

**OKEECHOBEE UTILITY AUTHORITY  
MEETING MINUTES**

Monday, January 10, 2022 9:00 A.M.

Okeechobee Utility Authority

100 SW 5<sup>th</sup> Avenue

Okeechobee, Florida

**Chairperson Creasman called the meeting to order at 9:00 A.M.**

**Chairperson Creasman addressed Agenda Item No. 1**, the following Okeechobee Utility Authority Board Members were present:

**Board Members:**

Melanie Anderson\*

John Creasman\*

Tommy Clay\*

Steve Nelson\*

Tabitha Trent\*

**Alternates:**

Harry Moldenhauer

**Absent:**

Jeff Fadley

Glenn Sneider

\*Voting Board Members

**OUA Members:**

John Hayford

George Gall

Tom Conely

Michelle Willoughby

**Chairperson Creasman determined the voting members and led all participating attendees and visitors in the Pledge of Allegiance.**

**Chairperson Creasman addressed Agenda Item No. 2 ‘Agenda Additions or Deletions’** There were no additions or deletions to the agenda. **Motion by Tommy Clay to accept the Agenda as written. Second by Steve Nelson. Vote unanimous (5-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 3 ‘Meeting Minutes from December 13, 2021. Motion by Steve Nelson to accept the Meeting Minutes from December 13, 2021 as written. Second by Tommy Clay. Vote unanimous (5-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 4 ‘Employee Recognition’** Chairperson Creasman recognized Rickey Vinson, who was not present, for his 10 years of service to the OUA.

**Chairperson Creasman addressed Agenda Item No. 5 ‘Consent Agenda’ Motion by Tommy Clay to accept the Consent Agenda as follows:**

**Consent Agenda Item No. 6 ‘Finance Report for the period ending December 31, 2021**

**Consent Agenda Item No. 7 ‘Invoice from Sumner Engineering & Consulting, Inc – SW Wastewater Service Area Project (Part B and C) in the amount of \$13,491.60’**

**Consent Agenda Item No. 8 ‘Invoice from Sumner Engineering & Consulting, Inc – SW 5<sup>th</sup> Avenue Sewer in the amount of \$5,909.52**

**Consent Agenda Item No. 9 ‘Invoice from Sumner Engineering & Consulting, Inc – SW Wastewater Service Area Project (Part E) in the amount of \$85,990.00’**

**Consent Agenda Item No. 10 ‘Invoice from MacVicar Consulting, Inc. in the amount of \$250.00’**

**Second by Steve Nelson. Vote Unanimous (5-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 11 ‘Okee-Tantie Utility System Improvements Engineering Presentations’** Executive Director Hayford discusses that the RFP review committee met concerning the submitted RFP’s. However, the committee could not come to a consensus as to an agreed upon final ranking. The OUA Board directed OUA staff to arrange for presentations to be made by the three firms: Sumner Engineering, Chastain Skillman, and Kimley Horn. At the meeting today, the three firms will make presentations concerning their respective firm capabilities, their understanding of the project and why their firm is best suited to complete the work. Each presenter will be have 15-20 minutes followed by a question and answer session. Executive Director Hayford asked that at the conclusion of presentations, question and answer period and OUA Board discussions, OUA staff is requesting a final ranking of the firms.

Chastain Skillman, Kimley Horn and Sumner Engineering & Consulting Inc. made presentations to the Board. *John Creasman and Tabitha Trent out at 10:24 A.M. John Creasman and Tabitha Trent in at 10:26 A.M.* Executive Director Hayford informs the board that after tabulating the ranking, the results are as follows:

Chastain Skillman	3.3
Kimley Horn	4.5
Sumner Engineering and Consulting, Inc	4.7

There was a brief discussion. *Melanie Anderson out at 10:40 A.M. Harry Moldenhauer to vote for Melanie Anderson.* **Motion by Tommy Clay to authorize negotiations with Sumner Engineering and Consulting, Inc. Second by Steve Nelson. Vote unanimous (5-0), motion carried.**

**Motion by Steve Nelson to approve the ranking. Second by Tommy Clay. Vote unanimous (5-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 12 ‘SW 5<sup>th</sup> Avenue Wastewater Collection/Pumping System Update’** Executive Director Hayford informs the board that Jeff Sumner is present at the meeting today to give the Board an update on the project. Jeff Sumner with Sumner Engineering & Consulting, Inc. informs the board that they expect to provide the Board with a final version of the preliminary report for the project at the February Board Meeting. Executive Director Hayford discusses the area that is included in this project. Informational Purposes Only.

**Chairperson Creasman addressed Agenda Item No. 13 ‘SWSA Gopher Tortoise’** Executive Director Hayford discusses that during the preparation for site clearing, what appeared to be two gopher tortoise burrows were located. The OUA will obtain a tortoise relocation permit from FWC and then engage a firm to dig up the burrows to determine whether or not the burrows are active and occupied. If it is determined they are empty, then we report the empty burrows and move on with the project. If, upon excavation of the burrow(s) a tortoise is found, then by permit, the tortoise will need to be relocated, either on site or offsite. Until the FWC issues a permit, it is unknown as to whether or not onsite or offsite relocation will be required. It is anticipated that FWC will allow for onsite relocation of any tortoises found within the construction area. No construction related activity can proceed until the tortoise issue is resolved. Executive Director Hayford discusses the proposals submitted in regards to the associated services in the permitting and relocation of the gopher tortoise(s). **Motion by Tommy Clay to authorize Sumner Engineering and Consulting, Inc to provide associated services in the permitting and relocation of gopher tortoise(s) in the amount of \$6,900.00. Second by Tabitha Trent. Vote unanimous (5-0), motion carried.**

**Motion by Tommy Clay to authorize Sumner Engineering and Consulting, Inc to provide associated services in the actual relocation of gopher tortoise(s), either on the master pump/vacuum station site or relocation offsite in an amount not to exceed \$30,000.00. Second by Steve Nelson. Vote unanimous (5-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 14 ‘Master Pump Station – Site Civil Work’** Executive Director Hayford discussed that the work includes the driveway and culvert into the site, clearing the property line and installing a fence, clearing and building a rock stabilized road into the site, clearing the pump/vacuum station site and clearing and excavating a shallow storage pond. Executive Director Hayford discusses that the work was put out to bid. One bid was received for the project from B & B Site Development (B&B) in the amount of \$97,459.00. **Motion by Tommy Clay to approve the execution and issuance of the Notice of Award for the MPS Site Civil Work to B & B Development. Second by Steve Nelson. Vote unanimous (5-0), motion carried.**

**Motion by Tommy Clay to approve, upon completion of the gopher tortoise issue, the execution and issuance of the Notice to Proceed to B & B Site Development for the MPS Site Civil Work. Second by Steve Nelson Vote unanimous (5-0), motion carried**

**Chairperson Creasman addressed Agenda Item No. 15 ‘Master Pump Station Bid Award’** Executive Director Hayford discusses that the SWSA Project 1 Master Pump Station (MPS) was put out to bid. There were five bids submitted ranging from \$1,894,600 to \$2,645,140. The engineers estimate of construction was \$1,860,000. The Sumner Engineering & Consulting, Inc., team has reviewed the bids for compliance with the Instructions to Bidders, contacted the references and discussed the project at length with the bidder. Felix Associates of Florida, Inc. was the lowest bid with an amount of \$1,894,600.00. Based upon this effort, SEC has recommended an award to Felix Associates of Florida, Inc. Executive Director Hayford informed the Board that is Mr. Sumner is present should the OUA Board have any questions concerning the bid, bid process or award. **Motion by Tommy Clay to approve the execution and issuance of the Notice to Award to Felix Associates of Florida, Inc. in the amount of \$1,894,600.00 for the SWSA Master Pump Station. Second by Steve Nelson. Vote unanimous (5-0), motion carried**

**Chairperson Creasman addressed Agenda Item No. 16 ‘NW 26<sup>th</sup> Avenue WM Update’**

Executive Director Hayford discusses the NW 26<sup>th</sup> Avenue Watermain extension project in Basswood. Due to the unfavorable responses in October 2021, the OUA Board directed staff to take no action unless contacted by the residents on NW 26<sup>th</sup> Avenue. In December, the lot owner of 3747 NW 26<sup>th</sup> Avenue did contact the OUA. He has stated that there are a total of three lot owners that are interested in water service. Executive Director Hayford informs the Board that the cost to construct a 6-inch water main is approximately \$33,100. **Motion by Tommy Clay to construct the 6-inch watermain on NW 26<sup>th</sup> Avenue for the approximate cost of \$33,100.00. Second by Tabitha Trent. Vote unanimous (5-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 17 ‘66 Acre Lease Agreement’** Executive Director Hayford informed the Board that the current lease agreement between the Okeechobee Utility Authority and Pearce Cattle Company has expired. Both the OUA and Pearce Cattle had a successful lease agreement with a 2-Year extension. Pearce Cattle has paid the property taxes and provided insurance agreements as required. The OUA publicly advertised a bid for a new lease agreement on December 29, 2021. Bids were due to the OUA main office by 5PM on January 5, 2022. As of that date and time, Pearce Cattle Company was the only bid received. **Motion by Tommy Clay to accept Pearce Cattle Company lease with a 5 year term with 2 year extension at the price of \$3,505.00 per year. Second by Steve Nelson. Vote unanimous (5-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 18 ‘Conflict of Interest Policy’** Executive Director Hayford presents the Conflict-of-Interest Policy for the Board’s review and discussion. Executive Director Hayford informs that Board that the USDA loan agreement requires a written policy. The proposed OUA Policy is more restrictive than as stated on Form 8B in that this policy restricts any participation including discussions. **Motion by Steve Nelson to approve the Conflict of Interest Policy as presented. Second by Tommy Clay. Vote unanimous (5-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 19 ‘Public Comments’** There were none

**Chairperson Creasman addressed Agenda Item No. 20 ‘Items from the Attorney’** Attorney Conely informs the Board that he is still waiting on the Beaty Easement, however there is a delay due to COVID. He further discusses the items needed to finalize the paperwork for the 15<sup>th</sup> Street Homes Agreement. *George Gall out at 11:25 A.M.*

**Chairperson Creasman addressed Agenda Item No. 21 ‘Items from the Executive Director’**

Executive Director Hayford gave an update on current projects. *George Gall in at 11:28 A.M.* Executive Director Hayford informs the Board that bids for materials are out for the Force Main (MFM) and are due back February 2, 2022. Executive Director Hayford further informs the Board that there would be a cost savings for the OUA to purchase the pipe instead of the contractors.

**Chairperson Creasman addressed Agenda Item No. 22 ‘Items from the Board’** Executive Director Hayford discusses that at the December 2021 Meeting there was a discussion regarding moving the board meeting week, day and time. Executive Director Hayford discusses the benefits for OUA staff to move the meeting from the 2<sup>nd</sup> week to the third week. There was a brief discussion.

**Motion by Steve Nelson to move the next Board of Director’s Meeting to Thursday, February 17, 2022 at 8:30 A.M. Second by Tommy Clay. Vote unanimous (5-0), motion carried.**

**There being no other business, meeting adjourned at 12:04 P.M.**

PLEASE TAKE NOTICE AND BE ADVISED that if a person decided to appeal any decision made by the Okeechobee Utility Authority with respect to any matter considered at this meeting, he/she may need to ensure that verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A CD recording of this meeting is on file in the Executive Director’s office.

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Chairperson

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Executive Director (Secretary)