

**CEDAR KEY WATER & SEWER DISTRICT  
P.O. BOX 309/510 THIRD STREET  
CEDAR KEY, FL 32625**

**Minutes of Regular Meeting  
Board of Commissioners  
October 17, 2022**

Board Members Present: Dottie Haldeman, Leslie Sturmer, Stephen Rosenthal, Joe Hand, Tabitha Lauer.

Other Presents: Evan Rosenthal, Alicia Johns, James McCain, Jim Wortham, Mandy Offerle, Frank Offerle, Zack Conomos, George Conomos, Walt Nickel, and Heath Davis.

1. Meeting called to order at 5:00 p.m. by Dottie Haldeman, Chair.
2. Pledge and Prayer.
3. Public Comment. There was no public comments at the beginning of the meeting.
4. Adoption of the Agenda. **Motion** by Leslie Sturmer to accept tonight's agenda. **Second** by Joe Hand. Passed by vote 4-0. Tabitha Lauer was absent at the time of vote.
5. Approval of Minutes. **Motion** by Joe Hand to accept the minutes from August 23, 2022 Special Meeting, September 19, 2022 Final Budget Meeting, and September 19, 2022 Regular Meeting. **Second** by Leslie Sturmer. Passed by vote of 4-0. Tabitha Lauer was absent at time of vote.
6. Financial Reports. Balance Sheet, Budget Report, Checkbook Activity, Past Due Accounts Report, Employee Leave reports were presented for review. **Motion** by Joe Hand to accept the Financial Reports. **Second** by Leslie Sturmer. Leslie had some questions about the bottom line on the P&L sheet. Leslie spoke with Ann prior to the meeting about the Net Income Line that had an amount of \$15,050, when usually it has \$0. Leslie told the Board that Ann was going to talk with Robert Beauchamp and let the Board know why that amount was there instead of it being a zero balance. Stephen Rosenthal also thought it would be a good idea to get with Robert Beauchamp to clarify Leslie's concerns on the P&L statement. Dottie Haldeman brought up the numerous accounts past due, to which Alicia responded a good majority have paid but that most of the accounts on the Past Due Report were from the Park Place Cedar Cove. Both of those have a large number of accounts. Alicia reported that Park Place had paid, but Cedar Cove had still yet to do so. Alicia has spoken with the owner of Cedar Cove and will have their payments in by the end of the week. Alicia told the Board that she thinks the reason for the large number of accounts on this particular Past Due Report was due to the pending Hurricane that thankfully did not effect Cedar Key, but that since then customers have been getting caught up. James ask about the previously posted penalties line on the bottom of the Past Due Report. Alicia explained that penalties had been applied to the customer accounts on the list. Dottie brought up the previous suspension of the late fees that was passed during COVID and ask Evan what needed to be done to reinstate those. Evan recommended to bring the issue back up at the next meeting as an Agenda item so the public has a chance to respond to the issue. Evan told Alicia that since the late charges had been suspended that it was good that she was still keeping track of them, to which she responded that she didn't know she was supposed to be suspending late charges since she was told by Chad Wisdom before he stopped being the GM that she was to start charging the late charges again. The Board remembered discussing reinstating the late charges but could

not remember if it was put in the minutes or not. Evan advised the Board to make a motion to ratify that the late charges are in effect as of May 2021 when Alicia was told to start applying them again. Passed by vote of 4-0. Tabitha Lauer was absent at time of vote.

**Motion** by Joe Hand to reinstate Late Charges dating back to the date they were reinstated (Date to be determined). **Second** by Leslie Sturmer. Passed by vote of 4-0. Tabitha Lauer was absent at time of vote.

7. Bill Adjustment Request. Alicia and James reported to the Board about what was found due to the customer's leak. The customer had a water line break on their dock. The Board approved the adjustment. The Board also approved to allow the customer to have a payment plan since the bill was so high if the customer needed to do so. **Motion** by Leslie Sturmer to approve the Bill Adjustment Request and payment plan for Cynthia Davis. **Second** by Joe Hand. Passed by a vote of 5-0.
8. Lift Station DEP Agreement: LPA0260. James presented the Board with an agreement from the DEP for the \$2.5 million dollar grant and ask for their approval upon legal councils review. Evan did tell Board that he had not had a chance to fully review the agreement but would be doing so and that when he briefly scanned the agreement he noticed at least on change that will need to be made. **Motion** by Stephen Rosenthal for the agreement to be approved subject to review by the Districts Legal Counsel and that after such review the Chairmen be able to sign the agreement. **Second** by Leslie Sturmer. Joe Hand ask how the process of getting the money would work. James told the Board that the District would get pay request that would then be sent to DEP for payment. Motion passed by a vote of 5-0.
9. Waccasassa Water & Sewer Workshop and Conceptual Support for WC3. James asked that the Board to support the Waccasassa Water & Sewer Cooperative until the District's Legal Counsel along with Otter Creek and Bronson's Legal Counsels can get the agreement that was provided to the Board agreeable for all parties involved. Evan stated that he had been working on the agreement and had made a few notes of changes or issues that needed to be worked out and would continue to work with all legal counsels involved until agreement was ready for approval by the District, Otter Creek, and Bronson. The Board and Evan, the Districts Legal Counsel, talked about some of the things in the agreement and what their understanding of what those things would mean to the Cedar Key Water & Sewer District. **Motion** by Tabitha Lauer for the Cedar Key Water & Sewer District Board to be in support the creation of the Waccasassa Water and Wastewater Cooperative Interlocal Agreement. **Second** by Joe Hand. Passed by vote 4-1. Stephen Rosenthal opposed. Joe made mention that the Board was in favor of the Alternative #2 and wanted to know if that needed noticed by making a motion. The other Board members replied that they did not think that was necessary at this time. Stephen Rosenthal told the Board that the reason he opposed support for the Waccasassa Water & Sewer Cooperative was because he did not want to enter into something that was going to cost approximately \$100 million dollars when the District could spend approximately \$12 million dollars on a New Water Plant to take care of the citizens of Cedar Key Water and Sewer District. Stephen is also concerned that if the Pipeline gets built it will increase the population and that we will lose the rural community we all love. Tabitha told the Board that on Tuesday, September 18, 2022 at 5:00, at City Hall, Sue Colson will be giving a presentation on Cedar Key Vision Workshop that was held recently. Tabitha told the Board that the Pipeline was highly supported by all the people in attendance at the workshop. James wanted to go on record saying he has supported this project from the start and not just for the citizens of the CKWSD, I am in favor of getting the citizens of Rosewood and Sumner good water as well and if we can get something built and not have to treat it with all the chemicals we currently use to treat our water without having to borrow a lot of money and go up on Water & Sewer bills is a great thing.

## 10. General Manager Report.

### a.) *Water Treatment Plant/Well*

James reported that there have been no operational issues and continuing to run daily process controls. James told the Board that he has begun a company search for some sandblasting work that is needed, he has tried to work with CROM, but they would have to hire out a company so James has decided to try and find a company to work with himself. It was reported that on October 4<sup>th</sup> the District hosted the Waccasassa Water & Wastewater Cooperative meeting and he thought it went really well. James told the Board that he was in need of a High Service Pump since we did not currently have a spare at this time and he has been trying to get quotes but that everything at this time is 12 to 14 weeks out for delivery. Joe ask about the big tank that was taken from town to the Water Plant and James told him that it could be used for aeration at the Water Plant but he would have to find the money in the Budget to get that done. Leslie ask about the THM samples and the results, James said that they had been taken and the District passed and the process that it took before the samples were taken. Joe ask how often the charcoal at the Water Plant would need to be changed and James told the Board that he was still doing random samples to see when the charcoal starts to lose its potency so that he would know when to change it out, but that the THM's would not have to be taken again until August. Leslie ask if James could get the Board a copy of the THM results.

### b.) *Wastewater Treatment Plant/Lift Stations*

James reported that there have been no operating issues at the Wastewater Plant. The plant continues to be monitored several times daily and process controls done once a day. James is also working on getting quotes and finding someone to do some sandblasting and painting that needs to be done. James also told the Board that Chad had an Aeration System engineered but did not know how it was going to be paid for so he will continue to work on that. James told the Board that he did not know what to do about the BRIC grant. He also told the Board that he and Alicia have been trying to get the UEI number for the District so that District could even apply for the BRIC grant, which Alicia has been trying to get since April of this year. James let the Board know that he will be working on getting the UEI number reactivated for future use. It was also reported that the Board could use some of the funds from the \$2.5 million-dollar Legislative Grant to match what the District would have to pay if they got the BRIC Grant.

## 11. Attorney Report.

### a.) *NexTower Lease Buyout.*

Evan reported to the Board that NexTower would like to acquire a 99-year easement under and around the communication tower located at 10020 SW CR 347 Cedar Key, FL 32625. Evan told the Board that he spoke with NexTowers's Attorney to let them know that whole property was leased by the City of Cedar Key and he said that was fine as long as the tower company had unobstructed access to the tower. This easement would take the place of the current lease agreement. The easement buyout amount NexTower is proposing is \$177,000. Evan discussed with the Board the split of the lease revenues with the City and even though this money is not technically lease revenues that it might cause an issue with City if the \$177,000 is not split between both. Leslie ask about the current lease agreement and what the lease payment was at right now. Alicia told the Board that the monthly lease payment right now is around \$943.00 a month and James was unsure what the current lease agreement length is at this time. Stephen wanted to know how NexTower came up with the \$177,000, plus he did not think the amount was a sufficient offer and the other Board Members agreed. After a little more discussion the Board advised Evan to reach out to the NexTower Company and ask for a better offer since the one they proposed was not in the Districts best interest.

*b.) COVID Leave Policy.*

Evan discussed with the Board its current COVID Policy and if it was appropriate. He let the Board know what the State Statutes are at this time and what other municipalities COVID Policies were. Evan let the Board know what and how the Board can ask about employees being vaccinated. Stephen ask what penalties the District would incur if they were in violation of the current State COVID Statutes. Evan responded by telling the Board the District could incur fines from the Department of Public Health. Tabitha stated that when she made the motion it was not intended to be a permanent policy. She also stated that it was made at a time when it was in the best interest of the country to get vaccinated. Tabitha then stated that since every where has went back to business as usual she would like to change our policy back to if your sick you use sick time whether you have COVID or not. Stephen somewhat disagreed with this stating that the pandemic has not completely gone away it just has many different variations now. **Motion** by Tabitha Lauer to remove all COVID Leave Policy Procedures currently in place and go back to the original District Sick Leave Policy. **Second** by Leslie Sturmer. Dottie made mention of one of the District's employees had contracted COVID and she was vaccinated and thinks she should not have lost any sick leave during that time. Alicia and James both told the Board that the employee did not lose any sick leave time and was paid straight time for the time she was out sick. Passed by vote 4-1. Stephen Rosenthal opposed.

*c.) Proposals Received in Response to ITB22-1, Sludge Hauling and Related Services.*

Evan went over each of the Bid Proposals from American Pipe and Tank and A-Able Septic with the Board. Evan's recommendation is that the Board go with American Pipe and Tank since they were the lower of the two bids and were not including any additional charges such as fuel ser charges or environmental fees. James ask Evan when the District's contract would start with American Pipe and Tank, to which Evan replied that the District would send out a notice of intent of award, which has a 72 hour protest period in which A-Able Septic could protest the bid results, then the District would need to give A-Able Septic a month's notice that the District would be discontinuing service with A-Able Septic so the contract with American Pipe and Tank would not start until December 1, 2022. **Motion** by Leslie Sturmer to accept the bid from American Pipe and Tank and to initiate a contract with them that would show a December 1, 2022 start date. **Second** by Tabitha Lauer. Passed by vote of 5-0.

*d.) Proposals Received in Response to RFQ 22-1, Continuing Engineering Services.*

The Board got two bids from engineering firms, Baskerville-Donovan and North Florida Professional Services. Evan explained to the Board the reasons for why scoring the two engineering firms was necessary even though the Board could hire both firms. Evan also stated that before scoring the firms the Board could have them come in for interviews and then score the firms, but the Board decided to go ahead and score the firms. Joe ask that if they hire one or both of the firms could they just pick which one they would like to do the work or did they have to submit the work to all three and see which one would want to do the work, Evan stated that the District could just select which firm they wanted to do the work and submit it to that particular firm. James was concerned about having to many firms contracted through the District and them constantly calling asking if we have work for them to do and Evan said that we did not have to give either firm any work but have them under contract just in case. The Board gave Evan their scoring sheets for him to tabulate and the results came out as Baskerville-Donovan having 396 points and North Florida Professional Services having 382 points. Evan recommended that the Board hire both firms. James brought up his concern about Mittauer and Associates not being put on the same three-year renewal of contract rotation as all of the Districts engineering firms. Evan told James and the Board that the Board could ask Mittauer and Associates to resubmit bid documents when it was time to do the RFQ renewal if that was their choice. **Motion** by Joe Hand to accept the ranking of the firms BDI as number 1 and NFPS as number 2, and for Evan and James to negotiate contracts with both firms. **Second** by Tabitha Lauer. Passed by vote of 5-0.

*e.) Sunshine Law, Public Records, and Public Ethics Presentation.*

Evan and the Board discussed at length the Sunshine Law, Public Record Requests, Public Ethics. The Board had many question pertaining to the Sunshine Law since some of the Board members have been going to the Waccasassa Water and Wastewater Cooperative meetings. Evan let the Board know what they could and could not discuss outside of a Board Meeting setting so they would not violate any of the Sunshine Laws and what could or would happen in the event that a Board member(s) violated said laws. Evan discussed what to do in the event the Board or GM was given a Public Records Request and how to keep track of each request. Evan also touched on a few points to make sure the District Board did not violate any Public Ethics or Conflict of Interest Laws as well. Evan was very informative on all subjects.

12. Commissioners Comments. Stephen Rosenthal told Evan what a great job he did with his Sunshine Law, Public Records, and Public Ethics Presentation.
13. Public Input. Walt Nickel let the Board know that he has been to a few of the Districts meetings and would be attending many more since he and his engineering firm is interested in seeing where the District will go with the Pipeline Project. James ask for a copy of the draft minutes so he could get it to the others in the Waccasassa Water and Wastewater Cooperative. Alicia let James know that she would have those ready for him on Tuesday, September 18, 2022.
14. Adjournment: There being no more business to conduct, the meeting was adjourned at 7:15 p.m.

  
Dottie Haldeman, Chairperson

  
Leslie Sturmer, Commissioner &  
Secretary of the Board