



**GOVERNING BOARD MEETING  
TUESDAY, FEBRUARY 27, 2024 – 9:00 AM  
7601 US 301 NORTH, TAMPA, FL 33637  
(813) 985-7481**

**MINUTES**

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**Board Members Present**

Michelle Williamson, Vice Chair (Acting Chair)  
John Mitten, Secretary  
Jack Bispham, Treasurer  
Joel Schleicher, Member  
Kelly Rice, Member  
Ashley Bell Barnett, Member  
John Hall, Member  
James Holton, Member  
Dustin Rowland, Member  
Robert Stern, Member  
Nancy H. Watkins, Member

**Board Members Absent**

Ed Armstrong, Chair

**Staff Members**

Brian J. Armstrong, Executive Director  
Amanda Rice, Assistant Executive Director  
Chris Tumminia, General Counsel  
Brian Werthmiller, Inspector General  
Jennette Seachrist, Division Director  
Michelle Hopkins, Division Director  
Brian Starford, Division Director  
Brandon Baldwin, Division Director  
Michelle Weaver, Division Director

**Board Administrative Support**

Virginia Singer, Manager  
Lori Manuel, Lead Administrative Coordinator

**Convene Public Hearing**

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., February 27, 2024, at the Tampa Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637. This meeting was available for live viewing through Internet streaming. An attendance roster is archived in the District's permanent records. Approved minutes from meetings can be found on the District's website at [WaterMatters.org](http://WaterMatters.org).

**1.1 Call to Order**

Vice Chair Michelle Williamson called the meeting to order. She noted that the Board meeting was being recorded for broadcast on government access channels, and public input would be provided in person. Vice Chair Williamson stated that anyone wishing to address the Governing Board concerning any item listed on the agenda or any item that does not appear on the agenda should complete and submit a "Request to Speak" card. Vice Chair Williamson stated that comments would be limited to three minutes per speaker, and when appropriate, exceptions to the three-minute limit may be granted by the Acting Chair. She also requested that several individuals wishing to speak on the same topic designate a spokesperson. Vice Chair Williamson introduced each member of the Governing Board and staff present at the dais (this served as roll call). A quorum was confirmed.

**1.2 Invocation and Pledge of Allegiance**

Treasurer Jack Bispham offered the invocation and the Pledge of Allegiance.

**1.3 Employee Recognition**

Vice Chair Williamson recognized Ms. Carolyn Pina for 20 years of service.

**1.4 Additions/Deletions to Agenda**

Mr. Brian Armstrong, Executive Director, stated there were no additions or deletions to the agenda.

Board Member Joel Schleicher requested the following items be moved to Discussion:

**Resource Management Committee**

**2.4 Approval to Correct Total Pipe Length for Peace River Manasota Regional Water Supply Authority – Regional Integrated Loop System Phase 3C Project (Q313)**

**General Counsel's Report**

**2.9 Authorization to Issue Administrative Complaint and Order – Unauthorized Construction and Permit Violations – NHC-FL123, LLC, and NHC-FL124, LLC –CT Nos. 423861, 421383, 423855 – Sumter County**

A Request to Speak card was also received for this item.

**There was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes.**

**1.5 Public Input for Issues Not Listed on the Published Agenda**

Mr. David Ballard Geddis spoke regarding the constitution and water jurisdiction.

**Consent Agenda**

**Finance/Outreach and Planning Committee**

**2.1 Approval of the 2024 Consolidated Annual Report**

Staff recommended the Board approve the 2024 Consolidated Annual Report and its transmittal to the required agencies.

**Resource Management Committee**

**2.2 Rainbow Springs 5th Replat Stormwater Retrofit - Reduction of Scope and Budget (WR10)**

Staff recommended the Board authorize staff to amend the Rainbow Springs 5th Replat Stormwater Retrofit (WR10) cooperative funding agreement to:

- a. Revise the scope of work to decrease the treatment area to 36.6 acres, and the TN removal to 66.8 lbs./yr.; and
- b. Revise the project budget from \$848,094 to \$534,300 with the District and the County each contributing \$267,150.

**2.3 SW IMP - Water Quality - Anna Maria BMP's Phase N - Project Type Change (W109)**

Staff recommended the Board authorize staff to amend the risk level from a Type 3 to a Type 2 contract for SW IMP – Water Quality – Anna Maria BMPs Phase N (W109).

**~~2.4 Approval to Correct Total Pipe Length for Peace River Manasota Regional Water Supply Authority – Regional Integrated Loop System Phase 3C Project (Q313)~~**

~~Staff recommended the Board approve the correction of the total pipeline length of the project from approximately 10 miles to approximately 8 miles.~~

### **Operations, Lands and Resource Monitoring Committee**

#### **2.5 Amendment to Access Easement for the P-6 Canal Structure, SWF Parcel No. 20-006-102P**

Staff recommended the Board approve and accept the amended easement for relocation of existing access.

### **Regulation Committee**

#### **2.6 Emergency Order No. SWF 24-002 – Tampa Bay Water - Alafia River Withdrawal Facility**

Staff recommended the Board approve Emergency Order No. SWF 24-002 – Tampa Bay Water – Alafia River Withdrawal Facility as attached as an exhibit.

#### **2.7 Water Use Permit No. 20 020901.002, Gibson Place Utility Company, LLC and Middleton Utility Company, LLC / GPU-MU (Lake, Sumter Counties)**

Staff recommended the Board approve the proposed permit attached as an exhibit.

#### **2.8 Water Use Permit No. 20 021031.000, Blue Goose Utility Company, LLC / Blue Goose Utility Company, LLC (Lake, Sumter Counties)**

Staff recommended the Board approve the proposed permit attached as an exhibit.

### **General Counsel's Report**

#### **~~2.9 Authorization to Issue Administrative Complaint and Order – Unauthorized Construction and Permit Violations – NHC-FL123, LLC, and NHC-FL124, LLC – CT Nos. 423861, 421383, 423855 – Sumter County~~**

~~Staff recommended the Board:~~

- ~~1. Authorize District staff to issue an Administrative Complaint and Order to NHC-FL123, LLC, and NHC-FL124, LLC, to obtain compliance, to recover an administrative fine/civil penalty, and to recover District costs and fees, if appropriate.~~
- ~~2. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the Administrative Complaint and Order, including filing any appropriate actions in circuit court, if necessary.~~

#### **2.10 Approval of the Polk Regional Water Cooperative's Permitting Plan for Temporary Allocations Under the Central Florida Water Initiative Rule**

Staff recommended the Board approve the Polk Regional Water Cooperative's Temporary Allocation Plan to Implement Alternative Water Supply Projects.

#### **2.11 Approval of Consent Order between SWFWMD and Punta Gorda RV Owner LP / Getaway Storage – Unauthorized Construction Activities – CT Nos. 405388, 405263, 419825, 418574 – Charlotte County**

Staff recommended the Board:

1. Approve the Consent Order.
2. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the Consent Order, including filing any appropriate actions in circuit court, if necessary.

### **Executive Director's Report**

#### **2.12 Approve Governing Board Minutes – January 23, 2024**

Staff recommended the Board approve minutes as presented.

**A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (Audio –00:10:15)**

### **Finance/Outreach and Planning Committee**

Treasurer Jack Bispham called the committee to order.

#### **3.1 Consent Item(s) Moved to Discussion – None**

#### **3.2 Knowledge Management: Approval of Governing Board Policy, Investments**

Mr. Brandon Baldwin, Business, and IT Services Division Director, presented proposed revisions to the Knowledge Management policy based on the recommendations from the January Board meeting. He provided an overview of the proposed updates.

Board Member Joel Schleicher stated that although he has confidence in the District's investment strategies, he would like to see opportunities for additional purchasing power.

Staff recommended the Board approve and accept the recommended updates to the District's Investment Policy.

**A motion was made and seconded to approve staff's recommendation. The motion passed with nine in favor and two opposed.** (Audio – 00:18:41)

#### **3.3 Budget Transfer Report**

This item was for information only. No action was required.

### **Resource Management Committee**

Board Member Ashley Bell Barnett called the committee to order.

#### **4.1 Consent Item(s) Moved to Discussion - None**

#### **2.4 Approval to Correct Total Pipe Length for Peace River Manasota Regional Water Supply Authority – Regional Integrated Loop System Phase 3C Project (Q313)**

Board Member Joel Schleicher asked for additional information explaining why there was no cost reduction associated with the reduction of the pipe length.

Mr. Jay Hoecker, Water Resources Bureau Chief, provided an overview of the regional interconnect project and explained that the third-party review presentation and recap provided to the Board on October 24, 2023 contained an outdated total pipeline length of approximately ten miles. The correct length is approximately eight miles. He stated the costs for the project have been based on the eight-mile pipeline estimate since the completion of the routing study in March of 2022. Vice Chair Michelle Williamson and Board Member Nancy Watkins classified it as a scrivener's error.

Board Member James Holton asked if there was a cost comparison study. Ms. Teri Holcomb, Peace River Manasota Regional Water Supply Authority, responded in the affirmative. She stated the correct routing segment was provided in the final design.

Mr. Brian Armstrong, Executive Director, provided additional clarification and reaffirmed that the cost of project was always based on the eight-mile pipeline estimate.

Staff recommended the Board approve the correction of the total pipeline length of the project from approximately ten miles to approximately eight miles.

**A motion was made and seconded to approve staff's recommendation. The motion passed with ten in favor and one opposed.** (Audio – 00:35:14)

**4.2 Knowledge Management: Springs Coast Steering Committee Governing Board Policy**

Mr. Randy Smith, Natural Systems and Restoration Bureau Chief, presented information that included a history of the Springs Coast Steering Committee (SCSC) and provided an overview of the proposed Governing Board policy. He explained that this proposed policy codifies an existing District activity that has been efficient in developing and monitoring Springs Surface Water Improvement Management. The policy will also assist in soliciting and evaluating Springs Funding applications. Mr. Smith responded to questions. Board Members were asked to provide comments by March 12. If there are no substantial changes to the proposed policy as presented, it will appear on the Consent Agenda at the March Board meeting for approval.

This item was for information only. No action was required.

**4.3 Fiscal Year 2025 Cooperative Funding Initiative Preliminary Project Evaluations**

Mr. Kevin Wills, Cooperative Funding Initiative Leader, presented a summary of the Fiscal Year (FY) 2025 funding applications, project location map, preliminary scoring and staff funding recommendations, and a timeline. He provided funding recommendations that included seven Alternative Water Supply (AWS) Projects, six projects ranked 1A, and five new projects which total \$77.8 million in FY25 District funding. Mr. Wills stated there were seven projects not recommended for funding and three requests that were withdrawn.

He specifically addressed an alternative water supply project that was not recommended for District funding. This was project Q411 – Peace River Facility Expansion for the Peace River Manasota Regional Water Supply Authority. The project is not recommended for District funding as it is not included as a part of the Governing Board's seven prioritized AWS projects in the District's Long-Term Funding Plan. It was recommended that this project be submitted through the Florida Department of Environmental Protection AWS grant program with the other seven prioritized AWS projects.

This item was for information only. No action was required.

**Operations, Lands and Resource Monitoring Committee**

Board Member John Hall called the committee to order.

**5.1 Consent Item(s) Moved to Discussion - None**

**5.2 Hydrologic Conditions Report**

Ms. Tamera McBride, P.G., Hydrologic Data Manager, presented the hydrologic conditions update. She stated the 12-month total rainfall remains below normal but has improved with above average winter rainfall. Ms. McBride provided information regarding rainfall, streamflow, groundwater levels, lake levels, public supply reservoirs, and climate forecasts. Ms. McBride stated extended climate forecasts predict a chance of above-normal precipitation into the spring. Ms. McBride responded to questions.

This item was for information only. No action was required.

**Regulation Committee**

Board Member Dustin Rowland called the committee to order.

**6.1 Consent Item(s) Moved to Discussion - None**

**6.2 Denials Referred to the Governing Board**

No denials were presented.

**6.3 Consider Modification of Water Shortage Order No. SWF 23-041**

Mr. Darrin Herbst, P.G., Water Use Bureau Chief, summarized District-wide hydrologic conditions. He stated the Tampa Bay Desalination plant is out of operation until the fall. Mr. Herbst stated that Tampa Bay Water has indicated that demand has reduced by 33 million gallons per day as a result of the water restrictions passed by this Board in November 2023 as well as cooler and wetter than normal conditions. He provided an overview of the proposed modifications to the current water shortage order. Mr. Herbst responded to questions.

Staff recommended the Board approve modified Water Shortage Order No. SWF 23-041 attached as an exhibit.

**A motion was made and seconded to approve staff's recommendation. The motion passed unanimously.** (Audio – 01:09:50)

**General Counsel's Report**

**7.1 Consent Item(s) Moved to Discussion**

**2.9 Authorization to Issue Administrative Complaint and Order – Unauthorized Construction and Permit Violations – NHC-FL123, LLC, and NHC-FL124, LLC –CT Nos. 423861, 421383, 423855 – Sumter County**

Ms. Jennifer Soberal, Senior Attorney, provided information regarding unauthorized construction and permit condition violations at Red Oaks RV Resort in Sumter County. She outlined a timeline of communications and attempts to resolve the matter with the Sun Communities, Inc., entities. Ms. Soberal responded to questions.

Mr. Kevin Hennessey, Lewis, Longman & Walker, P.A., spoke as a representative for Sun Communities, Inc. He responded to information presented by Ms. Soberal.

Staff recommended the Board:

2. Authorize District staff to issue an Administrative Complaint and Order to NHC-FL123, LLC, and NHC-FL124, LLC, to obtain compliance, to recover an administrative fine/civil penalty, and to recover District costs and fees, if appropriate.
3. Authorize District staff to pursue additional enforcement measures to obtain compliance with the terms and conditions of the Administrative Complaint and Order, including filing any appropriate actions in circuit court, if necessary.

**A motion was made and seconded to approve staff's recommendation. The motion passed unanimously.** (Audio – 01:30:38)

**7.2 Affirm Governing Board Committee Actions**

Staff recommended the Board affirm the actions taken by the Governing Board Committees.

**A motion was made and seconded to approve staff's recommendation. The motion passed unanimously.** (Audio – 01:31:02)

**Committee Liaison Reports**

**8.1 Environmental Advisory Committee**

A written summary of the January 9 meeting was provided.

## **Executive Director's Report**

### **9.1 Executive Director's Report**

Mr. Brian Armstrong, Executive Director, stated the District was recognized as a 50-Year Honored Institute Cooperative Weather Observer by the National Oceanic and Atmospheric Administration (NOAA). He recognized staff for their work in collecting and sending the data to NOAA each month.

## **Chair's Report**

### **10.1 Chair's Report**

Vice Chair Williamson stated the next Board meeting is scheduled for Tuesday, March 26 at 9:00 a.m., in the Tampa office.

### **10.2 Employee Milestones**

A written summary was provided.

## **Adjournment**

The meeting adjourned at 10:34 a.m.