

MINUTES
CLAY COUNTY UTILITY AUTHORITY
February 16, 2021

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 Kloss called the meeting to order at 2:00 P.M.

Item No. 2 – Invocation/Pledge of Allegiance

Vice-Chairman Davis offered the Invocation and led those in attendance in the Pledge of Allegiance.

Item No. 3– Roll Call

Roll Call was taken with Chairman Kloss, Vice-Chairman Davis, Mrs. Gardella, Mr. Hodges, and Mr. Starnieri in attendance.

Also present at the meeting were Executive Director Jeremy Johnston, Chief Operations Officer Teri Shoemaker, Chief Financial Officer Jeff Wesselman, Chief Human Resources Officer Kim Richardson, Assistant Chief Financial Officer Karen Osborne, Public & Legislative Relations Liaison Celeste Goldberg, Procurement Manager Angelia Wilson, Administrative Assistant Operations Alicia Baker, Administrative Assistant Engineering Lori Stewart, and Grady H. Williams, Jr., legal counsel to the CCUA.

Item No. 4 – Approval of Minutes

- a. Board of Supervisors Personnel Committee Meeting, February 2, 2021
- b. Board of Supervisors Regular Meeting, February 2, 2021

After discussion, Vice-Chairman Davis moved, seconded by Mr. Starnieri, and carried 5-0, to approve the minutes of the Board of Supervisors Personnel Committee Meeting and Regular Meeting, held on February 2, 2021.

Item No. 5– Approval of Consent Agenda

- a. Approval of Financial and Operational Activities

After discussion, Mr. Starnieri moved, seconded by Mrs. Gardella, carried 5-0, to approve the Financial and Operational Activities and Developer Agreements, Warranty Deeds & Easements, as follows;

- 1) Approval of Payment of Warrants
Warrants totaling \$1,523,289.85
 - a. Schedule of payments to Sole Sources
 - b. Schedule of Emergency Repairs/Purchases
 - c. Schedule of items initiated under Emergency Contract - None
 - d. Schedule of payments from the Emergency Account
 - e. Schedule of claims paid under the Sewage Backup Response Policy – None

- f. Detailed Descriptive Warrant Report
- g. Statement from Grady H. Williams, Jr. LL.M.
- 2) Request for Asset Disposal Authorization - Vehicles
- 3) Request for Sole Source Designation - None

b. Approval of Capital Budget Activities - None

c. Approval of Developer Agreements, Warranty Deeds & Easements

- 1) Developer Agreement CU20/21-08 - Wastewater Service to 184 Brickyard Road (Brickyard Road In-Fill Project, Phase I) (Julia L. Mills & James Earnest Lee Mills) - 1 ERC wastewater, 1 ERC environmental impact, 1 ERC debt service - \$9,658.09 (\$9,294.89 financed)
- 2) Developer Agreement KH20/21-05 - Water Service to 7836 State Road 21 (Jackie Downie Suarez & Gerardo Suarez, Jr.) – 1 ERC water, 1 ERC AWS, 1 ERC debt service - \$2,935.00
- 3) Developer Agreement KU20/21-19 - Wastewater Service to 201 Old Hard Road (Ted S. Watron & Peggie K. Watron) - 1 ERC wastewater, 1 ERC environmental impact, 1 ERC debt service - \$11,237.04
- 4) Developer Agreement KU20/21-20 - Water Service to 6837 Old Church Road (Kenneth Robert Irwin, Jr. & Elizabeth S. Irwin) – 1 ERC water, 1 ERC AWS, 1 ERC debt service - \$3,617.46
- 5) Developer Agreement SS20/21-04 - Armstrong Commercial Development, Phase 4 – Infrastructure Only (Armstrong Venture, L.L.C.) - \$3,487.00
- 6) Grant of Easement – College Drive Business Park at 169 College Drive (Southlake Land Trust)
- 7) Grant of Easement – 165 Old Jennings Road (Leonard Morey, III & Amy Morey)

Item No. 6 – Customer Account Adjustments - None

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

Item No. 8 – Executive Director’s Business

a. Request for approval of proposed Resolution No. 2020/2021-04 - Adopting Public Bid Receipt, Opening, Award, Posting, Protest, and Recording Policy and Procedures

Chief Financial Officer Jeff Wesselman presented a request for approval of proposed Resolution No. 2020/2021-04 - Adopting Public Bid Receipt, Opening, Award, Posting, Protest, and Recording Policy and Procedures. Staff has interviewed and participated in supplier demonstrations with Jagger One, UPG Solutions, LLC d.b.a RFP360, and Bonfire Interactive Ltd. for eSourcing and contract management solutions to consolidate, streamline and provide transparency within the procurement process. Current practice requires staff to collect bid responses, produce manual tabulations, and provide hard copies for each bid response for the internal review of the submittals. Bonfire Interactive Ltd. platform removes the manual procurement process by providing an electronic platform that will maintain supplier database, advertise solicitations, receive bid responses, tabulate scores, online evaluations, and a repository for contracts. After discussion, Mrs. Gardella moved, seconded by Vice-Chairman Davis, and carried 5-0, to approve, adopt, and enact Resolution No. 2020/2021-04 - Adopting Public Bid Receipt, Opening, Award, Posting, Protest, and Recording Policy and Procedures with an effective date of February 16, 2021, as presented.

b. Request for approval of proposed Resolution No. 2020/2021-05 - Change in Record Keeper from BB&T (now Truist) to Ascensus and establishing the Executive Director or Chief Financial Officer as Limited Trustees

Mr. Wesselman presented a request for approval of proposed Resolution No. 2020/2021-05 - Change in Record Keeper from BB&T (now Truist) to Ascensus and establishing the Executive Director or Chief Financial Officer as Limited Trustees. BB&T (now Truist) informed CCUA staff they were exiting the retirement branch of their business and selling their book of business to Ascensus. Ascensus indicated the current investment choices will transfer from BB&T to Ascensus. Employees will not see any change in their investment choices or fees. Ascensus will become the new recordkeeper. The Executive Director or Chief Financial Officer of the Authority, or their respective designee, is to serve as Limited Trustee under the Plan, authorizing Ascensus Trust Company to service as Trustee of the plan. After discussion, Mr. Hodges moved, seconded by Mr. Starnieri, and carried 5-0, to approve, adopt, and enact Resolution No. 2020/2021-05 with an effective date of March 1, 2021, as presented by Mr. Wesselman.

c. Request for consideration of proposed Supplemental Agreement No. 2 with Southeastern Surveying and Mapping Corporation for Professional Surveying and Mapping Services to evaluate a drainage issue at the Ridaught Landing Wastewater Treatment Facility

Mr. Johnston presented a request for consideration of proposed Supplemental Agreement No. 2 with Southeastern Surveying and Mapping Corporation (SSMC) for Professional Surveying and Mapping Services to evaluate a drainage issue at the Ridaught Landing Wastewater Treatment Facility. Staff received a call from a resident of the Villages of Fireside regarding a potential drainage issue along the southern side of the Ridaught Landing WWTF. Staff met with residents in the general area of the drainage issue on Wednesday, January 6, 2021. The drainage issue appears to be along the property boundary of the treatment facility and residential lots. Due to the amount of vegetative growth, fencing, trees, etc., that have accumulated over the years, staff could not determine if the drainage issue was a CCUA maintenance issue or a Homeowner Association (HOA) issue. Based upon the basic topographic information provided by SSMC, staff will evaluate the drainage pattern to determine if CCUA needs to perform any maintenance on the Ridaught Landing WWTF site. If staff determines the drainage issue is on the homeowner side of the property line, we will coordinate with the representative of the HOA. Staff determined the proposed scope and fee of \$4,513.80 to be reasonable. After discussion, Mr. Hodges moved, seconded by Vice-Chairman Davis, and carried 4-0, (Kloss abstained, Form 8B attached) to approve the scope and Supplemental Agreement No. 2 with Southeastern Survey and Mapping Corporation in the amount of \$4,513.80.

d. Executive Director Performance Evaluation - Revised Computation

The Personnel Committee met on February 2, 2021 and discussed possible revisions to the Executive Director's Annual Performance Evaluation scoring matrix. Currently, the Board of Supervisor's responses are collected by the Board Attorney who then computes and provides a composite evaluation result, excluding the high and low ballots. The Committee unanimously recommended a revision to the current calculation method, to include all ballots, including the high and the low. After discussion, Vice-Chairman Davis moved, seconded by Mr. Starnieri, and carried 5-0, to approve the recommendation from the Personnel Committee to use all ballots to determine the score on which the Executive Director's merit pay is based.

e. Other

Mr. Johnston reminded the members about the Stormwater Mining Pilot Project Ribbon Cutting which will be held on Thursday, February 18, 2021 at 11:00 A.M.

Item No. 9 – Legal Business

a. Other - None

Item No. 10 – Old Business/New Business - None

Item No. 11 – Public Comment - None

Item No. 12 – Supervisor Comments


Mr. Hodges stated he appreciated the prompt response to the Villages of Fireside HOA's concerns regarding the drainage issue near our wastewater plant.
Chairman Kloss thanked everyone for their efforts, and said he appreciates the information on the SJWMD's projects.

Item No. 13 – Adjournment

Chairman Kloss adjourned the meeting at 2:25 P.M.



Janice Loudermilk, Recording Secretary



Walter Kloss, Chairman

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Kloss - Walter - Vincent</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Board of Supervisors</i>
MAILING ADDRESS <div style="background-color: black; width: 100%; height: 40px;"></div>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED <i>February 16, 2021</i>	NAME OF POLITICAL SUBDIVISION: <i>Clay County Utility Authority</i>
MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Walter Kloss, hereby disclose that on February 16, 2021:

(a) A measure came or will come before my agency which (check one)


- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Approval of Survey Services adjacent to

and pay HOA Fees. This is a potential issue between VOF & CCVA

February 16, 2021
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.