

**OKEECHOBEE UTILITY AUTHORITY  
MEETING MINUTES**

Tuesday, September 19, 2023 8:30 A.M.  
Okeechobee Utility Authority  
100 SW 5<sup>th</sup> Avenue  
Okeechobee, Florida

**Chairperson Clay called the meeting to order at 8:33 A.M.**

**Chairperson Clay determined the voting members and led all participating attendees and visitors in the Pledge of Allegiance.**

**Chairperson Clay addressed Agenda Item No. 1, the following Okeechobee Utility Authority Board Members were present:**

**Board Members:**

Tommy Clay\*  
John Gilliland\*  
Harry Moldenhauer\*  
Steven Nelson\*  
Tabitha Trent\*

**Alternates:**

Melanie Anderson

**Absent:**

Glenn Sneider

\*Voting Board Members

**OUA Members:**

John Hayford  
Lauriston Hamilton  
Jamie Mullis

Tom Conely  
Michelle Willoughby

**Chairperson Clay addressed Agenda Item No. 2 'Agenda Additions or Deletions' There were none.**

**Chairperson Clay addressed Agenda Item No. 3 'Schedule of Rates, Fees and Charges' Motion by Steven Nelson to open the Public Hearing 8:45 A.M. Second by Tabitha Trent. Vote unanimous (5-0), motion carried.**

Executive Director Hayford discusses that in an attempt to present a balanced budget for FY24, staff has reviewed the company's forecasted revenues and expenditures for the FY24. Executive Director Hayford discusses the FY24 Schedule of Rates, Fees and Charges which includes a 4.5% increase to various water and wastewater related fees and charges.

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

**Chairperson Clay called for comments from the Board.** Board Member Trent discusses the projected 4.5% increase. Executive Director Hayford reviews some affected line items. Board Member Trent discusses vacancies and the estimated timeframe to fill the positions and should they be included in the FY24 budget. Chairperson Clay discusses the increase of rates by 4.5% as budgeted.

**Motion by Steven Nelson to close the Public Hearing at 9:05 A.M. Second by Tabitha Trent. Vote unanimous (5-0).**

**Motion by Steven Nelson to adopt Resolution 23-02 to adjust the rate by 4.5% for FY24 (October 1, 2023-September 30, 2024). Second by John Gilliland. Vote unanimous (5-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 4 ‘Capital Connection Charges and Meter Installation Fees for FY24’**

**Motion by Steven Nelson to open the Public Hearing at 9:06 A.M. Second by Tabitha Trent. Vote unanimous (5-0), motion carried.**

Executive Director Hayford discusses that for FY23 the OUA Board approved Resolution 22-04 to reduce the Meter Installation Fee and the Capital Connection Charge for water and wastewater by 75%.

Executive Director Hayford discusses that Resolution 22-04 has a sunset clause of September 30, 2023.

Executive Director Hayford discusses that if no action is taken, the current fees and charges will revert to the fees and charges approved in Resolution 23-02, without the 75% discount. Executive Director Hayford discusses the FY24 Final Budget is based on 105 new water connections, 112 new wastewater connections and a reduction off 75% to the meter installation fee and the Capital Connection Charges for both water and wastewater.

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

**Chairperson Clay called for comments from the Board.** Executive Director Hayford discusses current projects and projected new connections to water and wastewater. Chairman Clay discusses the increase in utilities, fuel and living expenses for residents. Harry Moldenhauer discusses mandatory connection form city and county.

**Motion by Tabitha Trent to close the Public Hearing at 9:12 A.M. Second by Steven Nelson. Vote unanimous (5-0).**

**Motion by Steven Nelson to adopt Resolution 23-03 as presented. Second by John Gilliland. Vote unanimous (5-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 5 ‘Adoption of FY24 Budget’**

**Motion by Steven Nelson to open the Public Hearing 9:13 A.M. Second by Harry Moldenhauer. Vote unanimous (5-0), motion carried.**

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

**Chairperson Clay called for comments from the Board.** Board Member Anderson commends staff for the work that they do in creating the budget each year. Board members discuss the evolution of the OUA since its creation, the repairs to acquired systems, and the building of new facilities.

**Motion by Steven Nelson to close the Public Hearing at 9:21 A.M. Second by Harry Moldenhauer. Vote unanimous (5-0), motion carried.**

**Motion by Steven Nelson to adopt Resolution 23-04 as presented. Second by Harry Moldenhauer. Vote unanimous (5-0)**

**Chairperson Clay addressed Agenda Item No. 6 ‘Workshop Minutes from August 28, 2023.’**

**Motion by Harry Moldenhauer to approve the Workshop Minutes from August 28, 2023 as presented. Second by Steven Nelson. Vote unanimous (5-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 7 ‘Meeting Minutes from August 15, 2023’** Board Member Moldenhauer takes note that the meeting date was August 15, 2023. **Motion by Steven Nelson to accept the Meeting Minutes from August 15, 2023 as presented. Second by John Gilliland. Vote unanimous (5-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 8 ‘Department Supervisor Updates’**

**WWTP:** Jamie Gamiotea gave an update of the WWTP. Advised that an employee may be leaving to take employment with the Seminole Tribe of Florida. Jamie Gamiotea discusses that the employee is interested in staying with OUA in a part time capacity to assist on weekends.

**Administration:** Kristy Arnold advised the Board that the customer service is down by one clerk position. Staff received approximately 45 applications for the clerk position. After interviews staff is making an offer this morning to a candidate.

**Maintenance:** Jess Manson gave an update on the Maintenance Department. Advised that the Lift Station Technician position has been filled and the employee begins employment on Monday. Jess Manson advised the board he has reached out to potential on-call companies, provided rates and response time requirements. There was no response from the 5 companies that were contacted.

**SWTP:** Kevin Rogers was absent.

Jamie Mullis gave an overall update of all departments.

**Chairperson Clay addressed Agenda Item No. 9 ‘Consent Agenda’** Board Member Moldenhauer requests to pull Consent Agenda Item No. 19 for further discussion. **Motion by Steven Nelson to approve the Consent Agenda as presented:**

- Consent Agenda Item No. 10 ‘Invoice from Sumner Engineering & Consulting, Inc – SW Wastewater Service Area Project (Part B & C) in the amount of \$1,700.00’**
- Consent Agenda Item No. 11 ‘Invoice from Sumner Engineering & Consulting, Inc – SW Wastewater Service Area Project (Part E) in the amount of \$44,912.50’**
- Consent Agenda Item No. 12 ‘Invoice from Sumner Engineering & Consulting, Inc – Okee-Tantie Utility System Improvements in the amount of \$30,211.58’**
- Consent Agenda Item No. 13 ‘Invoice from McNabb Hydrogeologic Consulting, Inc. in the amount of \$4,150.00’**
- Consent Agenda Item No. 14 ‘Invoice from CHA – Pine Ridge Park Utility Improvements in the amount of \$27,655.32’**
- Consent Agenda Item No. 15 ‘Invoices from CHA – SWTP PH Evaluation in the amounts of \$4,537.50, \$1,699.50 and \$1,206.00’  
Well Integrity Testing in the amount of \$69,850.00’**
- Consent Agenda Item No. 16 ‘Invoice from Hinterland Group, Inc – SWSA Project 2 in the amount of \$882,815.44’**
- Consent Agenda Item No. 17 ‘Invoices from Lewis Longman Walker in the amounts of**

**\$9,402.50 and \$2,992.50'**

**Consent Agenda Item No. 18 'Invoice from Holtz Consulting Engineers, Inc. – AC Pipe Removal in the amount of \$2,570.00'**

**Consent Agenda Item No. 20 'Invoice from Evergreen Solutions, LLC in the amount of \$4,875.00'**

**Consent Agenda Item No. 21 'Invoice from Thorn Run Partners in the amount of \$3,500.00'**

**Consent Agenda Item No. 22 'Invoice from MacVicar in the amount of \$250.00'**

**Second by Tabitha Trent. Vote unanimous (5-0), motion carried. *Steven Nelson out at 9:54 A.M.***

**Chairperson Clay Addresses Consent Agenda #19 "Invoice from Kimley Horn and Associates, Inc – reassure Island Septic to Sewer Project' Board Member Moldenhauer discusses that the remaining balance on the presented spreadsheet had incorrect calculations. There was a brief discussion. Motion by Harry Moldenhauer to approve the invoice from Kimley Horn and Associates, Inc. in the amount of \$20,157.35. Second by John Gilliland. vote unanimous (4-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 23 'Finance Report' Finance Director Hamilton reviews the Finance Report for period ending August 31, 2023. Motion by Tabitha Trent to accept the Finance Report for period ending August 31, 2023. Second by Harry Moldenhauer. Vote unanimous (4-0). Motion carried.**

**Chairperson Clay addressed Agenda Item No. 18 'Interim Financing Agreement with SouthState Bank – Re: USDA – Southwest Service Area, Septic to Sewer' Finance Director Hamilton advised the board that on September 3, 2021, the United States Department of Agriculture (USDA) extended an offer letter to the Authority, stating the terms by which it would finance the SWSA Septic to Sewer System project. Finance Director Hamilton discusses that as a policy, USDA requires applicant for loans exceeding \$500,000, where loan funds can be borrowed on an interim basis from commercial sources for the construction period. Since OUA's loan application exceeds the threshold established by USDA for the utilization of Interim Finance, the Authority evaluated SouthState Bank as the most responsive institution to the Authority's RFP. Following SouthState provision of their final copy of Non-Binding Proposal on August 2023 along with USDA approval of the proposed agreement. The Authority's Bond Counsel, Mr. William Capko of Lewis, Longman & Walker P.A. was commissioned to formulate Resolution 23-01, under the guidance of USDA, authorizing the Authority issuance of a not to exceed \$7,508,000 Utility System Capital Improvement Revenue Bond Anticipation Note. *John Hayford out at 10:17A.M.* Finance Director Hamilton informs the board that Mr William Capko was present via teleconference to answer questions from the board. *John Hayford in at 10:20 A.M.* **Motion by John Gilliland to approve the SouthState Agreement as presented. Second by Harry Moldenhauer. Tabitha Trent elected to abstain from voting as potential conflict of interest. OUA counsel stated that three members coting would meet quorum requirements. Vote unanimous (3-0), motion carried.****

**Motion by Tabitha Trent to approve Resolution 23-01 authorizing issuance of the bond. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 25 'Kings Bay Maintenance Agreement' Executive Director Hayford discusses that as required by the King's Bay Agreement, the OUA is to review the past year's expenses incurred by the King's Bay development. Executive Director Hayford discusses that**

after review and tabulation of expenses for labor, equipment, parts, etc., a monthly service fee of \$7.22 was established for the coming year. **Motion by Tabitha Trent to approve setting the monthly maintenance cost at \$7.22 for the King's Bay accounts. Second by Harry Moldenhauer. Vote unanimous (4-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 26 'Okeechobee County Delegation Meeting'** Executive Director Hayford discusses the upcoming delegation meeting on October 4, 2023. This meeting includes the senator and state representative for the OUA service area. Executive Director Hayford discusses our legislative priorities. Executive Director Hayford discusses the projects that were included with the Legislative Appropriate Project requests for this year. Chairperson Clay discusses the new Lakefront Estates development. There was a brief discussion. **Motion by Harry Moldenhauer to the OUA Board Chairman and or Executive Director to prepare and execute forms necessary to facilitate the presentation of the 2024 Okeechobee Utility Authority Legislative Priorities and to present the same at the Delegation on October 4, 2023. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 27 'SWSA Project 1 Master Force Main'** Executive Director Hayford discusses that this is a project closeout. Executive Director Hayford advises that the project has exceeded contract time and is under contract price. The additional contract time is primarily due to gopher tortoise issues that were within the project boundaries. Executive Director Hayford discusses that Change Order No. 1 is a request to add contract time for Substantial and Final Completion. The new Substantial Completion date is July 20, 2023 and Final Completion date of September 8, 2023. The change order reduces the Contract Price by \$50,000.00, lowering the contract price from \$1,241,740 to \$1,191,740. **Motion by Tabitha Trent to approve Change Order No. 1 adding contract time and reducing contract price for the SWSA Master Force Project. Second by Harry Moldenhauer. Vote unanimous (4-0), motion carried.**

Executive Director Hayford discusses Pay Application No. 11 from Go Underground Utilities, LLC in the amount of \$74,696.80. The pay application submitted includes all fees, charges, retainage and monies due to the contractor for this project. **Motion by Tabitha Trent to approve Pay Application No. 11 for \$74,696.80, paid to Go Underground Utilities, LLC. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 28 'SWSA Project 1 Master Pump Station'** Executive Director Hayford discusses that this is a project closeout. This project has exceeded the contract time and is under contract price. Executive Director Hayford discusses that contract time is primarily due to issues outside of the contractors' control. Executive Director Hayford discusses that Change Order No. 2 is a request to add contract time for both Substantial and Final Completion. Executive Director Hayford discusses that the new Substantial Completion date is July 5, 2023 and Final Completion date of September 8, 2023. The change order reduces the Contract Price by \$95,543.25, lowering the contract price from \$1,477,316.72 to \$1,381,773.47. **Motion by Harry Moldenhauer to approve Change Order No. 2 adding contract time and reducing contract price for the SWSA Master Pump Station Project. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

Executive Director Hayford discusses Pay Application No. 11 from Felix Associates of Florida, Inc. in the amount of \$74,237.67. Executive Director Hayford discusses that this pay application includes all

fees, charges, retainage and monies that are due to the contractor. **Motion by Tabitha Trent to approve**

**Pay Application No. 11 for \$74,237.67, paid to Felix Associates of Florida, Inc. Second by Harry Moldenhauer. Vote unanimous (4-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 29 “SR 78 West 24-Inch Water Main Installation’** Executive Director Hayford discusses that the staff received from FDOT a request to location OUA facilities for Project #448975, which extends on SR78W from Lemkin Creek to the US441 intersection. Executive Director informs the board the OUA has two water mains that run along either side of SR 78W: an 8-inch ductile iron watermain on the lakeside and an older 6-inch cast iron pipe on the other side. Executive Director Hayford discusses that OUA staff have conducted a preliminary review of the route and cost estimate. The route survey has already been accomplished by the Okee-Tantie project. No acquisition of land or easements are anticipated to complete this project. Executive Director Hayford discusses that this project is will require approximately 3,300 feet of 24-inch PVC water main along with approximately 700 feet of 30-inch HDPE installed by horizontal directional drill. Just south of Lemkin Creek the proposed water main will reconnected to both existing piping systems. Executive Director Hayford discusses that at the conclusion of the work, the contractor will remove the existing 6-inch cast iron water main and the 8-inch ductile iron water main from the right-of-way. Executive Director Hayford requests approval for an RFP submittal to secure an engineering firm to begin the project. The engineering firm will begin preliminary design, cost estimate and facilities plan in support of an SRF application. There was a brief discussion. **Motion Tabitha Trent to authorize staff to advertise the RFP for engineering services. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 30 ‘SW 5<sup>th</sup> Avenue’** Executive Director Hayford discusses that the City of Okeechobee has approved a mandatory connection policy. Executive Director Hayford discusses that in earlier OUA Board meetings, approval and execution of WG104 appropriation was held up until City approval of the connection policy. This policy being approved, the appropriation has been signed by all parties with final approval by FDEP on September 5, 2023. **Motion by Tabitha Trent to approve the W104 grant application for the SW 5<sup>th</sup> Avene Septic to Sewer Project. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

Executive Director Hayford discusses that Sumner Engineering & Consulting, Inc. has submitted a proposed engineering services agreement. Executive Director discusses that since the connection policy has been approved, engineering design can begin. **Motion by Tabitha Trent to approve the Sumner Engineering & Consulting, Inc. Professional Services Agreement 20-10 for the SW 5<sup>th</sup> Avenue Septic to Sewer Project with total engineering design fee of \$325,840.00. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 31 ‘Cemetery Road WWTF Perimeter Fence’** Executive Director Hayford discusses that prior OUA Board meetings, there was discussions addressing deficiencies at the surface water treatment plant as determined from a site visit conducted by an OUA board member. Executive Director Hayford discusses that directive from the board was to obtain quotes for perimeter fencing with an automatic gate at the entrance. Executive Director Hayford discusses that staff attempted to obtain at least three quotes. Executive Director discusses that only Adron Fence and C-D Ag Services provided quotes. Adron Fences did have the best price for fencing and they provided a complete price for automatic gate operations. There was brief discussion and this item was tabled.

**Chairperson Clay addressed Agenda Item No. 32 '2023 Vehicle Purchase Agenda Item'** Executive Director Hayford discusses the FY23 budget included vehicle purchases for Units 536 and 436. The FY24 budget includes vehicles purchases for Units 406, 517 and 409. Executive Director Hayford discusses that staff sent out solicitations to multiple dealerships for pricing. Executive Director Hayford reviews the quotes received for Units 406 and 531. The quotes received where for Ford F350 Superduty Regular Cab. Executive Director Hayford informs the board that Gilbert Chevrolet has one vehicle on the lot, it is a 3500 4X4 regular cab with a 11-foot utility body for approximately \$6,800 more than lowest bid. Executive Director discusses Gilbert Chevrolet has one vehicle on the lot. The vehicle on the lot has a Knapheide utility body and has a cost of \$65,992.50. **Motion by Tabitha Trent to approve the purchase of Unit #531 from Gilbert Chevrolet in the amount of \$65,992.50. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

Executive Director Hayford discusses that this vehicle will need to be ordered. There was a brief discussion on vehicle lead time. **Motion by Tabitha Trent to approve the purchase of Unit #406 from Gilbert Chevrolet in the amount of \$65,992.50. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

Executive Director Hayford reviews the quotes received for Unit 436. Executive Director Hayford discusses that the vehicle from Gilber Ford is on the lot and will not have to be ordered. There was a brief discussion. **Motion by Tabitha Trent to approve the purchase of Unit #436 from Gilbert Ford in the amount of \$62,492.00. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

Executive Director Hayford reviews the quotes received for Units 517. Executive Director Hayford discusses availability of the vehicles quoted. Executive Director Hayford discusses that the truck from Gilbert Ford with a Reading utility body is on the lot and will not have to be ordered. There was a brief discussion. **Motion by Tabitha Trent to approve the purchase of Unit #517 from Gilbert Ford in the amount of \$58,156.50. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

Executive Director Hayford reviews the quotes received for Unit 409. The vehicle that was quoted was a Ford Maverick XL. Executive Director Hayford discusses that the vehicle quoted from Gilbert Ford was a hybrid and may still be available on the lot, however it was not the lead time to order the vehicle was three months. Executive Director Hayford was looking at a hybrid vehicle as a means to save on operational costs. There was a brief discussion. **Motion by Tabita Trent to approve the purchase of Unit #409 (Ford Maverick Hybrid) from Gilbert Ford for \$26,495.00. Second by John Gilliland. Vote unanimous (4-0), motion carried.**

**Chairperson Clay addresses Agenda Item No. 33 'Lakefront Estates Update'** Executive Director Hayford discusses that staff made a submittal to the FDEP Water Quality Grant Portal for Lakefront Estates wastewater treatment facility. The application was titled "Wastewater Treatment Facility for Northeast Glades County Area". Executive Director Hayford discusses that the requested amount is \$19,750,000, with a \$2,500,000 match bringing the total for the application to \$22,250,000. Executive Director Hayford discusses that the match will be supplied by the developer, Glades County or the OUA. Executive Director Hayford discusses that during the interim period, from when the application was submitted to hearing whether or not the application was approved, staff has requested from the developer a scope of work and fee schedule for an engineer to produce a feasibility study for the design, permitting, construction and operation of the wastewater treatment facility. Should an appropriation be approved, this study would be the basis for beginning the work. There was a brief discussion. **Motion by Tabitha**

**Trent to ratify the action of submitting the application adding this project to the previously approved SW 5<sup>th</sup> Avenue Septic to Sewer Project and the SWSA Project 3 applications. Second by Harry Moldenhauer. Vote unanimous (4-0), motion carried.**

**Chairperson Clay addressed Agenda Item No. 34 ‘Public Comments’** There were none

**Chairperson Clay addressed Agenda Item No. 35 ‘Items from the Attorney’** Attorney Conley discusses that he sent out evaluation forms and have only had three returned. Attorney Conley informs the board that he is currently working on a draft Franchise Agreement. The draft agreement includes that the OUA is the exclusive provider of water and wastewater for service area. Attorney Conley discusses that the agreement should be perpetual with 1 year notice of termination. Chairperson Clay suggests reimbursement for infrastructure if agreement terminates. Attorney Conely discusses that he is currently working on a developer agreement for the Lakefront Estate Project.

**Chairperson Clay addressed Agenda Item No. 36 ‘Items from the Executive Director’** Executive Director Hayford gave an update on current projects.

**Chairperson Clay addressed Agenda Item No. 37 ‘Items from the Board’** There were none.

**There being no other business, meeting adjourned at 12:15 A.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 video 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)