

APPROVED

WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD OF DIRECTORS

Minutes of the Meeting November 13, 2019

TIME: 3:30 p.m.
PLACE: Lecanto Government Building
ADDRESS: 3600 W. Sovereign Path, Room 280, Lecanto, Florida 34461

The numbers preceding the items listed below correspond with the published agenda.

1. Call to Order

Chair Stone called the Withlacoochee Regional Water Supply Authority (WRWSA) Board of Directors meeting to order at 3:30 p.m. and requested a roll call.

2. Roll Call

Mr. Richard Owen, WRWSA Executive Director, called the roll and a quorum was declared present.

BOARD MEMBERS PRESIDING

Michelle Stone, *Chair*, Marion County Commissioner
Stephen Printz, *Vice-Chair*, Sumter County
Commissioner
Ken Brown, Crystal River City Councilor
Al Butler, Sumter County Commissioner
William Kemerer, Brooksville City Councilor
Dale Swain, Bushnell City Councilor

BOARD MEMBERS ABSENT

Kathy Bryant, Marion County Commissioner
Scott Carnahan, Citrus County Commissioner
Steve Champion, Hernando Co Commissioner
Gary Ernst, Belleview City Commissioner
Jeff Holcomb, *Treasurer*, Hernando Co
Commissioner
Jeff Kinnard, Citrus County Commissioner
Carl Zalak, Marion County Commissioner

ALTERNATE(S) PRESIDING

Brian Coleman, Citrus County Commissioner
Alys Brockway, Hernando County Water Res Mgr
Jody Kirkman, Marion Co Environmental Services

3. Introductions and Announcements

- Mr. Owen said there are no additions or deletions to the agenda.

WRWSA STAFF PRESENT

Richard Owen, Executive Director
Rob Batsel, General Counsel (Gilligan,
Gooding, Franjola & Batsel, P.A.)
LuAnne Stout, Administrative Asst.

OTHERS PRESENT

Debra Burden, Citrus Co Water Conservation
Suzannah Folsom, PE, PMP, Juturna Consulting
Gregg Jones, Brown and Caldwell
Joseph Quinn, SWFWMD Water Supply Project Mgr

4. **Pledge of Allegiance** – Mr. Brown led those present in reciting the Pledge of Allegiance.

5. **Public Comment** – Chair Stone opened public comment. No audience members requested to address the Board.

6. Consent Agenda

- a. **Approval of Minutes** – The September 18, 2019 draft minutes were provided in the Board's meeting materials and recommended for approval as presented.
- b. **Bills to be Paid** Staff recommended approval of bills for October (\$20,606.30) and November (\$90,383.73).

Mr. Butler moved, seconded by Mr. Brown, to approve Consent Agenda Items 6.a. and 6.b., as presented. Motion carried unanimously.

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7. Executive Director Recruitment – Approval of Contract

Mr. Owen provided introductory remarks regarding negotiations held with Ms. Folsom, Mr. Batsel, Chair Stone and himself. At its September 18, 2019 meeting, the Board approved staff and the Chair to negotiate a contract for Consulting Executive Director Services with Suzannah J. Folsom, PE, PMP with Juturna Consulting, LLC. The contract is largely based upon the existing Executive Director contract. Mr. Owen noted that, since negotiations continued into this week, a copy of the proposed contract was provided the Board at each member's seat.

Mr. Batsel presented this item and reviewed the proposed contract noting scrivener's items corrected. He noted that the key provisions include:

- Ms. Folsom will start December 1, 2019.
- Compensation for the Fiscal Year 2020-21, the first full year under the contract, is \$84,200.
- Compensation for the period December 1, 2019 – September 30, 2020, the remainder of the current fiscal year, is \$70,166.67.
- Either party may terminate the Agreement upon 90 days written notice.

Mr. Batsel reviewed contract paragraphs regarding days in office, communication with Authority member governments, and compensation (Board-approved cost-of-living increase based on performance review done an annual basis). Discussion ensued regarding cost of living index and legislative activities (contact with member governments and attendance at two water forums held each year).

Mr. Batsel reviewed contract paragraphs regarding commercial auto liability insurance, conflict of interest, and term and termination.

Mr. Owen noted the Fiscal Year 2019-2020 budget should be amended to reflect this contract and potentially the following item.

Following consideration, Mr. Printz moved to approve the Agreement between the Withlacoochee Regional Water Supply Authority and Juturna Consulting, LLC for Executive Director Services as presented, and authorized the Chair to sign the Agreement. Mr. Kemerer seconded the motion and it carried unanimously.

Chair Stone welcomed Ms. Folsom as the Authority's Executive Director.

Ms. Folsom accepted the position of Executive Director and addressed the Board to say she is looking forward to working with the Board.

8. Extension of Present Executive Director Contract and Associated Budget Amendment

Mr. Batsel presented this item. At its September 18, 2019 meeting, as a part of approving negotiations for a contract with Suzannah J. Folsom, PE, PMP with Juturna Consulting, LLC, for Executive Director Services, the Board also approved extending Mr. Owen's contract for a six-month period to provide assistance to the new executive director and ensure a smooth transition. A copy of the proposed contract was provided the Board at each member's seat.

Mr. Printz noted that he was not present at the last meeting for the discussion which occurred regarding the extension of Mr. Owen's contract. He said he felt the time period of six months seems too long. Chair Stone said there is a great deal of Authority history and recognizing that the Executive Director is the most constant going forward. She said the Board wanted to ensure Ms. Folsom has the support and resources needed to move forward strongly. Mr. Printz suggested an hourly would be appropriate.

Following further discussion, Mr. Printz moved for a one-month extension with Mr. Owen available at an hourly rate thereafter.

Mr. Brown noted that he too was absent at the last meeting and six months is excessive. He then suggested a transition period of 90 days. Discussion ensued about the Board's previous action. In response to Chair Stone's inquiry, Mr. Owen noted that he would accept a shorter time extension but not an hourly rate. Mr. Batsel said it the Board's prerogative to modify the terms of the proposed contract. Discussion ensued regarding a transition period.

Mr. Printz withdrew his motion. He suggested a 30-day overlap plus 30 days.

Mr. Swain made a motion for a 90-day transition period. Mr. Brown seconded the motion.

Mr. Batsel reiterated he understood the Board to move for 30-day overlap and 60-day transition period; therefore, the contract will expire on February 28, 2020. Ms. Brockway noted that this overlap covers only one Board meeting. Mr. Kemerer expressed his concern about an upcoming new utility personnel and Mr. Owen's knowledge base for these staff.

Chair Stone called the question and the Board approved the Amendment to the Agreement between the Withlacoochee Regional Water Supply Authority and Owen Consulting Services, Inc. for Executive Director Services, as amended to expire on February 28, 2020; and authorized the Chair to sign the Amendment. Three dissenting votes to the motion: Chair Stone, Mr. Kemerer and Ms. Brockway.

Mr. Owen accepted the amended contract.

Mr. Owen noted the Fiscal Year 2019-2020 budget should be amended to reflect the additional cost of these two contracts. The associated budget amendment and resolution will be presented to the Board at its January meeting.

9. **Regional Water Supply Plan**

Mr. Gregg Jones, Brown and Caldwell, presented this item. The Authority entered into a cooperative funding agreement with the Southwest Florida Water Management District (SWFWMD) in March 2018 for Regional Water Supply Plan Update project. The Authority entered into a contract with Cardno, Inc. in April 2018 to undertake the project. With the assistance of the SWFWMD, St. Johns River Water Management District, and a Technical Advisory Committee comprised of representatives from member governments and public supply utilities in the four-county region, the Plan Update has been completed. A copy of the Final Draft Regional Water Supply Plan Update was provided to each Board member.

Mr. Jones provided an overview of the final draft report using a powerpoint presentation (available on the Authority's website). The report compares water resource demand for the year 2015 compared to 2040. Mr. Owen noted that the Alliance for Water Efficiency provides a critical tool which required Cardno, Inc. to become a member (\$10,000) for access. He suggested the Authority continue its membership (\$500).

Discussion ensued with Mr. Jones answering Board inquiries and providing clarification. In response to an inquiry regarding coordination, Mr. Joseph Quinn, SWFWMD Water Supply Project Manager, noted that the water management district and Department of Environmental Protection meet regularly regarding permitting, regulation and data collection which feeds into long-range planning efforts.

In response to Chair Stone's questions, Mr. Quinn noted the cooperative funding initiative efforts spearhead regional solutions for issues over localized areas. He said there is more collaboration in the northern area (Levy and Marion counties) and noted there was a coordination meeting today with Suwannee River and St. Johns River Water Management Districts. Mr. Owen said this is driven by MFLs for the SRWMD river systems due to impacts from withdrawals in the Jacksonville area

(SJRWMD). Mr. Quinn said the SWFWMD is partnering with the SJRWMD to do more collaboration for issues crossing jurisdictional boundaries to do more distinct modeling.

In response to Mr. Printz's inquiry regarding planning for 2020 to 2030, Mr. Owen said that the SWFWMD Executive Director has reached out to the Authority, Marion County, The Villages and City of Wildwood to discuss opportunities since that area is where limits are occurring and causing costs to increase. He noted that each entity has its own plan and is aware of this plan.

Chair Stone said the Board appreciates Mr. Jones' work. Mr. Owen recognized Mr. David Kelly with Cardno, Inc., that, although not present, he thanked him for his contributions.

Mr. Printz moved to accept the Final Draft Regional Water Supply Plan Update and authorize submittal to the SWFWMD. Ms. Brockway seconded the motion and it carried unanimously.

10. Charles A. Black Wellfield Fiscal Year 2018-19 Revenues

Mr. Owen said the end of Fiscal Year 2018-19 represented the third full year operating under the revised Water Supply Contract with Citrus County. The purpose of this agenda item is to report to the Board the status of water sales to Citrus County and revenues for the fiscal year. The table summarizing quantities of water sold and revenues for FY 2018-19 was provided in the Board's meeting materials. Mr. Owen noted there is a slight cost-of-living adjustment to the rate and it is consistent with Citrus County's own adjustments. He reviewed the permitted quantities compared to actual amount pumped and, due to conservation, this permit is expected to stay within permitted quantities.

This was an information item only and no Board action was required.

11. Minimum Flows and Levels – Priority Lists and Schedules

Mr. Owen said the purpose of this item is to provide a status report to the Board of the establishment of minimum flows and levels (MFLs) in the Authority's four-county area. Chapter 373, Florida Statutes, requires each of the water management districts to have a Priority List and Schedule for the establishment of MFLs. The Priority List and Schedule identifies water bodies for which the District plans to establish minimum flows and levels and also identifies planned water reservations. Minimum flows and levels are limits set by the District Governing Board for surface waters and groundwater systems that are intended to prevent significant harm to the water resources or ecology of the area that may be caused by water withdrawals. Reservations set aside water from withdrawals for the protection of fish and wildlife or public health and safety. The Districts are required to update this List and Schedule each year and provide the updated List to the Florida Department of Environmental Protection (DEP) by November 15th.

Included in the Board's meeting materials are the MFLs established to-date and the proposed Priority Lists and Schedules for waterbodies within the WRWSA four-county area that are to be approved by the water management district governing boards for submittal to the DEP in November.

Mr. Owen noted that he attended the SWFWMD Governing Board meeting and the only one who spoke in favor of staff's recommendation on adoption of MFLs for the Chassahowitzka and Homosassa Rivers. He said degradation is not due to drawdown but to sea level rise, physical alterations, water quality and other issues.

This was an information item only and no Board action was required.

12. Legislative Report – Annual Legislative Priorities

Mr. Owen reviewed the draft 2020 Legislative Issues matrix for the Board's consideration and direction. He noted updates to the matrix regarding new governing board members. A copy of the legislative calendar was placed at each member's seat.

Mr. Brown moved, seconded by Mr. Printz, to accept the 2020 Legislative Issues as presented. The motion carried unanimously.

13. Attorney's Report

Mr. Batsel reported that, following review of the Authority's insurance as discussed at the last meeting, he recommends the Board maintain current insurance levels at this time. He noted that the City of Crystal River and Inverness have approved an interlocal agreement as to participation on the WRWSA Board. The City of Inverness begins participation in January and the two entities will rotate thereafter.

14. Executive Director's Report

Mr. Owen informed the Board of the item's provided in the Board's meeting materials.

- a. **Correspondence**
- b. **News Articles**
- c. **Other** – None

15. Other Business

- As this is Mr. Brown's last meeting, the Board thanked him for his seven years of service representing the City of Crystal River. Mr. Brown said addressing water needs for the coming years is important and the Authority has the responsibility of this asset.
- As this is Mr. Owen's last meeting as Executive Director, the Board thanked him for his service and leadership. Mr. Printz noted that Mr. Owen led the Authority through some tumultuous time and now things have calmed. Mr. Owen thanked the Board for its support.

16. Next Meeting Time and Location

- Next Regular Board Meeting – January 15, 2020 at 3:30 p.m. at the Lecanto Government Building, Room 166. Chair Stone said she will be absent and therefore this meeting is her last one as chair. She noted that election of officers will be held.

17. Adjournment – Chair Stone adjourned the meeting at 4:48 p.m.

Michelle Stone, Chair

Suzannah J. Folsom, PE, PMP, Executive Director