

Ref: #01-2022

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
JANUARY 20, 2022

1. CALL TO ORDER

Chairman Boggie called the Regular Meeting of January 20, 2022 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
Dr. Rostock
Mr. Snyder
Mr. Boggie

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

Consultants in attendance were Mr. Curtis Shenkman and Mr. Hunter Shenkman, Ms. Graybill from Kimley-Horn, Courtney Marshall from Baxter & Woodman (via GotoWebinar).

B. PREVIOUS MEETING MINUTES

The minutes of the Regular Meeting of December 16, 2021 were presented for approval and the following motion was made.

MOTION: Made by Mr. Rockoff, Seconded by Dr. Rostock
Passed Unanimously.

“THAT THE GOVERNING BOARD approve the minutes of the December 16, 2021 Regular Meeting as submitted.”

C. ADDITIONS & DELETIONS TO THE AGENDA

Staff recommended deletion of Item 5C. LS160 and 296 Emergency Generator and ATS – to approve purchase

Staff recommended pulling items 5E and 5F from the Consent Agenda for discussion.

D. ELECTION OF OFFICERS

"THAT THE GOVERNING BOARD elect: Mr. Snyder to serve as Chairman, Dr. Rostock to serve as Vice Chairman, Mr. Rockoff to serve as Treasurer, and Mr. Boggie to serve as Secretary of the Governing Board of the Loxahatchee River Environmental Control District."

MOTION: Made by Dr. Rostock, Seconded by Mr. Rockoff,
Passed Unanimously.

3. COMMENTS FROM THE PUBLIC

No comments from the public were received.

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard summarized the Wet Season.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

5. CONSENT AGENDA

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

"THAT THE GOVERNING BOARD approve the Consent Agenda as revised of January 20, 2022 as presented."

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

A. Authorization to Execute Reports

"THAT THE GOVERNING BOARD approve Resolution 2022-01 authorizing specific signatures for execution of all reports required under the Florida Statutes."

B. Employee Retirement Plan Trustee Designation

"THAT THE GOVERNING BOARD elects Dr. Matt Rostock to serve as Trustee for the Loxahatchee River Environmental Control District Money Purchase Plan and Trust."

C. Replacement of Unit 15 Vacuum Truck – to approve purchase

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to issue a purchase order “piggy-backed” on Sourcewell Contract # 122017 with Environmental Products Group for a Vactor Model 2100 in the amount of \$423,151.30.”

D. Fixed Asset Disposal – to approve disposal

“THAT THE GOVERNING BOARD authorize the Executive Director to dispose of tangible personal property asset tag numbers 2231, 2372, and the items from aggregated assets listed in the schedule above in accordance with the District’s Disposal of Surplus Tangible Personal Property Policy.”

6. REGULAR AGENDA

A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

5E. Drug Free Workplace Policy and 5F. DOT Drug Test Policy

Dr. Arrington introduced the draft Drug Free Workplace Policy and draft Drug and Alcohol Testing Policy for DOT-Covered Commercial Drivers and explained staff’s desire to update these policies. Board Member discussion expressed the desire to reconsider elements of these policies as drafted. The mandatory termination of an employee that tests positive was identified as a particular concern. Board Members appeared to prefer revising “will terminate” (i.e., a one strike provision) to language that would allow discipline “up to and including termination” for policy violations. Board Member discussion appeared to support, as appropriate, a second chance but not a third, fourth, and fifth chance. Board discussion identified suspension as a potential alternative to termination, potentially allowing employees (our most valuable asset) to seek treatment prior to or following a positive test. Additionally, Board Members voiced concern for employees that may struggle with a substance abuse issue and identified our existing substance abuse program as a hopeful solution for employees struggling in this area. Ultimately, Board Members are seeking a clear and fair policy that protects the District and employees. These draft policies were remanded back to staff and HR legal counsel for further revision.

B. Governing Board Appointments and Liaisons

" THAT THE GOVERNING BOARD adopt the revised chart of Governing Board appointments and liaisons for the 2022 calendar year.”

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

C. Headworks Emergency Generator Installation Construction Contract

" THAT THE DISTRICT GOVERNING BOARD award ITB 22-003-00113 to Zabatt, Inc. in the amount of \$68,830.78 and a contingency in the amount of \$6,900.00."

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

D. Renewal of Lift Station Rehabilitation General Construction Services

" THAT THE DISTRICT GOVERNING BOARD authorize the second of three 12 month extensions to ITB 18-005-LSGENCONSTR and authorize a unit price adjustment of 6.8% and an amount not to exceed \$250,000."

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

E. LRD Rule Chapter 31-3 Regulations for Sewer Systems

Dr. Arrington discussed the draft revisions to Chapter 31-3 Regulations for Sewer Systems and noted that proposed revisions and any subsequent revisions deemed necessary will be presented for Board approval next month (February 2022). No motion required

7. 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 Future Business.

9. COMMENTS FROM THE BOARD

Mr. Boggie commented on the recent Busch Wildlife Sanctuary Board meeting. They are making progress on fundraising for their new site, and they are planning on a ceremonial ground-breaking in March 2022. He believes there is risk that they will not be ready to move by March 2023. Dr. Arrington reviewed his goals for 2022 as developed in collaboration with Chair Snyder.

10. ADJOURNMENT

MOTION: Made by Mr. Boggie, Seconded by Dr. Rostock,
Passed Unanimously.

“That the regular meeting of January 20, 2022 adjourns at 8:27 PM.”


BOARD CHAIRMAN


BOARD SECRETARY


RECORDING SECRETARY

