

**OKEECHOBEE UTILITY AUTHORITY  
MEETING MINUTES**

Monday, July 6, 2020 10:00 A.M.

Okeechobee Utility Authority

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

Okeechobee, Florida

**Chairperson Nelson called the meeting to order at 10:11 A.M.** with the following members and alternates present:

**Board Members:**

Melanie Anderson\*

John Creasman\*

Steve Nelson\*

**Alternates:**

Jeff Fadley\*\*

Harry Moldenhauer

**Absent:**

Tommy Clay

Carl Leonard

\*Voting Board Members

\*\*Voting in Tommy Clay's absence

**OUA Members:**

John Hayford

George Gall

Kristy Hamblen

Tom Conely

**The Pledge of Allegiance was led by Chairperson Nelson.**

**Chairperson Nelson addressed Agenda Item No. 2 'Public Hearing - Resolution 20-04 – Budget FY20 Amendment #1'**

**Motion by John Creasman to open the Public Hearing at 10:12 A.M. Second by Melanie Anderson. Vote unanimous (4-0), motion carried.**

Executive Director Hayford gave a brief description of the changes included in the FY20 Budget Amendment #1.

**Chairperson Nelson called for comments from the Public.** There were none.

**Motion by John Creasman to close the Public Hearing at 10:15 A.M. Second by Jeff Fadley. Vote unanimous (4-0).**

**Chairperson Nelson called for comments from the Board.** There were none.

Executive Director Hayford read the title of Resolution 20-04.

**Motion by John Creasman to adopt Resolution 20-04 as presented. Second by Jeff Fadley. Vote unanimous (4-0), motion carried.**

**Chairperson Nelson addressed Agenda Item No. 3 'Meeting Minutes from June 9, 2020'**

**Motion by Jeff Fadley to approve the Meeting Minutes from June 9, 2020. Second by John Creasman. Vote unanimous (4-0), motion carried.**

**Chairperson Nelson addressed Agenda Item No. 4 ‘Employee Recognition’** Chairperson Nelson presented John Hayford with a check and a Certificate of Appreciation for his 20 years of service to the OUA.

**Chairperson Nelson addressed Agenda Item No. 5 ‘Consent Agenda’ Motion by John Creasman to approve the Consent Agenda as follows:**

**Consent Agenda Item No. 6 ‘Finance Report for the period ending June 30, 2020’**

**Consent Agenda Item No. 7 ‘Invoice from Eckler Engineering, Inc., in the amount of \$15,730.75 – SWTP Improvements – Professional Services**

**Consent Agenda Item No. 8 ‘Invoice from Eckler Engineering, Inc. – in the amount of \$32,032.00 – Pine Ridge Park Utility Improvements’**

**Consent Agenda Item No. 9 ‘Invoice from One Water Inc., - Two Pilot Project in the amount of \$52,969.00’**

**Consent Agenda Item No. 10 ‘Invoice from Holtz Consulting Engineers, Inc in the amount of \$21,343.25’**

**Consent Agenda Item No. 11 ‘Invoice from Vocelle and Berg, LLP in the amount of \$3,937.50’**

**Second by Jeff Fadley. Vote unanimous (4-0), motion carried.**

**Chairperson Nelson addressed Agenda Item No. 12 ‘Loan Payment Deferment Options’**

Finance Director Gall advised that this is an informational item only. Finance Director Gall gave the options of deferring the payments on three of the loans that the OUA currently has.

*Executive Director Hayford advised that Agenda Item No. 5 ‘Consent Agenda’ listed the wrong Consent Agenda Item for number 11. It should be for the ‘Invoice from Vocelle and Berg, LLP in the amount of \$3,937.50’ instead of ‘Accounts to be Written Off’. Motion by John Creasman to approve the payment of \$3,937.50 to Vocelle and Berg, LLP as presented. Second by Jeff Fadley. Vote unanimous (4-0), motion carried.*

**Chairperson Nelson addressed Agenda Item No. 13 ‘OUA Board Pension Trustee**

**Appointment’** Executive Director Hayford advised that it is time for the OUA Board of Directors to appoint a trustee to the OUA Employee Pension Plan. OUA staff advertised for the position and received one application from Jamie Mullis. Mr. Mullis currently serves as the OUA Employee Pension Plan Chairperson and was appointed by the OUA employees in 2016. Mr. Mullis is applying to be appointed by the OUA Board of Directors. **Motion by Jeff Fadley to appoint Jamie Mullis as a trustee to the OUA Employee Pension Plan. Second by John Creasman. Vote unanimous (4-0), motion carried.**

**Chairperson Nelson addressed Agenda Item No. 14 ‘Audit Firms Ranking’** Melanie Anderson explained the process that the Audit Selection Committee went through to rank the four firms that submitted an RFP. The Audit Selection Committee ranked the firms as follows:

1. Mauldin & Jenkins, LLC
2. Nowlen, Holt & Miner, P.A. (OUA’s current Auditor)

3. CliftonLarsonAllen, LLP
4. Carr, Riggs & Ingram, LLC.

Melanie Anderson advised that Mauldin & Jenkins, LLC ranked three points higher than Nowlen, Holt & Miner, P.A. **Motion by John Creasman to accept and approve the ranking of the auditors as provided by the Audit Selection Committee and to enter into contract negotiations with Mauldin & Jenkins, LLC. Second by Jeff Fadley.** Jeff Fadley asked Finance Director Gall for his opinion on the rankings. Finance Director Gall advised that he ranked Nowlen, Holt & Miner, P.A. as his number one ranked firm and Mauldin & Jenkins, P.A. his fourth ranked firm. Mr. Gall continued that Nowlen, Holt & Miner, P.A. being a smaller firm is more flexible; that the staff of Nowlen, Holt and Miner has a longer tenure than the staff members of the other firms; that their proximity is closer than the other firms if there was an urgent matter; their excellent references; and due to excellent experience for more than 10 years causes a savings in OUA staff time. **Jeff Fadley withdrew his second on the motion based on staff's strong opinion of Nowlen, Holt and Miner, P.A. Chairperson Nelson called for a second for the motion on the floor. Motion died for lack of second.**

**In compliance with Florida Statute 218.391 (4) (c) Motion by Jeff Fadley to change the rankings of the firms based on staff's strong recommendation and over 10 years' experience with Nowlen, Holt & Miner, P.A. to the following:**

1. Nowlen, Holt & Miner, P.A.
2. Mauldin & Jenkins, P.A.
3. CliftonLarsonAllen LLP
4. Carr, Riggs & Ingram, LLC.

**and to allow staff to enter into contract negotiations with Nowlen, Holt & Miner, P.A. and if those negotiations fail then with Mauldin & Jenkins, P.A. Second by Melanie Anderson. Vote unanimous (4-0), motion carried.**

**Chairperson Nelson addressed Agenda Item No. 15 'Customer Shut-Off'** Executive Director Hayford presented the current numbers of unpaid accounts through the end of June 2020. At last month's meeting, the Board of Directors elected to suspend penalties, interest and shut-offs till the July Board of Directors meeting. After a brief discussion, **motion by John Creasman to suspend interest, penalties and shut-offs till the August 2020 Board of Directors meeting. Second by Jeff Fadley. Vote unanimous (4-0), motion carried.**

**Chairperson Nelson addressed Agenda Item No. 16 'OUA Hardship Application'** Executive Director Hayford advised that staff has compiled a series of forms to create an OUA Hardship Application for the OUA customers who have been financially affected by COVID-19. Since the OUA Board of Directors has elected to suspend interest, penalties and shut-off till August, staff is recommending the OUA to return to normal operating procedures with the August 2020 billing for all cycles. There are approximately 460 delinquent accounts that qualify for shut-off. If a customer meets the requirements of the Hardship Application, the customer will be offered an interest free, payment agreement for 12 months with a smaller than normal down-payment. If the customer does not meet the requirements of the Hardship Application, the customer will be offered the regular

payment agreement offered by the OUA. The customers will be notified that they will need to make the proper arraignments to satisfy the past due balance on their account by either signing up for the Hardship Application payment agreement, the normal payment agreement or pay their balance in full by the September 2020, due date on their August 2020 bill. After reviewing the presented Hardship Application, **motion by John Creasman to approve the Hardship Application as presented with the removal of the “Ethnicity/Special Needs” line on page 3 of the application. Second by Melanie Anderson. Vote unanimous (4-0), motion carried. Motion by Jeff Fadley to authorize staff to offer the normal payment agreement as allowed by current OUA policy or the pay in full option to the customers with delinquent balances. Second by Melanie Anderson. Vote unanimous (4-0), motion carried. Motion by John Creasman to approve the Hardship Application payment agreement of no interest for twelve months and a smaller down payment. Second by Jeff Fadley. Vote unanimous (4-0), motion carried.**

**Chairperson Nelson addressed Agenda Item No, 17 ‘2020 State Appropriation’** Executive Director advised that the OUA received notice that House Bill 3243 made it in the final budget at \$500,000.00 for the expected costs of Southwest Wastewater Service Area project. This item is for informational purposes only.

**Chairperson Nelson addressed Agenda Item No, 18 ‘24-Inch Line Stop’** Executive Director Hayford advised that the storage tank at the SWTP is nearing completion. The original design allowed for the new tank to tie into existing pipe however, during construction it was determined that the existing valves do not work well enough to completely shut off the water supply from the distribution system. A new plan was developed to move the tie-in to the 24-inch piping distribution system just outside the plant. OUA staff contacted several contractors to complete this work, out of five contractors that was contacted, Rangeline Tapping Services responded with a proposal of \$24,000 for the line stop and \$9,000 for each re-stop needed. **Motion by John Creasman to approve the proposal from Rangeline Tapping Services in the amount of \$33,000 to install the 24-inch line stop and one re-stop. Second by Jeff Fadley. Vote unanimous (4-0), motion carried.**

**Chairperson Nelson addressed Agenda Item No. 19 ‘Southwest Wastewater Service Area’** Executive Director Hayford advised the preliminary engineering report for this project has identified that a vacuum pump station will be needed for this project. Staff identified four possible parcels for the vacuum station to be constructed on. Two parcel owners responded with a no; one parcel owner has not responded. The fourth parcel owner has agreed to sell the property to the OUA at \$175,000. The OUA had the 2.29-acre parcel appraised. The appraisal came back at \$140,000. Recently, the OUA purchased 2 acres from the Okeechobee County School Board for \$72,000 per acre. Based on this purchase, if the same value was applied to this parcel, the selling price would be \$164,880. The owner has agreed to the purchase price of \$165,000. **Motion by Jeff Fadley to approve the purchase of the property located at 2601 SW 24<sup>th</sup> Ave in the amount of \$165,000. Second by John Creasman. Vote unanimous (4-0), motion carried.**

**Chairperson Nelson addressed Agenda Item No. 20 ‘Public Comments’** There were none.

**Chairperson Nelson addressed Agenda Item No. 20 ‘Items from the Attorney’** Attorney Conely gave an update on the 46<sup>th</sup> Avenue lawsuit.

Attorney Conely gave an update on the purchase of the property from Okeechobee County School Board.

**Chairperson Nelson addressed Agenda Item No. 21 ‘Items from the Executive Director’** Executive Director gave an update on current projects of the OUA.

**Chairperson Nelson addressed Agenda Item No. 21 ‘Items from the Board’** The Board of Directors directed staff to calculate the costs to have the OUA Boardroom wired for the proper video and audio to hold the OUA Board of Directors meetings at the OUA main office and bring back at the next meeting. The Board of Directors advised they will meet at the OUA main office on August 10, 2020.

**There being no other business, meeting adjourned at 12:07 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)