

# IMMOKALEE WATER & SEWER DISTRICT

1020 SANITATION ROAD

IMMOKALEE, FLORIDA 34142

(239) 658-3630

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## REGULAR MEETING

April 15, 2009

### **Call to Order:**

Mr. Thomas called the meeting to order at 3:33 p.m. Mr. Thomas asked for a roll call.

(CALL TO  
ORDER)

### *Directors present:*

Mr. Raymond Holland, Mr. Fred Thomas, Mr. Everett Loukonen, Mrs. Anne Goodnight, Mrs. Sandra Freeman and Mr. Richard Rice.

(ROLL CALL)

### *Staff present:*

Mr. Kenneth Thompson, Mrs. Eva Deyo, Ms. Norma Ramirez, Ms. Oona Reyna-Rodriguez, Mrs. Jessica Hernandez Mrs. Ofelia Gonzalez, Ms. Jo Ann Ramey and Mr. Gary Ferrante with AECOM.

### *Others present:*

Please see sign in sheet.

### **Adoption of Agenda:**

Mrs. Deyo asked to take off 4. B. Engineers Contract.

Mrs. Goodnight made a motion approve the Agenda with the following changes on 4. B.

(MOTION TO  
APPROVE THE  
AGENDA)

Mr. Loukonen seconded the motion.

Motion carried unanimously.

**Employee recognition:**

The Board recognized Mrs. Jessica Hernandez as Employee of the month for February.

**Public Concerns:**

Mr. Thomas explained to the Board that the District had been having several identification issues and that District employees would need to get training on identifying fake identifications as well as what types of identifications to accept, due to FTC rules. Mr. Thomas stated that Mr. Thompson had been talking to Rural Legal Services to get some clarification on what types of identifications to use and how to detect fraudulent identifications. Mr. Thomas also stated that the District is now accepting all Government issued identifications. In the event that the identification is not valid and the District employee thinks that it is a forged identification then the employee will hold on to the identification and call the police and let them deal with the situation as they would with fake money. Mr. Thomas asked the Board to approve Resolution 09-07 which would amend Resolution 09-01.

The Board discussed the FTC requirements for identifications in detail.

Mr. Rice made a motion to approve Resolution 09-07.

Mrs. Goodnight seconded the motion.

Motion carried unanimously.

Mr. Rice made a motion ratifying the actions of the Executive Director to take the steps reflected in 09-07 two weeks prior to this approval.

Mrs. Goodnight seconded the motion.

Motion carried unanimously.

Mr. Rice brought to the Boards attention that Mr. Robert Davenport was being charged on account 21170290-06 charges that were not water consumption and that it was not right that the property owner was getting stuck with the bill.

The Board discussed the issue in detail.

Mrs. Goodnight made a motion to take off all the fines and late charges and charge only for the water and sewer.

(MOTION TO APPROVE RESOLUTION 09-07)

(MOTION TO RATIFY THE ACTIONS OF THE EXECUTIVE DIRECTOR REFLECTING RESOLUTION 09-07)

The Board and Mr. Davenport had a discussion of the leases that Mr. Davenport has verses the Housing Authority.

Mr. Davenport asked the Board that he would like to withdraw what he talked about in reference to account #21170290-06 and would like to be taken to court.

The Board discussed issues staff had with money owed at properties, staff asked who gets billed, and does the District provide services at a property if there is money owed.

The Board discussed it in detail.

Mr. Holland seconded the motion.

The Board discussed the fees on Mr. Davenport's bill.

The Board instructed staff to bring back to the Board, how much, was the landlords fees from the \$77,000 write offs the District was getting ready to do.

Mrs. Goodnight withdrew her motion until she received more information.

Mrs. Freeman made a motion to instruct staff to bring back to the Board what the landlord bills are and tell them what the water consumption is as opposed to the fees.

Mr. Rice seconded the motion.

Mr. Davenport asked how the District is going to handle the old leases that the customers have now.

Motion carried 5 to 1. Mr. Holland opposed.

Mr. Rice made a motion that any pre existing contract or lease that the landowners have with their tenants, that they be grandfathered into the Districts action that was taken in November, and that the District will notify the landlords that services are going to be turned off to give the landlords enough time to execute their leases.

Mr. Holland seconded the motion.

The Board discussed how to grandfather in the old leases in place in detail.

Motion carried unanimously.

(MOTION TO  
INSTRUCT  
STAFF TO  
BRING BACK  
INFOR-  
MATION ON  
THE  
LANDLORD  
BILLS)

(MOTION TO  
GRAND-  
FATHER IN  
OLD LEASES)

The Board discussed the renewal of a lease. The Board decided that when the tenant and the landlord terminate the lease they should notify Immokalee Water & Sewer District.

Mr. Rice made a motion to forgive all fees owed by the landlords.

Mr. Holland seconded the motion.

The motion failed 4 to 2.

Mr. Thomas asked staff to bring back information on the total magnitude on the kind of situation the District is having with all the fees and leases so that the Board can make a decision and treat everyone alike.

**STAFF GOOD CAUSE ITEMS:**

There were none.

**BOARD CONCERNS:**

There were none.

**OLD BUSINESS:**

There were none.

**NEW BUSINESS:**

There were none.

**CONSENT AGENDA:**

Mr. Rice and Mrs. Goodnight made a motion to approve the Consent Agenda.

Mrs. Freeman seconded the motion.

Motion carried unanimously.

**ACTION AGENDA:**

There were none.

(MOTION TO  
APPROVE  
CONSENT  
AGENDA)

**DISCUSSION AGENDA:**

Mr. Thompson advised the Board that Underwater Solutions Inc had sent a letter and they were, wanting the bid be awarded to them.

Mrs. Goodnight made a motion to holdfast on the decision that they had made already for the cleaning of the tanks and to send a letter to Underwater Solutions Inc.

(MOTION TO HAVE ATTORNEY SEND LETTER TO UNDER-WATER SOLUTIONS)

Mr. Holland seconded the motion.

Motion carried unanimously.

Mr. Rice stated that the Chamber will be having an attorney coming on July 1, 2009 and he will be talking about the changes on labor laws. Mr. Rice invited all to attend.

**Other Public Interests:**

There were none.

**Adjournment:**

Mr. Rice made a motion to adjourn.

(MOTION TO ADJOURN)

Mrs. Freeman seconded the motion.

Motion carried unanimously.

Meeting adjourned 4:18 p.m.

**Reviewed by:**

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**Mr. Richard Rice, Secretary**

\_\_\_\_\_  
**Date**