

IMMOKALEE WATER & SEWER DISTRICT

1020 Sanitation Road, Immokalee, Fl 34142

Telephone: (239) 658-3630

Regular Board of Commissioners Meeting

Wednesday, May 03, 2023

4:30 p.m.

MINUTES

Board Members		
Title	Name	Attendance
Chair	Joseph Brister	Present
Vice-Chair	Patricia Anne Goodnight	Present
Secretary	Bonnie Keen	Present
Treasurer	Robert Halman	Present
Commissioner	Magda Ayala	Present
Commissioner	Jack Johnson, Jr.	Present
Staff Present	Professional Staff Present	Guests Present
Louis Brunetti	Gary Ferrante	William Bethea
Sarah Catala	Laura Donaldson (online)	Andrea Halman (online)
Hector Ramos		Lisa McKenzie, auditor
Misty Smith		Jeff Tuscan, auditor
Brian Stewart		

I. Call to Order

Mr. Brister, Chair called the meeting to order at 4:31 p.m.

II. Preliminaries

- a. Pledge of Allegiance

Mr. Brister led the Pledge of Allegiance.

- b. Roll Call

Ms. Smith conducted roll call. A quorum was reached.

- c. Adoption of Agenda

Motion: Mr. Halman moved to adopt the agenda as presented. Ms. Keen seconded the motion. The motion passed unanimously.

- d. Public Concerns

There were no public concerns. No public present.

- e. Staff Good Cause Items

None.

- f. Board Concerns

None.

- g. Old Business

- i. Admin Building

1. Authorization of Executive Director to Enter Into Negotiations for Purchase of Land

Ms. Catala provided a progress update on obtaining a new administration building. She reported that the property located at 414 New Market Road is the most viable option at this time. A conditional use permit and power line relocation were discussed. Additionally, Ms. Catala reported that the District's original offer for the property was rejected. Ms. Catala clarified that the District's offer on the property will be contingent upon the outcome of the power line relocation and the approval of a conditional use permit.

Mr. William Bethea was present at the Board meeting, representing the seller, Mr. Davenport, who is willing to sell the property for \$1.1M. The property is currently listed with a realtor. A discussion ensued.

Motion: Ms. Goodnight made a motion to authorize the Executive Director to enter into negotiation for the purchase of land located at 414 New Market Road, up to \$250,000.00 above property appraisal value and to have documentation in writing from LCEC regarding the power line relocation as well as confirmation from Collier County regarding a conditional use permit. Mr. Halman seconded the motion. The motion passed unanimously.

2. WO for Johnson Engineering - Administrative Office Conditional Use Permit

Ms. Catala reported that the District had received a work order from Johnson Engineering who will prepare and submit the conditional use permit, however, the Board requested that the work order be placed on hold until the next Board meeting to see what progress has occurred for the negotiation for the purchase of property.

ii. USDA – Clarifier

1. Summary of improvements

Mr. Ferrante provided a presentation showing the improvements to the former clarifier, the new clarifier sketches, and he explained the process of how they work, stating that all three clarifiers are up and running.

iii. Development Plan Fee

Ms. Catala reported that the District is not issuing acceptance letters and/or final approval letters to developers until all fees have been paid. She recommended that staff look at the District fees to be paid up front, but there has not been enough information gathered to make a decision. Ms. Catala will keep the item on the Board agenda and will continue to provide updates on changes as they occur.

iv. Tower Leases

Ms. Donaldson reported that her office has not heard from Radio Fiesta and so the deal is dead at this time. The District has not received the audited financials from Radio Fiesta. Additionally, if the lease is cancelled, Radio Fiesta can take the cell tower down.

Regarding Crown Castle, Ms. Donaldson reported that a 3-day notice is required if there are plans to sue, however, Ms. Donaldson was able to secure a phone number to call them directly and will be investigating the situation further to avoid litigation.

OTHER: Cattle Lease with Crawford Ranch – Ms. Donaldson reported that there is no amendment to the lease yet, but documentation has been received regarding the switch in owners (legally). The lease will expire in August 2023 and the Board will need to determine if they plan to renew the lease. Additionally, there was a misunderstanding regarding the liability insurance policy insured amount (the unit of measurement). The Board intends to discuss the item again at the June Board meeting and will plan to bid out the property.

- h. New Business
No new business.

III. Consent Agenda

- a. Adoption of Meeting Minutes (03/22/2023)
- b. Quality Enterprises – Tiger Grant Area 1 and 2 Utility Relocations
- c. Amendment – Sarah Catala Contract

Motion: Mr. Halman moved to approve the consent agenda as presented. Ms. Keen seconded the motion. The motion passed unanimously.

IV. Action Agenda

- a. FY 2021-2022 Audit Review & Approval – Tuscan & Company, PA
Mr. Jeff Tuscan, auditor, presented the audit results and began the review with the comments portion of the audit: He stated that the report was longer, requirements had changed, and the format had changed as well. Mr. Tuscan reported a clean opinion. He also presented graphs and provided a handout to the Board in order to explain certain parts of the report in detail.

Motion: Ms. Goodnight made a motion to approve the FY 2021-2022 Audit Report as presented. Ms. Keen seconded the motion. The motion passed unanimously.

***The meeting recessed for a break at 5:28 p.m. The meeting resumed at 5:46 p.m.**

- b. Board Meeting Start Time Change Request
Ms. Catala explained that the Board Chair made a request to modify the Board meeting start time to ensure that all members are able to attend meetings.

Motion: Ms. Goodnight made a motion to approve the change of the Board meeting start time to 3:30 p.m. to take effect from June 2023 through Sept 2023. Mr. Halman seconded the motion. The motion passed unanimously.

- c. O&M Manual Update – DIW
Ms. Catala reported that Operation & Maintenance (O&M) manuals are required to be filed with FDEP for items such as our deep injection well (DIW) and other systems at the wastewater treatment plant such as the clarifiers. It was recently discovered that back in 2002, only a draft version of the O&M manual for the DIW was submitted to FDEP. The District originally had 60 days (as of April 2023) to submit a final version, however, the group who wrote the original manual no longer exists and the District was required to hire a new group. The District hired Mr. David McNabb to update the manual, a licensed hydrogeologist who has worked with our DIW for years. The new manual will be in electronic format to allow staff to make changes in the future. The deadline to submit the manual is July 2023.

Motion: Ms. Goodnight made a motion to approve the updating of the O&M Manual. Mr. Halman seconded the motion. The motion passed unanimously.

V. Discussion Agenda

a. Executive Director's Report

Ms. Catala reminded Board members of the City of Plant City Utility tour scheduled for May 4, 2023, to look at the city's potable reuse pilot program and also reminded them about the tour at the City of Altamonte Springs Utility scheduled for June 12, 2023.

i. Project Spreadsheet

Ms. Catala reported that there are still plenty of projects ongoing. The District is in the process of ordering the materials for the Farm Worker Village water main looping project which means less line flushing in the area. Also, the District is beginning to look for grants for a septic to sewer project which is currently at a 60% plan completion. And, the District has received inquiries about new developments near Carson Rd. as well as near Immokalee Drive.

Ms. Goodnight asked for clarification on the TIGER grant related to the process and easements in the areas of improvement. Ms. Donaldson provided information. A discussion ensued.

OTHER: Mr. Johnson requested an update on the spray field perk test results. Ms. Catala reported that the test was conducted, and the spray field is percolating. There are results pending, but once the report is finalized, Ms. Catala will share the results with the Board.

b. Finance Director's Report

Mr. Stewart discussed bank reconciliations and shared why the District is in need of updated financial software. He also reported that the budget amendment worksheet was sent out to the Board in which he addressed the questions to several of the variances that were asked by the Board. Mr. Brister addressed the amount of overtime and asked Mr. Stewart to work with supervisors to keep overtime minimal.

c. Engineer's Report – Weston & Sampson

Mr. Ferrante reported that a meeting had been scheduled with William's Ranch on their upcoming project so that the District can receive more information.

d. Attorney's Report

Ms. Donaldson reported that the District's appropriation requests had been listed 100% in the state budget: \$9M for water softening, \$3.5M for AMI Smart Utility and \$5M for reclaimed water. There is a waiting period to find out if the state budget will be passed by the Governor. Ms. Donaldson also reported the following: 1) regarding mandatory ethics training, the bill will only apply to elected officials of special districts, the bill is expected to be signed by the Governor, 2) grant opportunities were discussed, 3) PFAS litigation has been filed.

i. FDEP

Ms. Donaldson reported that negotiations are still ongoing.

e. Executive Assistant's Report

Ms. Smith provided an update on the new website progress and brand implementations.

VI. Other Public Interests

There was no public interest.

VII. Adjournment

The Board meeting adjourned at 6:40 p.m.