

**Minutes of the Quarterly Meeting of the
South Central Regional Wastewater Treatment and Disposal Board
Held on April 15, 2010 at the Treatment Plant
1801 North Congress Avenue, Delray Beach, FL 33445**

Present

Boynton Beach

Chairman Woodrow Hay
Mayor Jose Rodriguez
Commissioner William Orlove
Commissioner Marlene Ross

Delray Beach

Mayor Nelson McDuffie
Commissioner Gary Eliopoulos
Commissioner Adam Frankel

A. CALL TO ORDER

Meeting was called to order at 5:00 p.m. by Chairman Hay.

B. ROLL CALL

Roll call was performed and a quorum was present

C. PROOF OF NOTICE OF MEETING

Mr. Coates confirmed that the notices were posted at both City Halls.

D. ADDITIONS AND/OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

**E. ACCEPTANCE OR CORRECTIONS TO MINUTES OF MEETING HELD
JANUARY 21, 2010.**

**MOTION WAS MADE BY MAYOR MCDUFFIE TO ACCEPT MINUTES; MOTION WAS
SECONDED BY COMMISSIONER ELIOPOULOS. MOTION CARRIED 7- 0.**

**F. ELECTION OF OFFICERS (CHAIRMAN, VICE-CHAIRMAN, SECRETARY,
TREASURER).**

*Chairman and Secretary from Delray Beach; Vice Chairman and Treasurer from
Boynton Beach.*

**MOTION TO ELECT COMMISSIONER FRED FETZER AS CHAIRMAN WAS MADE BY
COMMISSIONER FRANKEL; MOTION WAS SECONDED BY COMMISSIONER
ELIOPOULOS. MOTION CARRIED 7-0.**

**MOTION TO ELECT COMMISSIONER STEVEN HOLZMAN AS VICE CHAIRMAN WAS
MADE BY MAYOR RODRIGUEZ; MOTION WAS SECONDED BY COMMISSIONER
ROSS. MOTION CARRIED 7-0.**

MOTION TO ELECT COMMISSIONER ANGELETA GRAY AS SECRETARY WAS MADE BY COMMISSIONER ELIOPOULOS; MOTION WAS SECONDED BY MAYOR MCDUFFIE. MOTION CARRIED 7-0.

MOTION TO ELECT COMMISSIONER BILL ORLOVE AS TREASURER WAS MADE BY COMMISSIONER ROSS; MOTION WAS SECONDED BY COMMISSIONER MAYOR MCDUFFIE. MOTION CARRIED 7-0.

Commissioner Hay continued to conduct the meeting, as newly elected Chairman Fetzer was not at the meeting.

G. REPORT OF OFFICERS AND COMMITTEES

1. CURRENT FINANCIAL STATEMENTS

a. Balance Sheet (through March, 2010) (ITEM G1a)

Mr. Coates stated that at the present time, we have \$ 1.242M in cash plus an additional \$ 574,416 in accounts receivable from the Cities which we will be receiving within the next few days. We average \$ 500,000 a month for expenditures. We therefore will have sufficient cash to pay our bills for this month.

It was stated that at the present time, we have \$ 3,104,121 in Repair and Replacement account. Of this amount \$ 802,608 is currently committed on various plant projects; leaving us with \$ 2,301,513 available in R&R account. This account provides us with funds for projects under contracts and additional repairs that will be needed in the near future.

b. Budget Variance & Cash Projection (through March 2010) (ITEM G1b)

PLANT O&M

Mr. Coates reviewed the following revenues and expenditures for the Plant's Operation and Maintenance; revenues from usage were budgeted for \$ 6.117M and the projected revenue for this fiscal year is \$ 6.421M.

Expenditures in personnel were budgeted at \$ 1.572M and the projected amount is \$ 1.542M.

Expenditures in services were budgeted at \$ 1.660M and the projected amount is \$ 1.565M.

Expenditures in Operations and Maintenance were budgeted at \$ 2.053M and the projected amount is \$ 1.942M.

Expenditures in Chemicals and Supplies were budgeted at \$ 786,000 and the projected amount is \$ 735,313.

Full fiscal year projected revenues over expenditures as of March 31, 2010 are \$ 645,199.

RECLAIM O&M

Mr. Coates stated that the revenues for Reclaim O&M were budgeted for \$ 1.115M and the projected revenue for this fiscal year is \$ 1.180M.

Expenditures in personnel were budgeted at \$ 133,000 and the projected amount is \$ 124,576.

Expenditures in services were budgeted at \$ 70,285 and the projected amount is \$ 68,139.

Expenditures in Operations and Maintenance were budgeted at \$ 578,000 and the projected amount is \$ 542,807.

Expenditures in Chemicals and Supplies were budgeted at \$ 263,210 and the projected amount is \$ 222,525.

Full fiscal year projected revenues over expenditures as of March 31, 2010 are \$ 222,320.

c. *Return of excess for the 2008/2009 Fiscal Year budget. (ITEM G1c)*

Motion to return the remaining 50% excess for the 2008/2009 Fiscal Year in the amount of \$248,498 to Boynton Beach and \$185,430 to Delray Beach.

The initial return occurred on February 5, 2010. Boynton Beach received \$248,498; City of Delray Beach received \$185,430

MOTION MADE TO RETURN EXCESS MONIES MADE BY COMMISSIONER ELIOPOULOS; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

MOTION TO ACCEPT REPORT OF OFFICERS AND COMMITTEES MADE BY MAYOR RODRIGUEZ; MOTION WAS SECONDED BY COMMISSIONER ELIOPOULOS. MOTION CARRIED 7-0.

2. EXECUTIVE DIRECTOR'S REPORT

a. Compliance and Operational Status Report (ITEM G2a)

Second Quarter Report

Mr. Coates presented the Compliance and Operational Status report and stated that the Plant average flow for FY 2009/2010 is 18.18 MGD. Of this flow, Delray's flow was 8.29 MGD accounting for 46% and Boynton Beach's flow was 9.89 MGD accounting for 54%.

Two of our main operating parameters used to determine how effectively the Plant is operating are total Suspended Solids (TSS) and Carbonaceous Biological Oxygen Demand (CBOD)

Our average TSS and CBOD were 0.98 and 1.38 mg/L well under the limits required by FDEP Operating Permit.

b. Florida Department of Environmental Protection Industrial Pretreatment Update (ITEM G2b)

Mr. Coates informed the Board that on March 19, 2010 we received a letter from DEP stating that our Industrial Pretreatment Program met the completeness requirements of the Florida Administrative Code.

Mr. Coates went onto explain that we were required to publish a Public Notice which we did on March 24, 2010. Proof of Publication was then sent to DEP on March 29, 2010 and we are awaiting official acceptance of the Pretreatment Program from DEP.

c. Headworks and Stormwater System Improvements (ITEM G2c) *LWDD permit received for canal bank repair*

Mr. Coates informed the Board that on February 2, 2010 we received the Drainage Permit Modification executed by the LWDD. He went on to say, that these improvements were scheduled to be completed in the current headworks and stormwater system improvements project; however, the stormwater portion had to be delayed due to some of the work originally requested by the LWDD.

This included requesting the Board to install a 25-foot right-of-way on the north side of its property for LWDD canal maintenance access. This request was removed from the permit and the scope of work.

d. Odor Complaint Log (January 9, 2010 – March 31, 2010) (ITEM G2d)

- During the last quarter there was one odor complaint made to the South Central Office.

- e. **South Central Regional Wastewater Treatment and Disposal Board Appraisal Report** (ITEM G2e)
Performed by GAB-Robins North America in February 2010.

Mr. Coates reviewed the updated appraisal that was performed by GAB-Robins to assist in determining the proper insurance coverages for the Board. Mr. Coates stated that the increase in insurable value in this appraisal versus the prior appraisal is the completion of the deepwell and we added in the Board's Ocean Outfall line.

Value of the two items is roughly \$70M.

- f. **Biosolids Pelletization Project**

Mr. Coates informed the Board that a meeting of all the Pelletization Plant participants was held on Friday, April 9. The major points that came out of the meeting were as follows:

- East Central Regional is still expected to become a participant sometime in the coming months and the proceeds from that sale are expected to about \$1M.
- HDR Engineering was the contractor on the job and they are requesting roughly \$4M in additional fees from the SWA due to delays. The SWA has identified roughly \$120,000 worth of claims that they believe to be legitimate.
- HDR and the SWA are scheduled to go to an arbitration hearing on June 14, 2010 regarding the additional fee request. Mr. Coates said that after this hearing, we hope to have a clearer picture of the effect these additional fees request will have on the final cost of the project.

CITIZEN'S COMMENTS

There were no citizen comments.

MOTION TO ACCEPT THE EXECUTIVE DIRECTOR'S REPORT MADE BY COMMISSIONER ROSS; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

3. ENGINEERS' REPORT

- a. **HAZEN AND SAWYER** (ITEM G3a)
1. **Headworks and Stormwater System Improvements**
 2. **Deep Injection Well System**
 3. **Plant "A" Secondary Clarifier Rehabilitation**

4. Sodium Hypochlorite Generation System Improvements

Albert Muniz of Hazen and Sawyer presented the Engineer's Report to the Board on the above-referenced items.

MOTION TO ACCEPT THE ENGINEER'S REPORT MADE BY MAYOR RODRIGUEZ; MOTION WAS SECONDED BY COMMISSIONER ELIOPOULOS. MOTION CARRIED 7-0.

4. BOARD ATTORNEY'S REPORT

a. ROGER SABERSON (ITEM G4a)

- 1. Performance Bond T-Mobile tower site**
- 2. Md7 possible assignment and modifications to Site Lease Agreement**
- 3. Auditors engagement letter (Marcum LLP)**
- 4. Request for Qualifications related to engineering services**
- 5. Headworks and Stormwater System Improvements Project**
- 6. Laboratory testing**

Board Attorney, Roger Saberson presented his report on the above-referenced items.

MOTION TO ACCEPT THE BOARD ATTORNEY'S REPORT MADE BY COMMISSIONER ROSS; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

H. CONSENT AGENDA: Executive Director recommends approval (Board Members may request that any item be removed for discussion.)

- 1. Notification of Board expenditures in the amount of \$27,648 from January 21, 2010 through April 5, 2010 (expenditures between \$10,000 and \$25,000)**
 - a. Updated Outfall Valve Control Panel (\$14,650.) – Line Item Number S535807.03, Equipment Number 070-17000. New Automated Control Panel for Board Ocean Outfall valve located at Delray Beach Booster Pump Station.**
 - b. Sodium Hypochlorite System Water Softener Repair (\$12,998.) – Line Item Number S535807.07, Equipment Numbers 054-11107, 054-11010, 054-11011, 054-11012, 054-16004 and 054-16005. New carbon filters added for additional protection of newly installed Titanium plates in Hypochlorite Generation System.**

2. *Authorization to expend **\$0.00** on an emergency basis from repair and replacement funds (expenditures above \$25,000).*

There were no emergency purchases required this quarter.

3. *Authorization to extend the term of the contract between South Central Regional Wastewater Treatment and Disposal Board (SCRWT&DB" or "BOARD" with Florida Testing Services LLC, d/b/a XENCO LABORATORIES ("XENCO"), formally known as Genapure Analytical Services, Inc., formerly known as US Biosystems, Inc., for lab services from May 1, 2010 through July 31, 2010.*

I. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION

There were no items removed from the consent agenda.

MOTION TO APPROVE THE CONSENT AGENDA WAS MADE BY COMMISSIONER FRANKEL; MOTION WAS SECONDED BY COMMISSIONER ELIOPOULOS. MOTION CARRIED 7-0.

J. NEW BUSINESS

1. *Approval of Chairman, Treasurer, Executive Director, Finance Administrator, and Plant Superintendent as signatories on checks. (Two (2) signatures required on each check.)*

MOTION MADE BY COMMISSIONER ELIOPOULOS; MOTION WAS SECONDED BY COMMISSIONER ROSS. MOTION CARRIED 7-0.

2. Committee Appointments

- a. *Auditing, Budgeting, Personnel Compensation, and Grievance Committees.*

Traditionally, the Chairman, Vice Chairman, Secretary and Treasurer have served on these Committees.

MOTION MADE BY MAYOR MCDUFFIE TO MAINTAIN STATUS OF COMMITTEES THEREBY APPOINTING CHAIRMAN FETZER, VICE CHAIRMAN HOLZMAN, SECRETARY GRAY AND TREASURER ORLOVE; MOTION WAS SECONDED BY COMMISSIONER ORLOVE. MOTION CARRIED 7-0.

- b. *Pension Committee*

Traditionally, the Committee consisted of two (2) Board Members, three (3) elected employees. Also included on the committee but non-voting are the Executive Director and the Board Attorney.

MOTION MADE BY COMMISSIONER ELIOPOULOS TO APPOINT COMMISSIONER ROSS AS ONE OF THE PENSION BOARD COMMITTEE MEMBERS; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

MOTION MADE BY COMMISSIONER FRANKEL TO APPOINT COMMISSIONER GRAY AS THE OTHER PENSION BOARD COMMITTEE MEMBER; MOTION WAS SECONDED BY COMMISSIONER ELIOPOULOS. MOTION CARRIED 7-0.

3. *Selection Committee for Engineering Services, recommended that the Committee consists of the Mayor from Boynton Beach, the Mayor from Delray Beach, Chairman of the Board, the Executive Director and the Board Attorney (Advisory).*

MOTION MADE BY MAYOR RODRIGUEZ; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

- a. *Authorization for the Executive Director to prepare and release a Request for Qualifications (RFQ) for Engineering Services relative to general wastewater and reuse water. The RFQ shall establish evaluation and scoring procedures used in overall ranking process.*

MOTION MADE GIVING THE EXECUTIVE DIRECTOR AUTHORIZATION TO PREPARE AND RELEASE A REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES AS WRITTEN IN REVISION J3 PARAGRAPH A BY MAYOR RODRIGUEZ; MOTION WAS SECONDED BY COMMISSIONER ROSS. MOTION CARRIED 7-0.

- b. *Authorization for the Engineering Selection Committee to review the RFQ submittal packages and recommend a ranking of firms to the Board based on the criteria and procedures outlined in the RFQ.*

MOTION MADE BY MAYOR RODRIGUEZ; MOTION WAS SECONDED BY MAYOR MCDUFFIE. MOTION CARRIED 7-0.

4. *Authorization to decrease our Reclaim User Rate for Hunters Run, Country Club of Florida, Quail Ridge, Delray Dunes and Pine Tree for Fiscal Year 2009/2010 to \$2417/1,000 gallons. (ITEM J4)*
 - *Previous fiscal year \$2663/1,000 gallons.*

MOTION MADE BY MAYOR RODRIGUEZ; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

5. *Request for renewal of auditing services of MarcumRachlin for fiscal year ending September 30, 2010, for an estimated amount of \$37,500.00.(ITEM J5)*

MOTION MADE BY MAYOR MCDUFFIE; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

6. Authorization to amend Rule II, Section 14 of the Board Rules as follows:

PART-TIME EMPLOYEE: Shall mean employees hired on a part-time basis working ~~less than (25) twenty-five~~ thirty two (32) hours or less per week and will be paid for only those hours actually worked and at the rate of pay for that job classification. Part-time employees receive no paid leave or other fringe benefits.

MOTION MADE BY COMMISSIONER ROSS; MOTION WAS SECONDED BY COMMISSIONER ELIOPOULOS. MOTION CARRIED 7-0.

K. UNFINISHED BUSINESS

There was no unfinished business.

L. PUBLIC AUDIENCE

M. ADJOURNMENT

Meeting was adjourned at 5:35 p.m.