

TAYLOR COASTAL WATER & SEWER DISTRICT
18820 BEACH ROAD
PERRY, FLORIDA 32348

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MINUTES OF REGULAR COMMISSION MEETING
April 21, 2008

1. The meeting was held at the District Building at 5:30 PM on April 21, 2008. Present were:
COMMISSIONERS: Lonnie A. Houck, Glenn Senter, Tommy Mauldin, Lynn Aibejeris and Lee Bennett
TCW&SD STAFF: John Gentry, Jim Gooding, David Morgan, Diane Carlton, and Shirley Shinholser
Chairman Houck called the meeting to order and declared a quorum present.
2. The meeting was opened with prayer and the Pledge of Allegiance.
3. Guests, Danny Collins and Ken Hutchins, were welcomed and the floor was opened for questions.
Ken Hutchins – *When did the board take action to stop the Phase II wastewater collection system at Dark Island?* When Jones Edmunds & Associates, Inc. provided the Phase II Preliminary Engineering Report (PER) dated February 2006, the Board approved the packet/coverage area as presented and submitted the documents to Rural Development for consideration of funding. Installing collection lines and a lift station for Fish Creek as part of Phase II is cost prohibitive since there are only eight (8) active customers; thus, Fish Creek was not included in the Phase II PER. Unless funding is supplied by other sources, grant monies will again be sought and Fish Creek will be considered for Phase III.
4. Minutes of our March 25, 2008 meeting were presented. **A motion was made by Lee Bennett and seconded by Tommy Mauldin to approve the Minutes as read. Minutes were adopted unanimously.**
5. Staff and Committee Reports
 - Phase II Collection System/Funding Update – John Gentry/Danny Collins
(John) We are expecting good news from Rural Development any day regarding our Phase II funding application. (Danny) We are addressing the EPA environmental document so those funds will be available at time of construction. Political issues may affect future funding.
 - Management Issues – John Gentry
Doyle Frierson, our contract Wastewater Operator, recently informed us a major haul of sludge is needed. We are accumulating sludge faster than we thought and the tank is nearly full. We have negotiated an agreement with American Pipe & Tank out of Ocala who will be removing 7100 gallons this Friday for a total cost of \$1775.00. At 25 cents per gallon to haul and process, we generated a savings of \$722 versus having local 1800-gallon capacity trucks haul to Tallahassee. It may be cheaper in the long run for us to modify our permit for on-site disposal since we could be hauling 7100 gallons of sludge 3-4 times per year. An agricultural spreader would be required and we will also need to investigate the cost of plowing/seeding for hay. John Horvath of Jones Edmunds & Associates, Inc. is preparing a proposal for our permit renewal with modifications to include ground application of Biosolids..
David Morgan has now obtained his “Class C” Wastewater Operator’s License and will become our operator as soon as Doyle Frierson is released from his contract. We are reviewing David’s compensation and will make a recommendation to the Board at the May meeting. We may also review Jim Gooding’s compensation as Water Operator.
A fence has been installed around the blower units of the Wastewater Plant to reduce the noise level and has resulted in a decrease of about 10 decibels. More measurements will be taken and charted to see if anything further needs to be done at this time.
Bishop Clark has received a proposal from Blue Roc to do the underground water & sewer infrastructure and roads for the proposed Lindsey Island development. The District will inspect the installation of water and sewer lines to verify that requirements are met.
Sawgrass Bay was not included in our Phase I wastewater collection system due to there being only a few homes on site; however, we understand that another house is to be constructed. Since this existing development is in a flood zone, we need to consider connection to our centralized wastewater system. We will review the current agreement we have with Belcher for water provision to Sawgrass Bay as well as the need for wastewater collection and discuss this further at the May meeting.

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- Billing Supervisor's Report – Diane Carlton

Our sales are showing an upward trend as they did for this time last year. After calculations were entered for water used for line flushing, we experienced a water loss of only 2.59%. Our past due accounts are in good shape. Bayview, Hall, and Poppell will be charged to bad debt/collections and will be due and payable when service is restored. Collins has paid current since the report was printed. Our adjustments totaling \$242.54 indicate a profit due to change of ownership fees. There were no disconnects for the month of March.

- Office Manager's Report – Shirley Shinholser

The Balance Sheet for March 2008 still indicates a deficit in Savings, Contingency Reserve since we did not reserve our insurance proceeds until April. As of today, we have \$8124.17 in contingency. Our CD at Citizen's Bank (17,821.00) will expire on June 17, 2008. Consideration should be given regarding investment of these funds so that a decision can be made at our May meeting. Our total assets of \$5 million and liabilities of \$1 million result in a total equity of \$4 million.

The lightning damage of 9/20/2008 costs us a total of \$21,569. All but the \$500 deductible was reimbursed by insurance. After consideration of damage costs/insurance proceeds, we had a net income of about \$1255 for the month of March 2008. There were no unanticipated expenses.

A review of the Profit & Loss Budget Performance for the first six months of this year reveals that our ordinary income is \$13,000 less than anticipated/budgeted. The income is the same as the first half of last year showing that we did not experience the growth and/or increased usage expected. Our expenses of \$177,060 were \$23,121 more than budgeted due primarily to wastewater repair/maintenance costs. After application of other income, we experienced a shortfall of \$23,453 for the first six months of this year. We will need to study the budget and see what we may need to do to reduce this loss and avoid the same scenario next year.

FRS, Taylor County and the District are all reviewing the retirement amount paid on behalf of the District by the County. Once we all agree on the amount due, we can discuss reimbursement to the County.

A motion was made by Glenn Senter to accept the financial reports as read. A second was received from Lynn Aibejeris and the motion passed unanimously.

We will join forces with USDA-RD tomorrow, Tuesday, April 22nd, to celebrate Earth Day. Several RD personnel, including the State Director, will be present along with various other dignitaries. We encourage all Commissioners and Staff to be present.

- Water Operational Issues – Jim Gooding

We have bacteria in our supply wells again. The chlorine treatment is effective and there are no problems downstream. We will follow DEP procedure until the wells clear.

We have received four (4) bids on the proposed Water Treatment Plant expansion, which will include an office, a bathroom, and a work area. We will conduct bid clarifications and award the job to the lowest qualified bidder.

Our water audit still shows water loss after measuring the amount of water used for line flushing and other known but unmetered uses. It is safe to assume that we may have a leak somewhere. A small percentage of the loss could be attributed to calibration of meters, which we are currently testing.

- Wastewater Operational Issues – David Morgan

Bi-weekly cleaning and flushing of the lift stations has alleviated the sludge accumulation that was causing us problems.

The indicator still says one of the Barnes pumps in the plant is leaking. We will pull the pump to obtain further ID information so that Chairman Houck can assist us in getting it repaired.

(John Gentry) Doyle Frierson is under contract with us through May 2008 but has offered to terminate effective April 30th provided the District pay him one-half of May's contracted wages in the amount of \$1312.50. There is no early termination clause in the agreement and David is ready to become our Wastewater Operator. **Lee Bennett offered a motion that we pay Doyle Frierson \$1312.50 and terminate the agreement for his services as Contracted Wastewater Operator effective April 30, 2008. A second was received from Lynn Aibejeris and the motion approved unanimously.**

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6. OLD BUSINESS

- Hot Dog Stand Plumbing Issues

NOTE: Lee Bennett disclosed orally that he will not vote on this issue due to his being one of the owners of the property discussed.

The customer has received a proposal from Don Johnson Plumbing in the amount of \$1,035 to re-pipe the fitting on the house and run sewer to the duplex grinder pump. This does not include any work needed for the Hot Dog Stand. To date, \$325 has been expended to address this problem. Neither of the two septic tanks has been abandoned or bypassed so those costs will be added as well. Quality "Plus" Services, Inc. (QPS) was paid for one septic tank abandonment and the connection of the Hot Dog Stand and the house to the duplex grinder pump. We must determine if we should approach QPS to repair the properties in a timely manner or hire someone else to do the job and seek reimbursement from QPS. **In general consensus, the Board determined that we should notify QPS via certified mail advising them of the situation and allow them five (5) working days to respond with plans to repair. If we do not receive a positive response, we should hire someone else to do the job and send QPS a bill which is to include the current charges of \$325 plus the cost of abandonment of two (2) septic tanks and the correct routing of the sewer pipes from the house and the Hot Dog Stand to the duplex station.**

- Review TCWSD Wastewater Ordinance Connection Requirements

Consideration should be given to a possible revision of the District's Wastewater Ordinance addressing mandatory connections. Shall we use the FEMA flood maps of 2007? As new developments come on line, do we make a determination on a case-by-case basis? Parts of Cedar Island East are considered to be in the flood zone. It is cost effective to connect to our water and wastewater collection system versus installing an elaborate septic tank and maintaining a well. **Board agreed to table this issue until further consideration can be given and a decision reached. Until such time as the Ordinance might be addressed, the Board will consider each situation on a case-by-case basis.**

- Discuss Cedar Island East Developer Costs for Water and Possible Wastewater Connections

We have received no further information from Attorney Trey Howard. Wilson Miller is completing the plans for water provision. The District needs to consider wastewater provision and act before the roads are paved which could be five years from now. Cedar Island East is a revitalized development with existing water customers. We must have an identity of out-parcels before further discussion. Neither can we forecast and bet on future growth; therefore, the District will take no further action at this time.

7. NEW BUSINESS

- Applicants for Group II District Commissioners

Advertising for the four (4) vacancies on the District Board resulted in only four (4) applicants:

Lonnie A. Houck, Jr., Lynn Aibejeris, Lee Bennett, and Charles Carlton

In consensus, the Board decided to submit these four names to the TCBCC for consideration in filling the vacancies.

Discussion on items not on the agenda:

1) Guest, Ken Hutchins, inquired about a capacity analysis and was advised that this information is detailed in our monthly reports to DEP. He also suggested that the District create/maintain a Public Manual .

2) Commissioner Bennett raised a question of whether or not any wastewater treatment plants comparable to TCWSD are making a profit and asked that the staff make inquiries.

8. There being no further business, Tommy Mauldin made a motion to adjourn; a second was received from Glenn Senter and the meeting was adjourned.

**The next regularly scheduled meeting will be held on
Tuesday, May 27, 2008 at 5:30.**

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Board Actions:

- Approve Minutes of March 25, 2008
- Approve March financial reports
- Approve payment of ½ of May's contracted wages (\$1312.50) to Doyle Frierson and end the contractual agreement as Wastewater Operator effective April 30, 2008
- Approve notification via Certified Mail to Quality "Plus" Services, Inc. (QPS) regarding the Hot Dog Stand sewage issues and, should they fail to respond in a positive way, hire another contractor to do the repairs and seek reimbursement from QPS
- Agree to table discussion on the District's Wastewater Ordinance and mandatory sewer connections until further review and address each connection on a case-by-case basis
- Approve submittal of four (4) applicants (Lonnie A. Houck, Jr., Lynn Aibejeris, Lee Bennett, and Charles Carlton) to the County Commission for consideration to fill the vacancies on the District Board of Commissioners

Action Items:

- Review David Morgan's hourly rate and recommend increase due to obtaining Class "C" Wastewater license
- Pursue closure on Hot Dog Stand plumbing
- Pursue wastewater permit renewal and possible modifications for on-site disposal of sludge
- Review existing agreement with Sawgrass Bay regarding water provision and consider possible sewer connection



Shirley Shinholser
Recording Secretary

See attached Form 8B

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FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME <i>Bennett, Lemuel Lee</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Taylor Coastal Water & Sewer District</i>
MAILING ADDRESS <i>P.O. Box 551 Taylor</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY <i>Special District</i>
CITY <i>Perry, FL 32348</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>April 21, 2008</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

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APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Lemieu Lee Bennett, hereby disclose that on April 21, 20 08:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Sewer repairs to the Keaton Beach Hot Dog Stand and house that should have been performed by the contractor in 2005, were not correct or incomplete leading to continual expense for plumbing repairs.

District is considering paying for the repair/completion of the sewer connections and seeking re-imbursement from the contractor.

Date Filed

5/2/08

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.