

MINUTES OF THE REGULAR BOARD MEETING
of the
LAKE COUNTY WATER AUTHORITY
October 24, 2018

1 The Regular Hearing of the Board of Trustees of the Lake County Water Authority was held at
2 3:30 p.m. on Wednesday, October 24, 2018 in the Lake County Administration Building, County
3 Commissioners Chambers at 315 West Main Street, Tavares, Florida.

4 **Members Present-District #**

Staff Present

5 Doug Bryant, Chairman (#4)

Michael J. Perry, Executive Director

6 Peggy Cox, (#1)

Ron Hart, Water Resources Director

7 Keith A. Farner, (At Large)

Dr. Jason Danaher, Water Res. Project Manager

8 Adam Dufresne, (At Large)

Biago Gugliotti, Land Resources Director

9

Ben Garcia, IT Manager

10

Patricia Burgos, Environmental Projects Director

11

Christina Rider, Executive Office Manager

12

Anna Ely, Recording Secretary

13

Carole Barice, Attorney

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

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

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

19 **2. APPROVAL OF MINUTES**

20 **MR. DUFRESNE MADE A MOTION TO APPROVE THE MINUTES OF THE LAKE**
21 **COUNTY WATER AUTHORITY MEETING OF THE SEPTEMBER 26, 2018 -**
22 **REGULAR MEETING.** Ms. Cox seconded the motion.

23 **Motion approved 4-0.**

24 **MR. DUFRESNE MADE A MOTION TO APPROVE THE MINUTES OF THE LAKE**
25 **COUNTY WATER AUTHORITY MEETING OF THE SEPTEMBER 26, 2018 - FINAL**
26 **BUDGET HEARING.** Ms. Cox seconded the motion.

27 **Motion approved 4-0.**

28 **3. EXECUTIVE DIRECTOR REPORT**

29 Mr. Perry addressed the Board and gave the water level and rainfall report. He reported that all
30 the lakes in the Harris Chair are either at or slightly below the regulatory schedule at this time.

31 He stated that there is 12 cfs moving over the Apopka-Beauclair Spillway, with nothing flowing
32 through NuRF until the gate is repaired. He noted that approximately 10 to 12 cfs have been
33 flowing over the Spillway since about the middle of October.

34 He stated that Lake Dora, Lake Eustis and Lake Harris are slightly below regulatory schedule
35 with 18 cfs moving through the Burrell Structure, making what is coming into the Harris Chain
36 from Lake Apopka a bit less than what is leaving the system.

37 He stated that Lake Griffin has below regulatory since about the end of August, and the flow
38 through the Moss Bluff Lock and Dam has been approximately 25 cfs during most of that time.
39 He noted that currently Lake Griffin is about half a foot below the regulatory level.

40 Mr. Perry noted that September has been pretty dry for the Clermont Chain, as we have only
41 received about half the historical normal rainfall for September. He stated that Lake Minnehaha
42 is at 96.93 msl which is below 97.1 msl, which is the top end of the regulatory range

43 He explained that Big Creek and Little Creek are the major contributors to the Clermont Chain,
44 and currently the combined flow is at 37 cfs. He stated that the Cherry Lake Structure has been
45 closed as of October 15th and there is no water going through the structure at this time. He
46 stated that lake levels continue to fall slightly due to evaporation and the natural losses to the
47 system.

48 He noted that we are headed into the dry season, with no significant rain forecast for the next
49 couple of weeks.

50 Mr. Perry stated that county-wide we received 2.86 inches of rain in September which is 3.7
51 inches below the historic monthly average of 6.39 inches. He noted that even with the drier
52 month of September, the county is at 1.74-inches above the cumulative average for this date.

53 He stated that groundwater is high throughout most of the St. Johns River Water Management
54 District boundaries and close to a twenty-year high.

55 Chairman Bryant questioned why the District was only letting 12 cfs of water over the Spillway,
56 and Mr. Perry explained that because the water level is below the regulatory schedule the District
57 wants to keep water in Lake Apopka

58 Mr. Farner stated that this would be an opportune time for the District to totally shut off the flow
59 through the lakes, and work with the Water Authority and Florida Fish and Wildlife with the
60 upcoming plans to spray the hydrilla. He noted that one of the major concerns in the past was
61 that there was too much water flowing through the system for the spraying to be effective. He
62 asked Mr. Perry to look into the possibility of shutting down all the structures and the flow
63 through the system.

64 Mr. Perry showed map of the locations where hydrilla treatment has been done on Lake Harris
65 and Little Lake Harris. He explained that this first application is meant to hit the exposed portion
66 of the plants, and they will come back again at a later date with a different herbicide that is meant
67 to kill the portion of the plant that is in the water. He noted that they were due to start the second
68 treatment on Little Lake Harris on October 23rd.

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69 He talked about the types of herbicides being used and the cost associated with each area through
70 the end of September.

71 Ms. Cox asked if Florida Fish and Wildlife had they prioritized the additional need areas and Mr.
72 Perry showed the Board a list of additional areas and the costs associated with treatment of those
73 areas (*contained as an exhibit in the backup information*). It was noted that to treat all the areas
74 listed would take several million dollars.

75 Mr. Farner stated that he has always been very concerned about the hydrilla situation. He stated
76 that he has contacted members of the Delegation himself and they are sympathetic, but they need
77 to take it to them as a Board and not just individually.

78 Mr. Perry stated that the Delegation's first official meeting will most likely be in November after
79 the elections. He also stated that the Harris Council is putting hydrilla management on their
80 legislative priority list to give to the Delegation.

81 He stated that he has also spoken to the Lake County Commissioners and they are willing to do
82 so as well but it wouldn't be until next fiscal year.

83 Mr. Farner stated that the need to do something now, as it is only going to get worse.

84 Ms. Cox stated that she felt the State should come be able to redirect some funding to help with
85 the problem.

86 Chairman Bryant suggested that the Board may want to create a formal resolution but stated that
87 in the interim that Mr. Perry has the Board's permission to speak to the delegation regarding the
88 issue. He asked Mr. Perry to keep in touch with Mr. Farner and take him with him when he went
89 to speak to the delegation.

90 Mr. Perry informed the Board that when the Water Authority originally acquired the Eagles
91 Ridge Preserve property in the 1990s, there was an adjacent piece of property that the owner
92 wasn't willing to sell. He noted that the property has now been sold and the new owner is
93 planning to create a campground, marina, along with some commercial lots. He stated that it is
94 early in the planning process and hasn't yet gone before Planning and Zoning.

95 Chairman Bryant asked Mr. Perry to monitor what goes on regarding the proposed plans and
96 whether it comes up before Planning and Zoning.

97 Mr. Perry informed the Board that the Volleyball Field House is making significant progress and
98 is scheduled to be completed in the spring. He explained that the Water Authority has been
99 asked for input regarding the colors. There was a brief discussion of the choices and the Board
100 was in favor of gray on the upper portion of the building and the yellow stone color on the
101 bottom, which is similar to the color scheme of the existing pavilion at the park.

102 Mr. Perry informed the Board that the legalities of the Sawgrass Island Preserve Equestrian
103 Access have been worked out and the agreement has been given the go-ahead by Attorney
104 Barice. The Board was shown the sign that had been completed and is ready for posting.

105 Attorney Barice stated that she made a slight change in the agreement, changing it from a yearly
106 agreement to a termination agreement with a provision for termination at any time by the Water
107 Authority. She noted that the agreement is ready to be executed by Chairman Bryant after the
108 meeting.

109 **4. CONSENT ITEMS**

110 **MS. COX MADE A MOTION TO APPROVE THE ITEMS ON THE CONSENT**
111 **AGENDA.** Mr. Farner seconded the motion.

112 **Motion approved 4-0.**

113 a. Approval of 2019 Board Calendar

114 **AUTHORIZE STAFF TO FILE THE LCWA BOARD MEETING SCHEDULE AS**
115 **PRESENTED.**

116 b. Authorization to Transfer Budget Funds for the 2017 Pathfinder Boat, Motor and Trailer
117 Purchased for the Lake County Sheriff's Marine Unit

118 **AUTHORIZE THE EXECUTIVE DIRECTOR TO TRANSFER \$51,632.30 FROM**
119 **BUDGET LINE ITEM NUMBER 9898710-860640 MACHINERY AND EQUIPMENT TO**
120 **9898710-880810 AIDS TO GOVERNMENT AGENCIES TO ACCOUNT FOR THE**
121 **TRANSFER OF THE BOAT, MOTOR AND TRAILER TO THE LAKE COUNTY**
122 **SHERIFF'S MARINE UNIT.**

123 **5. ACTION ITEMS**

124 a. Approval to Award Wolfbranch Sink Timber Bid

125 Ms. Burgos reported that the Agency had received three responses to the Wolfbranch Sink Timber
126 Bid. She stated that after reviewing all the bids, our forestry contractor, Joe Gozcisk, and staff are
127 recommending awarding the contract to Flatwoods Forest Products, Inc. of Leesburg.

128 She noted that this is the same company that performed the timber harvest on Sawgrass Island
129 Preserve and that staff was had been quite pleased with their work.

130 Ms. Cox asked if it was mostly pine trees and Ms. Burgos stated that it was and explained that staff
131 and the forestry contractor have marked the trees using blue to designate the tress that are to
132 remain.

133 Ms. Burgos also explained that they are hoping to thin the trees enough to encourage undergrowth
134 and creating a sandhill environment, which will also allow for the growth of new young pines.

135 Chairman Bryant asked how the timber company would access the property and Ms. Burgos stated
136 that they will be accessing through the adjacent landfill property, as Round Lake Round is too
137 hazard to use as an access.

138 Ms. Burgos noted that the landfill has purchased the grove property adjacent to the preserve, who's
139 previous owner gave permission for occasional access by staff for public events but would not
140 agree to a permanent public access/easement. She stated that now that the property is owned by the
141 landfill, she hopes work with the new owners to secure a public access/easement to the property.

142 **MS. COX MADE A MOTION TO AWARD THE WOLFBRANCH SINK PRESERVE**
143 **TIMBER HARVESTING CONTRACT TO FLATWOODS FOREST PRODUCTS, INC. AT**
144 **A PRICE OF \$16.03/TON.** Mr. Dufresne seconded the motion.

145 **Motion approved 4-0.**

146 b. Authorization to Release RFP/B for Boardwalk at Green Landing/Bear Track Preserve

147 Ms. Burgos stated that the Board had previously discussed ways to provide access to Lake Norris
148 from the newly acquired Green Landing at Bear Track Preserve. She explained that staff would
149 like to release an RFP/B for Boardwalk and Canoe/Kayak in order to build a boardwalk and
150 canoe/kayak launch area, that would allow public access to the lake. She stated that this access
151 would be open year round and also give access to those with disabilities.

152 Chairman Bryant asked about camping and Ms. Burgos stated that there are plans for a campsite,
153 but that can be done in-house, whereas staff cannot construct the boardwalk.

154 Chairman Bryant asked if the Green Foundation was still active now that the bank had merged
155 with another bank and Ms. Burgos stated that they are, and that the Foudation would be making
156 plans soon for a dedication ceremony and installation of the sign.

157 Mr. Farner stated that this is wonderful idea. He stated it would be great if they could get a grant
158 to clean out the canal to the lake. Ms. Burgos stated that there is clear access to Lake Norris on
159 Blackwater Creek, but St. Johns River Water Management, the Seminole Forest management
160 and the Lake County Sheriff's Department have asked that the creek not be cleared for access to
161 the south.

162 **MS. COX MADE A MOTION TO AUTHORIZE STAFF TO RELEASE A REQUEST FOR**
163 **PROPOSAL OR REQUEST FOR BID FOR CONSTRUCTION OF A BOARDWALK AND**
164 **CANOE/KAYAK LAUNCH AREA AT GREEN LANDING/BEAR TRACK PRESERVE.**

165 Mr. Dufresne seconded the motion.

166 **Motion approved 4-0.**

167 **6. DISCUSSION ITEMS**

168 a. Bourlay Adjacent Property Title Issues

169 Attorney Barice stated that the Board directed her at their previous meeting to get with the
170 Evans' title company to obtain a copy of their paperwork, so that the Water Authority could
171 contact an independent second title company to review the title.

172 She informed the Board that she didn't receive a survey of the property, but she had received a
173 quit claim deed that does include the legal description of the properties that Mr. Evans
174 purchased. She stated that it also includes a paragraph of OR/Book and Page numbers that are
175 meant as a reference to clarify and show the history of the problems with each of the properties.

176 She stated that although the paperwork hasn't been officially presented to a second title
177 company, she had consulted an acquaintance who is an agent at a title company and he had
178 reviewed the paperwork and stated that it appears that Mr. Evans' title transfer was earlier than
179 the Water Authority's. She noted that he stated the paperwork appeared in order, but he would
180 suggest that it was best not to include the paragraph of OR/Book and Page numbers.

181 She also stated that she had also contacted a Land Attorney, who also advised her not to include
182 the paragraph in question.

183 She gave a brief history stated that in 1980 Mr. Bourlay sold and transferred ownership of the
184 two pieces of property currently owned by the Evans'. She stated that sometime after that Mr.
185 Bourlay had transferred all of his property to the Bourlay Trust, who then transferred it the Water
186 Authority.

187 She explained that the Water Authority deed has a mete and bounds description, that the Evans'
188 title company says includes Mr. Evans' property. She stated that as she does not work with legal
189 description, she cannot personally verify whether it does or not.

190 She stated that she believes that doing a quit claim deed is probably the right thing to do to
191 correct the problem they did need to be very careful due to restrictions requiring that the property
192 must remain a park, and not sign anything until we have a signed release from the Bourlay Trust.

193 She also noted that no arrangements have been made for payment of legal fees or any title
194 company expenses the Water Authority may incur.

195 Chairman Bryant thanked Attorney Barice and Ms. Burgos for their caution and noted that if the
196 Water Authority were to start sell or release any part of the Bourlay property that was conveyed
197 to the Water Authority, the land is to revert to ownership by the St. Johns River Water
198 Management District.

199 He stated that because there was a mistake made when the property was transferred to Water
200 Authority, he believes a quit claim deed is in order and thinks it can all be solved fairly quickly,
201 and it is just a matter of determining who is responsible for the costs.

202 He stated that whether it is really needed or not, it would be a good idea to have the Bourlay
203 Trust's approval, so we will know that they wouldn't to try assert any authority to revert the
204 property back to the District.

205 James Meyers addressed the Board and stated that DSW had submitted a survey showing the
206 overlap area. He and Ms. Burgos pointed out the property boundary in question.

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207 Mr. Meyers addressed the issue of the disputed paragraph and stated that the purpose of that
208 paragraph is to show in the future that there was an issue and how it was resolved. He stated that
209 Mr. Evans did not create the problem so unfair to make him pay the cost of correcting the issue.

210 Mr. Meyer's also noted that he is also representing the Matthews' on their sale of property and
211 noted that there is also an easement with the Water Authority that doesn't go with the sale, and
212 should that property if the property is sold it would also have to be addressed with the new
213 owner.

214 It was noted that Mr. Evans is scheduled to close on the sale of this property and the purchase of
215 another piece of property on the 30th of this month.

216 Mr. Farner stated that he didn't think it would happen in that time frame.

217 Chairman Bryant stated that the Water Authority never owned that portion of the property to
218 begin with, as it wasn't Mr. Bourlay's to give to us. –

219 Mr. Farner stated that he would agree, if the Bourlay Trust agrees, but if they don't, Mr. Evans
220 would need to go through the court system and do a quiet title suit.

221 Chairman Bryant suggested that the Board approve the quit claim deed, subject to obtaining the
222 updated certified survey and a letter of approval from the Bourlay Trust. He stated that they
223 would only need to then worry about the attorney's fees.

224 Mr. Farner stated that Mr. Evans bought the property knowing that there was cloud over it and
225 that he (Mr. Farner) doesn't want to cause issues with the Bourlay Trust by doing something
226 without their written consent. He stated that he is not willing to do anything without the blessing
227 of the Bourlay Trust.

228 Chairman Bryant stated that the Water Authority never actually owned that portion of the
229 property.

230 Ms. Cox noted that even back in 1980 the legal descriptions did not match.

231 Attorney Barice stated that the Water Authority must be careful not to quit claim something we
232 are not supposed to quit claim. She also noted that she has been advised by two different entities
233 not to include the paragraph referring to previous deeds. She stated that she thinks it would be
234 appropriate for the Water Authority to take the issue to the Bourlay Trust and to St. Johns.

235 Mr. Dufresne asked Attorney Barice if Mr. Bourlay forget about this transfer when he transferred
236 the remainder of his property to the Trust and she stated that she has no way of knowing exactly
237 what happened.

238 Ms. Cox asked the size of the property and it was noted that the property in question is about
239 one-half acre in size.

240 Mr. Farner stated that he is willing to work with them, but it would be on the Board's terms, and
241 he thought Mr. Evans should do a quiet title suit to settle it once and for all.

242 Chairman Bryant stated that he and Mr. Farner couldn't be much further apart on this issue. He
243 stated that they know for a fact that the property does not belong to the Water Authority. He
244 explained that Mr. Evans' predecessors in title obtained the land before the Water Authority
245 received any property from Mr. Bourlay and the Bourlay Trust.

246 He stated that there is no question regarding the ownership of the property and that the only
247 issues are sideline details and if there. He stated that Mr. Bourlay had no legal right to include
248 that portion of the property in the deed and that is something the Water Authority can rectify. He
249 stated the Board would not be compromising anything as the Water Authority did not own the
250 property to begin with. He stated that he agreed that it would be good to get a letter of approval
251 from the Bourlay Trust.

252 Mr. Dufresne stated that he agreed with Chairman Bryant and felt they should move forward
253 with a quit claim deed and not hold Mr. Evans up, but he felt they should get the approval of the
254 Bourlay Trust first.

255 Ms. Cox stated that she also agreed with Chairman Bryant, but she is also concerned about the
256 original deed from Bourlay and whether there are any other mistakes. She stated that she does
257 not have a problem with doing a quit claim deed on this piece of property.

258 Mr. Farner stated that if the Board can get the Bourlay Trust to sign off on this he would make a
259 motion for the quit claim deed, but if the Board wanted to vote in favor of it tonight he would be
260 against it.

261 Attorney Barice stated that they need to remove the paragraph with past OR/Book and Page
262 numbers and receive written approval of the quit claim deed from the Bourlay Trust and the
263 District.

264 Mr. Perry stated that if the Board is wanting to get something in writing from the District it could
265 take months if they could get anything in writing at all. He stated that he thought a sign-off from
266 the Bourlay Trust should be sufficient.

267 It was noted that many of the Board Members were willing to provide a quit claim deed,
268 contingent of the Bourlay Trust giving their approval, and the removal of the paragraph as
269 requested, and the attachment of a certified copy of the survey

270 Mr. Farner stated that once the Water Authority got the approval of the Bourlay Trust, then and
271 only then should they agree to a quit claim deed.

272 Attorney Barice stated that Mr. Meyers has already drafted a viable quit claim deed. She stated
273 that the only change that needed to be made it the removal of the paragraph in question.

274 **MS. COX MADE A MOTION TO PROVIDE A QUIT CLAIM DEED WITH A PRECISE**
275 **DESCRIPTION OF THE PROPERTY, TO BE CONVEYED WITH A DOCUMENT OF**
276 **APPROVAL FROM THE BOURLAY TRUST.** Mr. Dufresne seconded the motion.

277 Ms. Cox suggested doing a separate motion for payment of the legal fees.

278 Attorney Barice suggested that a certified survey be attached to quit claim deed.

279 Mr. Dufresne stated that he agreed and suggested turning it over to Attorney Barice to make sure
280 everything is done correctly. He noted that Attorney Barice, Ms. Burgos and Chairman Bryant
281 have been working to resolve this issue for quite some time.

282 [MS. COX MADE A MOTION TO PROVIDE A QUIT CLAIM DEED WITH A PRECISE
283 DESCRIPTION OF THE PROPERTY, TO BE CONVEYED WITH A DOCUMENT OF
284 APPROVAL FROM THE BOURLAY TRUST. Mr. Dufresne seconded the motion.]

285 **Motion approved 3-1, with Keith Farner in opposition.**

286 Attorney Barice stated that the Water Authority didn't create the issue and suggested the Water
287 Authority and the Evans' divide payment of her attorney fees.

288 Mr. Meyers stated that neither of the current parties created the issue and noted that the Evans'
289 are not asking the Water Authority to pay their fees.

290 Mr. Dufresne suggested that the Water Authority pay Attorney Barice fees.

291 Mr. Farner reiterated that since they didn't have the approval of the Bourlay Trust yet he wasn't
292 in favor a quit claim deed, and still felt the Evan's should do a quiet title suit

293 **MR. DUFRESNE MADE A MOTION FOR THE WATER AUTHORITY COVER**
294 **ATTORNEY BARICE'S LEGAL FEES.** Ms. Cox seconded the motion.

295 **Motion approved 3-1, with Keith Farner in opposition.**

296 **7. PUBLIC COMMENT**

297 Mr. Pergler introduced himself to the Board and stated that he had recently purchased prior
298 Board Member Diana Mullins' house. He stated that the water depth of the canal is down to
299 about a foot.

300 He stated that he was told that the canal had been dredged at one time due to back feed. He
301 stated that he is trying to figure out how to prevent a major navigational problem and asked the
302 Board to open up their policy a bit and consider helping to maintain the canal.

303 Chairman Bryant stated when someone comes to the Board with an issue, the Board normally
304 acknowledges that there is a problem and the refers the issue on to staff, and staff in return
305 reports back with recommendations. He stated that in hearing Mr. Pergler's issue, it may come
306 down to the Water Authority's policy of private canals.

307 Mr. Farner explained that the Water Authority has a policy that they are pretty strict about, in
308 that the Agency doesn't maintain artificial canals. He stated that the Water Authority only has
309 the resources to maintain canals that provide navigation between lakes. He stated that when it
310 comes to canals in subdivisions, etc., it is up to the residents in the neighborhood to get together
311 and have the canal dredged.

312 He explained that the Beauclair Dredge cost ten-million dollars and took many years of saving to
313 fund. He stated that as a courtesy, they did dredge the mouth of some of those canals, but that
314 isn't normal policy. He stated that when a portion of Lake Griffin and some of the canals were
315 dredged several years ago and explained that although the Water Authority was involved in the
316 project, it was funding by a seven-million dollar grant and not through Water Authority funding.

317 Ms. Cox stated that the Board is mandated to spend our resources on public waterways and land.
318 She stated that it would cost millions of dollars to dredge these canals. She stated that private
319 canals are way down the Water Authority's priority list, and it's a matter of the amount of our
320 resources and what is important to the general public.

321 Mr. Dufresne explained that most of the canals in Lake County were created by a developer or
322 property owner dredging and creating the canals so that they could sell property to people would
323 want waterfront property and access to the lakes. He stated that he was not going to get into a
324 debate as to whether the Water Authority should be responsible for dredging those canals.

325 Mr. Pergler asked who he should work with to determine who is responsible for maintaining his
326 canal and Mr. Perry explained that in many other areas, there are Special Taxing Districts that
327 cover these types of issues, but in Lake County there isn't such a thing and there are not taxes
328 collected or public funding for keeping the canals cleared.

329 He stated that due to the limited resources available the Board created a policy in 2000 that states
330 that the Water Authority will only maintain canals that create connections between major lakes
331 in the major chains of lakes.

332 Mr. Perry explained that the Lake Griffin Dredge project was a state grant to help create a natural
333 fluctuation of the lake, that once completed, the District could then effectively maintain the water
334 levels.

335 Ms. Cox stated that the canals have been there a long time and that Mr. Pergler might want to
336 speak to the Property Appraiser's Office for help in finding out who actually owns the canals in
337 his neighborhood. He also suggested that he might talk to his state representative.

338 Mr. Pergler stated that this is something that should be under the Water Authority's duties and
339 asked them to reconsider their stance.

340 Chuck Piper addressed the Board regarding the Eddy property that is adjacent to Scrub Point
341 Preserve Road. He stated that approximately a year ago, he had met with staff regarding a
342 proposed development on the Eddy property and realigning the road, due to encroachment of the
343 easement into Eddy property.

344 He explained that the development was approved in January and will be approximately 300
345 homes. He stated that they are hoping to begin groundwork and construction around the first of
346 the year.

347 He stated that he has worked with staff on a solution to the encroachment and discussed his
348 willingness to work with realigning the road by using their site contractor, which would provide
349 savings to the Water Authority.

350 He noted that this would happen during the Phase Two portion of the development and that it
351 would probably be another year before that portion began.

352 He asked the Board for permission to work with staff, and to put this topic on the agenda for the
353 next Board meeting for discussion. The Board was agreeable to his request.

354 Ann Schuck, Venetian Village resident asked about the pesticides in their canals and asked for
355 help removing any pesticides from the canals.

356 Linda Moss addressed the Board regarding the conditions in the Apopka-Beauclair Canal and the
357 Tammi Drive Canal. She stated that this is not the first time that muck and debris have flowed
358 down the Apopka-Beauclair Canal and into the Tammi Drive Canal. She stated that in 2004 the
359 canals were all sand bottoms and in 2005 something washed down into their canal from the
360 Apopka-Beauclair Canal and completely closed the end of Beauclair into the canal.

361 She talked about the muck in the canal and accused Water Authority staff of purposely dumping
362 toxins into their canals and the Executive Director of lying about what was happening. She
363 again demanded that the Board address the problem and dredge the canal.

364 Ms. Moss stated that she understood that Cruz trucking has asked for toxic reports before they
365 would agree to hauling any more muck from the NuRF and that she too would like to see any
366 reports.

367 Chairman Bryant informed Ms. Moss that she should put her questions in writing and submit to
368 Mr. Perry and copy them to Board.

369 **CONTINUATION OF DISCUSSION ITEMS:**

370 b. Soccer Fields at Hickory Point ADA Issues

371 Mr. Perry stated that there is a steep slope along the access road, which makes access difficult for
372 those with disabilities. He introduced DJ Verkaik and stated that Mr. Verkaik has been working
373 diligently to try and resolve some of the ADA issues with the soccer fields.

374 Mr. Verkaik stated that the Water Authority have had Soccer Field lease agreement for twenty-
375 something years and the club tries to be a good neighbor. He stated that the club would like to
376 realign the easement road to the grove, so that it is on the parking lot side of the concession stand
377 and grade and smooth out the steep bank along the current easement to make the fields more
378 ADA accessible.

379 He stated that he has been working with the owner of the grove property and he is agreeable to
380 the suggested changes.

381 Mr. Verkaik stated that funding has been secured, and they also hope to add some sidewalks and
382 ramps. He asked for the Boards permission to work with staff and to come back to the Board
383 with sketches of the proposed changes.

384 The Board was in agreement with staff working with Mr. Verkaik.

385 *The Board took a short break at 6:22 pm and returned at 6:48 pm.*

386 c. NuRF Update

387 Dr. Danaher updated the Board on the NuRF. He stated that the tank bid is due this Monday and
388 bids are starting to trickle in.

389 He also updated the Board of different options for the dredges. He stated that he has been in
390 contact with Crisafulli (the manufacturer and supplier of our current dredges) and they have
391 provided several different options, one of which is completely new equipment including dredges,
392 control panels, floating dredge lines and electrical connections, etc., which would cost
393 approximately \$150,000 per dredge and associated equipment.

394 He stated that as we already have existing infrastructure there, we don't necessarily have to
395 replace everything, so he needs to get with Crisafulli to work out a cost that doesn't contain the
396 items that don't need replacing.

397 He explained that they also have a new, upgraded and unmanned dredge that is remote
398 controlled, which costs an additional \$10,000 per dredge.

399 He stated that they also discussed the costs of keeping critical parts that we could keep in
400 inventory and the cost of on-site training for staff, since staff does a lot of in-house maintenance.

401 Dr. Danaher stated that should we replace the dredges, one option for the existing dredges would
402 be to keep the dredges, update some of the technology on them and keep them on site as back-up.

403 He explained that in order to keep the current dredges operating, they are going to need updating
404 with newer technology, which would require some minor changes to the infrastructure on-site.

405 He informed the Board that he has also talked to Mud Cat Dredge and representatives will be
406 visiting the NuRF in about a week, to review the site and equipment to see how their equipment
407 might fit into our existing infrastructure. He stated that they are a major competitor of Crisafulli,
408 so it will be interesting to see what they have to say.

409 He stated that there are some other alternatives for suppliers, but part of the issue with them is
410 that although their equipment is manufactured in the States, their parts are not, which could
411 create problems getting parts in a timely manner. He stated that with Crisafulli and Mud Cat all
412 equipment and parts are manufactured in the States.

413 Dr. Danaher reported that the pond has been dropped about four more feet and it will take at least
414 another two feet before they can even see the top of the gate. He stated that hopefully in the next
415 week they will be able to expose the gate as they have an 8-inch pump and 4-inch pump moving
416 the water from the east pond into the west pond.

417 He stated that he has speaking to a couple of companies who are interested, West Wind
418 Contracting, who did the mud-plug to isolate the pond on the outfall, and Southern Controls. He
419 noted that he would be meeting with Southern Controls on-site later this week for them to look
420 over the facility, valves and controls, and making sure that everything is in good operating order.

421 Dr. Danaher also informed the Board that Bret Dawson who has a long-reach excavator, has
422 taken the four-foot mounds of muck at NuRF and piled it up into mounds that are twelve to
423 fifteen feet tall. He also stated that he had Mr. Dawson bring in some sand material to improve
424 and pack down the roadway and fill in the big drop-off coming off the concrete pad, so that staff
425 is now able to move our equipment around the site easier.

426 Chairman Bryant asked how long he can continue to make piles like that and Dr. Danaher stated
427 that depending on the rain, and whether we have another year like 2018 it won't last long before
428 we run out of space at the NuRF, even with piling it higher.

429 Dr. Danaher stated that as far as getting the cake off site, Lake Jem Farms may be interested in
430 the material as they have a 120-acre pond they need to fill in, as well as a wetland mitigation
431 requirement. He stated he will be talking to them about the feasibility.

432 He stated that he is also talking to the University of Florida to look at the feasibility of using the
433 material for local agricultural uses.

434 He stated that staff has also contacted Wood regarding making roadway improvement around the
435 ponds. He stated that Wood is one of our on-going contractors for engineering services. He
436 explained that the roadways around the ponds were grass and because of all the rain they now
437 have lots of ruts, making them hard to maneuver. He stated has asked Wood to give him a cost
438 on having the roads engineered and graveled around and between the ponds, which would about
439 3,500 linear feet.

440 He stated that BESH will be on site tomorrow to also give an estimate on their design fee. He
441 stated that once staff has a design, they may come back to the Board for authorization to release
442 a bid to move forward with construction of the roads.

443 Mr. Dufresne thanked Dr. Danaher for his presentation and all the hard work done by the staff at
444 NuRF.

445 Mr. Farner asked if anyone had been hired yet, and Mr. Perry stated that they would be starting
446 interviews the next week. He stated that they had waited as long as they could because they
447 hadn't received a lot of applications for the position.

448 Chairman Bryant asked if they are still utilizing temporary staff at the NuRF and Dr. Danaher
449 stated that they are.

450 Mr. Perry, stated that Dr. Danaher has really stepped up and is making a big difference at the
451 NuRF. He stated that the Agency couldn't be where it is now without Dr. Danaher and the rest
452 of the staff out at the NuRF.

453 d. Lake Denham Acquisition Status

454 Mr. Hart informed the Board that the Water Authority now has a contract with the owners of the
455 property, that the owner cannot back out, but the Board can back out or renegotiate if something
456 is detrimental is found on the property during the environmental assessment of the property.

457 He stated that the District has agreed to fund the environmental assessment of the property, even
458 though they had previously stated that they were not. He stated that the District had put the job
459 out to bid, and an assessor had been hired and they are out there working. He noted that the
460 assessment is supposed to be ready by mid-November.

461 He stated that he expects that there will be a recommendation to do a Phase 2 Environmental
462 Assessment, which would take another month to complete, so he expects it will take another
463 three to six months before everything is completed.

464 Chairman Bryant asked if the St. Johns River Water Management District would pay for the
465 Phase 2 Assessment and Mr. Hart stated that he doesn't know, as they are taking one step at a
466 time.

467 Mr. Hart also informed the Board that he had also contacted the City of Leesburg as they own
468 property in the basin and have a load reduction requirement that the city needs to meet. He
469 explained that staff has offered to give them credits for load reduction in exchange for a
470 contribution by the City in funding the purchase.

471 He stated that City staff has agreed that they will take a request for one-half million to their
472 Board in exchange for load credits.

473 Mr. Hart stated that staff had also contacted the Lake County Stormwater Department with same
474 offer and they were informed that Executive Director Perry need to present the request to the
475 County Manager.

476 Mr. Hart also informed the Board that he would like the Board to give recognition to Dustin
477 Calhoun, as he was instrumental in getting family members to agree to sell the property to the
478 Water Authority. He stated that he has spoken with Mr. Calhoun and he agreed to attend the
479 December Board Meeting, so the Board can give recognition.

480 **MR. DUFRESNE MADE A MOTION TO ACCEPT THE PHASE 1 ENVIRONMENTAL**
481 **ASSESSMENT AND AUTHORIZE STAFF TO CONDUCT A PHASE 2**
482 **ENVIRONMENTAL ASSESSMENT IF NECESSARY.** Ms. Cox seconded the motion.

483 **Motion approved 4-0.**

484 e. Authorization to Release Alum and Alum Production Bid

485 Dr. Danaher explained to the Board that, with the increased use of alum at the NuRF, there has
486 been an issue getting a consistent supplier of alum. He stated that staff has had to resort to
487 coordinating deliveries from multiple suppliers in order to have enough alum.

488 He stated that staff is hoping to identify a supplier that can supply all the alum needed through
489 the proposed bid. He explained that the bid has two different options, with Option A requiring
490 the company to completely fulfill our alum needs or if they are unable to, they would have to
491 provide an alternate supplier and pay any difference in cost.

492 He stated that Option B would be to request that a supplier build a facility within 20-mile radius
493 of the NuRF, with the requirement that the NuRF is number one on their list for alum delivery,
494 with alum costs locked in for two years.

495 Dr. Dr. Danaher explained that any contractor willing to build the facility will most likely require
496 a seven to ten-year commitment, as the supplier would want to be able to recover their costs in
497 building the facility, which would make the contract harder to step away from.

498 Ms. Cox asked how likely is it that someone would want to build a facility and Dr. Danaher
499 explained that two suppliers have already expressed interest, one of which has done this type of
500 thing in the past. She asked if there are other entities in the area that would utilize the facility
501 and Dr. Danaher stated that there are other users in the area would purchase from the facility.

502 Chairman Bryant asked if it wouldn't be advantageous to a company anyway to locate a facility
503 here and was it really necessary to enter into a long-term agreement.

504 Dr. Danaher stated that the two companies that have expressed interest, have already stated that
505 they would expect a commitment of seven to ten-years. Dr. Danaher noted that the Water
506 Authority isn't a consistent customer as our need for alum goes up and down depending on
507 rainfall and other factors.

508 **MS. COX MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO**
509 **RELEASE A BID TO SUPPLY THE NURF WITH A GUARANTEED SOURCE OF**
510 **LIQUID ALUMINUM SULFATE AFTER THE LANGUAGE OF THE BID DOCUMENT**
511 **HAS BEEN APPROVED BY LEGAL COUNSEL.** Mr. Farner seconded the motion.

512 **Motion approved 4-0.**

513 f. Authorization to Release Stormwater Grant

514 Mr. Hart informed the Board that the City of Umatilla has requested that the Water Authority
515 Stormwater Grant process allow for the award of some stormwater grants without the matching
516 funds requirement. He explained that Umatilla and Mascotte both meet the State's conditions for
517 Ready Grants from the state that don't require matching funds. He suggested that the Water
518 Authority could also take that under consideration when awarding Stormwater Grants.

519 He also explained that Vice Chair Stone has suggested a change in the project scoring. He stated
520 that she had suggested that for any project requesting 0-25 percent funding, to reduce the scoring
521 to 15 points and for any project requesting 76-100 percent funding to increase the scoring to 3
522 points, in order to bring the scoring system into a tighter range.

523 Ms. Cox stated that they ought to have some flexibility and she didn't have a problem with the
524 changes as they will as a Board, decide if it is valuable enough project. Mr. Perry stated that any
525 project staff recommends would need to be worthwhile.

526 Mr. Farner stated he was okay with the changes, as the Board will still decide each project on its
527 own merits.

528 **MS. COX MADE A MOTION TO AUTHORIZE STAFF TO RELEASE THE 2018/2019**
529 **STORMWATER GRANT APPLICATION TO THE APPROPRIATE PUBLIC**
530 **AGENCIES USING THE NEW POINT SYSTEM.** Mr. Farner seconded the motion.

531 **Motion approved 4-0.**

532 Chairman Bryant noted that it looks like we might have some significant saving on a couple of
533 projects and stated that with only \$250,000 in the budget for our Stormwater Grant Program,
534 they might be looking at being able to possibly of transferring additional funding in the future.

535 **8. LEGAL STAFF REPORT**

536 Attorney Barice updated the Board regarding the Sawgrass Restrooms status. She stated that she
537 managed to speak with Mr. Hoskins and he had stated that he was willing to arrange delivery of
538 the restrooms after receiving the final payment.

539 She explained that before staff had an opportunity to do that, we got an email from him asking
540 for the Water Authority to provide a letter stating that we had purchased the restrooms. He had
541 stated that he had an action against him and he wanted to save the restrooms from being possibly
542 seized.

543 She stated that although we got the letter to him, Mr. Perry then received a phone call from
544 someone who had purchased Mr. Hoskins' assests, stating that he had the restrooms and was
545 willing to deliver them in return for payment of the balance.

546 She stated that she then got a call of Mr. Hoskins and he had stated that he wanted the Water
547 Authority to work with him to have the Sheriff's Sale set aside because the restrooms were our
548 property and shouldn't have been sold. She stated that she had explained to him that she didn't
549 think the Board would agree to that, and that hopefully he could get his attorney to work on that.

550 She stated Mr. Hoskins had informed her that the person who had purchased the assests was
551 another attorney and had no way of picking up the restrooms and delivering them to Florida.

552 She stated that she has tried to call the attorney that purchased the restrooms, but has not gotten
553 any calls back. She also has tried to call Mr. Hoskins' attorney and has not received any calls
554 back from him either.

555 She stated that is currently where we are at this time.

556 **9. BOARD MEMBER COMMENTS**

557 Mr. Farner stated that he is going to be putting pressure on Florida Fish and Wildlife to do more
558 in response to the Hydrilla issue. He stated that Hydrilla is a big problem in the Harris Chain of
559 Lakes and that he would appreciate the support of other Board Members in the effort.

560 Ms. Cox thanked Chairman Bryant for his work as Board Chairman this past year. She stated
561 that she was going to miss Mr. Dufresne at the meetings and hoped that he comes back to visit
562 the Board.

563 Chairman Bryant apologized to Mr. Perry for allowing the name calling and accusations made
564 during Public Comment. He stated that it was rude and uncivil and that he shouldn't have been
565 faster in his response to cut it off.

566 He noted a recent article in the newspaper regarding the newly approved Leesburg phase of The
567 Villages. He stated that the plans call for 2,800 new homes on 1,200 acres of homes near Flat
568 Island Preserve and Lake Denham. He also noted that there are also plans for two other
569 developments by the Villages that would call for 25,000 plus homes on 8,600 acres.

570 Mr. Dufresne stated that it has been a pleasure working with the Board and that he was going to
571 miss everyone and noted that the Water Authority staff have been great to work with. He stated
572 that he would still be around, just on the other side of the dais.

573 **10. BOARD MEMBER ITEMS FOR FUTURE AGENDA**

574 Mr. Farner stated that he would not be able to attend the November meeting. Mr. Perry noted
575 that Vice Chair Stone is hoping to be in attendance at that meeting.

576 There was discussion on whether to postpone the Election of Officers until the December
577 meeting, but after noting that the December meeting would need to be moved up to Thursday,
578 December 5th to stay within the 30-day legislative requirement, it was decided to keep the
579 Election of Officers on the November 14th agenda.

580 **11. INFORMATION ITEMS**

- 581 a. Staff Reports
- 582 b. Monthly Financial Reports – September 2018

583 **12. ANNOUNCEMENT OF UPCOMING MEETINGS AND EVENTS**

- 584 - Board Meeting - Wednesday, November 14, 2018 (3:30 pm)
- 585 BCC Chambers/Admin. Building

586 **13. ADJOURNMENT**

587 The meeting was adjourned at 8:00 pm.