

**MINUTES
REGULAR MEETING
ENGLEWOOD WATER DISTRICT BOARD OF SUPERVISORS
WEST COAST CHURCH
240 PINE STREET, ENGLEWOOD, FL 34223
MAY 7, 2015 @ 8:30 A.M.**

Board of Supervisors:

Steven Samuels, Chair
Eric Fogo, Vice-Chair
Sydney B. Crampton
Phyllis Wright
Taylor Meals

Staff:

Michael J. Ray, Administrator
Robert Berntsson, District Counsel
Pat Zoeller P.E., Technical/Operations Support Manager
Sonia R. Zoeller, Finance Director
Roger K. Quick, Water Operations Manager
Teresa L. Herzog, Board Secretary

1. The meeting began with the Pledge of Allegiance and a roll call to establish a quorum. At that time Chair Samuels thanked Pastor Dan Terpin for the use of the West Coast Church and welcomed Sarasota County Commissioner Charles Hines to the meeting.

2. ANNOUNCEMENTS - None

3. DECISION

a. Expansion of Central Sewer System to the V9-C Area – Chair Samuels introduced the item by explaining that a motion was made at the previous meeting to postpone a decision for the V-9C sewer expansion to give the board time to review the public input received at that meeting. To open the item for discussion he called for motion to either 1. for the Englewood Water District to follow the schedule as previously planned and complete the V9 sewer project or 2. to direct staff not to proceed with the V-9C sewer project at this time.

Mr. Meals moved, **“for the Englewood Water District to follow the schedule as previously planned and complete the V9 sewer project,”** seconded by Mr. Fogo. Chair Samuels then opened the discussion.

Mr. Meals began the discussion which included; the hardship programs available to the residents, how the programs can be applied for, alternative resources available through EWD should Sarasota County be out of funds and the time line for hardship application after the letter of availability is received. Also discussed was emergency hook ups, waterline improvements done during installation of the sewer mains, the percentage of plans completion (60%) and the estimated construction cost. During discussion Mr. Meals questioned if since the beginning of sewerage Englewood in 1994 has anyone ever lost their home because of a sewer project, to which Ms. Zoeller replied no. Additionally service boundaries, how the Englewood Water District has the money to do this project, how the budget process works, how the annexed area came to be and the financing term adjustments that have taken place over the years were discussed.

Ms. Crampton continued by stating that she represented the residents in this area. She proposed that the hardship program be reinstated administering it through the District and for EWD to provide funds should

they not be available through the County. Additionally she suggested the initiation of a voluntary donation on the utility bill so neighbors can help neighbors.

Mr. Fogo continued by stating his opinion on the need to complete the V9 sewer area, septic tank pollution, water conservation that can be aided with the production of reuse-recycled water and the role reclaimed water will play in the future of water resources.

Ms. Wright continued by stating that once she was reassured that funds would be available to help those in need she was comfortable moving forward with the project.

Chair Samuels concluded the discussion by expressing the need to protect all the water resources that are in the area, the need for reclaimed water to support water conservation, the various reasons septic tanks need to be replaced, the commitment made to hold the price throughout all the V9 areas, and what is best for the entire community. Additionally Chair Samuels discussed the hardship programs and the value sewers add to a property.

Mr. Meals then clarified Ms. Crampton's request to reinstate the hardship program by questioning if the EWD hardship program was already in place, to which Ms. Zoeller replied yes. The Sarasota County and EWD hardship qualification and administration process was then reiterated.

4/1 PASSED (Ms. Crampton)

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4. PUBLIC INPUT

1. Kendall Reeves, 5880 Jamila River Drive – Mr. Reeves stated “we the people” expected the Board to honor their elected position and vote no on the V-9C sewer by listening to the 87% who said no. He then spoke of their constitutional rights and asked the Board to revote no.

2. Kathy Bolam, 131 Flamingo Road - Ms. Bolam who does not live in the V-9C area but is a member of the governmental affairs group at the South Venice Civic Association spoke of the advantages of septic tanks verses the disadvantages of a central sewer system. She added that the people don't want it, there was a lack of an environmental study being done to support it and the rights of the people are being violated by this project. She told the Board that by voting yes to this project they have strayed from the constitution, which they took an oath of office to uphold, and will be held privately accountable. She then read a letter from the Grand Jury by the People.

3. Mary Balint, 6041 Diana Road - Ms. Balint reference Florida House Bill 13-84, questioned the lack of an environmental study being done to support the sewer system; then asked the Board to reexamine their actions to destroy the rights of her neighborhood and to refuse sewers.

4. Robert Ross, 730 N. Manasota Key Road - passed

5. Ellie Neuwirth, 5848 Diana Road – Ms. Neuwirth expressed the financial burden this project will cause her and her neighbors.

6. Bob Bacon, P.O. Box 131 – Mr. Bacon asked how many Board members lived in a flood zone, expressed his concerns of not knowing how much the Government will increase the cost of flood insurance and how people on a fixed income will pay for it. He concluded by stating his belief that by going ahead with this project, laws are being broken.

7. Harry Bellan, 5791 Regent Road, - Mr. Bellan voiced his concern of personal foreclosure because of this project and asked the Board to postpone the sewer project for 10 years.

8. Ray Morgenstern, 5924 Osprey Road - passed

9. Debra Baker, 910 Macon Road, - Ms. Baker expressed the financial hardship this will cause her low income/fixed income neighborhood and thanked Ms. Crampton for standing up for them.

10. Roger Dowdell, 7804 Sloane Gardens – Mr. Dowdell quoted a segment of court case *Olmstead v. US*, 277 U.S. 438, 478 and indicated that contempt of Constitution is being committed.

11. Todd Balsinger, 5864 Viola Road – Mr. Balsinger thanked Ms. Crampton for voting no and asked her to make a motion to overturn this decision.

12. Agnes Rodgers, 5950 Diana Road – Ms. Rodgers listed several disputes with the sewer project moving forward and vowed to take measures along with her neighbors to stop the project.

13. Eugene Lentz, 5848 Regent Road – Mr. Lentz wanted to convey that he had voiced his opinion for the Common Law Grand Jury and offered his remaining time to speak Roger Dowdell.

14. Egan Tancre, 6031 Osprey Road – Mr. Tancre again accused EWD of eliminating the “Save or Septic” signs from his area, he expressed that the law is not being followed and the possibility of personal liability for the Board that will follow. In conclusion he stated that he hoped the Board would change their minds.

15. Joan Armond, 5865 Oxalis Road – Ms. Armond expressed the extreme hardship this project will cause her.

16. Frank Patti, 4608 Crystal Road – Mr. Patti indicated a breach of protocol had taken place, stated that there was no environmental reason to rush and asked the Board delay the project until legislation meets again so funding could be asked for.

Recess 9:51a.m. to 10:00 a.m.

5. DISCUSSION

a. Customer request for charges to be rescinded – Maureen Murphy, 51 1st Avenue, Englewood FL 34223. Before discussion Ms. Murphy distributed a statement she had written describing her water use habits and asked to be excused from paying the remainder of the bill. Mr. Ray detailed the adjustment made to her account in accordance with the Customer Rules and Regulations before Ms. Murphy spoke. Ms. Murphy stated that she did not know where the water went because she didn’t use it, indicated that her usage is back to normal and asked for the charges to be removed. She then thanked the Board for their time.

Short discussion took place with a decision made to offer Ms. Murphy a payment plan.

6. ACTION ITEM

a. R/O Wellfields 2-6 and 2-8 rehabilitation – Mr. Quick explained how build up in the wells occurs and described the process for cleaning them, adding that money will be saved by piggybacking Sarasota County.

Mr. Fogo moved, **“to accept item 6a as presented,”** seconded by Mr. Meals.

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Full motion read: “To hire Hausinger and Associates Inc. by piggybacking the City of Sarasota bid no. 12-15DB in the amount of \$25,400.00. Service to be provided is acidification rehabilitation for R/O Wells 2-6 and 2-8. Funds to come from Capital Outlay.”

b. Wellfield #2 fencing – Mr. Quick reviewed the item. He stated that Wellfield #2 is located behind the ball fields and is accessible because the fencing has been cut. To prevent further vandalism and to reduce EWD’s liability chain link fencing instead of barbed wire fencing is recommended.

Mr. Meals moved, “to hire sole bidder **ARROW Fence Systems Inc. to replace the fencing around Wellfield #2 in the amount of \$35,799.00. Funds to come from Capital Outlay,**” seconded by Mr. Fogo.

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7. CONSENT SECTION – Chair Samuels called for removal of either and/or both items, hearing no objection, he called for a motion.

Mr. Fogo moved, “to approve,” seconded by Mr. Meals.

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a. Minutes of the Regular Meeting dated April 2, 2015

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b. Attorney’s Invoice dated April 16, 2015

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8. ADMINISTRATOR’S REPORT – Michael J. Ray

a. WATER OPERATIONS MANAGER – Roger K. Quick

1. Risk Management Plan Audit – after the EPA inspection there were a few comments which have been addressed. The inspection has been signed off on and the next one will be in 2020. Additionally, all fire department staff has toured the facility so they know where everything is.

2. Injection Well Permit Renewal – the injection well permit was returned with a RFI, the information has been submitted and a response is expected within the next 30 days.

3. Walmart Liquor Store – all the new mains are in and have passed pressure testing, waiting on Bac-T’s.

4. Park Forest Phase 6B – all the water mains are complete and the reuse mains are in and being metered for irrigation.

b. TECHNICAL/OPERATIONS SUPPORT MANAGER – Pat Zoeller, P.E.

1. Winchester South Project – the waterline relocation was completed on April 14th without any service interruption. All EWD relocations are finished and we will assist the County with the relocation of the sewer forcemain. Awaiting invoices.

2. Villages of Manasota Beach –an upgraded version of the agreement has received, it is anticipated the revised agreement will be brought to the next board meeting.

3. Japanese Gardens – they are not interested in hooking up to the sewer at this time, but a forcemain will be ran to their plant during the V-9C sewer project.

4. EWD Warehouse - moving forward with permitting. There are no scrub jay issues just turtles and they will be relocated right before construction begins.

5. Beach Walk Preserve (FKA South River Road Development) - Sarasota County Planning held a workshop in March to begin the rezoning process.

6. Winchester Florida Ranch (FKA Thomas Ranch) – a 7 square mile portion of Thomas Ranch was bought by a new group, 6 miles lies within our service area and 1 mile is outside. We will offer to serve that 1 mile as well. This development potentially contains 5500 ERCs and is 20 years out at this point. It will start in North Port and then come our way. These owners are the same as the owners of Beach Walk Preserve. Normally a letter of availability is for 3 years, there is additional wording in this letter that requires them to provide wells and assist us with upping our WUP. This will help them with their comprehensive plan with the County.

7. Swebston Bridge – DEP contacted us with concerns about the abandoned water pipeline on the south side of Swebston Bridge, it was taken out of commission in the early 90's and was supposed to be removed, but was never done. It was stated in our response to DEP that it would be included in the 2016 CIP budget but we may ask for funds for this project at mid-year.

8. Reuse to Lemon Bay Golf Course – as a requirement of SWFWMD, before Charlotte County can begin construction of a reuse main from Gasparilla Road around to Placida Road they will need to have signed contracts for at least 50% of their customers. We may release Lemon Bay Golf Course from their reuse agreement if the county provides reuse to them. If this happens we could discontinue the use of a separate set of pumps and we would have an additional 400,000 gallons to provide to our other reuse customers. The County may also be able to provide EWD with additional reuse.

c. FINANCE DIRECTOR – Sonia R. Zoeller

1. Mid-Year Budget Review – will take place June 4th, because there are a couple of projects we'd like to start, there will be a budget amendment.
2. Audit – Marty Redovan will be presenting the audit report June 4th.
3. Financial Reports – Ms. Zoeller asked if the Board had any questions on the financial reports provided in the packet, there were none.

9. ATTORNEY'S REPORT – In regards to some of the comments made, Attorney Berntsson advised the Board that it was his opinion that the Board is fully acting within the law and is following the requirements of the enabling act.


10. OLD BUSINESS - None

11. PUBLIC COMMENT – None

12. NEW BUSINESS – Ms. Crampton asked that the voluntary donation on the utility bill for the hardship program be discussed at the next meeting.

13. BOARD MEMBER COMMENTS - None

14. ADJOURN @10:40 a.m.



Eric Fogo, Vicechair

/tlh