

Town of Loxahatchee Groves

Special Town Council Meeting

Tuesday, June 26, 2018 at 10:00 a.m.

MINUTES

1. OPENING

a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 10:00am. Present were Mayor Browning, Vice Mayor McLendon, Council Members DeMarois, Batcheler and Maniglia. Also present were Town Manager Underwood, Town Attorney Cirullo and Town Clerk Walton.

b. Pledge of Allegiance & Invocation – Mayor Browning

c. Approval of Agenda

Vice Mayor McLendon request that item #2e be moved to the first item handled. Council agreed.

Motion: a motion to approve the agenda as amended, to include Addendum #1 and to move Item #2e forward, was made by Vice Mayor McLendon and seconded by Council Member Maniglia. Motion passed 5 – 0.

2. ORDER OF BUSINESS

e. RESOLUTION NO. 2018-37 moved in front of item #2a on agenda

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES PROVIDING FOR THE TOWN ENGINEER TO BE THE DISTRICT ENGINEER AND THE TOWN ATTORNEY TO BE THE DISTRICT COUNSEL FOR THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN, PURSUANT TO AND CONSISTENT WITH THE INTERLOCAL AGREEMENT BETWEEN THE DISTRICT, AS A DEPENDENT DISTRICT OF THE TOWN, AND THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member DeMarois asked if there would be a transition period with the current Attorney for the District, when would the agreements with the District Attorney and Engineer be terminated and how would the transition period payments to the District Attorney be made? Town Attorney Cirullo responded that there would be no contract terminations as there were legal matters that he would coordinate with the District Attorney. Payment of that time would be billed and paid through Water Control District funds.

Motion: a motion to approve the resolution was made by Vice Mayor McLendon and seconded by Council Member Maniglia. Motion passed 5 – 0.

a. RESOLUTION NO. 2018-33

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ACCEPTING AND ACKNOWLEDGING THE RESULTS OF THE JUNE 25, 2018, LANDOWNERS REFERENDUM WHICH APPROVED THE TRANSITION OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT INTO A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, AND ACKNOWLEDGING THAT THE TOWN COUNCIL SHALL SERVE AS THE BOARD OF SUPERVISORS FOR THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member DeMarois asked if this now meant the Town was taking full responsibility. Town Attorney Cirullo responded yes.

Motion: a motion to approve the resolution and accept and acknowledge the results of the June 25, 2018 Landowners Referendum was made by Council Member Maniglia and seconded by Council Member Batcheler. Motion passed 5 – 0.

b. RESOLUTION NO. 2018-34

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FOR THE TOWN TO PROVIDE GOODS AND SERVICES TO THE DISTRICT FOR THE DISTRICT TO FULFILL ITS REQUIREMENTS AND OBLIGATIONS AND AUTHORIZING THE EXECUTION THEREOF; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Add: Addendum #1: the interlocal agreement for this resolution.

Town Attorney Cirullo explained that this interlocal agreement was an internal document acknowledging the merger of the two entities and the funds between the two entities as well.

Motion: a motion to approve the resolution and the interlocal agreement was made by Council Member Maniglia and seconded by Council Member DeMarois. Motion passed 5 – 0.

c. RESOLUTION NO. 2018-35

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES PROVIDING FOR THE TOWN MANAGER TO MANAGE THE OPERATIONS OF THE DISTRICT PURSUANT TO AND CONSISTENT WITH THE INTERLOCAL AGREEMENT BETWEEN THE DISTRICT, AS A DEPENDENT DISTRICT OF THE TOWN, AND THE TOWN OF LOXAHATCHEE GROVES, AND THAT THE DISTRICT ADMINISTRATOR SHALL REPORT TO THE TOWN MANAGER ON DISTRICT MATTERS; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member DeMarois asked for clarification that Steve Yohe would now report to Manager Underwood. Also, if a Council Member wanted to speak directly to Mr. Yohe would they now have to go through the Town Manager first. Town Attorney Cirullo responded that a Council Member could speak to Mr. Yohe, but it would be advisable that they let the Manager know about the subject of the conversation. Vice Mayor McLendon suggested that email correspondence, with the Town Manager copied, would be the best way to meet this transparency directive. Everyone was agreeable to that solution.

Motion: a motion to approve the resolution was made by Vice Mayor McLendon and seconded by Council Member Maniglia. Motion passed 5 – 0.

d. RESOLUTION NO. 2018-36

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, TO PROVIDE FOR THE TOWN CLERK TO SERVE AS DISTRICT SECRETARY FOR THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member DeMarois asked if this meant the current Water Control District Secretary was no longer working for the District. Town Attorney Cirullo responded that was incorrect, and another resolution on the agenda handled keeping District employees.

Motion: a motion to approve the resolution was made by Council Member Maniglia and seconded by Vice Mayor McLendon. Motion passed 5 – 0.

f. RESOLUTION NO. 2018-38

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, CONFIRMING THAT ALL RIGHTS, ACTIONS, ORDERS, AND ALL CONTRACTS OF THE FORMERLY INDEPENDENT LOXAHATCHEE GROVES WATER CONTROL DISTRICT AND ALL LEGAL AND ADMINISTRATIVE PROCEEDINGS INVOLVING THE FORMERLY INDEPENDENT LOXAHATCHEE GROVES WATER CONTROL DISTRICT SHALL CONTINUE IN FULL FORCE AND EFFECT UNDER THE JURISDICTION OF THE LOXAHATCHEE GROVES WATER DISTRICT AS A DEPENDENT DISTRICT OF THE TOWN; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member DeMarois asked if all was covered under 298? Town Attorney Cirullo responded yes, as required.

Motion: a motion to approve the resolution was made by Council Member Maniglia and seconded by Council Member Batcheler. Motion passed 5 – 0.

g. RESOLUTION NO. 2018-39

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, CONFIRMING THE CONTINUING EMPLOYMENT OF DISTRICT EMPLOYEES CONSISTENT WITH THEIR CURRENT TERMS OF EMPLOYMENT, AND PROVIDING FOR THEIR TRANSITION TO EMPLOYEES OF THE TOWN OF LOXAHATCHEE GROVES, WHICH WILL PROVIDE ALL GOODS AND SERVICES TO THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, THROUGH AN INTERLOCAL AGREEMENT BETWEEN THE TOWN AND DISTRICT AS A DEPENDENT DISTRICT OF THE TOWN; AUTHORIZING THE TOWN MANAGER TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THE TRANSITION OF EMPLOYMENT, INCLUDING PAYMENT OF SALARY AND WAGES AND TO OTHERWISE IMPLEMENT THE INTENT OF THE THIS RESOLUTION; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member DeMarois asked if all payroll and wages would continue. Town Attorney Cirullo stated that during the transition time the Town would make sure payrolls were paid and the Town would be reimbursed as needed.

Motion: a motion to approve the resolution was made by Council Member Maniglia and seconded by Vice Mayor McLendon. Motion passed 5 – 0.

h. RESOLUTION NO. 2018-40

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT FOR PAYROLL SERVICES FOR TOWN EMPLOYEES TO FACILITATE THE TRANSITION OF EMPLOYEES FROM THE DISTRICT TO THE TOWN; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Connie Bell, 22nd Road N, asked if this included the FRS. Manager Underwood responded that everything would stay intact.

Motion: a motion to approve the resolution was made by Council Member DeMarois and seconded by Vice Mayor McLendon. Motion passed 5 – 0.

i. RESOLUTION NO. 2018-41

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO RETAIN CONTRACTORS OR HIRE EMPLOYEES TO WORK FOR THE TOWN TO PERFORM DISTRICT-RELATED SERVICES FOR THE TOWN SO THAT THE TOWN CAN PERFORM PURSUANT TO THE INTERLOCAL AGREEMENT BETWEEN THE TOWN AND DISTRICT AS A DEPENDENT DISTRICT OF THE TOWN; AUTHORIZING THE TOWN MANAGER TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE INTENT OF THIS RESOLUTION;

PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the resolution was made by Vice Mayor McLendon and seconded by Council Member DeMarois. Motion passed 5 – 0.

j. RESOLUTION NO. 2018-42

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH A QUALIFIED CERTIFIED PUBLIC ACCOUNTING FIRM TO COMPLETE AN AGREED UPON PROCEDURE FOR REVIEW OF DISTRICT FINANCES; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the resolution was made by Council Member DeMarois and seconded by Vice Mayor McLendon. Motion passed 5 – 0.

Add: Addendum #1

k. RESOLUTION NO. 2018-43

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING ALL NECESSARY ACTIONS BY THE TOWN COUNCIL, TOWN MANAGER AND TOWN ATTORNEY TO EFFECTUATE THE TRANSFER OF LOXAHATCHEE GROVES WATER CONTROL DISTRICT BANK AND OTHER FINANCIAL-RELATED ACCOUNTS TO THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the resolution was made by Vice Mayor McLendon and seconded by Council Member Batcheler. Motion passed 5 – 0.

Add: Addendum #1

l. RESOLUTION NO. 2018-44

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ACKNOWLEDGING AND INCORPORATING THE BUDGET OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT INTO THE BUDGET OF THE TOWN OF LOXAHATCHEE AS A DEPENDENT DISTRICT OF THE TOWN; AUTHORIZING THE TOWN MANAGER TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the resolution was made by Vice Mayor McLendon and seconded by Council Member Maniglia. Motion passed 5 – 0.

Vice Mayor McLendon asked, in conjunction with this, that a budget amendment be implemented and ratified to reduce personnel cost and transferred to the Town Road Maintenance. A resolution to ratify this could be brought back at the next meeting. Council Member DeMarois asked where the funds from the personnel costs reduction would go. Vice

Mayor McLendon responded it could be put to road maintenance. Town Attorney Cirullo responded there would have to be a motion to re-open the item for reconsideration.

Motion: a motion to re-open item #1 Resolution No. 2018-44 for reconsideration was made by Vice Mayor McLendon and seconded by Council Member Maniglia. Motion passed 5 – 0.

Motion: a motion to approve Resolution No. 2018-44 and the budget amendment referenced above was made by Vice Mayor McLendon and seconded by Council Member Maniglia. Motion passed 5 – 0.

3. CLOSING COMMENTS

a. Public

Bill Louda, E Road, stated he was on the first Town Council and it was great to get to this point and hopefully the Water Control District would become the Public Works Department for the Town with no conflicts.

Marge Herzog, stated she was also on the first Town Council and remembered this was attempted during the second year of incorporation. This was a great transition.

b. Town Attorney - none

c. Town Council Members

Council Member Maniglia commented she also hoped they would become Public Works Department and she already had a to do list.

Council Member DeMarois commented that he concurred and thanked everyone for voting.

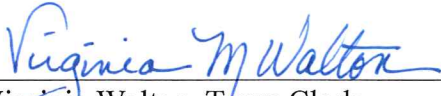
Council Member Batcheler thanked everyone for a phenomenal job and hoped this would bring everyone together for the betterment of the Town.

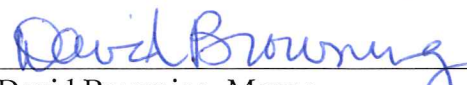
Vice Mayor McLendon commented that they should not expect the finger pointing to stop. They were trying to work in the best interests of the Town and a common ground was needed. There were some valid concerns noted during this time.

Mayor Browning agreed with all comments made. It was good to see the turnout for this vote. For the Town Council, the buck now stops here. All decisions need to be made for the betterment of the Town. Things change. The fact that this Water Control Board was willing to work with the Town Council made all the difference. Mayor Browning thanked Representative Willhite for all his efforts at the State level.

4. ADJOURNMENT

Hearing no further business, a motion to adjourn the meeting was made at 10:31 am.


Virginia Walton, Town Clerk


David Browning, Mayor

These minutes were approved by the Town Council on Tuesday, July 17 2018.



Special Town Meeting
Loxahatchee Groves Water Control District
Town of Loxahatchee Groves Town Council
Tuesday, June 26, 2018 10:30 A.M.
Town Hall, 155 F Road, Loxahatchee Groves, FL

MINUTES

Board of Supervisors and Staff

Chair Anita Kane	District Administrator Steve Yohe
Vice Chair Simon Fernandez	District Attorney Mary Viator
Secretary/Treasurer Connie Bell	
Deputy Secretary/Treasurer Karen Piesley	
Board Member Laura Danowski	

Town Council and Staff

Mayor David Browning (Seat 4)	Town Manager William F. Underwood, II
Vice Mayor Todd McLendon (Seat 2)	Town Clerk Virginia Walton
Council Member Dave DeMarois (Seat 5)	Town Attorney Michael D. Cirullo, Jr.
Council Member Joyce Batcheler (Seat 3)	
Council Member Phillis Maniglia (Seat 1)	

PUBLIC NOTICE/AGENDA

1. OPENING

- a. Call to Order – Chair Anita Kane
- b. Roll Call
 1. District Secretary for District

Present were Chair Anita Kane, Vice Chair Simon Fernandez, Secretary/Treasurer Connie Bell, Deputy Secretary/Treasurer Karen Piesley, District Administrator Steve Yohe, District Secretary Lynette Ballard and District Attorney Mary Viator. Board Member Laura Danowski was absent.

2. Town Clerk for Town Council

Present were Mayor David Browning, Vice Mayor Todd McLendon, Council Member Dave DeMarois, Council Member Joyce Batcheler, Council Member Phillis Maniglia, Town Manager William Underwood, Town Attorney Michael Cirullo and Town Clerk Virginia Walton.

2. ORDER OF BUSINESS

A. WATER CONTROL DISTRICT BOARD

1. Acceptance of Results of Referendum Ballot Vote on June 25, 2018

Chair Kane announced that the results of the Referendum Ballot vote were 2,988 in favor of dependency and 872 against. She asked for an acceptance consensus from the Board. The Board concurred.

2. Transition of Board of Supervisor Members to Town Council Members serving as the Board of Supervisors of the Water Control District Board

Town Clerk Walton swore in Mayor Browning, Vice Mayor McLendon, and Council Members DeMarois, Maniglia and Batcheler as Board Supervisors for the Water Control District, a dependent district of the Town.

3. Pledge of Allegiance and Invocation – Mayor Browning
4. Approval of Agenda by Town Council/District Board Members

Vice Mayor/Board Member McLendon asked that item #3e be moved to the first item under new business.

Motion: a motion to approve the agenda, including Addendum #1 and to move item #3e to the first item under new business, was made by Vice Mayor/Board Member McLendon and seconded by Council Member/Board Member DeMarois. Motion passed 5 – 0.

3. NEW BUSINESS

- e. RESOLUTION NO. 2018-DD05- moved from item #3e to first item on agenda.

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, DESIGNATING THE TOWN ATTORNEY AS THE ATTORNEY FOR THE DISTRICT, PURSUANT TO AND CONSISTENT WITH THE INTERLOCAL AGREEMENT BETWEEN THE DISTRICT, AS A DEPENDENT DISTRICT OF THE TOWN, AND THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the resolution was made by Board Supervisor McLendon and seconded by Board Supervisor Maniglia. Motion passed 5 – 0.

- a. RESOLUTION NO. 2018-DD01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, DESIGNATING THE DISTRICT PRESIDENT AND PROVIDING THAT THE PRESIDENT SHALL SERVE AS CHAIR AT MEETINGS OF THE BOARD OF SUPERVISORS; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to name David Browning as Board President/Chair was made by Board Supervisor Maniglia and seconded by Board Supervisor McLendon. Motion passed 5 – 0.

b. RESOLUTION NO. 2018-DD02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH THE TOWN OF LOXAHATCHEE GROVES FOR THE TOWN TO PROVIDE GOODS AND SERVICES TO THE DISTRICT FOR THE DISTRICT TO FULFILL ITS REQUIREMENTS AND OBLIGATIONS AND AUTHORIZING THE EXECUTION THEREOF; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Add: Addendum #1 – interlocal agreement form

Motion: a motion to approve the resolution and interlocal agreement was made by Board Supervisor McLendon and seconded by Board Supervisor Maniglia. Motion passed 5 – 0.

c. RESOLUTION NO. 2018-DD03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, DESIGNATING THE TOWN CLERK TO SERVE AS DISTRICT SECRETARY; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the resolution was made by Board Supervisor Maniglia and seconded by Board Supervisor McLendon. Motion passed 5 – 0.

d. RESOLUTION NO. 2018-DD04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR THE TOWN MANAGER TO MANAGE THE OPERATIONS OF THE DISTRICT PURSUANT TO AND CONSISTENT WITH THE INTERLOCAL AGREEMENT BETWEEN THE DISTRICT, AS A DEPENDENT DISTRICT OF THE TOWN, AND THE TOWN OF LOXAHATCHEE GROVES, AND THAT THE DISTRICT ADMINISTRATOR SHALL REPORT TO THE TOWN MANAGER ON DISTRICT MATTERS; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the resolution was made by Board Supervisor McLendon and seconded by Board Supervisor Maniglia. Motion passed 5 – 0.

f. RESOLUTION NO. 2018-DD06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, DESIGNATING THE TOWN ENGINEER AS THE ENGINEER FOR THE DISTRICT, PURSUANT TO AND

CONSISTENT WITH THE INTERLOCAL AGREEMENT BETWEEN THE DISTRICT, AS A DEPENDENT DISTRICT OF THE TOWN, AND THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Board Supervisor Maniglia stated she thought Administrator Yohe was an Engineer and wondered if it would be more feasible to use his services. Board Supervisor McLendon asked if his current contract called for engineering services. No one had answer, but would be looked into. Town Attorney Cirullo stated this made sense but could change after contract reviewed.

Motion: a motion to approve the resolution was made by Board Supervisor McLendon and seconded by Board Supervisor Batcheler. Motion passed 5 – 0.

g. RESOLUTION NO. 2018-DD07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, CONFIRMING THAT ALL RIGHTS, ACTIONS, ORDERS, AND ALL CONTRACTS OF THE DISTRICT AND ALL LEGAL AND ADMINISTRATIVE PROCEEDINGS INVOLVING THE DISTRICT SHALL CONTINUE IN FULL FORCE AND EFFECT UNDER THE JURISDICTION OF THE DISTRICT AS A DEPENDENT DISTRICT OF THE TOWN; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the resolution was made by Board Supervisor DeMarois and seconded by Board Supervisor McLendon. Motion passed 5 – 0.

h. RESOLUTION NO. 2018-DD08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, CONFIRMING THE CONTINUING EMPLOYMENT OF DISTRICT EMPLOYEES CONSISTENT WITH THEIR CURRENT TERMS OF EMPLOYMENT, AND CONFIRMING THEIR TRANSITION TO EMPLOYEES OF THE TOWN; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the resolution was made by Board Supervisor Maniglia and seconded by Board Supervisor McLendon. Motion passed 5 – 0.

i. RESOLUTION NO. 2018-DD09

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, DESIGNATING THE DISTRICT TREASURER AND PROVIDING BOND AMOUNT AND COMPENSATION; APPOINTING A FISCAL AGENT FOR THE DISTRICT AND PROVIDING FOR

COMPENSATION; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Manager Underwood recommended a member of the Town Council for this position. Connie Bell, 22nd Road N, suggested that someone who had an accounting background and was detail oriented would be best for this position. As previous Board Treasurer, she had never filed a Bond. Prior District Attorney Viator also stated she was not aware of any Bond. Board Supervisor DeMarois referred to page 31 which states the Board appoints Underwood Management and asked about further compensation. Town/District Attorney Cirullo responded that they would be the fiscal agent and no separate agreement was required. There would be an allocation of cost and any expenses required would come out of the Water Control District account.

Motion: a motion to designate Todd McLendon as District Treasurer, and to require no Bond, was made by Board Supervisor Maniglia and seconded by Board Supervisor Batcheler. Motion passed 5 – 0.

j. RESOLUTION NO. 2018-DD10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, CONFIRMING THAT THE ADOPTION OF THE ANNUAL BUDGET FOR THE DISTRICT, AND THE LEVY OF NON-AD VALOREM SPECIAL ASSESSMENTS BY THE DISTRICT, WILL BE ON THE SAME SCHEDULE AS THE BUDGET ADOPTION AND LEVY OF MILLAGE AND NON-AD VALOREM SPECIAL ASSESSMENTS BY THE TOWN OF LOXAHATCHEE GROVES; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Town/District Attorney Cirullo stated that notice of all hearings would be done by the Town.

Motion: a motion to approve the resolution was made by Board Supervisor McLendon and seconded by Board Supervisor Maniglia. Motion passed 5 – 0.

k. RESOLUTION NO. 2018-DD11

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOXAHATCHEE GROVES WATER CONTROL DISTRICT, A DEPENDENT DISTRICT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE SCHEDULE OF REGULAR MEETINGS OF THE DISTRICT BOARD OF SUPERVISORS FOR THE REMAINDER OF FISCAL YEAR 2017-18 TO COINCIDE WITH REGULAR MEETINGS OF THE TOWN COUNCIL; PROVIDING FOR NOTICE; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Town/District Attorney Cirullo stated that the Water Control District met on different nights than the Town Council; however the meetings would be merged with the Town Council Meeting nights and would be advertised and noticed as such.

Motion: a motion to approve the resolution and new merged meeting schedule was made by Board Supervisor McLendon and seconded by Board Supervisor Maniglia.

4. CLOSING COMMENTS

a. Public

Connie Bell, 22nd Road N., announced that there would be a community clean up this weekend and a possible picnic afterwards at the County Park adjacent to the Town Hall.

b. Town Council Members/Board of Supervisors

Board Supervisor Maniglia stated she had several items she would like followed up on. She would like to see the culverts blown out now; the berms no long on the side of the Road, such as A Road, should be replaced by the dirt already at the Water Control District site; and identify the cutouts needed.

Board Supervisor DeMarois stated he echoed those items and appreciated that things moved so smoothly and the Board was so cooperative.

Board Supervisor Batcheler thanked the Water Control Board for all the work they have done and hoped they would be open to questions from the Council to move this forward smoothly.

Board Supervisor/Treasurer McLendon also thanked the Water Control Board, particularly Chair Anita Kane, who had gotten Representative Willhite to sponsor the Bill to allow this merger. Also thanks to Attorney Cirullo for working on these two agendas; welcome to the new employees. The Town/District has the equipment to do the cut outs and there was no longer any ILA concerns.

Board President Browning stated he was looking forward to working together. Thanks to Manager Underwood and Attorney Cirullo and the responsibilities are on the Town now.

5. ADJOURNMENT

Hearing no further business, a motion to adjourn the meeting was made at 11:04 am.


Virginia Walton, District/Town Clerk


David Browning, Board President

These minutes were approved by the Board of Supervisors on Tuesday, July 17 2018.