



**GOVERNING BOARD MEETING
TUESDAY, NOVEMBER 15, 2022 – 9:00 AM
2379 BROAD STREET, BROOKSVILLE, FL 34604
(352) 796-7211**

MINUTES

Board Members Present

Joel Schleicher, Chair
Ed Armstrong, Vice Chair
Michelle Williamson, Secretary
John Mitten, Treasurer
Jack Bispham, Member
Seth Weightman, Member
John Hall, Member*
Ashley Bell Barnett, Member

*attended via electronic media

Board Members Absent

Kelly Rice, Former 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
Michael Molligan, Division Director
Brandon Baldwin, Division Director

Board Administrative Support

Virginia Singer, Board & Executive Services Manager
Lori Manuel, Administrative Coordinator

1. Convene Public Meeting

The Governing Board of the Southwest Florida Water Management District (District) met for its regular meeting at 9:00 a.m., November 15, 2022, at the Brooksville Office, 2379 Broad Street, Brooksville, Florida 34604.

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.

1.1 Call to Order

Chair Joel Schleicher called the meeting to order. He noted that the Board meeting was being recorded for broadcast on government access channels, and public input would be provided in person. Chair Schleicher 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. Chair Schleicher 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 Chair. He also requested that several individuals wishing to speak on the same topic designate a spokesperson.

Chair Schleicher 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

Chair Schleicher recognized the unexpected passing of Board Member William Hogarth. Board Member Seth Weightman offered the invocation and led the Pledge of Allegiance.

1.3 Employee Recognition

None were presented.

1.4 Additions/Deletions to Agenda

Mr. Brian Armstrong, Executive Director, stated the following item was added to the agenda:

General Counsel's Report

7.2 Approval of Agreement between SWFWMD and Camp N Paddle LLC for Management of the Campground and Boat Ramp at the Chassahowitzka River Project – SFW Parcel No. 15-347-105X – Citrus County

Chair Schleicher stated there was a Request to Speak card for the following item. This item was moved from Consent to Discussion:

2.5 Authorization to Issue Administrative Complaint and Order – Well Construction Violations - Carl Douglas, III – License Number 9544 – CT No. 421268 – Polk County

1.5 Public Input for Issues Not Listed on the Published Agenda

Mr. David Ballard Geddis spoke regarding ad valorem lien versus non-ad valorem levy.

Mr. David Nelles spoke regarding Inverness Village Unit 4 flooding concerns.

Ms. Carmen Koubicek spoke regarding Inverness Village Unit 4 flooding concerns.

Mr. Chris Tumminia, General Counsel, provided information concerning the Inverness Village Unit 4 development in Citrus County and the problems associated. Discussion ensued.

Vice Chair Armstrong requested that the District ask Citrus County to provide representation at the December Governing Board meeting. Mr. Brian Armstrong responded that a request will be made.

Chair Schleicher stated there was good cause to approve the amended agenda as allowed by Section 120.525, Florida Statutes.

CONSENT AGENDA

Finance/Outreach & Planning Committee

2.1 Knowledge Management: Approval of Governing Board Policy, Investments

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

Resource Management Committee

2.2 Peace River Manasota Regional Water Supply Authority – Phase 3C Interconnect (Q313) Resource Management Committee

Staff recommended the Board authorize staff to consider the early procurement of construction materials eligible for reimbursement, pending a favorable Third-Party Review and Governing Board approval to proceed beyond 30% design.

2.3 Peace River Manasota Regional Water Supply Authority – Phase 2B Interconnect (Q355)

Staff recommended the Board authorize staff to consider the early procurement of construction materials eligible for reimbursement, pending a favorable Third-Party Review and Governing Board approval to proceed beyond 30% design.

Operations, Lands and Resource Monitoring Committee

2.4 Amendment to Lease, Green Swamp Highway 98 Cattle Lease, SWF Parcel No. 10-200-1287X

Staff recommended the Board approve the First Amendment to Cattle Grazing Lease and authorize the Chair to execute the First Amendment to Cattle Grazing Lease on behalf of the District.

General Counsel's Report

~~2.5 Authorization to Issue Administrative Complaint and Order – Well Construction Violations – Carl Douglas, III – License Number 9544 – CT No. 421268 – Polk County~~

~~Staff recommended the Board:~~

- ~~1. Authorize District staff to issue an Administrative Complaint and Order to Mr. Douglas to obtain compliance, recover an administrative fine/civil penalty, suspend his License for one year, and recover any District costs and fees, if appropriate.~~
- ~~2. Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.~~

2.6 Approval of Consent Order between SWFWMD and Rahuge, LLC/Smithfield Apartments Corp. – Unauthorized Construction Activities – CT Nos. 405388, 405263, and 419825 – Charlotte County

Staff recommended the Board:

1. Approve the Consent Order.
2. Authorize District staff to pursue compliance with the terms and conditions of the approved Consent Order, including filing any appropriate actions in Circuit Court, if necessary.

2.7 Approve Governing Board Minutes - October 18, 2022

Staff recommended the Board approve the minutes as presented.

A motion was made and seconded to approve the Consent Agenda. The motion carried unanimously. (00:35:30)

Finance/Outreach and Planning Committee

Treasurer John Mitten called the committee to order.

3.1 Consent Item(s) Moved to Discussion - None

3.2 Budget Transfer Report

Resource Management Committee

Board Member Ashley Bell Barnett called the committee to order.

4.1 Consent Item(s) Moved to Discussion – None

Operations, Lands and Resource Monitoring Committee

Board Member Jack Bispham called the committee to order.

5.1 Consent Item(s) Moved to Discussion - None

5.2 Offer for Surplus Lands - Annutteliga Hammock Surplus (AH-4), SWF Parcel No. 15-228-2108S

Mr. Mike Singer, Real Estate Services Manager, provided a presentation that included an overview of surplus land sales, a map outlining the parcel, lot requirements, and details regarding the offer to purchase. Mr. Singer responded to questions.

Staff recommended the Board:

- Accept the offer and authorize the Executive Director to sign the Contract for Sale and Purchase; and
- Authorize the Chairman and Secretary of the Governing Board to execute the Quit Claim Deed; and
- Authorize the conveyance of the District's interest in all phosphate, minerals, metals, and petroleum in or on or under the land upon request of the buyer; and
- Authorize staff to execute any other documents necessary to complete the transaction in accordance with the approved terms.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (00:45:43)

Regulation Committee

Board Member Seth Weightman 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.

General Counsel's Report

7.1 Consent Item(s) Moved to Discussion

2.5 Authorization to Issue Administrative Complaint and Order – Well Construction Violations - Carl Douglas, III – License Number 9544 – CT No. 421268 – Polk County

Mr. Carl Douglas submitted a Request to Speak card for this item. He requested leniency from the Board. Mr. Douglas responded to questions from the Board.

Ms. Rachael Simpson, Staff Attorney, responded to questions from the Board and provided information.

Staff recommended the Board:

1. Authorize District staff to issue an Administrative Complaint and Order to Mr. Douglas to obtain compliance, recover an administrative fine/civil penalty, suspend his License for one year, and recover any District costs and fees, if appropriate.
2. Authorize District staff to obtain compliance with the terms of the Administrative Complaint and Order in Circuit Court, if necessary.

A motion was made and seconded to approve staff's recommendation. The motion passed unanimously. (Audio - 00:55:56)

7.2 Approval of Agreement between SWFWMD and Camp N Paddle LLC for Management of the Campground and Boat Ramp at the Chassahowitzka River Project – SFW Parcel No. 15-347-105X – Citrus County

Mr. Brian Armstrong, Executive Director, provided an overview regarding the dispute between Citrus County and the District concerning ownership of this property.

Mr. Chris Tumminia, General Counsel, explained this agreement will allow the campground and boat ramp to remain open while the District is negotiating with the Florida Forestry Service regarding management of the property. Mr. Tumminia responded to questions from the Board.

Staff recommended the Board:

- Approve the Agreement between the Southwest Florida Water Management District and Camp N Paddle, LLC for management of the Campground and Boat Ramp at the Chassahowitzka River Project.
- Authorize the Governing Board Chair to execute the Agreement on behalf of the District.
- Authorize District staff to take additional actions to resolve the above-described ownership dispute and protect the District's Chassahowitzka River Project, 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. (01:02:03)

Committee/Liaison Reports

8.1 Environmental Advisory Committee

The October 11 meeting was canceled. No summary was provided.

Executive Director's Report

9.1 Executive Director's Report

Mr. Brian Armstrong, Executive Director, informed the Board that the District's Communications and Government & Community Affairs staff earned four local awards for their Weeki Wachee and Florida Water Star outreach efforts.

Mr. Armstrong stated the Government Affairs and Communications staff have worked with the Polk Regional Water Cooperative members since 2018 to adopt Florida Water Star ordinances to maximize conservation while the District was developing the alternative water supply projects. He stated that 11 cities have unanimously adopted a Florida Water Star ordinance, which is estimated to save 286 million gallons per year at buildout, with more savings expected as growth continues. As a result of these outreach efforts, the District won a Prestige Award from the Tampa Bay Public Relations Society of America.

Mr. Armstrong recognized this was the last meeting for Board Member Seth Weightman, as he was elected to the Pasco County Board of County Commissioners.

Chair's Report

10.1 Chair's Report

10.2 Employee Milestones

Chair Schleicher recognized the following staff: Scott VanOrsdale and David Goldberg Dunnett.

Adjournment

The meeting adjourned at 10:05 a.m.