

Homosassa Special Water District

Regular Meeting Minutes

January 19, 2015

A regular Board meeting of the Homosassa Special Water District Board of Commissioners was held on Monday, January 19, 2015 at the District office.

Present were:

Commissioner Sipos
Commissioner MacRae
Commissioner Wilcox
Denise Lyn (Attorney)
Tami Jo Watson (HSWD Staff)

Commissioner Jeeves
Commissioner Bitter
Commissioner Perry
David Purnell (Superintendent)

Area Residents:

John Wilcox
Loran Wilcox
John Larson

Dee Dee Wilcox
Erna Wilcox
Judy Pierce

Commissioner Sipos called the meeting to order at 3:00 PM

1) Oath of Office:

Attorney Lyn swore in Commissioner Wilcox to the office of Commissioner.

*** Commissioner Perry was sworn in on January 6, 2015 at the Orientation meeting.

2) Election of Officers:

Commissioner Jeeves nominated Commissioner Sipos as Chairman and Rodney MacRae as Vice Chairman.

Commissioner Wilcox nominated Commissioner MacRae as Chairman.

No other nominations.

Nominations failed as voting resulted in a tie. At this time in the meeting Commissioner Perry was not in attendance. Will vote once Commissioner Perry arrives.

Commissioner MacRae nominated Commissioner Wilcox as Secretary/Treasurer. All approved.

3) Additions, Corrections, Deletions of Regular Meeting Minutes of 12-15-14:

Commissioner Jeeves made a motion to accept the minutes as presented. Seconded by Commissioner Sipos. Vote yes. Motion carried.

Additions, Corrections, Deletions of Employee Workshop Minutes 11-12-14:

Commissioner MacRae made a motion to accept the minutes as presented. Seconded by Commissioner Wilcox. Vote yes. Motion carried.

Additions, Corrections, Deletions of Elevated Tank Workshop 12-1-14:

Commissioner MacRae stated that he still was not satisfied with those minutes, but apparently they have been re-read and re-listened to and something that was said is not in there. I feel kind of sheepish making a motion or even voting to accept them. But the tape is what the tape is.

Sup. Purnell: The minutes were typed word for word.

Commissioner Sipos made a motion to accept the minutes from the Special Workshop. Seconded by Commissioner Jeeves. Vote yes – Commissioner Sipos, Commissioner Jeeves. Vote No – Commissioner MacRae.

Commissioner Wilcox: The actual minutes are not included in the Board packet.

Commissioner Sipos: No they are not.

Commissioner Wilcox: Before I could pass my vote I would want to read them.

Sup. Purnell: They were presented at last month's meeting.

Commissioner Wilcox: Right but that was before I was a Commissioner.

Attorney Lyn: Unfortunately if you are at a meeting you have to vote on everything that is voted on. As an elected official you are not allowed to not vote. Unless you have a conflict of interest with the vote.

Commissioner Wilcox: Then I vote no, until I had a chance to review those minutes.

Commissioner MacRae: Madam Attorney if I may what does this mean now?

Attorney Lyn: Then the motion fails.

Commissioner MacRae: So those minutes are not entered into the Public Record, well they are still public record, but they have not been accepted by the Board as written.

Attorney Lyn: Correct just like all of your draft minutes.

Commissioner MacRae: So you have some homework to do. I would suggest you get a copy of the tape also.

Commissioner Wilcox: I would appreciate that if we could arrange that after the meeting.

Commissioner MacRae: So we need to get her a copy of the written minutes as well.

4) Public Input:

A) BOCC Department of Parks & Rec (Adjustment due to leak)

Disc.

Commissioner Jeeves made a motion to waive the conservation rates. Seconded by Commissioner Wilcox. Vote yes. Motion carried.

5) Bids for Elevated Tank Property (For Sale and/or Removal)

Commissioner Sipos opened the Bids that were received: 2 for purchase 1 for demo

Demolition: Allstar Tower, Henderson, KY	\$48,200
OHHPS	\$ 1,100
Tammy Barron	\$ 8,013

Discussion.

Commissioner MacRae made a motion that we accept the bid from the OHHPS for the purchase of this property for \$1,100. Seconded by Commissioner Sipos for discussion.

Discussion.

Commissioner MacRae: Closing to be a date and time that is mutually agreeable.

Commissioner Jeeves asked Attorney Lyn so we would have no problem giving it to any bidder we decided even though it's the lowest bidder?

Attorney Lyn: I've always told you that you don't have to accept the highest bid. The law says that you should endeavor, try to attain market value when you sell property. However, if there are reasons why that you can explain and clearly put on the record why you wouldn't take fair market value and why you would accept something less than fair market then there may be legislative findings to support a decision, at less than market value. So what I think I understand what Mr. MacRae said is that he believes that the Preservation Society perhaps would be bringing other non-monetary value to their bid. Such as perhaps preserving the history of the old fishing village and some of these other intangibles.

Discussion.

Vote on the motion to award the bid to the OHHPS, Inc. Vote yes. Motion carried.

Commissioner Wilcox made a motion to formerly reject the bid for demolition. Seconded by Commissioner MacRae. Vote yes. Motion carried.

Commissioner MacRae stated that he would also like to say that he rejects the appraisal.

Commissioner Sipos: When will the sale be completed?

Attorney Lyn: Staff will need to put that together.

Commissioner Sipos directed staff to put this together as soon as possible.

Election of Officers:

Commissioner Wilcox nominated Commissioner MacRae as Chairman.

Commissioner Jeeves nominated Commissioner Sipos as Chairman.

Disc.

Commissioner Wilcox: I understand that Mr. MacRae has previously served as Chairman and also with the position of Chairman under Parliamentary procedures you're not just supposed to vote unless it's a tie breaker.

Attorney Lyn: Absolutely not. This is an issue near and dear to my heart only because I've had to deal with this with another Board. As elected officials each of you must vote at every vote unless you have a conflict. So each one of you is equal. We don't follow

Roberts Rule of Order to the extent that the Chair doesn't vote or the Chair only votes in the event of a tie. Because in Florida we fall under the Florida Sunshine, so you must all vote, you are all equal.

Commissioner Wilcox: As far as seconding nominations because under Roberts Role of order this is also not something that the Chair is supposed to do.

Attorney Lyn: You are all equal in all regards. Because you are elected officials you're not members of a society like Roberts Rule of Order refers to if you look further into Roberts Rule of Order you will see that it doesn't apply to small assemblies. Chapter 112 states that you all must vote unless you have a conflict of interest.

Commissioner MacRae so just too clear things up the Chairman can make motions and the Chair can 2nd motions.

Attorney Lyn: Absolutely.

Call for the vote on the nominations:

Commissioner Sipos called for the vote for Commissioner MacRae as chairman. 2 voted.

Commissioner Sipos called for the vote for Commissioner Sipos as Chairman. 3 voted.

Commissioner Sipos is now the Chairman.

Commissioner Sipos nominated Commissioner MacRae as Vice Chairman.

Commissioner MacRae: I would respectfully decline that I appreciate the opportunity to serve but I respectfully decline that and I would like to nominate Mr. Bob Jeeves.

Commissioner Jeeves: Thank you but I would have to decline that nomination; due to my hearing issues I don't believe it would be fair.

Commissioner MacRae: Winston?

Commissioner Perry: How often do we change Officers?

Commissioner Sipos: Every year.

Commissioner Perry: I would like to wait a year, until I figure out what is going on.

Commissioner MacRae is now Vice Chairman.

Officers are now:

Commissioner Sipos	Chairman
Commissioner MacRae	Vice Chairman
Commissioner Wilcox	Secretary/Treasurer

5) Attorney Report:

There were a couple of issues that you all had asked for me to follow up on.

One was the lease of the Blue Bird Springs property. As many of you may have learned recently I entered into a contract with the BOCC to serve as their interim County Attorney. Based on this fact that I represent CC and I represent the Water District respectfully I cannot be involved in any discussion relating to the Blue Bird Springs matter. Because the lease is with Citrus County. So rather than give an appearance of conflict that is why I gave that matter back to staff to initially investigate to determine the status of that.

Discussion.

Sup. Purnell: I spoke with the County after the Board packets went out. Right now the Tourist Board is using the property for storage. They are getting a new building and they are planning on moving all of their storage from that site at the end of May. The agreement states that all we have to do is give them a 90 day notice and they would vacate the property since that is the plan anyway.

My suggestion is to wait till they move out and then contact the County.

Commissioner MacRae: My question is to Counsel the legalities of us leasing that property to start with. That is the question I had brought up at last month's meeting.

Discussion.

Commissioner MacRae: I would like to know and the information I am looking for is should we have entered into the lease to begin with.

Discussion.

The other issue that you all had asked me about was the DOT issue. After researching the documents I'm sorry to say that nothing can be done about this issue.

Discussion.

Commissioner Wilcox asked if she could have a copy of the DOT contract.

Commissioner MacRae stated that he would like to be kept up to date on the timeline with DOT.

Sup. Purnell: As I reported at last month's meeting DOT is planning on breaking ground on this project anytime from June of this year to July of next year which is their fiscal year.

Staff to provide Commissioner Perry and Commissioner Wilcox a copy of the DOT project and the Loan Documents with Regions Bank.

Commissioner MacRae: I think it would be beneficial to the 2 new Board members that we have a Special meeting and in that Special meeting we caught them up to speed on what is going on with the District. The Highway 19 project, the South and the North end. The leak Detection program. Just catch them up to speed so they aren't learning this stuff every second of the meeting. They get a crash course on it.

Attorney Lyn: Commissioner Perry came to the Orientation that we had and he learned all of that.

Discussion.

Commissioner Wilcox asked Sup. Purnell if we had ever considered upgrading the lines on Michigan Blvd? Michigan Blvd runs parallel to Highway 19.

Sup. Purnell: We have an 8" line and a 6" line on Michigan Blvd. We have a brand new 8" line up on Stonebrook to Goodman which is the north side of the District. The property rights (Easements) to feed all of the Businesses on Highway 19 would be next to impossible to get. We had an issue with that when we tried to cross the River. It would be more expensive than the DOT project.

Commissioner Wilcox: Of course this would be an improvement to the system we would be upgrading 6 to 8' lines and 10 to 12" and there are grants available for improvements to the system rather than moving lines. So while it may be a more expensive project it could potentially be on someone else's dime. We wouldn't be sitting around waiting for DOT.

Sup. Purnell: DOT is buying up property on either side of Highway 19 to put storm lines in which would cause us to move lines that we would have to feed lines on 19. That is the problem with the 2 lines on 19 now. Right now we have 2 8" lines on US 19 and an 8" line on Longfellow. You are talking at least an 18" line going up there to even be capable of supplying that amount of water. Then you would be losing the loop in the system.

Commissioner Wilcox: Could you add a loop to Stonebrook?

Sup. Purnell: To add a loop you would have to go outside of the District on US Highway 19. We would be duplicating the line on US 19.

Commissioner Wilcox: In lieu of having our lines run up 19. So instead of having lines on 19 to have them run down Michigan which is parallel. To improve Michigan lines in lieu of having that 19 line.

Sup. Purnell: We still have to feed both sides of 19. We still have to put in more lines. We still need to loop the lines in order to do proper fire protection. You need to have water in both directions.

Discussion.

Commissioner MacRae: Isn't the bulk of that project with DOT in town, more proper in town than outside of town?

Sup. Purnell: Most of the expense is from Grover Cleveland Blvd., to the South. All of the storm drains and the lack of right of ways for DOT.

Commissioner MacRae: Which phase are they doing first?

Sup Purnell: Green Acres to Jump Ct.

Discussion.

6) Budget Report:

Discussion.

7) Staff Report

Discussion.

8) Superintendent's Report:

Discussion.

Commissioner MacRae made a motion to approve Sup. Purnell to send a letter with his recommendations for the approval of the vacate. Second by Commissioner Jeeves. Vote yes. Motion carried.

Sup. Purnell would like the Board to consider allowing him to do the vacate and notify the Board after the fact. Bring them to the Board for your information. The reason I'm asking this of the Board is to speed up the process. I'm not going to approve a vacate that would not be in the best interest of the District.

Discussion.

Board agreed to leave the Vacate request as is, being presented to the Board first.

Sup. Purnell reported to the Board that after the packet was sent out he received another DOT project. This is for sidewalk improvements from Central to US Highway 19. Hopefully this will be just a few relocations of meter boxes and fire hydrants. I will keep the Board up to date on this project as it moves along.

9) Reports to the Board:

- A) Shut off list – Discussed
- B) Adjustment Report – Discussed
- C) Yearly Timeline – Discussed. Since not all Board members have turned in their evaluation for Attorney Lyn, this will be discussed at February's meeting.

10) Board Comments:

Commissioner MacRae since next month is going to be a busy month with Insurance discussion and year end audit discussion; I think the Board needs to look at having a goal session for the March meeting.

Discussion. This item will be discussed further at the February meeting.

Commissioner Wilcox: I had asked Teresa to put an item on the agenda for the Meeting dates and times. Right now the Regular Public Meeting is set at a not very friendly public time at 3:00 PM. I work full time so for me and the people of the community that work 3:00 is not a very convenient time.

Discussion.

Commissioner MacRae made a motion to change the Board time from 3:00 PM to 5:30 PM. Seconded by Commissioner Wilcox for discussion.

Discussion.

Commissioner Wilcox: Is there any way that the Board would consider moving the meeting day to Wednesday?

Discussion.

Commissioner MacRae: I withdraw my motion.

Commissioner Wilcox: I withdraw my second.

Commissioner Wilcox: Made a motion to move the meeting day to Wednesday and the time to 3:30 PM. Second by Commissioner MacRae for discussion.

Discussion.

Commissioner Sipos called for the vote to move the meeting day to Wednesday and the time to 3:30 PM.

Vote yes – Commissioner Wilcox and Commissioner MacRae.

Vote no – Commissioner Sipos, Commissioner Perry and Commissioner Jeeves.

Motion failed.

Commissioner Wilcox made a motion to keep the meeting on the 3rd Monday of each month and to move the time to 4:00 PM. Seconded by Commissioner MacRae. Vote yes. Motion carried.

11) Pay Bills/Adjournment

Commissioner Jeeves made a motion to pay the bills and adjourn the meeting. Commissioner MacRae seconded the motion. Vote yes. Motion carried.