

MINUTES

BARRON WATER CONTROL DISTRICT

BOARD OF SUPERVISORS' MEETING

December 19, 2018

A meeting of the Board of Supervisors of the Barron Water Control District was called to order at 9:00 A.M. on Wednesday December 19, 2018, by Mark Colbert, Chairman.

Those present at the meeting were:

Mark Colbert - Board Member & Chairman
Pat McKenna – Board Member & Vice-Chairman
Ron Tritt – Board Member & Treasurer
Judi Kennington-Korf - General Manager
Maria Taylor – Secretary
George Leicht – District Field Supervisor
Beth Daniels - District Attorney (via phone)
Tommy Perry – District Engineer
Sommer Foster – Johnson-Prewitt & Associates
Dwayne House – Landowner

The meeting opened with prayer led by Chairman Colbert followed by the Pledge of Allegiance.

Consent Agenda: Verification of proper meeting notice, verification of a quorum, approval of meeting minutes May 30, 2018.

Upon motion duly made by Chairman Colbert, seconded by Supervisor Tritt and unanimously carried, it was RESOLVED AND APPROVED the Consent Agenda was adopted as presented.

Chairman Colbert asked if there was any public comment, there was none.

General Manager's Report

Item A. 2019-1 Permit Request: South Florida Water Management District, BOMA Property, C-1 and C-3

The South Florida Water Management District (SFWMD) requested a permit for the purpose of clearing and removing vegetation, using the BWCD elevated road on C-2 and C-3, for their land commonly referred to as the BOMA property. The land is located in Basins 2 & 3.

Engineers from SFWMD met with Field Supervisor George Leicht, District Engineer Tommy Perry, and Judi Kennington-Korf on a few occasions. During discussion, although not mentioned (or considered) in the permit application, it was learned after the vegetation is removed from the property, SFWMD plans to use the land for dispersed water storage. As a landowner, SFWMD has been provided an opportunity to pay BWCD and the JT for the review of the permit to the District Engineering firm on an hourly basis in lieu of paying a flat fee for the permit. Barron has entered into similar arrangements with other landowners when the permit being provided is to benefit of the landowner. The SFWMD elected to pay the general fee in lieu of the hourly fee.

Mr. Perry SFWMD requested two items: one is replacing the outfall structure going into C-2 and C-3; the second item is the repair of the berm surrounding the SWFMD BOMA basins 2 and 3 by increasing the height. The conditions for the permit have been reviewed by both entities and payment for permit is forthcoming.

Ms. Kennington-Korf advised that if SFWMD changes the use of the property SFWMD will have to apply for another permit. Attached for your consideration is a draft permit prepared by Mr. Perry. A decision is needed regarding the award of the permit - the result will be used for the January Joint Trust meeting as will be addressed in a separate Board agenda item.

Upon motion duly made by Vice Chairman McKenna, seconded by Supervisor Tritt and unanimously carried, be it resolved and approved the permit for the South Florida Water Management District, Permit 2019-1, be approved with the conditions stipulated in the draft permit.

Item B. 2018-2 Permit Request: Dwayne House, Culvert Crossing, C-1

At the request of Landowner, Mr. Dwayne House, on September 26, 2018, the Barron WCD Field Staff installed a 36" x 40' culvert. The pipe was furnished by Mr. House and was installed across C-1 to alleviate flooding in Basin 5.

The action performed herein described required a permit from Barron and also the JT. Because the culvert installation will help alleviate flooding in Basin 5, it is recommended the fees for the permit be waived.

Upon motion duly made by Vice Chairman McKenna seconded by Supervisor Tritt and unanimously carried, it was RESOLVED AND APPROVED the permit for Dwayne House, Permit 2018-2 for use as a culvert crossing over C-1 be approved.

Item C. Update: SFWMD 2018 Invoice vs Tax Rate Levy

In November an invoice was sent to the SFWMD for services they will receive this fiscal year for the amount equal to the tax rate levy assessment as of March 2019. When their invoice is paid, the proceeds will be deposited in the Barron GF; thereafter, a check will be written to the Glades County Tax Collector in an amount reflecting their tax rate levy assessment -- provided it is received timely. This issue is one of importance; a vigilant watch is required. At this time, no action is needed

Item D. Update: ALICO Dispersed Water Storage (DWS) Project

Representatives from ALICO were invited to this meeting to give an update on the Dispersed Water Storage project. Representatives from ALICO were in attendance at the Collins Slough Water Control District meeting October 22nd. While a report was not provided, Mr. John Kiernan, ALICO CFO, answered questions from the Board and audience. He informed the Collins Slough Board ALICO was very much engaged with the project and he anticipated the operations plans to be completed within the next four weeks. He expressed certainty the decision on the direction of the project would be made within 3-5 months.

The SFWMD has placed 17 conditions on ALICO's permit. Condition #16 states:
"Prior to the commencement of any activities authorized in this permit, the permittee shall provide to the District's Environmental Resource Compliance staff in the Ft. Myers Service Center authorization from the Devils Garden [WCD], Collins Slough [WCD] and the Barron

[WCD], for the utilization of their water control structures, canals, pumps and any other necessary facilities, along with changes in the operation of these various facilities in order to move water south from the Caloosahatchee Rive and to collect and transport water from properties south of the River to the project site.”

Although the District has not been contacted by ALICO for several months, an invitation was extended to Mr. Kiernan or an ALICO representative to address the Barron Board. As of this date, a response has not been received.

Item E. Collins Slough WCD, Request to Participate in Contract with Independent Contractor, ALICO DWS Project

During the CSWCD October 22nd meeting, CSWCD made a request of Barron regarding the ALICO DWS project. Specifically, they wanted to know if Barron would agree to allow them to participate in the independent engineering services contract. District Attorney Beth Daniels advised against sharing the contract. Ms. Daniels' concern is based upon making certain Barron receives the undivided attention of the engineering analysis. She expressed concern that adding other participants may take the focus away from the District and its landowners.

A decision is needed on whether the Board will allow – and the engineering firm will agree to – Collins Slough WCD participating in the independent engineering agreement which has yet to be executed. The District is of the understanding ALICO will reimburse Barron for any additional professional charges related to this project.

Chairman Colbert wants to ensure all landowners have questions addressed by ALICO and when this project moves forward that the independent engineering firm addresses the concerns and questions of the landowners as well. At this time ALICO is not ready to move this project forward so no action is required at this time. When ALICO makes a request of the Barron Board to move forward with the project, a decision will be made as to whether other entities may participate.

Item F. Joint Trust, Direction from Board Needed

The Joint Trust (JT) will meet January 9, 2019 to discuss a number of items including permits and issues relative to C-1, C-2, and C-3. As the Barron representative on the JT Board, Ms. Kennington-Korf requested to know the Barron Board's position on the following:

1. SFWMD permit needed for the BOMA property in Glades County. Effects C-2 and C-3.
2. Ratification of Fiber Net 2018-1 permit for utility to traverse alongside SR-80 crossing C-1, C-2, and C-3.
3. Ratification of Dwayne House 2018-2 permit for culvert crossing C-1 to alleviate flooding in Basin 5.
4. FYI only, upcoming: SFWMD bid awarded to ALICO for a DWS project, consideration of using C-3. No action requested.
5. FYI only, upcoming: Hendry County request to use C-1 for the use by Airport-Sears MSBU. No action requested.

Barron will be responsible for assuming the administrative duties (advertising, minutes) of the JT meeting, this will be a cost saving to the Board.

Upon motion duly made by Vice Chairman McKenna, seconded by Supervisor Tritt and unanimously carried, it was RESOLVED AND APPROVED the District supports the General Manager voting in support of ratification of Fibernet Permit 2018-1, Dwayne House Permit 2018-2 and SFWMD Permit 2019-1 for the Joint Trust meeting

Item G. Schedule Annual Landowners meeting in January

The Annual Landowners meeting needs to be schedule for January. Wednesday is the preferred day of the week for the meeting; it can be scheduled on the morning of 9th, 16th or 23rd.

Chairman Colbert advised the Ms. Kennington-Korf to send out an email with the dates mentioned so that each board member can review and ensure there availability.

Item H. Public Risk Management, Renewal Application

The Public Risk Management Property & Casualty Insurance renewal proposal for the period of October 1, 2018 – October 1, 2019 is provided for your review. The policy is for a one-year period however, the District may choose to “lock in” the rate for a two-year period. The policy rating exposure covers property valued at \$4,111,648. The coverages include: Property & Crime, AL/GL/E&O, Workers' Compensation & Employee Liability, Cyber Liability, Boiler & Machinery, and Excess Liability.

The District's exposure comparison has changed from the previous year. The total property insured value decreased from \$4,113,294 to \$4,111,648. Although the payroll increased from \$279,245 to \$287,620 (3%), there was a substantial correction to the workers compensation rate from \$19,193 to \$15,419 – a decrease of 19.66%. The reason for the change was caused by a separation from the Port LaBelle Community Development District. For a number of years, PRM had “averaged” the cost of WC coverage between the two districts. The CDD field staff employees are rated at a much higher classification code (5509, 11.76%) than the Barron field staff who have a code 0251 and a rate of 6.10%. Also noteworthy, State rates increased 6% for BWCD.

The cost of the 2018-19 P&C policy coverage is \$49,912, an overall decrease of 3.05%. The Board will need to determine if they want to lock in a two-year rate.

Upon motion duly made by Supervisor Tritt, seconded by Vice Chairman McKenna and unanimously carried, it was RESOLVED AND APPROVED the District approves and adopts the Public Risk Management (PRM) Insurance Coverage Declaration Binding Authority, Agreement #PRM 18-005-056 for October 1, 2018 - October 1, 2019 with the option of locking in the rates for a two-year period.

Item I. FYI

- I. Update: Hendry County C-1 Permit, Draft letter. Hendry County was sent a permit with conditions to date we have not received a response to date.
- II. Update: Post-Irma Proceeds Summary. The District has received reimbursement for the projects submitted.
- III. Surplus Property: Sold BW-85, John Deere 6415 M6415, \$17,500, received amount requested.
- IV. Surplus Property: Sold BW-90, Ford Ranger Truck, \$2,950, received amount requested.
- V. 20017-18 Audit, Delayed by GASB, Mr. Tuscan will be scheduled to present as soon as received.
- VI. Port LaBelle CDD, Intergovernmental Service Agreement,

VII. Drug Free Work Place Premium Credit (5%), 2018-19

VIII. Safety Premium Credit (2%), 2018-19

Engineer's Report:

Mr. Perry advised the Board things are going well in the district, business is current.

Field Supervisor's Report:

Field Supervisor Leicht advised the Board the District is behind schedule about 7 to 8 inches in rainfall, some of the field operations are behind due to being down one employee and holiday schedule, herbicide is up to date all canals look great, maintenance is being done on pumps.

Other Business

Chairman Colbert asked for public comments, there was none.

There being no further business to come before the Board, the meeting was adjourned at 10:20 A.M.



Mark Colbert, Chairman

ATTEST:



Maria Taylor, Recording Secretary

