator Hays had indicated in his letter that the Water Authority should stop spending money on NuRF. He stated that from his computations it takes about \$350 to \$400 a pound for the NuRF to remove phosphorous from the water. He asked Mr. Hart about the nutrient loading levels in the Apopka-Beauclair Canal, downstream of NuRF.

Mr. Hart stated that the study is still ongoing, but the Water Authority should have the results of that study by the end of the year.

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

**10. INFORMATION ITEMS**

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

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

- Board Meeting - Wednesday, August 24, 2015 (3:30 pm)  
BCC Chambers/Admin. Building
- Flat Island Preserve, Wildflower & Photo Hike, Saturday, Sept. 10, 2016 (8 am to 11 am)
- The 17th annual Florida Wildlife Festival, Saturday, Sept. 10, 2016 (9 am to 4 pm)  
Cadwell Park, Umatilla
- Tentative Budget Hearing - Wednesday, September 14, 2016 (5:05 pm)  
BCC Chambers/Admin. Building
- Hidden Waters Preserve, Nature Hike, Oct. 1, 2016 (9 am – Noon)
- Flat Island Preserve, Long 4-5 mile Hike, Saturday, Nov. 5, 2016 (9 am – Noon)
- Sawgrass Island Preserve, Long 4-5 mile Hike, Saturday, Dec. 10, 2016 (9 am – Noon)
- Lake Norris Conservation Area, Dog & Owner Hike, Saturday, Jan. 7, 2017 (9am – Noon)
- Wolf Branch Sink Preserve Open House, Saturday, Feb. 11, 2017 (8:30 am to 3:00 pm)
- Flat Island Preserve, Firefly & Bats, Friday, March 10, 2017 (6:30 pm to 8:30 pm)

**12. ADJOURNMENT**

The meeting was adjourned at 5:26 p.m.

Respectfully submitted,

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Anna Ely, Recording Secretary

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Neil Kelly, Secretary-Treasurer

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Peggy Cox, Chairwoman