

**SEACOAST UTILITY AUTHORITY  
REGULAR MEETING**

June 24, 2009  
Seacoast Utility Authority Board Room  
**MINUTES**

CALL TO ORDER: 3:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL:

PRESENT: Don Noel, Chair  
Maria V. Davis, Vice Chair  
Ron Ferris, Member  
Joseph Lo Bello, Member

ABSENT: Robert Weisman, President Pro-Tem

ALSO PRESENT: Nat Nason, General Counsel  
Rim Bishop, Executive Director  
Mary Ann Stiles, Authority Clerk

**\*\*\*THE FOLLOWING ITEMS WERE PLACED ON THE CONSENT AGENDA\*\*\***

APPROVAL OF MINUTES FOR MEETING OF JUNE 10, 2009

Move to approve the minutes for meeting of June 10, 2009.

APPROVAL OF INVOICES

Move to approve invoices as follows: Nason, Yeager, Gerson, White & Lioce in the amounts of \$8,494.18; \$375.00; \$1,833.26 and \$602.00; and Boyle Engineering Corporation in the amounts of \$1,645.00; \$2,380.00; \$1,084.00; \$1,095.00; \$1,056.05; and \$7,897.50; for a total of \$26,461.99.

DEVELOPER AGREEMENT – FRENCHMAN’S CROSSING

Move to approve execution of a developer agreement for the projects known as Frenchman’s Crossing, as recommended by staff.

SUBORDINATION OF UTILITY INTERESTS – PGA BOULEVARD RIGHT-OF-WAY

Move to approve Subordination of Utility Interests, PGA Boulevard Right-of-Way, as recommended by staff.

MOTION

**Board Members Lo Bello/Davis moved to adopt the Consent Agenda.**

**The motion carried unanimously.**

**\*\*\*\*\*END OF CONSENT AGENDA\*\*\*\*\***

RESOLUTION NO. 5-2009 – AMENDING SEACOAST UTILITY AUTHORITY ADMINISTRATIVE POLICIES AND PROCEDURES

Board Member Ron Ferris stated that every now and then the Board has to approve some type of Administrative Procedure or Policy change. Is this required by the Interlocal Agreement, past practices or why is it the Board is getting involved with these administrative items that he feels staff should be handling.

Attorney Nat Nason explained that the Board is asked to pass resolution as to changes in policies and procedures because when the procedures were enacted, it was done by resolution and generally speaking, anything that is enacted by resolution can only be changed by resolution and anything that is enacted by ordinance can only be changed by ordinance. That is the reason why these come back to the Board. Attorney Nason told the Board that if they would like to delegate that authority to staff, the Board can pass a motion to designate that authority to staff; then staff would have the authority to proceed and amend the policies and procedures as it saw fit, unless of course, the Board revoked that authority at some point and bring it back to the Board.

Board Member Ferris stated that it seems miniscule in the grand scheme of things and something that Administration should be doing. More discussion took place. Vice Chair Maria Davis stated that she is not prepared to waive this authority completely, primarily because she does not know enough of the policies. She is prepared to say that anything that impacts the budget, she would like to see, but if it doesn't impact the budget, she is fine with it, especially Human Resources (HR) information because as Board Member Ferris stated, it can change daily and the Board really doesn't need to see the HR information. Board Member Joe Lo Bello stated that he was under the wrong impression regarding the travel reimbursement because it is covered by the Florida Statutes and because of that, changes have to be passed by resolution. Attorney Nason stated that he would have to check on that as he is not familiar with that. More discussion took place.

Executive Director Rim Bishop stated that he would prepare a resolution for the Board's consideration that would specifically delegate authority. Chair Don Noel stated that there are no changes at this time.

**MOTION**

**Board Members Davis/Ferris moved to approve Resolution No. 5-2009, Amending Seacoast Utility Authority Administrative Policies and Procedures, as recommended by staff.**

**The motion carried unanimously.**

**HOOD ROAD WATER TREATMENT PLANT MEMBRANE CONVERSION PROJECT  
RAW WATER PUMP STATIONS – AMENDMENT NOS. 7 and 8**

**MOTION**

**Board Members Ferris/Lo Bello moved to approve CDM engineering services proposal Amendments No. 7 and No. 8 for the Hood Road Membrane Water Treatment Plant in the amount of \$30,100.00 and \$19,720.00 respectively, as recommended by staff.**

**The motion carried unanimously.**

**ANNUAL INVESTMENT ANALYSIS REPORT**

Board Member Jo Lo Bello complimented staff on a well done Investment Analysis Report. It is very easy to read.

**MOTION**

**Board Members Davis/Lo Bello moved to receive and file Annual Investment Analysis Report dated, 2009 as recommended by staff.**

**The motion carried unanimously.**

**OTHER BUSINESS**

**COMMENTS FROM BOARD MEMBERS**

Board Member Joe Lo Bello stated it was good to be back and that he is healing nicely. Thank you for their patience and he apologized for missing the Selection Committee meetings.

Vice Chair Maria Davis stated that it is good to have Joe Lo Bello back and the other Board Members agreed.

**ENGINEERING REPORT**

Engineer's Report included in Board package. Brent Weidenhamer and Larry Lardieri were present for questions. None were asked at this time.

STAFF REPORT  
MONTHLY REPORTS

Executive Director Rim Bishop stated that the monthly reports are in the Board package.

SFWMD WATER USE PERMIT

Executive Director Rim Bishop stated there is not much to report as an update at this time.

SFWMD PROPOSED YEAR ROUND IRRIGATION RULE

Executive Director Rim Bishop stated that SFWMD staff is currently meeting to discuss the year round irrigation rule. Attorney Nason stated that he has an associate attending that meeting, but it was not a meeting that the Authority was specifically invited to nor was it posted on SFWMD's website. There are certain utilities that were invited to that meeting. It appears from some of the reports he is getting, that SFWMD may wish to proceed with the current proposed year round rule as drafted, which would limit irrigation to two days per week, but establish separate industry working groups including the nursery interest and utility interest to maybe one day, and perhaps, in the future give an extra day to irrigation. If that is indeed what is being proposed, his recommendation would be to continue to say, let's challenge that rule and hold the course on what we've stated. That is his direction now from the Board and he will follow through. Attorney Nason stated that he would know more by the end of the day, but it does not look like this is a meaningful effort on the part of SFWMD in order to address the concerns that have been repeatedly voiced concerning this particular issue. Some discussion took place.

COMMENTS FROM THE PUBLIC

None

ADJOURNMENT

There being no further business to come before the Authority, Chair Don Noel adjourned the meeting at approximately 3:14 PM.

**APPROVAL:**

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DON NOEL, CHAIR

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MARIA V. DAVIS, VICE CHAIR

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ROBERT WEISMAN, PRESIDENT PRO-TEM

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RON FERRIS, MEMBER

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JOSEPH LO BELLO, MEMBER

**ATTEST:**

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MARY ANN STILES, AUTHORITY CLERK