

MINUTES
CLAY COUNTY UTILITY AUTHORITY
March 5, 2019

The Board of Supervisors of the Clay County Utility Authority (CCUA) met in Regular Session in the Board meeting room at the Administrative Office of the Clay County Utility Authority, 3176 Old Jennings Road, Middleburg, Florida, on the above-stated date.

Item No. 1 – Call to Order

Chairman Buck called the meeting to order at 2:04 P.M.

Item No. 2 – Invocation/Pledge of Allegiance

Mr. Welch offered the Invocation and led those in attendance in the Pledge of Allegiance.

Item No. 3– Roll Call

Roll Call was taken with Chairman Buck, Vice-Chairman Gardella, Mr. Davis, Mr. Starnieri, and Mr. Welch in attendance.

Also present at the meeting were Executive Director Tom Morris, Chief Operations Officer Jeremy Johnston, Chief Information Officer Allen Boatright, Chief Customer Officer Celeste Goldberg, Accountant Karen Osborne, Program Manager Warrick Sams, Wastewater Superintendent Dennis Martin, Engineering Administrative Assistant Jessica Gray, Administrative Assistant Operations Alicia Baker, and Grady H. Williams, Jr. LL.M, legal counsel to the CCUA.

Item No. 4 – Approval of Minutes

a. Board of Supervisors Regular Meeting, February 19, 2019

After discussion, Mr. Davis moved, seconded by Mr. Starnieri and carried 5-0, to approve the minutes of the Board of Supervisors Regular Meeting, February 19, 2019.

Item No. 5– Approval of Consent Agenda

a. Approval of Financial and Operational Activities

Item 5(a)3 was removed from consideration by staff. After discussion, Mr. Davis moved, seconded by Mr. Welch and carried 5-0, to approve the remaining Financial and Operational Activities, as follows;

Approval of Payment of Warrants

Warrants totaling \$1,338,778.74

- a. Schedule of payments to Sole Sources
 - b. Schedule of Emergency Repairs/Purchases - None
 - c. Schedule of items initiated under Emergency Contract - None
 - d. Schedule of payments made from the Emergency Account
 - e. Schedule of claims paid under the Sewage Backup Response Policy - None
 - f. Detailed Descriptive Warrant Report
- 2) Request for Asset Disposal Authorization - None
 - 3) Request for Sole Source Designation – Cerulean Studios – Trillian Instant Messenger

- b. Approval of Capital Budget Activities - None
- c. Approval of Developer Agreements, Warranty Deeds & Easements

After discussion, Mr. Davis moved, seconded by Mr. Starneri and carried 5-0, to approve the Developer Agreements, Warranty Deeds & Easements as follows;

- 1) Developer Agreement CU18/19-13 - Wastewater Service to 185 Brickyard Road (Brickyard Road In-Fill Project, Phase I) (Edward L. Young, Jr.) - 1 ERC wastewater, 1 ERC environmental impact, 1 ERC debt service - \$11,524.39
- 2) Developer Agreement KU18/19-16 - Water & Wastewater Service to 1141 & 1143 Florida Street (Wiggins Construction Company of North Florida, Inc.) - 2 ERC's water, 2 ERC's AWS, 2 ERC's wastewater, 2 ERC's reclaimed, 2 ERC's debt service - \$40,075.48
- 3) Grant of Easement – 4401 SE 3rd Place – Grantors – Christian Binet and Dawn M. Freeland
- 4) Grant of Easement – 1141 & 1143 Florida Street – Grantor – Wiggins Construction Company of North Florida, Inc.

Item No. 6 – Customer Account Adjustments – None

Item No. 7 – Business discussed at Committee Meetings - None

Item No. 8 – Executive Director's Business

- a. Consideration of proposed Change Order #9 to the Agreement Dated June 6, 2006 between Clay County Utility Authority and NuTerra Management, LLC, and BCR Environmental Corporation to provide upgrades to the biosolids treatment system at the Spencer's WWTF

Mr. Morris presented for consideration proposed Change Order #9 to the Agreement Dated June 6, 2006 between Clay County Utility Authority and NuTerra Management, LLC, and BCR Environmental Corporation to provide upgrades to the biosolids treatment system at the Spencer's WWTF. After discussion, Mr. Welch moved, seconded by Vice-Chairman Gardella and carried 5-0 to approve Change Order #9 in the not to exceed amount of \$989,275.00, as presented by Mr. Morris.

- b. Request for award of Project 2017/2018-A6 – Peter's Creek WTP Ground Storage Tank and Pump Station 4 and approval of the minutes of the bid opening held on February 14, 2019

Mr. Johnston presented a request for award of Project 2017/2018-A6 – Peter's Creek WTP Ground Storage Tank and Pump Station 4 and approval of the minutes of the bid opening held on February 14, 2019. Four contractors attended the mandatory pre-bid conference. Staff received two bids, and after evaluation by staff and the project engineer, Petticoat-Schmitt Contractors, Inc. was the apparent qualified low bidder. After discussion, Mr. Welch moved, seconded by Mr. Davis and carried 5-0, to approve the minutes of the bid opening held on February 14, 2019 and award Project 2017/2018-A6 – Peter's Creek WTP Ground Storage Tank and Pump Station 4 in the amount of \$2,743,838 to Petticoat-Schmitt Contractors, Inc., as presented by Mr. Johnston. Mr. Welch requested staff reach out to the other contractors who attended the pre-bid conference and inquire why they opted to not submit a bid.

- c. Consideration of a request for financing from Mrs. Melissa Unger for charges associated with providing wastewater service to her residential property located at 1159 Florida Street, Fleming Island, Florida

Mr. Morris presented for consideration a request for financing from Mrs. Melissa Unger for charges associated with providing wastewater service to her residential property located at 1159 Florida Street,

Fleming Island, Florida. After discussion, Mr. Welch moved, seconded by Vice-Chairman Gardella and carried 5-0, to approve financing in the amount of \$8,195.28 for a period of ten (10) years at CCUA's standard terms and interest rate as annually approved, as presented by Mr. Morris.

d. Discussion regarding the March 19, 2019 Board of Supervisors meeting

Mr. Morris informed the Board it appears we will not have a quorum of members in attendance for the meeting which is scheduled on March 19, 2019. Mr. Morris after reviewing the options with the Board, requested the meeting be cancelled. After discussion, Vice-Chairman Gardella moved, seconded by Mr. Starneri and carried 5-0, to cancel the meeting scheduled for March 19, 2019 and authorized staff to proceed with routine payables, financing of service connections for failed wells and septic tanks, and construction contract ratifications if needed. All actions taken by staff relating to the above will be presented for ratification at the meeting on April 4, 2019.

e. Other - None

Item No. 9 – Legal Business

a. Request for approval of proposed Resolution No. 2018/2019-04 – Authorizing tax-exempt lease purchase agreement with Dell Financial Services

Mr. Williams presented a request for approval of proposed Resolution No. 2018/2019-04 – Authorizing tax-exempt lease purchase agreement with Dell Financial Services. The overall cost of the project is \$949,979.00. The lease purchase agreement with the associated discount of \$94,997.90 from Dell is in the amount of \$854,981.10 payable over a five-year period in the amount of \$189,995.80 per year. Members of the Board, Mr. Williams and staff discussed the terms of the agreement. After discussion, Mr. Welch moved, seconded by Mr. Starneri and carried 5-0, to approve Resolution No. 2018/2019-04 and authorized staff to execute the documents necessary to proceed with this lease purchase agreement, as presented by Mr. Williams.

b. Other - None

Item No. 10 – Old Business/New Business

Mr. Welch commented on the letter which was received from the Ravines Community Association, Inc. He said their letter referenced the incorrect attorney and we responded to same. Staff stated they have provided our response to the correct firm.

Item No. 11 – Public Comment - None

Item No. 12 – Supervisor Comments

Mr. Davis reported he met with staff prior to the meeting and he stated he appreciated their time and work on the Dell agreement.

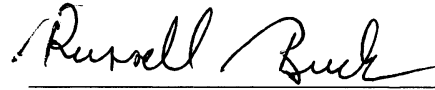
Mr. Starnieri stated he appreciates staff's work and all the diverse discussion the Board has on the agenda items. He said additional lead time on items such as the Dell agreement would be appreciated.

Mr. Welch commented on the FYI item from Mr. Bachara and the Construction Report. Staff responded to his inquiries.

Chairman Buck commented on the Dell agreement but said he would have appreciated an Executive Summary outlining an overall review of the contract provisions.

Item No. 13 – Adjournment

Chairman Buck adjourned the meeting at 2:49 P.M.



Russell Buck, Chairman


Janice Koudemilk, Recording Secretary