

MINUTES OF REGULAR COMMISSION MEETING
January 26, 2010

1. The meeting was held at the District Building at 5:30 PM on Tuesday, January 26, 2010. Present were:
COMMISSIONERS: Lee Bennett, Tommy Mauldin, Glenn Senter, Charles Carlton, Leland Carlton and Lynn Aibejeris
TCW&SD STAFF: Jim Gooding, David Morgan, Diane Carlton and Shirley Shinholser
2. The meeting was opened with prayer and the Pledge of Allegiance. Chairman Bennett called the meeting to order and declared a quorum present.
3. The floor was opened for nominations for Chairman. Commissioner Senter nominated Commissioner Bennett to serve as Chairman of the Board for a second successive year. There being no further nominations for Chairman, and upon motion by Commissioner Leland Carlton, with a second by Commissioner Mauldin and by unanimous vote, the nominations ceased and **Commissioner Lemieul Lee Bennett was unanimously elected to serve as Chairman.**

Chairman Bennett then called for nominations for Vice-Chairman. Commissioner Aibejeris nominated Commissioner Senter for Vice-Chairman of the Board. There being no other nominations for Vice-Chairman, and upon motion of Commissioner Charles Carlton, with a second by Commissioner Mauldin, and by unanimous vote, the nominations ceased and **Commissioner Glenn E. Senter was unanimously elected to serve as Vice-Chairman.**

The floor was opened for discussion of Board Personnel. It was a consensus of the Board to retain all personnel in their present positions with **Shirley Shinholser continuing to serve as Secretary.**
4. George Sumner of St. George Cable, Inc. and his son, Wade, were present to discuss plans for the installation of new underground fiber optic TV cable. Mr. Sumner has discussed the project with Jim Gooding, District Water Operator, and further advised the Board that he and his crew will endeavor to avoid construction damage to District water and sewer lines.

Danny Collins greeted the Board and Staff and elected to speak on Agenda item 8 (a).
5. The Minutes of December 14, 2009 were presented. **Upon motion of Lynn Aibejeris, with a second provided by Tommy Mauldin, the Board unanimously approved the December Minutes.**
6. Phase II Update – Shirley Shinholser
We are still awaiting closing instructions from USDA-RD. Attorney George Smith of Bryant, Miller and Olive will make an inquiry if we have not received a packet by February 15, 2010.
7. Staff and Committee Reports
 - a. Billing Supervisor's Reports – Diane Carlton
December sales were down \$222.79 from November 2009 and \$3,000 less than December 2008. We experienced an increase in Past Dues but most of them have been brought current. Those falling in the 31-60 day category that have not been brought current include Fairpoint Communications, which is undergoing a structural change and paying sporadically, and Herb Davis against whom we have filed a lien. We gained two (2) new customers during December when the Gas and Grill purchased a second meter for an RV park and a new owner occupied a lot at Cedar Island. Our adjustments include two (2) changes of ownership (Gas & Grill/ Condo #5); disconnect/reconnect fees for the two accounts of the Keaton Beach Hot Dog Stand; disconnect for Davis (lien filed) and Collins (paid); and, a one-time adjustment in the amount of \$881.69 for Clark at Keaton Beach due to a leak discovered by Jim while reading meters. These adjustments combined with routine adjustments result in a loss of \$53.79 for the month.
A motion to approve the Director's Reports for December 2009 was presented by Tommy Mauldin. A second was offered by Lynn Aibejeris and the reports were approved unanimously.

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b. Office Manager's Reports – Shirley Shinholser

Our Profit & Loss Budget Performance reveals December's net income to be \$2,000 less than budget, however, during the first fiscal quarter, October through December 2009, we produced a net income \$4,366 more than budget. The December Expense Breakdown identifies our 2008-2009 audit costs as well as attorney fees for Phase II. Also included on the Expense Breakdown is an appreciation gift card for a City of Perry employee who routinely assists the District with the transport of water samples from Perry to Madison, thus reducing our transport costs. **Following a motion by Charles Carlton, with a second by Tommy Mauldin, the December 2009 Financial Reports were unanimously approved.**

Our Certificate of Deposit (CD) with Premier Bank will mature on February 9, 2010. Following a review of current rates, **Glenn Senter presented a motion that we obtain a CD with Citizen's State Bank for a period of twelve (12) months, current rate of 1.50. A second was offered by Lynn Aibejeris and the motion was unanimously approved.**

For the Boards information:

- A copy of the approved 2010 Board Meeting Calendar is included in your packet
- On January 20, 2010, Danny Collins and I met with Trey Monroe, VP of Merchant Capital LLC, who is able to offer private bonding should the District desire to pursue
- Law does not provide for a 2010 Cost of Living Adjustment (COLA) for employees
- IRS announced a 2010 Standard Mileage Rate for business of 50 cents per mile

c. Water Operational Issues – Jim Gooding

For unknown cause, we experienced a 4-inch main leak near the bridge on Keaton Beach Drive. With the assistance of David and Roger Morgan, we were able to repair the leak in a timely manner resulting in minimal inconvenience to our customers. The one-time-adjustment for Mr. Clark is the result of a water hose which was left running and hanging off a dock into the canal. It was discovered when we read meters and noted the spinning of the leak detector. We have been working on various routine system repairs and vegetation control and reviewing the relatively few customer line breaks experienced during the freeze. A 4" valve which was lost at the Water Treatment Plant during the freeze has been included in the order recently placed to restock our inventory and will be replaced upon arrival.

d. Wastewater Operational Issues

Our annual DEP Compliance Inspection was held on January 22, 2010 resulting in two minor concerns which we have already addressed (flow meter calibration and floc in the clarifier). We are working on the replacement of a grinder pump for one customer in Cedar Island due to repeated alarms.

Commissioner Charles Carlton remarked that the road to the Wastewater Plant is developing larger pot holes and needs maintenance. He is willing to use his tractor and scraper. Chairman Senter will search for a box blade and some dirt.

(Chairman Bennett released the gavel to Vice-Chairman Senter and departed due to another appointment.)

8. OLD BUSINESS

a. Update on STAG funding (\$300,000) – Danny Collins

The attempt by Congressman Boyd in December to attach a request for a name change to the 2009 Omnibus was unsuccessful and we've been advised that a new bill would have to be submitted in October 2010. We have two options. 1) Wait for new legislation and receive funds in 2-3 years; or 2) Approach Taylor County BCC to ask them to apply for the funding on our behalf with all paperwork being done by the District and receive the funds in about 6 months. County Administrator, Jack Brown, seems favorable to this approach but we need to bring it before the Board. **Tommy Mauldin presented a motion that the District request to be placed on the County Agenda as soon as possible to request that the County serve as a conduit for the \$300,000 Fiscal Year 2009 Omnibus legislation earmarked for the centralized sewer system of the District which was mistakenly titled Taylor County Water & Sewage. Furthermore, we should advise the County that all application documents and submittals will be prepared by the District requiring signatures only from the County. The motion received a second from Lynn Aibejeris and was unanimously approved.** Danny Collins advised that he will be glad to accompany the District for the presentation.

b. Update on Capacity Analysis/Water Storage Tank

We've contacted Florida Rural Water Association concerning the Capacity Analysis but have not received a response to date.

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9. NEW BUSINESS

There being no New Business items on the agenda, Vice-Chairman Senter opened the floor for any areas of concern that may need to be discussed.

a. Board Action of October 19, 2005 Establishing an Automatic COLA Increase for Employees – Senter

A determined average of past automatic COLA increases is approximately 3.5%. It is anticipated that there may be more of an increase in the actual cost of living in future years and the Board may desire to provide appropriate wage increases annually as the budget allows. Senter questioned whether or not the Board should continue to adhere to the policy of October 2005 providing an automatic annual employee wage increase based upon the Cost of Living Assessment (COLA) or should the Board review employee wages annually and provide a determined increase as the budget will allow? **Charles Carlton presented a motion that the Board declare the policy of October 19, 2005 providing an automatic annual pay increase based upon the Cost of Living Assessment (COLA) to be null and void and create a new policy stating that the Board will review employee wages annually each December and provide wage increases effective January 1 of each new year based upon the determined cost of living increase and discretionary Board action relative to budgetary means. Leland Carlton provided a second and the motion was unanimously approved.**

b. Employee Wages 2010 – Senter

There being no cost-of-living adjustment determined by the Federal government for 2010, Senter proposed that the Board, at its February 2010 meeting, consider a 3% increase for all employees if a review of the budget will so allow and that this increase be retroactive to January 1, 2010. **Tommy Mauldin moved that a budget review be made considering a 3% increase for 2010 employee wages for presentation to the Board at its February 2010 meeting. Following a second by Leland Carlton, the motion was unanimously approved.**

c. Potential Construction Damage to Water and Sewer Lines

Further discussion was held about possible repair costs that could occur due to the proposed installation of new TV cable, particularly in areas of concern such as Keaton Beach, Good Times Drive at Dekle and Kingfisher at Cedar Island. **Lynn Aibejeris moved that the Board 1) inquire about past construction involving other utilities and, 2) write a letter to the contractor regarding our high concern about potential damage and advise him that the District may require reimbursement from his company for repair costs resulting from construction damage. A second was obtained from Charles Carlton and the motion approved.** A letter will be drafted and mailed immediately.

10. CLOSING REMARKS – COMMISSIONERS/STAFF

- Shirley Shinholser advised the Board that life changes will require that she leave her position as the District Office Manager at the end of calendar year 2010.
- Some Board members and Staff participated in a Webinar today regarding the Sunshine Law. A 2006 edition of the manual and a CD version are available from the office should anyone desire to do further study. The latest revision may be ordered.

11. There being no further discussion, a motion was provided by Tommy Maudlin to adjourn the meeting. Lynn Aibejeris provided a second and the meeting was adjourned at 6:37 pm.

**The next regularly scheduled meeting will be held on
Tuesday, February 23, 2010 at 5:30**

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Board Actions:

- Elect officers for calendar year 2010
- Approve Minutes of December 14, 2009
- Approve Director's Reports for December 2009
- Approve Financial Reports for December 2009
- Approve obtaining a 1-year Certificate of Deposit at Citizen's State Bank
- Approve request that Taylor County Board of Commissioners serve as a conduit for the \$300,000 STAG
- Approve declaration of October 19, 2005 policy providing for an automatic annual employee wage increase per Cost of Living Assessment (COLA) to be null and void and creation of a new policy stating that the Board will review employee wages annually in December for possible increases effective the following January based upon cost-of-living increases and discretionary Board action relative to budgetary means
- Approve budget review relative to employee wages and consideration of a 3% wage increase to be retroactive to January 1, 2010 for Board action at the February 2010 meeting
- Approve inquiry into past construction of St. George Cable, Inc. involving other utilities and the writing of a letter expressing our high concern about potential damages and possible reimbursement of repair costs

Action Items:

- Pursue closing instructions with USDA-RD for Phase II funding
- Obtain Certificate of Deposit with Citizen's State Bank upon receipt of monies from Premier Bank
- Perform lime rock repairs on Sandhill Road from Spoonbill to Wastewater Plant
- Request to be placed on Agenda of TCBC at earliest opportunity
- Pursue Capacity Analysis and water storage tank recommendation from Florida Rural Water Association
- Create and adopt a new policy relative to annual employee wage review/increase
- Prepare budget review of employee wages considering an increase of 3% for calendar year 2010
- Send letter to George Sumner of St. George Cable, Inc. relative to construction concerns/repair costs



Shirley Shinholser
Recording Secretary