

DRAFT
MINUTES OF THE REGULAR BOARD MEETING
of the
LAKE COUNTY WATER AUTHORITY
May 22, 2019

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, May 22, 2019, in the Lake County Administration Building, County
3 Commissioners Chambers at 315 West Main Street, Tavares, Florida.

4 **Members Present-District #**

Staff Present

5 Amy Stone, Chairman (#5)
6 Trampis BonJorn (#2)
7 Peggy Cox (#1)
8 Keith Farnar (At-Large)
9 Butch Hendrick (#4)
10 Courtney Stokes (At-Large)

Michael J. Perry, Executive Director
Ron Hart, Water Resources Director
Dr. Jason Danaher, Water Res. Project Manager
Biago Gugliotti, Land Resources Director
Ben Garcia, Office/IT Manager
Patricia Burgos, Environmental Projects Director
Christina Rider, Administrative Services Manager
Anna Ely, Recording Secretary
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 - APRIL 24, 2019 - REGULAR MEETING**

20 **MR. FARNER MADE A MOTION TO APPROVE THE MINUTES OF THE LAKE**
21 **COUNTY WATER AUTHORITY MEETING OF THE APRIL 24, 2019 - REGULAR**
22 **MEETING.** Mr. BonJorn seconded the motion.

23 **Motion approved 6-0.**

24 **3. EXECUTIVE DIRECTOR REPORT**

25 Mr. Perry addressed the Board and gave the water level and rainfall reports. He stated that
26 county-wide in April we averaged about 3.27 inches of rain which is a little more than a half inch
27 about the historic average and puts us at 2.29 inches below the historic average or at 80% of the
28 expected year-to-date rainfall. He stated that while May started out pretty good, it hasn't been a
29 very strong rainfall month so far.

30 He noted that Lake Apopka is slightly below regulatory schedule with approximately 12 to 13
31 cfs flowing over the spillway and into the Apopka-Beauclair Canal.

32 He stated that Lake Eustis, Lake Harris and Lake Dora are right at regulatory schedule, while
33 Lake Griffin is slightly below regulatory schedule. He reported that water is flowing through the
34 Burrell Lock and Dam structure at 18 cfs and there is no flow through the Moss Bluff Lock and
35 Dam at this time.

36 Mr. Perry stated that in the Clermont Chain the lakes do respond to the rainfall, but due to lack of
37 continuous rainfall along with seepage and evaporation it is currently at the bottom end of the
38 regulatory range. He stated that the combined flow from Big and Little Creek is approximately
39 two cfs at this time.

40 Mr. Perry reported that currently Lake County staff is finishing up the hydrilla treatments that
41 were funded by the Water Authority and the extra money from Fish and Wildlife over the last
42 three weeks. He stated that he has provided them reports of the areas.

43 He stated that the State Legislature has provided 33 million dollars in next year's budget for
44 aquatic and upland plant control for the whole state and Florida Fish and Wildlife will be
45 discussing on how to divide it up between areas for the next budget year.

46 He noted that he is trying to find out the date, time and location of that meeting as he would like
47 to be able to attend and participate in that meeting. Chairman Stone asked that Mr. Perry let all
48 the Board Members know when that meeting is scheduled.

49 Mr. Perry stated that he wanted to recognize all the County staff who provided the labor to
50 complete all the hydrilla treatments. He noted that the County provided the labor at no cost to
51 the Water Authority.

52 My Perry also noted that he had a meeting with Commissioner Parks this week, his staff, Lake
53 County Stormwater staff, the County Manager and Mr. Miklos. He explained that Commissioner
54 Parks wanted to talk about long term residential canal maintenance.

55 He stated that Commissioner Parks is not confident about funding from State for that kind of
56 thing and he doesn't think that a local government like the County or a special taxing district like
57 the Water Authority should have to take on the cost.

58 Mr. Perry explained that they talked about some of the models that have been done around the
59 state. He stated that Orange County has municipal special taxing benefit units with the county
60 divided between lake watersheds and they accumulate funds for a particular watershed, rather
61 than taxing the whole county for someone else's residential canal maintenance.

62 He stated that the Water Authority cannot establish the MST/MSB, it would have to be Lake
63 County and the County is not sure if they can legally do that. He noted that the County does
64 something similar for roads, but they have an ownership interest in the roads through a right-of-
65 way and it was not clear whether they would need to have something an ownership interest in the
66 residential canals and the many issues connected to doing that.

67 He stated that there are still lots of details to be worked out and Lake County Attorney Melanie
68 County is going to do some research to see if can be legally done or not. He stated that he would

69 be participating in those meetings as they happen, but right now it is only conceptual and he is
70 not sure what role the Water Authority will have or should have.

71 Mr. Perry reported that the Lake County Board of County Commissioners voted yesterday to
72 deny Chuck Piper's request to amend the Future Land Use Map to change from Wellness Way
73 for his proposed Evergreen Estates development.

74 Ms. Cox asked if Mr. Piper had asked for the property to be annexed into Clermont yet and Mr.
75 Perry answered that he hasn't yet. Mr. Perry stated that Mr. Piper still wants to talk to the Water
76 Authority to sort out the right-of-way and easements issues and noted that Lake County still has
77 an issue with the condition of Hartwood Marsh Road and we haven't seen the last of Mr. Piper's
78 request.

79 Ms. Cox noted that the Heritage Hills development also has back entrance that people are using
80 that dumps out onto Hartwood Marsh Road.

81 Mr. Perry stated that he would like to recognize Water Authority staff for their work around the
82 pavilion. He stated that they cleaned up and spruced up the landscaping and removed
83 undergrowth and put down rubber mulch.

84 Mr. Farner stated that he thought he had read something about an issue with rubber mulch and it
85 being toxic. He asked staff to look into it as he would rather have something more natural than
86 something toxic. Mr. Hendrick stated that he thought it had to do with an after market dye that
87 had been used on the rubber mulch that had been the problem.

88 Mr. Perry stated that he would have Brian Nagy look into it.

89 Mr. Perry stated that Lake County gets regular calls from people who live on the east side of
90 Lake Joanna regarding the decline of water quality in the lake. He stated that the residents are
91 convinced that it is all coming from Loch Leven through a canal or stream that discharges into
92 the lake.

93 He noted that most of those around Lake Joanna are on well and septic, except those to the north
94 of the lake that are on City of Eustis utilities and stated that it could be that the properties around
95 the lake with septic tanks are the problem, but the are convinced it is coming from somewhere
96 else.

97 He stated that there hasn't been an evaluation to see where the problem is coming from, so Lake
98 County Stormwater staff have been instructed to come up with a study or contract with a
99 consultant to have an evaluation of the area to determine where it is coming from.

100 Mr. Perry explained that Lake County approached the Water Authority and stated that they have
101 \$20,000 in the budget that they can put toward the study and asked if the Water Authority could
102 provide any additional funding. He stated that the County needs a total of approximately
103 \$52,000 to hire a consultant.

104 Mr. Perry stated that if the Board was interested in pursuing this, it could be brought back as a
105 future agenda item.

106 Ms. Cox asked if the \$52,000 was just for the consultant, but not for fixing the problem and Mr.
107 Perry stated that it was.

108 Mr. Farner stated that the Water Authority dealt with this in the past when the lake was
109 declining, and the residents came to the Water Authority and the Agency had done a study and
110 determined that the flow was being cut off and the water was being held back at the Wolf Branch
111 Sink. He stated that someone had built structures and holding the water back and it was
112 backwashing into Lake Joanna.

113 Mr. Hart stated that a lot of changes have occurred in that basin including changes in flows, but
114 the residents are particularly concerned about nutrient loading from other subdivisions in the
115 surrounding areas.

116 Mr. Farner stated that all those houses have been around Lake Joanna for a long time and the
117 Water Authority did something in the past about the back flow that was coming in from the
118 development off 44 and Wolf Branch Creek and the sheer volume of water because the creek
119 was obstructed.

120 Mr. Hart stated that the Water Authority didn't pay a consultant in that instance, but had the
121 County go out and take water quality samples in the ditch and also sample some of the
122 residential stormwater ponds in the Lock Leven area that overflow and found that they had some
123 practices that they had in those subdivisions that was resulting in their ponds being very green.
124 He stated that they met and talked with the homeowners and they made some changes to how
125 they were managing their site and saw some great improvements in water quality.

126 Mr. Farner instructed staff to look into that past action and study and bring that information back
127 to the Board next month. He stated that the Water Authority spent extensive amount of time on
128 this issue in the past. Mr. Hart stated that Lake Watch also spent a lot of time on the issue.

129 Mr. Hendrick asked if the Lakes of Mt. Dora code violation that was recently shut down could
130 also be part of the problem and Mr. Hart stated that samples that were taken from that area didn't
131 show that nutrients coming from that area were high enough to cause the issue.

132 Mr. Perry stated that staff will investigate it and bring it back to the Board at next month's
133 meeting.

134 He reminded the Board that the Budget Workshop would be held in the Lake County Water
135 Authority Conference Room on July 17th at 11 am. He noted that they would be provided with a
136 copy of the draft budget at next month's meeting, so they would have a chance to look at it
137 before the workshop.

138 **4. CONSENT ITEMS**

139 Items d and e were removed from the Consent Agenda and placed first on the Regular Agenda.

140 **MR. FARNER MADE A MOTION TO APPROVE THE REMAINING CONSENT**
141 **AGENDA ITEMS.** Mr. BonJorn seconded the motion.

142 **Motion approved 6-0.**

143 a. Approval to add ICMA as a Second Deferred Compensation Provider

144 **AUTHORIZE THE EXECUTIVE DIRECTOR TO ADD ICMA AS A SECOND**
145 **DEFERRED COMPENSATION PROVIDER.**

146 b. Authorization to Move Investment Funds Between Accounts

147 **AUTHORIZE STAFF TO WIRE FUNDS FROM THE LCWA BANKUNITED MONEY**
148 **MARKET ACCOUNT TO ONLY THE LCWA SUNTRUST CHECKING ACCOUNT**
149 **AND VICE VERSA IN AN AMOUNT NOT TO EXCEED \$1,000,000 IN ANY ONE**
150 **MONTH AND SUBSEQUENTLY BE REPORTED TO THE BOARD AT THE NEXT**
151 **BOARD MEETING. IT IS RECOGNIZED BY STAFF AND BOARD MEMBERS THAT**
152 **THE BANK REQUIRES THE SIGNATURE OF BOTH THE CHAIRMAN AND THE**
153 **SECRETARY-TREASURER AND PHONE VERIFICATION WITH THE CHAIRMAN**
154 **FOR ANY WIRE TRANSFER.**

155 c. Authorization to Dispose of Damaged Property

156 **AUTHORIZE THE EXECUTIVE DIRECTOR TO DISPOSE OF THE 2007 FORD**
157 **RANGER, PROPERTY ITEM # 314 AND THE RX-42 PRO SLOPE MOWER,**
158 **PROPERTY ITEM # 398.**

159 **5. REGULAR AGENDA**

160 a. Authorization to Transfer Funds for Centrifuge Repairs and NuRF Outflow Canal
161 Excavation

162 **MS. COX MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO**
163 **TRANSFER \$200,000 BUDGET FUNDS FROM 9898710-830340 OTHER**
164 **CONTRACTUAL SERVICES TO 9898710-830460 REPAIRS AND MAINTENANCE**
165 **FOR THE CENTRIFUGE SCROLL REPAIRS, THE OUTFALL CANAL CLEANING**
166 **AND MISCELLANEOUS REPAIRS.** Mr. Farner seconded the motion.

167 **Motion approved 6-0.**

168 b. Approval to Replace Fence at Hickory Point

169 Mr. Perry explained that in order to expend the funds for the new fence at Hickory Point Park the
170 money needs to be transferred into the proper budget location.

171 **MS. STOKES MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO**
172 **TRANSFER \$12,000 BUDGET FUNDS FROM 9898720-860620 BUILDINGS TO 9898720-**
173 **860630 SITE IMPROVEMENTS FOR THE HICKORY POINT PARK FENCE**
174 **REPLACEMENT.** Mr. Farner seconded the motion.

175 **Motion approved 6-0.**

176 **MS. COX AUTHORIZE THE EXECUTIVE DIRECTOR TO CONTRACT WITH**
177 **KODIAK ENVIRONMENTAL CONTRACTING, LLC TO REPLACE THE HICKORY**
178 **POINT PARK FENCE ALONG S.R. 19 FOR AN AMOUNT NOT TO EXCEED \$12,000.**

179 Mr. BonJorn seconded the motion.

180 Mr. Perry explained that the fence would only have boards on one side but would be in the same
181 style as the two-sided fence shown in the staff report. He noted that the fence would be in a
182 color that would coordinate with the office building rather than a black as shown in the picture.
183 By painting the fence a different color it will help to differentiate it from a Lake County owned
184 property.

185 **Motion approved 6-0.**

186 c. Approval of Attorney Contract with Stone & Gerken, P.A

187 Mr. Perry

188 **MR. BONJORN MADE A MOTION TO APPROVE THE ATTORNEY CONTRACT**
189 **WITH STONE & GERKEN, P.A.** Mr. Hendrick seconded the motion.

190 Ms. Cox asked why the line item listing the costs of an opinion letter was separated out from the
191 rest of the charges.

192 Attorney Stone explained that while standard in their contract, it was probably something that
193 won't be needed by the Water Authority as it deals mainly with the issuing of bonds.

194 Mr. Perry stated that previously the Board had requested that he speak with Mr. Stone regarding
195 his fees and Mr. Stone had agreed to add an option for a paralegal that the Agency could go to
196 for a much lower cost than using the higher cost attorneys at the firm.

197 **Motion approved 6-0.**

198 d. Structure Operations for Clermont Chain of Lakes

199 Mr. Perry stated that last month the Board had requested that he explain how the Water
200 Authority manages the structures on the Clermont Chain. He stated that staff had provided the
201 Board with the Palatlahaha River Dam Operations Manual that was adopted in 2006 and noted
202 that last month the Board had taken action to amend the manual to identify a target level of 97
203 feet msl (mean sea level) for the Clermont Chain.

204 He stated that during that meeting Mr. BonJorn had requested to revise the level to 97.1 feet msl
205 as a target level and Mr. Farner had asked for a presentation on how the Chain is managed. He
206 noted that he would give his presentation and then they could talk about any changes they wished
207 to make to the Operations Manual.

208 He stated that, of the current structures, the only ones that are still operational and can be
209 adjusted are the Villa City Dam and the Cherry Lake Dam. He explained that all other structures
210 are fixed crest weirs that can no longer be adjusted. He stated that the fixed crest weirs hold the

211 water at a certain level and when the water is higher than the weir it spills over the structure until
212 the water is no longer higher than the weir.

213 Mr. Perry explained that for the Harris Chain the St. Johns River Water Management uses a
214 Regulatory Schedule with a minimum desirable and maximum desirable water level that changes
215 during certain times of the year whereas the Water Authority uses a Regulatory Range to set
216 water levels on the Clermont Chain. He noted that each of our structures have their own range
217 with Lake Minnehaha's range being between 96 and 97.5 msl.

218 He explained that because all the structures except Villa City and Cherry Lake have been
219 changed to fixed crest weirs, the Operation Manuel needs to be changed to reflect those changes.

220 Ms. Cox stated that the flow into the Clermont Chain begins with Big and Little Creeks which
221 comes from the Floridan Aquifer just south of the Polk County line which has an elevation of
222 102 feet. She explained that as the water flows north it gradually loses elevation so by the time it
223 gets to Okahumpka the elevation is at 68-73 msl. She also noted that the water level of Lake
224 Louisa is naturally higher than Lake Minnehaha.

225 She explained that the parameters were set over the years because of the agricultural interest to
226 hold the water in the system to provide warmth and if the water got to high and started flooding
227 they would open the dams to let water out of the system. She noted that there is no way to keep
228 everyone happy when it comes to the water levels. She stated that looking at the history of the
229 water levels on Lake Minnehaha you can see that it is a fluctuating system.

230 Mr. Perry talked about the natural fluctuation of the water levels and explained that this is called
231 multi-decadal oscillation and noted that there are many studies that say fluctuation of the water
232 level is good and that it not good for the water level to not fluctuate at all.

233 Mr. Perry stated that before the dams were built there was a lot more fluctuation to the system,
234 but once the system was channelized there was concern about how much water would move out
235 of the system, so the dams were used to cap the high flows with the target range being between
236 96 feet msl and 97.5 feet msl.

237 He noted the 2002 and 2012 droughts and stated that there was nothing that could be done to
238 control that as it was totally due to the lack of rainfall.

239 Mr. Perry stated that during the last six months of 2018 there was significant rainfall and the
240 combined flow of Big and Little Creeks was over 100 cfs during that time and water levels were
241 at or over the top of Regulatory Range. He explained that he had been concerned due to amount
242 of rainfall the area had received, the height of the groundwater, and the standing water, so he
243 made the decision to move some of the water out of the system. He stated that the forecasted
244 rain didn't occur, and the water level dropped below 96.5. He noted that the dams were closed in
245 mid-March and have been closed since that time. He stated that at the end of May and beginning
246 of June the rain chances will be going back up as we enter the rainy season so hopefully we
247 would be receiving more rain soon.

248 Mr. BonJorn asked if there had ever been a situation where we couldn't let water out of the
249 system fast enough and Mr. Perry stated that there is very limited ability to let water out of the
250 system as it was built to hold water in the system.

251 He stated that during and after Hurricane Irma the water was at or above many of the regulatory
252 levels along the Palatlahaha River and there was flooding in some areas along the side of the
253 river. He noted that there is a mobile home park downstream that starts flooding as soon as we
254 start moving any water through the system.

255 Ms. Cox noted that on the Clermont Chain the measurement is taken at the 561 bridge and
256 depending on the weather some areas could measure higher or lower.

257 Mr. Farner asked when will the revised manual would be ready and Mr. Perry stated that staff
258 would bring the revised Operations Manual back to the Board within a month or two.

259 e. Status of Lake Denham - Phase II Environmental Assessment

260 Mr. Hart stated that although they had made some progress this past month, it was not as much
261 as he would have liked to have made, as our consultant was on vacation and DEP staff were also
262 unavailable.

263 He noted that based on prior comments from DEP and conversations with our consultants, he
264 thinks that it would be advisable to place a covenant restricting any residential use or any
265 groundwater withdrawals on the property. He explained that residential use is the most
266 restrictive for any pesticides that are on the property, and by putting a residential restriction on
267 the property the contaminations thresholds are much higher and they wouldn't have to address
268 the issues that residential properties require.

269 He explained that putting a restriction against residential uses will eliminate some of the testing
270 that would normally be required and reduce our costs. He stated that he would be working with
271 the attorney on that recommendation as they move forward to try and reduce some of the cost
272 associated with the property.

273 Mr. Hart explained that although the restriction against residential uses would eliminate some of
274 the testing there are some areas that will still require some additional testing to delineate the
275 areas where we do have some low-level pesticide contamination. He stated that DEP's reasoning
276 for the additional testing is to ensure that the previous tests were not just hitting the edge of the
277 contamination and to ensure that the concentration is not greater another ten or fifteen feet away.

278 He noted that because they are potentially reducing the overall testing that will be needed the
279 cost should less than what was previously estimated.

280 Ms. Cox asked if the covenants would go with the land and Mr. Hart answered that they would.
281 He also stated that the cost of the final survey will depend on how in depth of a survey is needed.

282 Mr. Hendrick asked who the closing agent would be, and Mr. Hart stated that the owners want to
283 use their own attorney.

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284 Mr. Hart stated that he would give the Board another update next month, with an update on costs,
285 etc. He explained that since the Board had previously approved the expenditure, there shouldn't
286 be any delay.

287 Attorney Barice stated that she would urge the Water Authority to proceed with caution and to
288 hire an independent environmental assessor to review the studies. She reminded the staff and
289 Board of the bird kills on Lake Apopka and suggested that the Agency take a very careful
290 approach moving ahead as farming operations occurred in both the Lake Apopka and Lake
291 Denham locations about the same time.

292 Mr. Hendrick stated that the pesticide levels still might not be low enough, even though they are
293 lower than the levels at Lake Apopka after the bird kill.

294 Attorney Barice explained that the hot spot was determined to be in the middle of the field and
295 they missed it as they were doing most of their testing around structures. She stated that there
296 had been three separate assessments as well as some remediation and the hot spot was still
297 missed. She suggested that the Water Authority get another independent opinion to evaluate the
298 environmental findings.

299 Mr. Farner stated that he thought that was a good idea and that he would like to recommend that
300 that they follow Attorney Barice's advice.

301 Mr. Hendrick noted that you might have several different assessments completed and none of
302 them may find anything, or several of them might. He asked what plans the Water Authority has
303 for the property and whether the end use would be similar to the use of the property on Lake
304 Apopka.

305 Mr. Hart stated that the Water Authority's plans are to turn the property over to FWC to manage
306 and it would be us the FWC as to how it would be used.

307 Mr. Perry stated that the current consultant evaluating the property is an independent firm. He
308 stated that staff would be happy to provide the information from Attorney Barice to them.

309 Mr. Farner stated that he doesn't want to place the Water Authority in a liable position just wants
310 the Agency to do their due diligence.

311 Mr. Hart stated that they can never say that there is absolutely nothing harmful out there. He
312 noted that more delays could cause the Water Authority to lose the purchase of the property and
313 Mr. Farner stated that this is why he thinks they we should hire someone to evaluate the
314 completed studies and look over the data from Lake Apopka and Lake Denham now.

315 Ms. Cox asked Mr. Hart if he could he have a conversation with the current assessors regarding
316 what happened on Lake Apopka. She stated that we need to insure they have covered every area
317 that they think they will find stuff. She felt staff should talk with them before they start talking
318 about hiring another group and make sure that they have done a very thorough job.

319 Mr. Hart explained that in asking them to do a more thorough job, such as doubling the number
320 of areas where they are testing, but it would raise the cost of the assessment. He stated that at

321 this time they are following the recommendations made by the consultants and DEP (Department
322 of Environmental Protection).

323 He noted that they can still go back to consultant's original assessment proposal which would
324 cost close to \$80,000.

325 Mr. Hart noted that the areas with petroleum spills can be remediated for less than the cost to do
326 more studies.

327 Chairman Stone stated that if that would make Mr. Farner and others happy and the request is
328 just to have another agency read the report it would be okay. She stated that they do not need
329 another two to four companies to do more testing and costing the taxpayers more money.

330 Ms. Cox stated that staff should sure any other recommendations are given to the consultants
331 along with the survey and any other pertinent information.

332 Mr. Hart stated that all three of the current parties are sharing all the information obtained.

333 **MR. FARNER MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR**
334 **TO HIRE A THIRD PARTY TO LOOK OVER THE STUDIES AND GIVE OPINIONS**
335 **AND RECOMMENDATIONS WITH COST NOT TO EXCEED \$10,000.** Mr. Hendrick
336 seconded the motion.

337 Attorney Barice asked if that would include the Lake Apopka information as she didn't think
338 \$10,000 would be enough. Mr. Farner stated that Lake Apopka information could be made
339 available to them.

340 Chairman Stone noted that Mr. Hart had already informed them that he is expecting this to cost
341 at least \$20,000. Mr. Hendrick stated that he can't imagine it being more than \$10,000.

342 Mr. Hart reminded the Board that the Lake Apopka report is hundreds of pages of documents to
343 review and they could be looking at a lot more money.

344 Mr. Farner stated that he wanted the cost to limited to \$10,000 and Chairman Stone stated that
345 they wouldn't be able to get anyone to do it for that amount. Mr. Farner stated that they would
346 just look for another company that would.

347 Mr. Hendrick stated that they are professionals and should be able to look at the results of the
348 Lake Denham testing and determine if anything is needed. He stated that there was no need to
349 include the Lake Apopka reports.

350 Ms. Cox asked Mr. Farner if he would be willing to amend his motion to \$20,000 and Mr. Farner
351 stated that he would rather stay with \$10,000, as they would only be looking at data that is being
352 provided to them.

353 **[MR. FARNER MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO**
354 **HIRE A THIRD PARTY TO LOOK OVER THE STUDIES AND GIVE OPINIONS AND**

355 RECOMMENDATIONS WITH COST NOT TO EXCEED \$10,000. Mr. Hendrick seconded
356 the motion.]

357 **Motion approved 4-2 with Chairman Stone and Ms. Stokes in opposition.**

358 **6. PUBLIC COMMENT**

359 Mr. Tully Patrowicz addressed the Board and stated that he and others are concerned about a
360 proposed 38-acre development on East Crooked Lake. He stated that the proposed development
361 is in a karst area and could potentially cause contamination of the Floridan Aquifer.

362 He stated that he has been proactive in protecting the lake from the effects of over development
363 since moving to Lake County in 1973 and has concerns regarding the density of the proposed
364 development and its affect on the lake and aquifer.

365 He stated that one of the Water Authority's missions has been to conserve and protect the fresh
366 water in our area that land issues are not within the Water Authority's purview but asked if the
367 Board could please review the proposed development and advise them as to who would have the
368 permitting authority regarding this development. He noted that the current proposal is a 38-acre
369 development with 22 homes directly on the waterfront with a total of 55 to 65 homes.

370 Mr. Patrowicz stated that although the full reach of the karst area within the proposed
371 development area is not known, it is believed to be a significant.

372 Mr. Hendrick asked Mr. Patrowicz if the proposed zoning was four houses to one acre and Mr.
373 Patrowicz said that he didn't think it was that high as the owner has supposedly decreased the
374 density, but he has not seen a copy of the final proposal to be able to confirm that.

375 Mr. Patrowicz noted that the owner of the property is also requesting annexation of the property
376 into the City of Eustis and he stated that he is concerned that the proposed density could be
377 higher if the property is annexed into the city.

378 Mr. Hendrick asked staff to assist Mr. Patrowicz in contacting the correct agency to voice his
379 concerns.

380 Nancy Baker also voiced her concerns to the Board regarding the proposed development. She
381 talked about a study of the area that included maps by the Wekiva Study Area. She stated that
382 these maps are included in the City of Eustis Comprehensive Plan and Eustis is required to
383 follow this plan.

384 She stated that residents are concerned about the tree line, wetland and the karst area and noted
385 that area is connected to the (Floridan) Aquifer. She explained that they are concerned about the
386 61 to 91 homes that are proposed when the adjacent property and properties to the south are
387 zoned R1 which is one house per acre. She stated that concerned residents feel that the whole
388 western shoreline should be preserved and kept at a lower density.

389 Ms. Baker stated that whatever the Water Authority could do to help keep would be greatly
390 appreciated.

391 **CONTINUATION OF REGULAR AGENDA:**

392 f. Review of Hickory Rental Alcohol and Cleaning Deposit Policy

393 Mr. Garcia gave a PowerPoint presentation regarding the policies and fees for renting the
394 Hickory Point Pavilion.

395 He stated that in 2017 the Board increased the alcohol deposit and explained that since that time
396 there have been some problem with renters having alcohol at their event after they have noted on
397 their application that they were not.

398 He stated that once they purchase the liquor liability insurance policy, pay for the rental, the
399 rental deposit and the liquor deposit it becomes quite expensive. He suggested to still require the
400 liquor liability insurance but instead of having two different deposits, to make it one deposit of
401 \$250.

402 He stated that another issue is getting the rental deposit before the event, so he is suggesting that
403 they require that the liquor liability insurance and liquor deposit be due within thirty days of
404 placing the rental.

405 Mr. Garcia stated that another issue is that there are too many deposit amounts related to the
406 rental with it ranging from \$45 to \$315 and suggested making the deposit for rental \$100 for all
407 non-alcohol rentals. He noted that it has also been suggested to increase the deposit to \$150, but
408 it is up to the Board to decide. He also suggested that the cancellation/change fee be increased
409 from \$10 to \$25.

410 Ms. Cox asked if the \$100 was for any portion no matter how much of the pavilion they rented,
411 and Mr. Garcia stated that it was.

412 Mr. Garcia stated that another issue is the acceptance of checks, cash and money orders versus
413 payments through PayPal. He stated that since the Water Authority started taking payments
414 through PayPal it has become very popular and quite convenient and simplifies the process. He
415 suggested that he would recommend eliminating checks, cash and money order and require all
416 rentals through PayPal.

417 Mr. Farner asked out refunds would be issued, and Mr. Garcia stated that it is a simple process to
418 do refunds through PayPal.

419 Chairman Stone noted that there are companies that do not allow the use of PayPal and they need
420 to have a backup plan should that be an issue, so they can make exceptions on a case by case
421 basis.

422 Mr. Garcia stated when there have been issues, Mr. Perry has always evaluated the situation and
423 made exceptions should they be needed.

424 Mr. Perry stated that there is a program called MunicIPAY that several municipalities and
425 government agencies use, that might be an option, should they need to look into it.

426 Ms. Cox suggested consolidating the rental fees so that there weren't as many fees, but after
427 some discussion it was decided to leave them as they are at this time.

428 Attorney Barice suggested making a notation on the application that the \$150 deposit would be
429 forfeited should they have alcohol without the proper paperwork, deposit and insurance.

430 **MR. FARNER MADE A MOTION TO APPROVE THE EXECUTIVE DIRECTORS**
431 **RECOMMENDATIONS TO MAKE THE FOLLOWING CHANGES REGARDING THE**
432 **RENTAL OF THE HICKORY POINT PAVILION POLICY:**

433 1) **ALL REFUNDABLE DEPOSITS DUE WITHIN 30 DAYS AFTER THE**
434 **APPLICATION AND RENTAL FEE IS TURNED IN; OTHERWISE THE EVENT**
435 **IS SUBJECT TO CANCELLATION.**

436 2) **IF ALCOHOL WILL BE PART OF THE EVENT, REQUIRE THE**
437 **CERTIFICATE OF INSURANCE WITH THE LIQUOR LIABILITY AND THE**
438 **\$250 REFUNDABLE DEPOSIT DUE WITHIN 30 DAYS AFTER THE**
439 **APPLICATION IS TURN IN; OTHERWISE THE EVENT IS SUBJECT TO**
440 **CANCELLATION.**

441 3) **MAKE THE REFUNDABLE DEPOSIT FOR NON-ALCOHOL EVENTS \$150**
442 **FOR EITHER A PORTION OF OR ENTIRE PAVILION; NONREFUNDABLE IF**
443 **ALCOHOL IS PRESENT.**

444 4) **INCREASE THE INITIAL CANCELLATION/CHANGING FEE FROM \$10 TO**
445 **\$25, THEN FOLLOW THE CANCELLATION SCHEDULE.**

446 5) **REQUIRE PAYPAL PAYMENTS FOR ALL RENTALS, INCLUDING CANOE**
447 **AND KAYAKS. CHECKS, MONEY ORDERS NOR CASH WILL NO LONGER**
448 **BE ACCEPTED.**

449 Ms. Stokes seconded the motion.

450 **Motion approved 6-0.**

451 **7. LEGAL STAFF REPORT**

452 Attorney Barice stated that it has been a pleasure to the serve the Board for the last 12 years. She
453 stated that now that the Board has approved the contract with Stone and Gherkin she would be
454 glad stay on until the end of June, as per the notice, or step down and let the new attorney take
455 over, whichever the Board desires. She stated that she was willing to do whatever is needed to
456 insure a smooth transition.

457 It was noted that whatever their decision, there would most likely be some continued
458 communication over the last month.

459 The Board agreed that Attorney Barice’s contract with the Agency would terminate at the end of
460 May and that Attorney Stone would take over and represent the Board beginning the first of
461 June.

462 **8. BOARD MEMBER COMMENTS**

463 Chairman Stone informed the Board that she would not be at June meeting, but Vice Chair
464 Maimone would be there to lead the meeting.

465 Mr. Perry reminded the Board that the meeting in August would be on the third Wednesday
466 instead of the fourth Wednesday and asked that they make sure they have the 21st marked in their
467 calendars.

468 He noted that both Mr. Farner and Mr. Hendrick are having birthdays this week and wished them
469 a Happy Birthday.

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

471 None

472 **10. INFORMATION ITEMS**

- 473 a. Staff Reports
- 474 b. Monthly Financial Reports – April 2019

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

- 476 - Board Meeting - Wednesday, June 26, 2019 (3:30 pm)
- 477 BCC Chambers/Admin. Building
- 478

479 **13. ADJOURNMENT**

480 The meeting was adjourned at 5:40 p.m.