

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
NOVEMBER 19, 2020

1. CALL TO ORDER

Chairman Rockoff called the Regular Meeting of November 19, 2020 to order at 7:00 PM and explained the various methods of attending the meeting (in person, electronically or telephonically).

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

The following Board Members were in attendance.

Mr. Rockoff (via GotoWebinar)
Dr. Rostock (via GotoWebinar)
Mr. Snyder
Mr. Boggie
Mr. Silverman

Staff Members in attendance were Dr. Arrington, Mr. Dean, Mr. Howard (via GotoWebinar), Ms. Fraraccio (via GotoWebinar), Mr. Dave (via GotoWebinar) and Mr. Pugsley.

Consultants in attendance were Mr. Curtis Shenkman and Mr. Hunter Shenkman with Curtis Shenkman, PA. and Ms. Marshall from Baxter & Woodman (via GotoWebinar).

Ms. Wynne and Ms. Johnson from Busch Wildlife Sanctuary were in attendance (via GotoWebinar).

B. PREVIOUS MEETING MINUTES

The minutes of the Public Hearings and Regular Meeting of October 15, 2020 were presented for approval and the following motion was made.

MOTION: Made by Mr. Boggie, Seconded by Mr. Silverman,
Passed Unanimously.

“THAT THE GOVERNING BOARD approve the minutes of the October 15, 2020 Public Hearings and Regular Meeting as submitted.”

C. ADDITIONS & DELETIONS TO THE AGENDA

No additions or deletions were made.

3. COMMENTS FROM THE PUBLIC

No comments were received.

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard gave a summary of this year's wet and hurricane season.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

5. CONSENT AGENDA

MOTION: Made by Mr. Silverman, Seconded by Dr. Rostock,
Passed unanimously.

"THAT THE GOVERNING BOARD approve the Consent Agenda of November 19, 2020 as presented."

The following motions were approved as a result of the Board's adoption of the Consent Agenda:

A. Preliminary Assessment: Island Country Estates (Resolution 2020-13)

"THAT THE GOVERNING BOARD approve Resolution 2020-13 adopting the ISLAND COUNTRY ESTATES Preliminary Assessment Roll."

B. Safety Policy 4.3.22 – to approve policy revision

"THAT THE DISTRICT GOVERNING BOARD ratify and approve the Loxahatchee River Environmental Control District's Employee Safety Manual Section 4.3.22 as revised with an effective date of November 20, 2020, and authorize the District's Executive Director to update the Employee Safety Manual from time to time, and periodically present it to the Governing Board for ratification and approval."

C. Odor Control Study – to approve contract

"THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to enter into the Contract for Professional Engineering Services for Odor control Improvements in the amount of \$99,454.00"

D. Lift Station Fall Protection – to award contract

"THAT THE DISTRICT GOVERNING BOARD award the Lift Station Fall Protection Improvements construction contract to Florida Design Drillers, Corp. in the amount of \$297,000.00 and a contingency in the amount of \$29,700.00.

E. Fixed Asset Disposal – to approve disposal

“THAT THE GOVERNING BOARD authorize the Executive Director to dispose of tangible personal property included in Schedule 1: Tangible Personal Property Disposals and the assets listed in Schedule 2: Renewal and Replacement Disposals above.”

F. Change Orders to Current Contracts – to approve modifications

No change orders were presented.

6. REGULAR AGENDA

A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

No items were pulled for discussion.

B. Rules Chapter 31-11 Special Assessments

Dr. Arrington reviewed the potential revisions to Rules Chapter 31-11 Special Assessments. The Board discussed the various options. No action was taken. This item will be addressed at the December 2020 Board Meeting.

C. Local Bill for Proposed Revisions to Enabling Act

Dr. Arrington reviewed the proposed draft revisions to the District’s Enabling Act.

MOTION: Made by Mr. Snyder, Seconded by Mr. Silverman,
Motion failed 2-3 with Mr. Rockoff, Mr. Boggie and Dr. Rostock voting against.

“That we direct counsel to change the Enabling Act to revise board compensation from \$100 to \$300 per month.”

MOTION: Made by Mr. Boggie, Seconded by Mr. Snyder,
Motion failed 1-4 with Mr. Rockoff, Mr. Boggie, Mr. Snyder and Dr. Rostock voting against.

“THAT THE DISTRICT GOVERNING BOARD authorizes Chairman Rockoff to sign the attached cover letter and directs the Executive Director and legal counsel to present the Enabling Act, as revised, and amended associated requirements to the Palm Beach County Legislative Delegation for consideration as a local bill in the 2021 legislative session and the amendment to it is to alter paragraph (29) to read “To conduct environmental enhancements as necessary and appropriate to minimize damage to the area’s resources and environment, to prevent additional environmental problems from being created, and to provide solutions to existing environmental problems. As used in this paragraph, “environmental enhancement” means physical activities in the waters of the state or on adjacent uplands which involve system repair, redesign or construction, monitoring, planting, propagating, trimming, culturing, shoreline protection and hydrologic or other water quality improvements.

“Solutions to existing environmental problems” and prevent additional environmental problems” means “environmental enhancement” addressed to specific problems with the district. Environmental enhancement not conducted entirely on real property owned or controlled by the district must be coordinated through the Loxahatchee River Management Coordinating Council.”

MOTION: Made by Mr. Boggie, Seconded by Mr. Snyder,
Passed unanimously.

“THAT THE DISTRICT GOVERNING BOARD authorizes Chairman Rockoff to sign the attached cover letter, revised to reflect that we are seeking codification of work we have been conducting, and directs the Executive Director and legal counsel to present the Enabling Act, as revised, and associated requirements to the Palm Beach County Legislative Delegation for consideration as a local bill in the 2021 legislative session. And revising Section (29) to read “To conduct environmental enhancements as necessary and appropriate to minimize damage to the area’s resources and environment, to prevent additional environmental problems from being created, and to provide solutions to existing environmental problems. As used in this paragraph, “environmental enhancement” means physical activities in the waters of the state or on adjacent uplands which involve system repair, redesign or construction, monitoring, planting, propagating, trimming, culturing, shoreline protection and hydrologic or other water quality improvements. “Solutions to existing environmental problems” and prevent additional environmental problems” means “environmental enhancement” addressed to specific problems within the district. Environmental enhancement not conducted entirely on real property owned or controlled by the district must be coordinated through the Loxahatchee River Management Coordinating Council.”

D. Governing Board Appointments and Liaisons

Dr. Arrington and the Board discussed potential changes to the Governing Board Appointments and Liaisons. The Board discussed Mr. Boggie’s roll as liaison to Busch Wildlife Sanctuary, and the Board expressed their preference to have Mr. Boggie remain as liaison to Busch Wildlife Sanctuary as they transition to their new property in Jupiter Farms.

No action was taken.

REPORTS

The following reports stood as written.

- A. NEIGHBORHOOD SEWERING
- B. LEGAL COUNSEL’S REPORT
- C. ENGINEER’S REPORTS
- D. BUSCH WILDLIFE SANCTUARY
- E. DIRECTOR’S REPORT

8. FUTURE BUSINESS

Dr. Arrington reviewed the Future Business report.

9. COMMENTS FROM THE BOARD

No comments were received.

10. ADJOURNMENT

MOTION: Made by Mr. Snyder, Seconded by Mr. Boggie,
Passed Unanimously.

"That the regular meeting of November 19, 2020 adjourns at 9:03 PM."



BOARD CHAIRMAN

RECORDING SECRETARY

BOARD SECRETARY