

# TAYLOR COASTAL WATER & SEWER DISTRICT

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## MINUTES OF REGULAR COMMISSION MEETING

**December 16, 2021**

1. The meeting was held at the District Building at 6:00 PM on December 16, 2021. Present were Commissioners David Dall, Michael Hunter, Randy Hathcock, Gayle Lundy, Michael Lynn, and William Rich. Commissioner Thomas Kicklighter were absent. TCWSD Staff present were Kristi Hathcock and Lynette Senter.
2. The meeting was called to order at 6:00 p.m. Commissioner Hathcock led in prayer and the pledge of allegiance to the flag.
3. There were three guests, Lindsey Lander, Willi Huxford and Glenn Senter.
4. There were no comments from the public for non-agendaed items.
5. Update on the Water Improvements Project – Bill Menadier from Dewberry called into the meeting. The project is still moving forward towards the construction phase. We have made headway and are waiting on DEP to finish reviewing the full set of construction drawings and specifications that we have submitted. We are hoping that process will be completed between by mid-January. After approval, we will be working with SRF towards financing. Chairman Dall asked if the projected cost for this project was included in the REV Plan and Asset Management Plan. Ms. Senter explained that as we do not yet have approval or costing for the project, only the estimates were included in the plan being worked on Florida Rural Water. Chairman Dall then asked when the numbers would be available, and Mr. Menadier explained that it will be complete after the equipment design and specifications were done. Mr. Menadier anticipated the costing will be available sometime after the first two months of 2022.
6. Approval of minutes from the November 18, 2021, Board Meeting. Chairman Dall asked if everyone had reviewed the minutes and if there was a motion to approve. **Commissioner Lundy made a motion to accept the minutes. Commissioner Hathcock offered a second. Chairman Dall asked for further discussion. By unanimous vote, the motion was approved.**
7. **Staff and Committee Reports**
  - a. **Directors Report – Kristi Hathcock** – Ms. Hathcock reported the Water and Sewer sales for the month of November 2021 totaled \$58,815.80, \$1,065.53 below the budgeted estimate of \$60,881.45. There was one past due customer. There were no turned off account. There were three changes in membership. There were twenty-one adjustments totaling (\$3,348.77).
  - b. **Water Audits – Kristi Hathcock** - Ms. Hathcock reported the water audit for November 2021 showed an estimated water loss of 13.91%. The field staff are still actively looking for any leaks.

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- c. **Financial Reports – Lynette Senter**– Ms. Senter reported the sales including new memberships for the month of November 2021 were \$58,815.80, \$1,065.53 below our budgeted amount of \$60,881.45. Exception expenses were \$565.44 Advertising expenses, \$147.77 Bank Charges, \$1,020.94 Computer and/or service software, \$8,275.00 New Pump Purchase District, \$1,638.61 Water Meters, and \$36,794.10 for the Water Improvements Project. We received \$44.06 in interest income. Total Net Income for November 2021 was - \$17,053.56. Commissioner Hathcock asked about the One-time Adjustment and how it was given. Ms. Senter explained that each customer is allowed a one-time adjustment for water loss regardless of the amount of water lost. After any one-time adjustment is given, if a loss occurs, the staff look at the situation and usually ask the Board to adjust the sewer charges, while the customer pays for the water lost. Commissioner Hathcock asked that this be reviewed at the next meeting to set limits as the amount of adjustment given. The Board discussed requiring that the customer have a cut-off valve in place to qualify for a one-time adjustment. Commissioner Hathcock asked to add the one-time adjustment and cut-off valve to the agenda for the January meeting.
- d. **Other Office Manager Items – Lynette Senter**
- (1) Reimbursement for Water Improvements Project Funds Expended – We have received a check of \$102,000.00 as reimbursement for funds paid to Dewberry for the Water Improvements Project. We have completed the disbursement request for the final funds of \$63,750.00 and should be receiving that within 30 to 45 days. We initially were given \$204,000 in grant funds from SRF and \$30,000 from DEP for a total of \$234,000. The total cost for the project was \$267,000 with the District funding \$33,000. Commissioner Lynn asked if the \$36,000 we just paid Dewberry was included in the reimbursement and Ms. Senter confirmed that it was. The \$33,000 of unreimbursed funding has been paid out of the District's operating checking account and no reserves have been used. Our accountant advised the Board last year that it could be done this way as our operating account had the necessary capital to fund this difference, saving our reserves for later in the project.
  - (2) Impact Fee Study – Earlier in the year, the Board discussed having an Impact Fee Study. We contacted Florida Rural Water who gave us an estimate of \$5,500. Ms. Senter recommended that after the first of the year, we proceed with the impact fee study by Florida Rural Water. She explained that the District is starting to receive inquiries about possible RV parks and larger parcels. Commissioner Hathcock asked if the District would be able to produce those numbers on their own. Ms. Senter explained that the study done by FRWA is a defensible study and due to the increased challenges in the State of Florida regarding Impact Fees, it would be in our best interest to have FRWA perform the study. Commissioner Lynn stated the District needs to have this done because these requests will be increasing in the future, and we need to be able to have the correct answers. Commissioner Rich asked if the Impact Fee Study would affect the Water Improvements Project and Ms. Senter explained that it was a fee study and would have no impact. Commissioner Hunter asked about the purpose of an Impact Fee Study. Ms. Senter explained that an Impact Fee study will prevent our customers from paying the cost for someone putting in a

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development. **Commissioner Hathcock made a motion to approve the Impact Fee Study. Commissioner Hunter offered a second. Chairman Dall asked for further discussion. Commissioner Lundy asked would that be for a small or a large Impact Fee Study. Ms. Senter answered that it is all included in the Impact Fee Study. By unanimous vote, the motion was approved.**

- (3) New Service Application – During the Impact Fee Study, we will ask for some assistance from FRWA in designing a new service application for probable future development. Commissioner Hathcock if FRWA would present the study to the Board and Ms. Senter explained that they would.
- (4) Co-Bank – Mr. Durant and Ms. Senter are still working with Co-Bank’s legal team to move our refinancing forward. During the holiday time, everything runs slower than usual. They are still looking over the bond documents that we provided them.
- (5) Training – Ron Bennett and Ms. Senter will be attending a training class in January put on by FRWA regarding Construction Management for Water & Sewer Projects. This class will provide information regarding the construction portion of the Water Improvements Project and give insight into collaborating with engineers and contractors.

**8. New Business**

- a. Keaton Beach Ridge Service Request –This property is being sold and we were approached by a buyer to see if water and sewer service is available. There is a water line running down Rosemary Lane, but no sewer line. The development was approved by the County utilizing well and septic, and because the property is located outside of the Coastal High Hazard area, connection to our service is not required. The board decided that as the County had already permitted the subdivision for wells and septic tanks, no service would be provided. If future service is requested, additional information will be required, and the Board can revisit the situation.
- b. Bird Island Road Service Request – We had a request for service from property owner Sam Boyer on Bird Island Road for future water and sewer service. There are already two lots with water and sewer service along Bird Island Road and there are future sewer connection boxes for the remaining lots along the road. The District does not own the Bird Island water line, and therefore the two water meters that service those properties are located on Beach Road. We do not have any information as to the ownership of the water line after Mr. Clinton Wood sold his property. The District was approached on several occasions to take over the ownership of the water line, but each time the District rejected the request. The water line was not installed to District standards, the water line runs down the middle of the road at certain portions, and the District was informed that if we had to dig up the road, the repairs would have to be to DOT standards. Future water service can be provided by installing additional water meters as previously done, but there is not a way to measure each service separately at this time. Commissioner Hathcock asked who the actual owner of the road now and Ms. Senter stated the County owns it.

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The Board discussed putting a new District water line in and Commissioner Hathcock asked could we get an estimate. Ms. Senter explained that we got a ballpark estimate from an engineer about four years ago and it was close to one million dollars. Ms. Senter explained that we would have to run a whole new water line and the problem is that there is not enough room to do that. The road would have to be redone and the right of way would then extend into the marsh which DEP would most likely not allow. The board agreed to continue with the installation of water meters at Beach Road.

- c. Beach Road Service Request – We got another request for service from Sam Boyer. He owns seventeen and half acres across from Dekle Beach Road. The water line runs along the front of the property, but the sewer line is across the road so a bore under the road would be required. I explained that service would be available at some point in the future. The Board discussed writing a letter regarding service to developments like has previously been done. Ms. Senter will contact Mr. Boyer and explain this to him.
- d. Approval of Water Only Account – We have our first Water Only Account request from Mr. Larry Griffis for his property at Cedar Island. The Board asked that we bring each water only request on a case-by-case basis. Mr. Griffis is requesting water for fire safety purposes while clearing his lot. He indicated that he would like to install his grinder pump sometime next year. We created a form called Water Only Account Approval which allows the property owner to provide more information to the District regarding the anticipated use of the property. The form also explains the District Rules for water only accounts, no effluent, no habitable structures, and no RVs. Commissioner Hathcock asked what our procedure is if he does not follow the Rules and Regulations of a Water Only Account. Ms. Senter explained that we would turn off his service. Commissioner Hathcock asked what would happen a customer violates the rules and regulations for a water only account and then comes back to ask for water again. Ms. Senter explained that we would bring it to the Board for consideration. The office staff will add a note to the meter reading sheets which asks the meter reader to check for RVs, structures, or effluent. **Commissioner Hathcock made a motion to give Mr. Griffis a meter and to approve his Water Only Account. Commissioner Hunter offered a second. Chairman Dall asked for further discussion. By unanimous vote, the motion was approved.**

12. Old Business

- a. Review of Attorney Services RFP responses received – At the last meeting, we were asked to create a spreadsheet with all the attorney’s proposals. Mr. Lander, who presented one of the proposals was in the audience, is number three on the spreadsheet. Chairman Dall asked if we could limit it down to two attorneys and have interviews at the January meeting. Chairman Dall gave to floor to Mr. Lander’s to answer questions from the Board. Mr. Lander’s introduced himself and answered all the questions the Board asked. Commissioner Hathcock asked Ms. Senter what the total was in legal fees last year. Ms. Senter stated we spent around \$12,000 in legal fees. Chairman Dall stated that an important future topic needs to be about our loan restrictions and USDA-RD. Mr. Lander, the Board, and Ms. Senter discussed the District’s insurance coverage for denial-of-service claims. Ms. Senter explained that the District is a Special Dependent District which is a different entity than Big

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Bend Water Authority. The Board discussed how they would go about choosing an attorney for the District. Commission Lynn asked if he could have this month to review the proposals. Chairman Dall stated that each Commissioner could call the attorneys to ask questions. Ms. Senter agreed to supply the contact information for each attorney who provided a proposal.

- b. Citizen participation on District Committees – Chairman Dall spoke about the Committees and the reason he was creating committees with outside citizens. The Board members explained that there was discussion in several previous meetings about completing District Business during regularly scheduled Board Meetings or Workshops if necessary. Several Board Members expressed concern that by setting up Committees with citizens, the Board would be perceived as not being able to do their job. The Board’s attorney Mr. Durant had sent the District an email that explained that Chairman Dall did not have the authority to form committees of outsiders, and that the Board needed to act as a body. Commissioner Dall did not agree with Mr. Durant’s email. Commissioner Hathcock explained that he was tired of revisiting the same items each Board Meeting and then asked Chairman Dall for his resignation. Chairman Dall gave no response. Commissioner Hathcock stated that the next step was to take this to the County Commissioners. **Commissioner Hathcock made a motion to stop all committees and to end any further discussion about committees. Commissioner Lundy offered a second. Chairman Dall called for further discussion. There was none. The motion was approved 4 to 1 with Commissioner Rich voting against.** Mr. Lander’s asked for Chairman Dall’s vote and the Board explained that he as Chairman cannot vote unless as a tiebreaker. Mr. Lander’s stated that if you are on the Board then you need to vote. Commissioner Hathcock asked to put this on next month’s agenda to discuss.
- c. Review of Changes and Approval of Rules of Procedure and Commissioners Code of Conduct – The Board discussed the changes that Chairman Dall asked to be made to the Rules of Procedure and Commissioners Code of Conduct. **Commissioner Hathcock made a motion to add “when practical” and to take out item 1. D, and to add an item 13 stating “Commissioners shall follow the Florida Sunshine Laws”. Commissioner Lundy offered a second. Chairman Dall asked for further discussion. By unanimous vote, the motion was approved.**
- d. Review of Changes and Approval of TCWSD Rules and Regulations – The Board discussed the changes to the Rules and Regulations on Water Only Accounts, Commercial Water Only Accounts, and the request for Water Only Accounts. **Commissioner Hathcock made a motion to accept the changes to the Rules and Regulations. Commissioner Hunter offered a second. Chairman Dall asked for further discussion. By unanimous vote, the motion was approved.**
- e. Letter from Cline Moore regarding Cyril Antony Brown Lot – We heard back from the insurance company on December 16, 2021. I have forwarded this information from our insurance company to Mr. Durant. Mr. Durant will be attending the January meeting for this claim and the Curtis claim. Mr. Curtis sent an email asking to move the discussion of his claim to the January meeting because he would not be able to attend this meeting.

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f. Neighborhood Meter Project – We are still waiting on our parts and dealing with the supply chain issues. Ms. Senter has made SRWMD aware of our dilemma. SRWMD will be granting us an extension till February 28, 2022. Chairman Dall then asked about the financials with both Florida Rural Water Association and the University of North Carolina regarding input for their reports to make a presentation. Ms. Senter explained that this was not a part of the Neighborhood Meter Project, but FRWA and UNC got an estimate for the Water Improvements Project from our submittal to DEP. Chairman Dall also asked when we will have an overview of information the presentation. Ms. Senter stated hopefully during the first week of January but will try to get them before the day of the presentation.

13. **Closing Remarks Commissioners/Staff** – Commissioner Hunter asked why this meeting took longer than the last meeting. Commissioner Lundy explained that last month we barely had a quorum, so items were postponed until this meeting. Also, Commissioner Hathcock stated that we moved our meetings so that the County Commissioners could attend our meetings and asked why the County Commissioner were not here. Commissioner Hathcock asked if we could write to our County Commissioner, Mr. Newman and invite him to attend. Ms. Senter explained that unlike the Big Bend Water Authority, we do not have a County Commissioners appointed as a member of the Board, but she will be inviting Mr. Newman as requested. Thanks were given to Staff from Commissioners.

14. **Motion to Adjourn**

**Chairman Dall requested a Motion to Adjourn. Commissioner Hathcock made a motion to adjourn the meeting. Commissioner Lundy offered a second. The meeting adjourned at 7:42 P.M.**

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Board Actions:

1. The Board approved the minutes from the November 18, 2021, Board Meeting.
2. The Board approved a motion to have an Impact Fee Study
3. The Board approved a motion to allow a Water Only Account for Larry Griffis.
4. The Board approved a motion to do away with all committees and discussions regarding committees.
5. The Board approved the Rules of Procedure and Commissioners Code of Conduct.
6. The Board approved the TCWSD Rules and Regulations.



BY: Lynette Taylor Senter, Board Secretary  
Taylor Coastal Water and Sewer District