

**MINUTES OF MEETING
SEMINOLE IMPROVEMENT DISTRICT**

A regular meeting of the Board of Supervisors of the Seminole Improvement District was held on Monday, November 6, 2017 at 4:00 p.m. at the Westlake Community Center, 4005 Seminole-Pratt Whitney Road, Westlake, Florida.

Present and constituting a quorum were:

Scott Massey	President
Dennis Church	Vice President

Also present were:

Kenneth Cassel	District Manager
Robert Diffenderfer	District Counsel
Chris Potts	District Engineer (Via Telephone)
John Carter	Minto PBLH, LLC
Alan Baldwin	Severn Trent Services
Stephen Bloom	Severn Trent Services

The following is a summary of the minutes and actions taken during the November 6, 2017 Seminole Improvement District Board of Supervisors Meeting.

FIRST ORDER OF BUSINESS

Roll Call

Mr. Cassel called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Public Comment

There being none, the next item followed.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the October 2 and October 9, 2017 Meetings

Mr. Cassel stated each Board member received a copy of the October 2 and October 9, 2017 meetings and requested any corrections, additions or deletions.

There being none,

On MOTION by Mr. Church seconded by Mr. Massey with all in favor the minutes of the October 2 and October 9, 2017 meetings were approved.

FOURTH ORDER OF BUSINESS

Approval of Financials for September 2017

The Board reviewed the financials.

On MOTION by Mr. Massey seconded by Mr. Church with all in favor the financials for September 2017 were approved.

FIFTH ORDER OF BUSINESS

Discussion Regarding Retainage on JW Cheatham Contract

The contractor requested the retainage be reduced from 10% to 5% based upon the status of the construction.

On MOTION by Mr. Church seconded by Mr. Massey with all in favor the retainage on the JW Cheatham contract was reduced to 5%.

SIXTH ORDER OF BUSINESS

Persimmon Boulevard East Plat

Mr. Potts reported he reviewed the plat and provided minor comments, which were addressed.

Mr. Diffenderfer stated his comment was addressed as well. This accepts dedications of drainage easements, water management tracts, lake maintenance easements and utility easements.

On MOTION by Mr. Church seconded by Mr. Massey with all in favor Resolution 2018-5, approving the Persimmon Boulevard East Plat, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Change Orders

A. Change Order #28 with JW Cheatham for Revisions on Persimmon Boulevard for an Increase of \$65,941.85

This change order is for the revision to the sidewalk on the north side of Persimmon Boulevard. The revision includes the addition of a 10 foot asphalt pathway as well as additional sleeving for irrigation, electric and power around the intersection, and the pathway. This does not include the minor berm, which will be installed.

On MOTION by Mr. Church seconded by Mr. Massey with all in favor Change Order #28 for an increase of \$65,941.85 was approved.

B. Change Order #29 with JW Cheatham for Seminole Pratt Whitney Road Fire Entrance Revision for an Increase of \$8,017.50

This change order is for the modifications to Seminole Pratt Whitney Road at the entrance to the fire station. This work includes the replacement of the curb, ADA ramps, adding asphalt for the turnout and sidewalk.

On MOTION by Mr. Church seconded by Mr. Massey with all in favor Change Order #29 for an increase of \$8,017.50 was approved.

C. Change Order #30 with JW Cheatham for Increasing the Pile Length Based on the PDA Test for an Increase of \$25,590

Mr. Potts explained when the electronic testing was done for the test piles it was determined certain piles needed to be extended further.

On MOTION by Mr. Massey seconded by Mr. Church with all in favor Change Order #30 for an increase of \$25,590 was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Grant of Easement to FPL

Mr. Diffenderfer reported FPL increased their offer to \$1 Million to deal with the mowing issue. FPL put back in the language the District took out about coordinating with them for additional things the District would want to do in the easement area. The District can push back on this. He questions whether the District has the ability to request the same thing of FPL.

Discussion ensued and there was consensus for Mr. Diffenderfer and Mr. Massey to meet with FPL's counsel.

NINTH ORDER OF BUSINESS

ACI Contract for Billing Services

Mr. Diffenderfer reported he responded to their proposed contract by removing some liability shifting provisions in the contract because the District is not going to waive sovereign immunity. They sent it back with some of the proposed changes not done and with a new provision stating the District will treat them as if they have sovereign immunity. He requested to speak with their counsel to discuss further.

TENTH ORDER OF BUSINESS

Consideration of Partial Release of Easement

Mr. Diffenderfer stated this release of easement is for the well site underneath the packing plant site. The District does not need this easement and is obstructing the platting of the property.

On MOTION by Mr. Massey seconded by Mr. Church with all in favor Resolution 2018-6, releasing the easement at the well site, was adopted.

ELEVENTH ORDER OF BUSINESS

Consideration of Grant of Drainage Easement

This item does not need to be addressed.

TWELFTH ORDER OF BUSINESS

Consideration of Approval of Utility Easement to the County from Minto PBLH, LLC

Mr. Diffenderfer stated in connection with the Town Center East Plat, SID received a utility easement. The County requested an easement from the landowner for their line within the same area. The resolution states the District recognizes the utility easement is there and consents to Minto’s easement to the County.

On MOTION by Mr. Massey seconded by Mr. Church with all in favor Resolution 2018-7, approving the utility easement to the County from Minto PBLH, LLC, was adopted.

THIRTEENTH ORDER OF BUSINESS

Consideration of Release of Easements for Packing Plant Site

Mr. Diffenderfer reviewed the release of easement for the packing plant site.

Discussion ensued and Mr. Carter answered questions for the Board.

On MOTION by Mr. Massey seconded by Mr. Church with all in favor Resolution 2018-8, releasing easements for the packing plant site, was adopted.

FOURTEENTH ORDER OF BUSINESS

District Manager’s Report

A. Ratification of Agreement with WGI for Construction Phase Services Over the M-Canal

Mr. Cassel explained this agreement was executed, but there is no recorded motion approving the contract; therefore, it needs to be ratified.

On MOTION by Mr. Church seconded by Mr. Massey with all in favor the agreement with WGI for construction phase services over the M-Canal was ratified.

B. Motion Assigning Fund Balance for Fiscal Year 2017

This item was deferred to the next meeting.

C. Resolution 2018-4, Amending the Fiscal Year 2017 Budget

Mr. Baldwin stated the District’s general fund does not need a budget amendment and the law does not require a budget amendment for an enterprise fund.

D. Consideration of Engagement Letter with Berger, Toombs, Elam, Gaines & Frank for Fiscal Year 2017 Audit

Mr. Cassel stated there is no increase in the rate from last year, which is not to exceed \$5,075.

On MOTION by Mr. Massey seconded by Mr. Church with all in favor the engagement letter with Berger, Toombs, Elam, Gaines & Frank for the Fiscal Year 2017 financial audit was approved.

E. Discussion and Approval of Website Upgrade

Mr. Cassel stated the City of Westlake just upgraded their website using Municode and it is suggested the District upgrade their website using Municode as well. This will have more interconnect activity between the District and the City and residents will be able to pay their utility bill online. The cost is approximately \$6,500.

On MOTION by Mr. Church seconded by Mr. Massey with all in favor upgrading the District website through Municode at a cost not to exceed \$6,500 was approved.

FIFTEENTH ORDER OF BUSINESS

Engineer’s Report

A. Minto West Traffic Operations Design Additional Services Footer Design

Mr. Potts reviewed his status report, a copy of which was included in the agenda package.

- The additional services by Simmons & White are due to the issue with the underground bores being made in the wrong direction by AT&T or Comcast. Because it is on public right-of-way, they cannot be held liable for the additional costs.
- Discussion ensued regarding responsibility for the costs associated with the error. Mr. Cassel suggested a demand letter be sent.

- Mr. Massey questioned why this did not get caught by the surveyors before lines were pulled through it.

On MOTION by Mr. Church seconded by Mr. Massey with all in favor the professional services agreement addendum with Simmons & White for the Minto West traffic operations design additional services was approved.


SIXTEENTH ORDER OF BUSINESS Attorney's Report
 There being no report, the next item followed.

SEVENTEENTH ORDER OF BUSINESS Supervisor's Request
 The following comments were made:


- Mr. Massey asked for an update on the Interlocal Agreement with Palm Beach County. Mr. Diffenderfer responded he met with Mr. Mike Jones in the beginning of October. There is a punch list of items they need to provide.
- Mr. Massey noted the contract with the County for them to do sample testing for the District is set to expire in December.
- Mr. Church asked if the Water Control Plan referenced in Mr. Pott's report was approved. Mr. Potts responded it was already approved and submitted.

EIGHTEENTH ORDER OF BUSINESS Adjournment
 There being no further business,

On MOTION by Mr. Massey seconded by Mr. Church with all in favor the meeting was adjourned.



 Kenneth Cassel
 Assistant Secretary



 Scott Massey
 President