

IMMOKALEE WATER & SEWER DISTRICT

1020 Sanitation Road, Immokalee, Fl 34142

Telephone: (239) 658-3630

Regular Board of Commissioners Meeting

Wednesday, December 13, 2023

3:30 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 - Online
Commissioner	Jack Johnson, Jr.	Present
Staff Present	Professional Staff Present	Guests Present
Louis Brunetti	Gary Ferrante	See sign in sheet
Jeff Carpenter	Laura Donaldson (online)	
Sarah Catala	Lara Donlon	
Hector Ramos		
Misty Smith		

I. Call to Order

Mr. Joseph Brister, Chair, called the meeting to order at 3:30 p.m.

II. Preliminaries

- a. Pledge of Allegiance

Mr. Brister led the Pledge of Allegiance.

- b. Roll Call

Ms. Misty Smith, Executive Assistant, conducted roll call. A quorum was reached.

For the purposes of voting, Ms. Magda Ayala was not counted due to online attendance.

- c. Adoption of Agenda

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

- d. Public Concerns

There were no public concerns.

- e. Staff Good Cause Items

There were no public concerns.

- f. Board Concerns

There were no Board concerns.

- g. Old Business

- i. Administrative Office Building – Update

Ms. Sarah Catala, Executive Director, reported that the District received

questions from Collier County staff regarding the conditional use permit. She notified the Board that the questions were being answered. Also, she reported that the hearing date with the examiner was not yet known but is likely to be scheduled in January or February 2024. As for the USDA loan application, staff have been gathering documents and are hoping to submit the application by the end of the year if time permits.

ii. Cattle Lease – Procurement

Ms. Catala explained that the procurement process was not officially closed during the cattle lease discussion and decision at the August Board meeting. She provided options on what the Board could do next, however, she recommended the “reject all bids” option, to possibly readvertise at a later date in order to address several concerns first and to be prepared for use in the future.

Mr. Brister recommended that each Board member speak with Ms. Catala individually to share what they would like to use the property for.

Motion: Mr. Halman made a motion to reject all bids and not award a cattle lease at this time. Ms. Goodnight seconded the motion. The motion passed unanimously.

- h. New Business
None.

III. Consent Agenda

- a. Adoption of Previous Board Meeting Minutes (11/15/2023)
b. Fixed Assets, Acquisitions, Disposals – None
c. 2024 District Holiday Schedule

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

IV. Action Agenda

- a. Resolution 2023-09 Final Budget FY 2022-23
Mr. Jeff Carpenter, Finance Director, summarized the final budget. Mr. Brister read the resolution aloud.

Motion: Ms. Goodnight made a motion to adopt Resolution 2023-09, Final Budget FY 2022-23. Mr. Halman seconded the motion. The motion passed unanimously.

- b. Resolution 2023-10 Dispute Resolution

Ms. Catala reported that the resolution was received by staff on the day of the meeting, December 13, 2023. Ms. Laura Donaldson, District Attorney, summarized the purpose of the resolution which was that the District is making its best effort to resolve the issue with Collier County in order to avoid litigation. A discussion ensued.

Mr. Brister read the resolution aloud.

Motion: Mr. Johnson made a motion to adopt Resolution 2023-10, Dispute Resolution. Ms. Goodnight seconded the motion. The motion passed unanimously.

- c. Sprayfield Analysis Recommendation

Ms. Catala presented documents to the Board for the sprayfield analysis recommendation. She explained that there was a difference in price between Kimley-Horn & Associates and Water Science, which both provide similar methodologies. Ms. Catala recommended Kimley-Horn & Associates as the most economical option. Mr. Gary Ferrante, District Engineer, shared his opinion after reviewing the two proposals,

indicating that he had worked with both engineering firms and believes that both firms would do a good job and would provide the adequate end results needed to provide a thorough analysis. A discussion ensued.

Motion: Mr. Johnson made a motion to move forward with Kimley-Horn & Associates to conduct a sprayfield analysis. Ms. Goodnight seconded the motion. The motion passed unanimously.

d. Executive Director Job Description

Ms. Catala summarized the revisions of the Executive Director job description. A strikethrough and clean copy were provided to show the revisions. The revision would allow the Executive Director some flexibility in unique instances to make negotiations during the new employee hiring process. A discussion ensued.

Motion: Mr. Halman made a motion to approve the changes to the Executive Director job description as presented. Ms. Goodnight seconded the motion. The motion passed with 3 votes in favor and 2 votes against.

V. Discussion Agenda

a. Executive Director's Report

Ms. Catala reported the following information:

- She shared several highlights from her trip to Tallahassee the week of December 4th to meet with Legislative officials and their staff.
- She indicated that there is less money in the state budget this year so she is not sure where our appropriation request will fall.
- She touched on Proposed Committee Bill LFS 24-02 regarding Special Districts.
- She reminded the Board of the next trip to Tallahassee for the FASD Legislative Forum.
- She provided an update on the FDOT hardship application submitted for the SR29 Road segments and reported that she met with FDOT recently who explained that the requirements for the application have changed, to include additional documentation, such as the audit.
- She provided an update on LGI Homes, specific to two homes on Arthur Ave. in the Arrowhead community, where a sewer blockage has been identified but not yet fully located. There is more exploration needed, however, the blockage is on the District's side and will be a large repair.

i. 2023 Evaluation

The Board submitted their completed performance reviews of Ms. Catala to Ms. Ofelia Gonzalez, Payroll and Benefits Coordinator, beforehand. It was determined that Ms. Catala would receive a 3.75% merit increase.

Ms. Goodnight gave Ms. Catala praise for the great job that she has done over the past performance review year.

Ms. Catala indicated that she would like to sit with each Board member to discuss her goals and come up with more tangible measures.

ii. Clarification of Annual Leave Request

Ms. Catala apologized to Mr. Carpenter and the Board for the misunderstanding at the previous Board meeting regarding the request made to the Board for additional vacation leave hours. She spoke highly of Mr. Carpenter and shared that he has been a great addition to the District.

b. Finance Director's Report

Mr. Carpenter reported that due to the cleanup of financials that he has been working on, a negative balance in cash was showing at the end of September, which was not to be a concern because the cash would return to a positive balance as of October.

Mr. Brister recommended staying with a 6-month financial report overview.

c. Engineer's Report – Weston & Sampson

Mr. Louis Brunetti, Project Engineer, reported that was finalizing the RFP and RFQ packages that were presented at the last Board meeting. He also reported that the District will need to bid out the TIGER grant Area 4 work, as opposed to awarding it directly to Quality Enterprises (QE), due to the high dollar cost amount. He explained that there is still time to obtain competitive bids.

Mr. Ferrante reported that he was working on the wastewater permit modification as part of the FDEP settlement agreement and was also working on the warning letter response due January 4, 2024.

Mr. Brister requested an update on the clay sewer pipe project. Ms. Catala reported that there were two remaining areas located within the Farm Worker Village community in which the District is planning to apply for another Collier County CDBG grant in the upcoming application cycle.

d. Attorney's Report

Ms. Donaldson reported she had negotiated the terms of the Crown Castle cell tower agreement and intends to present it to the Board soon, pending the receipt of the boundary survey from Crown Castle. She also reported that it will be a busy year in Tallahassee for Special Districts.

Mr. Brister requested an update on Trend Exploration, which had appealed the denial of their permit. Ms. Donaldson reported that she had not heard anything regarding their appeal.

Mr. Johnson requested an update on Board re-appointments. Ms. Catala reported that current Board members would need to complete the online application again, through the Governor's office. She requested that each member provide her with a copy for recordkeeping.

e. Executive Assistant's Report

Ms. Smith reported on a successful Christmas Parade Float which was well received by staff and the community. She also provided a handout showing photos of the float design.

VI. Other Public Interests

There were no public interests.

VII. Adjournment

The Board meeting adjourned at 5:08 p.m.