

IMMOKALEE WATER & SEWER DISTRICT

1020 SANITATION ROAD

IMMOKALEE, FLORIDA 34142

(239) 658-3630

REGULAR MEETING

March 18, 2009

Call to Order:

Mr. Thomas called the meeting to order at 3:30 p.m. Mr. Thomas asked for a roll call.

(CALL TO ORDER)

Directors present:

Mr. Raymond Holland, Mr. Fred Thomas, Mr. Everett Loukonen, and Mrs. Anne Goodnight. Mr. Richard Rice entered the room at 3:38 p.m.

(ROLL CALL)

Staff present:

Mr. Kenneth Thompson, Mrs. Eva Deyo, Ms. Norma Ramirez, Mr. Marco Hernandez, Mr. Emmanuel Viaud, and Mr. Gary Ferrante with AECOM.

Others present:

Mr. Bernardo Barnhart entered the room at 3:47 p.m.

Adoption of Agenda:

Mr. Thomas asked to add under 2.H. Old Business -Employee Drugscreens.

Mr. Loukonen made a motion approve the Agenda as it has been submitted with the addition made by Mr. Thomas.

(MOTION TO APPROVE THE AGENDA)

Mr. Holland seconded the motion.

Motion carried unanimously.

Employee recognition:

The Board recognized Mr. Marco Hernandez as Employee of the month for January and Mr. Emmanuel Viaud for December.

Public Concerns:

Mr. Thompson stated that Mr. Robert Davenport had an issue he wanted to discuss but was not here at the moment. Otherwise there were none.

STAFF GOOD CAUSE ITEMS:

There were none.

BOARD CONCERNS:

There were none.

OLD BUSINESS:

Mr. Thomas advised the Board that one of his responsibilities as Chair was that he needed to assist with the employee drugscreens by picking random numbers. He explained the process in detail.

The Board discussed the random drugscreens testing in detail.

NEW BUSINESS:

There were none.

CONSENT AGENDA:

Mrs. Goodnight made a motion to approve the Consent Agenda.

Mr. Rice seconded the motion.

Motion carried unanimously.

(MOTION TO APPROVE CONSENT AGENDA)

ACTION AGENDA:

The Board discussed the Request for Proposal for the tank inspection in detail.

Mr. Rice made a motion to award the contract to Environmental & Marine Construction Services, Inc. from Edgewater, FL.

Mrs. Goodnight seconded the motion.

Motion carried unanimously.

(MOTION TO AWARD RFP FOR TANK INSPECTION TO ENVIRONMENTAL & MARINE CONSTRUCTION)

The Board discussed the Request for Qualifications for the engineering services in detail.

The committee made four recommendations in the following order: AECOM, Hole Montes, CDM and Wilson Miller.

(MOTION TO ACCEPT RECOMMENDATIONS FROM COMMITTEE FOR RFQ ENGINEERING)

Mr. Holland made a motion to accept the committees recommendations.

Mrs. Goodnight seconded the motion.

Motion carried unanimously.

Mr. Rice made a motion to approve Resolution 09-05-The Water Treatment Plant Improvements, construction project as complete.

(MOTION TO APPROVE RESOLUTION 09-05)

Mr. Loukonen seconded the motion.

Mr. Rice made a motion to approve Resolution 09-06-designating a portion of unrestricted net assets for specific purposes.

(MOTION TO APPROVE RESOLUTION 09-06)

Mr. Holland seconded the motion.

Motion carried unanimously.

DISCUSSION AGENDA:

Mr. Thompson stated that Mr. Davenport had spoken with staff and had advised them that some of his tenants did not match with his leases. Mr. Thompson asked if the District could come to some kind of arrangement with Mr. Davenport to have his tenants come in within 30 days to put up a deposit otherwise get disconnected.

Mr. Rice made a motion to authorize the Executive Director to come to an arrangement with Mr. Davenport to give his tenants enough time to put up a deposit.

(MOTION TO AUTHORIZE STAFF TO MAKE ARRANGEMENTS WITH MR. DAVENPORTS TENANTS FOR DEPOSIT)

Mr. Holland seconded the motion.

Motion carried unanimously.

Other Public Interests:

There were none.

Adjournment:

Meeting adjourned 4:18 p.m.

(MEETING ADJOURNED)

Reviewed by:

Mr. Richard Rice, Secretary

Date

RESOLUTION # 09-05

RESOLUTION OF THE BOARD OF COMMISSIONERS ACCEPTING THE “WATER TREATMENT PLANT IMPROVEMENTS” CONSTRUCTION PROJECT AS COMPLETE AND TO PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of the IMMOKALEE WATER AND SEWER DISTRICT (hereinafter referred to as the "Board") is empowered to construct, operate and maintain a Water and Sewer System (the "System") within the boundaries of the lands described in Florida Statute Chapter 2005-298; and

WHEREAS, the District has received improvements to the system in the form of completed construction projects.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE IMMOKALEE WATER AND SEWER DISTRICT, in public meeting assembled that:

The Board wishes to accept the Water Treatment Plant Improvements of the Community System Improvement construction project as substantially complete, effective on the 18th day of March, 2009; contingent upon receipt of certification of completion from the engineer of record, Boyle Engineering/AECOM.

If any phase or portion of this Resolution is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

PASSED AND DULY ADOPTED by the Board of Commissioners of the IMMOKALEE WATER AND SEWER DISTRICT, this 18th day of March, 2009

**BOARD OF COMMISSIONERS
IMMOKALEE WATER AND SEWER DISTRICT**

BY: _____
Fred N. Thomas, Jr.
Chair

BY: _____
Richard Rice
Secretary

RESOLUTION # 09-06

RESOLUTION OF THE BOARD OF COMMISSIONERS DESIGNATING A PORTION OF UNRESTRICTED NET ASSETS FOR SPECIFIC PURPOSES, AND TO PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of the IMMOKALEE WATER AND SEWER DISTRICT (hereinafter referred to as the "Board") is empowered to construct, operate and maintain a Water and Sewer System (the "System") within the boundaries of the lands described in Florida Statute Chapter 2005-298; and

WHEREAS, the Board is empowered to prescribe, fix, establish and collect fees, rentals or other charges (hereinafter sometimes referred to as "revenues") for the use of the facilities and services furnished by said System, said revenues to be fixed and revised from time to time so as to be sufficient at all times to provide for the expense of the operation, maintenance and repair of such System and to provide a margin of safety over and above the total amount of any such expenses, and

WHEREAS, the Board desires to designate a portion of their unrestricted net assets for specific purposes, as recommended by their auditor.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE IMMOKALEE WATER AND SEWER DISTRICT, in public meeting assembled that:

The Board voted to approve the designation of additional unrestricted net assets in the following manner:

Designated for operations	\$1,357,577
Designated for vehicle replacement	100,000
Designated for capital equipment	100,000
Designated for emergencies	100,000

This designation will allow the District to have the recommended six months of operating expenses (excluding depreciation) in reserve.

This resolution shall become effective on March 18, 2009.

If any phase or portion of this Resolution is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

PASSED AND DULY ADOPTED by the Board of Commissioners of the IMMOKALEE WATER AND SEWER DISTRICT, this 18th day of March , 2009

**BOARD OF COMMISSIONERS
IMMOKALEE WATER AND SEWER DISTRICT**

BY: _____
Fred N. Thomas, Jr.
Chairman

BY: _____
Richard Rice
Secretary