

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

Present

Boynton Beach

Commissioner Woodrow Hay
Commissioner Steven Holzman
Commissioner William Orlove
Commissioner Marlene Ross

Delray Beach

Chairman Fred Fetzer
Commissioner Gary Eliopoulos
Commissioner Adam Frankel

A. CALL TO ORDER

Meeting was called to order at 5:12 p.m. by Chairman Fetzer.

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 two additions to the Agenda and two deletions. The first addition to the Agenda was as follows:

ADDITION OF AGENDA ITEM J5a

In connection with the Secondary Clarifier Rehabilitation and Stormwater System Improvements project, motion to establish a \$100,000 administrative contingency account which is not part of, nor is it added to, the Contract Price of the Contract authorized to be awarded under Agenda Item J5 but which amount may be used (in whole or in part) or not used, as may be determined in the sole judgment of the Executive Director. (ITEM J5a)

The two deletions to the Agenda were as follows:

DELETION OF AGENDA ITEMS J9 AND J10

9. MOTION TO APPROVE THE ENGINEERING SERVICES SELECTION COMMITTEE'S RANKINGS. (ITEM J9)
Engineering Services meeting to be held on July 12, 2010 – rankings to be distributed at the July 15, 2010 Board Meeting.

10. MOTION TO AUTHORIZE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT DISCUSSIONS WITH _____ RELATIVE TO GENERAL ENGINEERING CONSULTING SERVICES. (ITEM J10)

The final addition to the Agenda was:

ADDITION OF AGENDA ITEM J14

Motion that in regards to the Headworks and Stormwater System Improvements Project that the Executive Director shall be authorized to execute such documents and take such actions as he may deem appropriate related to the remaining payments under the Contract Documents, settling all issues in regard such payments, and closing out the Contract, and that this authorization shall include but not be limited to allowing such remaining payments to be made to the Surety, Hartford Casualty Insurance Company, if determined appropriate by the Executive Director.

MOTION TO ACCEPT THE ADDITIONS AND DELETIONS TO THE AGENDA WAS MADE BY COMMISSIONER ELIOPOULOS; MOTION WAS SECONDED BY COMMISSIONER HAY. MOTION CARRIED 6-0.

E. ACCEPTANCE OR CORRECTIONS TO MINUTES OF MEETING HELD APRIL 15, 2010.

MOTION WAS MADE BY COMMISSIONER FRANKEL TO ACCEPT MINUTES; MOTION WAS SECONDED BY COMMISSIONER ROSS. MOTION CARRIED 6- 0.

Commissioner Orlove arrived at this time (5:15 p.m.)

1. CURRENT FINANCIAL STATEMENTS (through June 2010)

a. Balance Sheet (ITEM F1a)

Mr. Coates stated that at the present time, we have \$ 1.204M in cash plus an additional \$ 433,930 in accounts receivable from the Cities which we will be receiving within the next few days. The Plant averages \$ 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 \$ 3.2M in the Repair and Replacement account; of this amount, \$ 646,000 is currently committed on various plant projects; leaving us with \$ 2.6M available in the 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
Year-to-Date Actual**

(ITEM F1b)

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 \$ 6.317M.

Mr. Coates detailed the expenditures as follows:

Expenditures in personnel were budgeted at \$ 1.572M and the projected amount is \$ 1.502M.

Expenditures in services were budgeted at \$ 1.660M and the projected amount is \$ 1.527M.

Expenditures in Operations and Maintenance were budgeted at \$ 2.053M and the projected amount is \$ 1.880M.

Expenditures in Chemicals and Supplies were budgeted at \$ 786,000 and the projected amount is \$ 682,374.

Overall revenues over expenditures as of June 30, 2010 are \$ 733,625.

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 \$ 1.200M.

Expenditures in personnel were budgeted at \$ 133,000 and the projected amount is \$ 119,878.

Expenditures in services were budgeted at \$ 70,285 and the projected amount is \$ 67,966.

Expenditures in Operations and Maintenance were budgeted at \$ 578,000 and the projected amount is \$ 513,664.

Expenditures in Chemicals and Supplies were budgeted at \$ 263,210 and the projected amount is \$ 215,588.

Overall revenues over expenditures are \$ 282,901.

QUESTIONS

MOTION TO ACCEPT CURRENT FINANCIAL STATEMENTS WAS MADE BY COMMISSIONER FRANKEL; MOTION WAS SECONDED BY COMMISSIONER HAY. MOTION CARRIED 7-0.

2. EXECUTIVE DIRECTOR'S REPORT

a. Compliance and Operational Status Report (ITEM F2a)

Third Quarter Report – Current budget year average influent flow 17.4 MGD through June. Process continues to operate well.

Mr. Coates presented the Plant's Compliance and Operational Status report and stated that the Plant's average flow for the first nine months has been 17.4 MGD. Of this flow, Delray's flow was 7.83 MGD accounting for 45% and Boynton Beach's flow as 9.57 MGD accounting for 55%.

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 Reclaim TSS and CBOD were 0.89 and 1.25 mg/L well under the limits required by FDEP Operating Permit.

b. DEP annual Inspection (ITEM F2b)

DEP and the Florida Department of Health inspected the facility on May 4, 2010. Facility was found to be in full compliance.

Mr. Coates informed the Board that on May 4, 2010, our Facility underwent an annual Compliance Evaluation Inspection. He stated that all the areas on the evaluation investigated by the State were shown to be in full compliance.

c. Biosolids Pelletization Project (ITEM F2c)

Arbitration hearings started June 14, 2010 and lasted two weeks

Mr. Coates explained that lawyers from both sides are now preparing a final summary of their positions that will be presented to the Arbitration Panel in the next few weeks. The arbitration panel will then take as much time as necessary to render a decision. The arbitration panel findings will be given to the Board at the October Board Meeting.

d. Pretreatment Program (ITEM F2d)

Mr. Coates told the Board that on June 28, 2010 the Board received a letter from Florida Department of Environmental Protection advising that they are approving the Pretreatment Program Modification for South Central Regional Wastewater Treatment and Disposal Board.

e. Odor Complaint Log (April 1, 2010 through June 30, 2010) (ITEM F2e)

Installation of new headworks odor control system 90% complete. Final startup scheduled during the week of July 20, 2010.

Mr. Coates informed the Board that there had only been one odor complaint for the third quarter and that this was due to the construction being performed.

QUESTIONS

CITIZEN'S COMMENTS

Mr. Sadosky of the Pines stated that he was very appreciative of the tour that Mr. Coates had given him of the plant showing him the construction that was in progress for the odor control.

MOTION TO ACCEPT EXECUTIVE DIRECTOR'S REPORT WAS MADE BY COMMISSIONER ELIOPOULOS; MOTION WAS SECONDED BY COMMISSIONER HAY. MOTION CARRIED 7-0.

3. BOARD ATTORNEY'S REPORT

a. ROGER SABERSON (ITEM F3a)

- 1. Secondary Clarifier Rehabilitation and Stormwater System Improvements Project**
- 2. Insurance – General Conditions**
- 3. Interlocal Government Agreement with Solid Waste Authority**
- 4. Laboratory Services Contract**
- 5. Headworks and Stormwater System Improvements Project**
- 6. T-Mobile South LLC**

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

QUESTIONS

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

4. ENGINEER'S REPORT

a. HAZEN AND SAWYER (ITEM F4a)

- 1. Headworks and Stormwater System Improvements**
- 2. Deep Injection Well System**
- 3. Secondary Clarifier Rehabilitation and Stormwater System Improvements**
- 4. Process Blower Local Control Panel Replacement**

John Koroshec, P.E. of Hazen and Sawyer presented the Engineer's Report to the Board on the above-referenced items.

QUESTIONS

MOTION TO ACCEPT ENGINEER'S REPORT WAS MADE BY COMMISSIONER ROSS; MOTION WAS SECONDED BY COMMISSIONER HAY. MOTION CARRIED 7-0.

G. 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 **\$27,755.49** from April 6 , 2010 through July 5, 2010. (Required for expenditures between \$10,000 and \$25,000)
 - a. **Sodium Hypochlorite Generator Circuit Boards \$12,049.68 – Line Item Number S535807.04, Equipment Numbers 054-11001, 054-11002, 054-11003.** Repair and replace faulty circuit boards
 - b. **Accusine Line Conditioner \$15,705.81 – Line Item Number S535807.17, Equipment Number 054-16013.** Rebuild unit to factory specs.
2. Authorization to expend **\$125,000.00** on an emergency basis from repair and replacement funds (Required for expenditures above \$25,000).

Hoffman Blowers Control Panel electronics malfunction. Existing electronic controls installed during plant expansion in 1986. Design work has begun panel construction and installation to be performed on an emergency basis.

3. Authorization to rescind **\$74,550.00** from the Board's Repair and Replacement Fund for the following items:
 - a. **Rescind unassigned contingency on Westech Engineering Contract for "A" Plant Clarifier Drive purchase (\$20,000.00)**
 - b. **Rescind unassigned contingency on Carter and VerPlanck Contract for two mechanical bar screens purchase (\$20,000.00)**
 - c. **Rescind remaining balance on Headworks and Scrubber equipment previously approved during the 2008-2009 fiscal year (\$34,550.00)**
4. Authorization to renew contract with H&H LSD, Inc. dated September 16, 2007, for and \$10.23 per cubic yard for sludge disposal services. Second year of a three renewal option.

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

H. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION

There were no items removed from the Consent Agenda

I. UNFINISHED BUSINESS

There was no unfinished business to discuss

J. NEW BUSINESS

1. ACCEPTANCE OF 2010/2011 WASTEWATER AND RECLAIM O&M BUDGETS AND WASTEWATER REPAIR AND REPLACEMENT EXPENDITURES. (Repair and Replacement Fund)

(ITEMS J1a through J1c)

- a. *Executive Summary*
- b. *Salient Budget Features*
- c. *O & M/Reclaim Budgets*
- d. *Repair and Replacement*

2010/2011 rate to remain \$0.1940/1,000 gallons at minimum projected flow of 16.8 MGD will produce \$1,189,608 in income.

Mr. Coates explained that in the O&M Summary, Page 1 of 5 indicates our estimated 2010/2011 budget of \$ 6,044,059. With an estimated minimum flow rate of 16.8 MGD that will give us a rate of 0.9857 per thousand.

Mr. Coates went on to explain that Pages 2 thru 5 are the individual accounts made up of line items discussed in the Salient Budget features.

Mr. Coates stated that the O&M line item is the next set of Pages 1 – 9; these are the descriptions of the individual accounts; located after the Plant O&M is the Reclaim O&M Budget. At an estimated budget of \$ 1,044,295 our projected annual flows give us a rate of 0.1653 per thousand gallons.

MOTION TO ACCEPT 2010/2011 WASTEWATER AND RECLAIM O&M BUDGETS AND WASTEWATER REPAIR AND REPLACEMENT EXPENDITURES WAS MADE BY COMMISSIONER ELIOPOULOS; MOTION WAS SECONDED BY COMMISSIONER ROSS. MOTION CARRIED 7-0.

2. AUTHORIZATION TO ESTABLISH WASTEWATER USER RATE TO CITIES FOR FISCAL YEAR 2010/2011 AS FOLLOWS: (ITEM J2)

	2010/2011
<i>Operations & Maintenance</i>	\$ 0.9871/1,000 GAL.
<i>Reserves</i>	\$ <u>0.1940/1,000 GAL</u>
TOTAL	\$ 1.1811/1,000 GAL

(See Enclosure)

Mr. Coates explained that the authorization to establish the O&M rate was derived by dividing our estimated annual flows (17.3 MGD Less .5 MGD) by the 2010/2011 O&M projected budget.

MOTION TO AUTHORIZE THE ESTABLISHMENT OF THE WASTEWATER USER RATE TO CITIES FOR FISCAL YEAR 2010/2011 WAS MADE BY COMMISSIONER FRANKEL; MOTION WAS SECONDED BY COMMISSIONER HAY. MOTION CARRIED 7-0.

3. AUTHORIZATION TO ESTABLISH RECLAIM USER RATE TO CONSUMERS (Delray, Boynton and Plant) FOR FISCAL YEAR 2010/2011 AS FOLLOWS: (ITEM J3)

\$0.1653/1,000 GALS

Mr. Coates explained that the establishment of the reclaim rate was derived by dividing our estimated annual flows of (17.3 MGD) by the 2010/2011 reclaim projected budget.

MOTION TO AUTHORIZE THE ESTABLISHMENT OF THE RECLAIM USER RATE FOR FISCAL YEAR 2010/2011 WAS MADE BY COMMISSIONER HOLZMAN; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

4. ACCEPTANCE OF 2010/2011 ORGANIZATIONAL CHART AND SALARY RANGE REVISION (ITEMS J4a, J4b and J4c)

a. Organizational Chart

b. Salary Ranges

c. Water Quality/Pretreatment Coordinator Job Description

Mr. Coates explained that no changes to salary ranges were proposed; they would remain the same as 2009/2010 budget year. He stated that the one change made to the organizational chart was the change of job description for the Pretreatment Coordinator to Water Quality/Pretreatment Coordinator.

MOTION TO ACCEPT 2010/2011 ORGANIZATIONAL CHART, JOB DESCRIPTION CHANGE AND SALARY RANGE REVISION WAS MADE BY COMMISSIONER ELIOPOULOS; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

5. AUTHORIZE, BUT NOT REQUIRE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT WITH GARNEY COMPANIES, INC. IN THE AMOUNT OF \$1,708,000 SUBJECT TO ALL PROVISIONS OF THE CONTRACT DOCUMENTS, FOR THE SECONDARY CLARIFIER REHABILITATION AND STORMWATER IMPROVEMENTS. TO BE FUNDED THROUGH THE BOARD'S REPAIR AND REPLACEMENT FUND. (ITEM J5)

MOTION MADE GIVING THE EXECUTIVE DIRECTOR AUTHORIZATION TO ENTER INTO A CONTRACT WITH GARNEY COMPANIES, INC. WAS MADE BY COMMISSIONER HAY; MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

MOTION WAS MADE BY COMMISSIONER HAY TO ESTABLISH A \$100,000 ADMINISTRATIVE CONTINGENCY ACCOUNT WHICH IS NOT PART OF, NOR IS IT ADDED TO, THE CONTRACT PRICE OF THE CONTRACT AUTHORIZED TO BE AWARDED UNDER AGENDA ITEM J5 BUT WHICH AMOUNT MAY BE USED (IN WHOLE OR IN PART) OR NOT USED, AS MAY BE DETERMINED IN THE SOLE JUDGMENT OF THE EXECUTIVE DIRECTOR IN CONNECTION WITH THE SECONDARY CLARIFIER REHABILITATION AND STORMWATER SYSTEM IMPROVEMENTS PROJECT (ADDITION TO AGENDA ITEM J5A). MOTION WAS SECONDED BY COMMISSIONER ELIOPOULOS. MOTION CARRIED 7-0.

(ITEM J5A)

6. ***AUTHORIZATION TO APPROVE HAZEN AND SAWYER'S WORK ORDER 10-001 FOR THE CONSTRUCTION SERVICES FOR THE SECONDARY CLARIFIER REHABILITATION AND STORMWATER IMPROVEMENTS IN THE AMOUNT NOT TO EXCEED \$147,470. TO BE FUNDED THROUGH THE BOARD'S REPAIR AND REPLACEMENT FUND.*** (ITEM J6)

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

7. ***AUTHORIZE, BUT NOT REQUIRE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT WITH ADVANCED ENVIRONMENTAL LABORATORIES, INC. IN THE AMOUNT OF \$65,037.00 SUBJECT TO ALL PROVISIONS OF THE CONTRACT DOCUMENTS, FOR LABORATORY SERVICES*** (ITEM J7)
 Contract is for a period of two years with the option to renew for two one-year renewal periods.

Bid Opening on July 7, 2010. Bid results are as follows:

Laboratory	Acknowledgement of Addendum No. 1 Page 10 ITB/GC	Bid Price
Advanced Environmental Laboratories, Inc.	Yes	\$65,037.00
XENCO Laboratories	Yes	\$70,233.00
Florida-Spectrum Environmental Services, Inc.	Yes	\$80,773.45

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

8. MOTION TO APPROVE AMENDMENT NUMBER TWO TO THE SOUTH CENTRAL REGIONAL WASTEWATER TREATMENT AND DISPOSAL BOARD'S RETIREMENT PLAN. (ITEM J8)

Mr. Coates explained that a Pension Committee meeting relative to the Plan's hardship provision, was held on Thursday, June 24, 2010. Pension Committee took the following action:

MOTION TO APPROVE AMENDMENT NO. 2 TO THE SOUTH CENTRAL REGIONAL WASTEWATER TREATMENT AND DISPOSAL BOARD RETIREMENT PLAN.

Motion was made by Commissioner Marlene Ross and seconded by Commissioner Angeleta Gray. Motion passed 5-0.

MOTION TO APPROVE AMENDMENT NO. 2 WAS MADE BY COMMISSIONER ROSS; MOTION WAS SECONDED BY COMMISSIONER ELIOPOULOS. MOTION CARRIED 7-0.

9. MOTION TO APPROVE THE ENGINEERING SERVICES SELECTION COMMITTEE'S RANKINGS. (ITEM J9)

Engineering Services meeting to be held on July 12, 2010 – rankings to be distributed at the July 15, 2010 Board Meeting.

THIS ITEM WAS DELETED FROM THE AGENDA AS PREVIOUSLY STATED IN ITEM D.

10. MOTION TO AUTHORIZE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT DISCUSSIONS WITH _____ RELATIVE TO GENERAL ENGINEERING CONSULTING SERVICES.

THIS ITEM WAS DELETED FROM THE AGENDA AS PREVIOUSLY STATED IN ITEM D.

11. AUTHORIZATION TO AMEND RULE IV, SECTION 13 AND SECTION 14 OF THE BOARD RULES AS FOLLOWS:

~~SECTION 13. SUPPLEMENT FOR OPERATIONS FOREMAN:~~ CHIEF OF OPERATIONS. Operator who is assigned the responsibility of and designated as the ~~"Operations Foreman"~~ "Chief of Operations" by the Executive Director shall be entitled to a supplement equal to ~~ten~~ five percent (40% 5%) of their base hourly pay during the time they are designated as ~~"Operations Foreman"~~ "Chief of Operations".

~~SECTION 14. SUPPLEMENT FOR MAINTENANCE FOREMAN:~~ CHIEF OF MAINTENANCE: Mechanic who is assigned the responsibility of and designated as the ~~"Maintenance Foreman"~~ "Chief of Maintenance" by the Executive Director shall be entitled to a supplement equal to ~~ten~~ five percent (40% 5%) of their base hourly pay during the time they are designated as ~~"Maintenance Foreman"~~ "Chief of Maintenance".

**MOTION TO ACCEPT RULE CHANGE WAS MADE BY COMMISSIONER HAY;
MOTION WAS SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED
7-0.**

- 12. AUTHORIZATION TO APPROVE THE FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION SUBMERGED LAND (OCEAN OUTFALL)
EASEMENT. (ITEM J-12)**

The FDEP Operating Permit that was issued to the Board on July 28, 2009 contained an order in the "Compliance Schedule" requiring the Board to obtain a valid State Lands Authorization/Easement from the State within one year from the issuance date of the Permit/Administrative Order. Failure to obtain this Authorization/Easement shall constitute a violation of the Order.

**MOTION TO APPROVE EASEMENT MADE BY COMMISSIONER ELIOPOULOS;
MOTION SECONDED BY COMMISSIONER HAY. MOTION CARRIED 7-0.**

- 13. AUTHORIZATION TO ALLOW THE CITY OF DELRAY BEACH TO TAP INTO
THE BOARD'S OCEAN OUTFALL LINE AT SOUTHWEST THIRD STREET AND
SOUTHWEST SECOND AVENUE. POINT OF CONNECTION TO BE PUT IN
SERVICE AFTER AMENDED INTERLOCAL AGREEMENT IS FINALIZED.**

Interlocal Agreement between the Board and the City of Delray Beach will be amended to reflect the new point of connection. Tie-in is to be similar in scope to the point of connection #2 tie-in at the Delray Beach Reclaim Booster Pump Station.

**MOTION MADE BY COMMISSIONER HAY; MOTION SECONDED BY
COMMISSIONER FRANKEL. MOTION CARRIED 7-0.**

- 14. MOTION THAT IN REGARDS TO THE HEADWORKS AND STORMWATER
SYSTEM IMPROVEMENTS PROJECT THAT THE EXECUTIVE DIRECTOR
SHALL BE AUTHORIZED TO EXECUTE SUCH DOCUMENTS AND TAKE SUCH
ACTIONS AS HE MAY DEEM APPROPRIATE RELATED TO THE REMAINING
PAYMENTS UNDER THE CONTRACT DOCUMENTS, SETTLING ALL ISSUES IN
REGARD SUCH PAYMENTS, AND CLOSING OUT THE CONTRACT, AND THAT
THIS AUTHORIZATION SHALL INCLUDE BUT NOT BE LIMITED TO ALLOWING
SUCH REMAINING PAYMENTS TO BE MADE TO THE SURETY, HARTFORD
CASUALTY INSURANCE COMPANY, IF DETERMINED APPROPRIATE BY THE
EXECUTIVE DIRECTOR.**

**MOTION MADE BY COMMISSIONER HAY; MOTION SECONDED BY
COMMISSIONER FRANKEL. MOTION CARRIED 7-0.**

K. PUBLIC AUDIENCE

L. ADJOURNMENT

MOTION MADE BY CHAIRMAN FETZER TO ADJOURN; MOTION SECONDED BY COMMISSIONER FRANKEL. MOTION CARRIED 7-0.

Meeting was adjourned at 6:45 p.m. on July 15, 2010.