

**OKEECHOBEE UTILITY AUTHORITY  
MEETING MINUTES**

Monday, December 13, 2021 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:**

John Creasman\*

Tommy Clay\*

Steve Nelson\*

**Alternates:**

Jeff Fadley

Harry Moldenhauer\*\*

**Absent:**

Melanie Anderson

Glenn Sneider

Tabitha Trent

\*Voting Board Members

\*\*Voting in either Melanie Anderson's Absence

**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 none

**Chairperson Creasman addressed Agenda Item No. 3 'Meeting Minutes from November 8, 2021. Motion by Steve Nelson to approve the Meeting Minutes from November 8, 2021 as presented. Second by Tommy Clay. Vote unanimous (4-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 4 'Employee Recognition'** Chairperson Creasman recognized Brian Vick, who was not present, for his 20 years of service to the OUA and Drew Silvas, who was not present for his 30 years of service to the OUA.

**Chairperson Creasman addressed Agenda Item No. 5** Executive Director Hayford added one invoice from Sumner Engineering & Consulting, Inc '**Consent Agenda' Motion by Tommy Clay to approve the Consent Agenda as amended:**

**Consent Agenda Item No. 6 'Finance Report for the period ending October 11, 2021**

**Consent Agenda Item No. 7 'Invoice from Sumner Engineering & Consulting, Inc – SW Wastewater Service Area Project (Part D) in the amount of \$17,779.01'**

**Consent Agenda Item No. 8 'Invoice from Sumner Engineering & Consulting, Inc – SW**

**Wastewater Service Area Project (Part E) in the amount of \$15,387.54'**

**Consent Agenda Item No. 9 'Invoice from Sumner Engineering & Consulting, Inc – SW 5<sup>th</sup> Avenue Sewer in the amount of \$4,088.80'**

**Consent Agenda Item No. 10 'Invoice from Sumner Engineering & Consulting, Inc – SW Wastewater Service Area Project (Part B and C) in the amount of \$10,592.40'**

**Consent Agenda Item No. 11 'Invoices from Eckler Engineering, Inc. – Pine Ridge Park Utility Improvement in the amounts of \$9,005.43 and \$9005.43'**

**Consent Agenda Item No. 12 'Invoice from MacVicar Consulting, Inc. in the amount of \$250.00'**

**Consent Agenda Item No. 13 '2022 OUA Board of Director's Meeting Dates'**

**Consent Agenda Item No. 14 '2022 OUA Holidays**

**Additional Item – 'Invoice from Sumner Engineering & Consulting, Inc. – SW Wastewater Service Area Project (AACE Invoice) in the amount of \$1845.00**

**Second by Steve Nelson. Vote Unanimous (4-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 15 'First Baptist Church Sewer Line Replacement'** Executive Director Hayford discusses the First Baptist Church Sewer Line Replacement project which involved the replacement of some existing 6 inch gravity sewer under SW 5<sup>th</sup> Avenue that were failing that serves the church. B&B Site Development was tasked with the replacement of this existing gravity sewer line. The work has been successfully completed for the OUA and approved by the City of Okeechobee has approved the restoration work in their right of way. Executive Director Hayford discusses the invoice for final payment of \$10,380.00. **Motion by Tommy Clay to approve the final payment of \$10,380.00 to be paid to B & B Site Development upon approval OUA staff approval. Second by Steve Nelson Vote unanimous (4-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 16 'Oak Lake Estates Final'** Executive Director Hayford informs the board that the Oak Lake Estates stormwater/wastewater project is completed. Executive Director Hayford discusses the Notice of Final Completion as the project was deemed complete as of November 8, 2021. Executive Director Hayford discusses Change Order No. 2, which is a reconciliation change order which allows for adjustment of time and pricing closing out the project. This specific change order allows for 30 calendar days to be added to the contract due to weather related delays and additional work. In addition to time, the change order also deletes elements of work that were not installed or needed to complete the project work. This deleted work includes items such as asphalt repair, piping, concrete and other miscellaneous items, all detailed in the pay application. This deleted work is a total savings of \$199,152.15 lowering the final contracted price to \$1,096,751.65 from \$1,295,903.80. **Motion by Tommy Clay to approve Change Order No. 2. Second by Steve Nelson Vote unanimous (4-0), motion carried.**

**Motion by Tommy Clay to approve Final Pay Application #7 Final Pay Application in the amount of \$150,372.00. Second by Steve Nelson Vote unanimous (4-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 17 ‘Okee-Tantie Engineering Proposal’**

Executive Director Hayford discusses that the OUA advertised the engineering RFP for the Okee-Tantie Utility System Improvements project. Requests for Proposals were submitted by Kimley Horn, Sumner Engineering and Chastain Skillman. On December 2<sup>nd</sup>, the RFP Review Committee met to discuss the proposals with the Review Committee consisting of John Creasman, John Hayford and Jamie Mullis. The composite scores for reach each ranking were very close. Both Kimely Horn and Sumner Engineering received the same number of first place votes. Each committee member provided background as to how or why they reached their ranking. After the presentations, committee members discussed the rankings to see if there were changes to be made, none were made. Executive Director Hayford asked the Board to establish a ranking of the three proposals. There was a brief discussion about the companies presenting their proposals to the OUA Board at the January meeting along with a question and answer session. **Motion by Tommy Clay to have the companies make presentations of their proposal along with a question and answer session at the January Board Meeting. Second by Steve Nelson Vote unanimous (4-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 18 ‘CAS Governmental Services Annual Contract’**

Executive Director Hayford discussed that the original CAS Governmental Services, LLC contract executed on January 13, 2020, then extended on December 21, 2020, will expire next month without an extension. Current fees for the expiring extension are \$40,500.00. Executive Director Hayford discussed the proposed one year extension for CAS Governmental Services, LLC, in the amount of \$45,000.00. This extension will need to be in place so CAS Governmental Services can continue to represent the OUA in Tallahassee as the Legislative Session begins in mid-January. Connie Vanassche made a brief presentation to the board. **Motion by Steve Nelson to approve ccontract renewal with CAS Governmental Services in the amount of \$45,000.00. Second by Tommy Clay Vote unanimous (4-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 19 ‘OUA Interlocal Agreement’** Executive Director Hayford discussed there have been several OUA Interlocal Agreement Review committee (Okeechobee County and City of Okeechobee) meetings to discuss potential changes to the current Interlocal Agreement. The committee narrowed all discussions to three issues.

- 1) Should the super majority requirement for passing motions be reduced to simple majority; and
- 2) Should the County and City add one of their elected members to the OUA Board; and
- 3) Should the requirement for two Glades County OUA Board representatives be amended to include Okeechobee County/City of Okeechobee representatives if a Glades County resident does not apply.

The committee members will take the issues back to their respective Boards for discussion purposes and the Boards will vote as to whether or not to accept these changes to the Interlocal Agreement. Both the BOCC and City Council have to agree to a change prior to including it in an amendment to

the Interlocal Agreement.

The City Council discussed the three issues at the meeting held on December 7<sup>th</sup>. After discussions and presentations, the City Council decided to approved Item 1 (change to simple majority) and they did not approve the other two items. There was a brief discussion concerning compensation of OUA Board members attending OUA meetings, but the actual amendment language is still pending.

The Okeechobee County BOCC will place the OUA Interlocal Agreement on the December 16<sup>th</sup> meeting agenda. It is understood, that based upon City Council action, the only topic to be voted on will be the simple majority issue and possible compensation.

The OUA Board took no action.

**Chairperson Creasman addressed Agenda Item No. 20 ‘OUA Interlocal Agreement Legal Fees’** Executive Director Hayford discussed that at the last OUA Board meeting, a legal fee was presented from the County in the amount of \$1,648.34. OUA Board direction was to ask the County for any legal documents or opinions resulting from the invoice. A memorandum authored by Michael Minton was received from Okeechobee County and a copy was directed by email to each OUA Board member. A copy of this opinion memorandum is attached for your review. Executive Director Hayford informed the Board that this is all the OUA received in response to the November 11<sup>th</sup> letter. Executive Director Hayford discussed that since the November 2021 OUA Board meeting, the OUA has received a second invoice in the amount of \$825.00 for legal services related to the Interlocal Agreement. There was a brief discussion regarding this Agenda Item **Motion by Steve Nelson to pay invoices in the amount of \$1,648.34 and \$825.00 to the Okeechobee Board of County Commissioners. Second by Harry Moldenhauer. Vote unanimous (4-0), motion carried.**

**Chairperson Creasman addressed Agenda Item No. 21 ‘Public Comments’** There were none

**Chairperson Creasman addressed Agenda Item No. 22 ‘Items from the Attorney’** There were none

**Chairperson Creasman addressed Agenda Item No. 23 ‘Items from the Executive Director’** Executive Director Hayford gave an update on current projects.

**Chairperson Creasman addressed Agenda Item No. 24 ‘Items from the Board’** Tommy Clay expressed that Glades County Buckhead Ridge Developments connect to the OUA System. Harry Moldenhauer asked staff for update for the Lakeview WWTF. Steve Nelson asked if the OUA Board Meetings could be moved to the third week instead of second week. There was a brief discussion in regards to moving the meeting from Monday to Tuesday, as well as from 9:00 AM to 10:00 AM. Board will further discuss any changes at the meeting on January 10, 2022.

**There being no other business, meeting adjourned at 10.25 A.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)