

**PINELLAS PARK WATER MANAGEMENT DISTRICT**  
**6460 35<sup>TH</sup> STREET N.**  
**PINELLAS PARK, FL 33781-6221**  
**(727) 528-8022**

**MINUTES**

**October 19, 2006**

**(Regular Authority Meeting #1)**

**IN ATTENDANCE**

Tom Tripp, Attorney for PPWMD  
Janet Rogers, Executive Secretary, PPWMD  
Mike Smith, P.E., CDM, Tampa, Fl.  
Chip Herom, P.E., CDM, Tampa, Fl.  
Michael Gustafson, City Manager, Pinellas Park, Fl.  
Gail Larson, Resident, Pinellas Park, Fl.  
Ryan Griffin, Johnson, Pope C/O Gail Larson  
Dorian Modjeski, P.E., TBE Group, Clearwater, Fl.  
Randy Roberts, Streets & Drainage, City of Pinellas Park, Fl  
John Thompson, Crew Chief Supervisor, PPWMD.

**ROLL CALL**

Mr. Farrell – Present  
Mr. Frazee – Present  
Mr. Tingler – Present

**MINUTES**

Mr. Frazee stated the first order of business is the minutes for September 21, 2006.

Mr. Frazee made a correction under Pinellas Legislative Forum (Coordination of Sunsetting). The last sentence, under that heading, belongs under the heading of FEMA Map Changes Update.

Mr. Farrell made a motion to approve the minutes of the Regular Authority Meeting #12 with the correction. Second was made by Mr. Tingler.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

**00-01-01**

**CHANNEL 1A – RE-CONSTRUCTION**

Chip Herom, CDM stated that CDM has sent the draft plans and specifications on October 16, 2006. Tom Tripp is preparing the easement documents. Tom Tripp stated that several of the easement letters have already been sent out. Chip Herom, CDM then stated that the probable construction cost is approximately \$300,000 to \$600,000 higher than was planned for in the CIP. The review and update of the CIP is planned for next month and the District's revenue should be able to take care of the difference. Mike Smith, CDM wanted to make sure that the Board was in agreement for the advertisement to go to bid by mid November, even though there may be some outstanding easements. Tom Tripp stated that there are really no outstanding easements per se, just some overages and that there are just request for some temporary easements more along the line of good neighbors for additional area for movement. There should not be anything that would hold the District up as the most important ones are out the door.

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Mr. Tingler made a motion to allow CDM to advertise to go to bid as soon as everything is in place to do so. Second was made by Mr. Farrell.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Frazee and Mr. Tingler

**MOTION APPROVED.**

#### **04-09-02**

##### **CHANNEL 1-A-2 - (MCKIM & CREED)**

Chip Herom, CDM stated that McKim & Creed have been directed to update the general conditions with new version. This will be done within existing budget and contract. The project is then planned to be placed on the shelf until 2007- 2008 for construction.

#### **12-19-02**

##### **CHANNEL 1 – 60<sup>TH</sup> ST TO 52<sup>ND</sup> ST – (CDM)**

Chip Herom, CDM stated that the final payment for application was submitted for payment to the District. Currently CDM is preparing the record drawings for certification. CDM is requesting a work authorization for \$22,931.21 of that amount \$16,000.00 is money that was remaining at the end of 2005-2006 and that \$6300.00 is for additional services related to the improvements installed at the Larson property. This was an oversight by the former Executive Director. Mr. Farrell made a motion to approve the roll over amount of \$16,571.21 from 2005-2006 and an additional \$6,360.00 to compensate for additional engineering at the Larson property making the total work authorization amount \$22,931.21 to complete Channel 1 Construction Services Contract. Second was made by Mr. Tingler.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

Chip Herom, CDM stated that last month the Board made an offer to Ms. Gail Larson in the amount of \$25,000.00 to settle all issues on her property and to date the District has not yet received any response to that offer. Tom Tripp stated that just before this Board meeting, a fax was received from Ryan Griffin, Attorney for Gail Larson requesting that the Board pay \$29,000.00 and along with the request was an estimate from an arborist for removal and replacement of trees on Gail Larson's property. Ryan Griffin spoke on the behalf of Gail Larson stating that they are willing to accept the \$25,000.00 as long as they are also able to have the dead trees removed from Gail Larson's property. The arborist report states that the cost involved in the trees removal is \$4,000.00. So if the District does not feel or want the responsibility of coming onto the property to remove the dead trees a request is then being made for the additional \$4,000.00 from the District bringing the total amount to \$29,000.00 for global settlement of all issues pertaining to Gail Larson's property. Ryan Griffin passed out to the Board Members the arborist report for their review. Mr. Frazee stated that his understanding is that Gail Larson will accept full settlement in the amount of \$25,000.00 and the District remove the dead trees or an additional \$4,000.00 for Gail Larson's arborist to remove the trees. Chip Herom, CDM stated that the \$4,000.00 is reasonable to remove the trees and their roots. Tom Tripp stated that there would be a global settlement agreement drawn up settling all issues and leaving both parties harmless. Mr. Farrell brought up the question on what easements does the District have in regards to doing future maintenance work on the channel? Tom Tripp stated that Gail Larson did not sign the easement agreement that the District requested back in 2002 – 2003. So at this time there is no express agreement along this section of the ditch. Tom Tripp stated that in terms of going back onto Gail Larson's property, the District must rely on the Shoecraft affidavit of which is the same basis that the District relied on this time to make the ditch.

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Tom Tripp stated that the District has plenty of authority to work along the ditch as they would with any other ditch per the Shoecraft affidavit. Mr. Farrell held a discussion on the District making part of the global agreement the right of the District to be able to get in and maintain that portion of the ditch. Tom Tripp stated that would be drafted would include the right of use of the easement by the District to maintain the ditch and would define the easement area. Ryan Griffin stated that a review would be made of the agreement pertaining to the easement on Gail Larson's property of which they are not now prepared to acknowledge as it is now just being presented. Mr. Farrell made a motion to add \$4,000.00 to the \$25,000.00 for a total of \$29,000.00 of which the \$4,000.00 to have Ms. Gail Larson have someone remove the dead trees at Ms. Gail Larson's expense providing that the District receives the proper maintenance easement signed. Second was made by Mr. Tingler.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

#### **09-06-21**

##### **CHANNEL 2 – CITY CULVERT REPAIR**

Chip Herom, CDM stated that according to the February 1, 1991 map and adopted by the City on March 14, 1991, the culverted channels are the responsibility of the City. The District may decide to share construction cost. The District has already expended funds to have the engineer make two (2) site visits for recommendations. Mike Gustafson, City Manager, Pinellas Park stated that the agreement was to clear up the responsibilities and here we are anyway. Discussion was held on the joints that need to be repaired at the culvert area. Mr. Tingler made a motion for the District to share the cost of the repair on the culvert at 43<sup>rd</sup> Street. Second was made by Mr. Farrell.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

#### **03-08-02**

##### **CHANNEL 4 – 58<sup>th</sup> ST TO RAILROAD – (TBE GROUP)**

Chip Herom, CDM stated that TBE Group has been sent the new general conditions to replace the old front-end documents. TBE Group will submit final plans and specifications to the District. There is also an outstanding easement of which is expected to be received shortly. TBE Group has previously requested \$15,000.00 additional funding. The Board requested additional details be provided by TBE Group. TBE Group has provided a second letter requesting the \$15,000.00 in additional funding, however no new details were provided. In preparation for this Board meeting, CDM agreed to meet with TBE Group to clarify the additional information that is necessary unless the Board chooses to make a motion to accept. Dorian Modjeski, TBE Group stated that the new documents were delivered to Tom Tripp, that the TBE Group is still waiting the final signed easement agreement and just heard today, October 19, 2006 that the City has approved the plans of which a copy of the approval was delivered to the Executive Secretary. At this time, TBE Group is ready to go to contract. TBE Group has been tracking the additional hours per the former Executive Director since last October 2005. Mr. Farrell requested clarification that the original did not cover easements of which Dorian Modjeski stated yes. Mike Smith, CDM stated that they offered to sit with Dorian Modjeski to and clarify before the next Board meeting. Mr. Farrell made a motion to approve additional \$15,000 in engineering cost to TBE for Channel 4 – 58<sup>th</sup> Street to Railroad.

Second was made by Mr. Tingler.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

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**03-08-03**

**CHANNEL 4E – 62<sup>nd</sup> STREET TO MCKEE LAKE**

Chip Herom, CDM stated that a directive was given to Advanced Engineering to proceed with permitting. The project is under the auspice that the District plans to acquire the properties where flooding may be increased. Mike Smith, CDM explained the only way to answer the questions pertaining to permitting is to make an application for the permit. Mike Smith, CDM reminded the Board that Advanced Engineering's design is to actually increase the flooding to that area of the project and that is why the District is trying to obtain that property. SWFWMD does not usually permit; however it is believed that SWFWMD will, as it will lower the flooding at other stages of the project. Further discussion was held on the property and the ditch that runs through it, on the availability to obtain a permit to build and the purchasing of the additional pieces of property. The Board had previously given a limit of \$160,000.00 to purchase the house. The City says the adjacent property is buildable. After further discussion the Board decided to not make any further offers to purchase the property at this time.

**00-01-01**

**CHANNEL 5 – JOE'S CREEK TO PARK BLVD. (CDM)**

Chip Herom, CDM stated that the project is complete. MTM has been notified of trees to be replaced and depression that must be filled per the warranty requirements of the contract. These two warranty items have not been addressed to date.

**03-12-01**

**CHANNEL 5 – CITY PROJECT**

Chip Herom, CDM stated that there is nothing new to add at this time.

**06-05-18**

**PARK BLVD. - PHASE THREE – SAWGRASS LAKE**

Chip Herom, CDM stated that CDM has prepared the draft report. The final report will be presented to the Board at the November 2006 meeting. Proposed funding is approximately 50% spent.

**04-11-13**

**PINELLAS LEGISLATIVE FORUM (COORDINATION OF SUNSETTING)**

Tom Tripp stated that there is no new information. Mr. Frazee stated that there is a November 2006 and a January 2007 meeting scheduled. Tom Tripp suggested that this topic item be deleted from the agenda. Mr. Frazee stated that maybe it should be left on until meeting on November 18, 2006 to make sure there is no more discussion and then we may want to delete from the agenda.

**02-04-01**

**FEMA MAP CHANGES UPDATE**

Chip Herom, CDM stated that there is no new information at this time. Mr. Frazee stated that after the election we should still send a letter to the legislature to try to get some funding for FEMA as it effects several different areas of concern.

**NEW BUSINESS**

**a) Financial Statement for the month of September 2006.**

Mr. Farrell read the financial statement for the month of September 2006. Mr. Tingler made a motion to approve the Financial Statement for the month of September 2006. Second was made by Mr. Farrell. No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

**b) Investment Summary**

Janet Rogers, Executive Secretary made the recommendation to move \$350,000.00 SBA pool to the Operating Account. Mr. Farrell made the motion to approve the Investment Summary for October 2006. Second was made by Mr. Tingler.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

**c) New Board Member**

Janet Rogers, Executive Secretary informed the Board that in their folders was a copy of resignation from Mr. Frazee and a copy of the minutes from the City appointing Ed Taylor to the District Board.

**d) Interim/Executive Director**

Janet Rogers, Executive Secretary informed the Board that we have received approximately six (6) applications and that the selection committee is to meet on Thursday, November 2, 2006 at 10:00 A.M. at the District office to open the applications and start the interviewing process.

**e) Salaries 2006 -2007**

Janet Rogers, Executive Secretary presented to the Board a spreadsheet showing the performance evaluation scores indicating the pay raise status for each employee. The Board was also informed that the District is in need of employing two laborers and minutes have been found showing that the starting rate to be \$8.75 per hour which should cover the employee that is listed on probation period. John Thompson, Crew Chief Supervisor informed the Board of the employees positions held with the District. Mr. Tingler made a motion to approve the salaries for 2006-2007. Second was made by Mr. Farrell.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

Mr. Frazee introduced a discussion that Janet Rogers should be given additional pay during this interim period for the additional work load. Mr. Farrell made a motion that Janet Rogers, Executive Director receive an additional \$350.00 for the months of September, October, November and December 2006. Second was made by Mr. Tingler.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

**f) Loss Control Policy**

Janet Rogers, Executive Secretary presented the Loss Control Policy that is required each year. Mr. Tingler made a motion to accept the Loss Control Policy for 2006-2007. Second was made by Mr. Farrell.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Tingler and Mr. Frazee

**MOTION APPROVED.**

**e) Maintenance Department Update**

Chip Herom, CDM informed the Board that as per their request a maintenance meeting is being held on a weekly basis with John Thompson, Crew Chief Supervisor, Janet Rogers Executive Secretary and himself. Discussion is held on the proposed maintenance for the week focusing mainly on any items that would best be handled by an outside source should it be too much for the District to handle. Channel 4 just down stream of 66<sup>th</sup> Street an investigated area was looked at and John Thompson, Crew Chief Supervisor presented photos of the area. Chip Herom, CDM informed the Board that at the maintenance meeting it was decided that it was a bigger job than the maintenance department could handle and in the interest of safety the area was filled back in. Review of the pictures and discussion was held. The Board was informed that this area would be observed to try to determine what is actually taking place. Tom Tripp requested if there was a documented procedure on tax payers complaints and how they are handled. Chip Herom, CDM stated the procedure and how they are handled and this procedure has been in place for a number of years.

**MISCELLANEOUS**

**A. Monthly Rainfall/Maintenance Report**

Chip Herom, CDM informed the Board that the monthly report is included in their packet.

**B. Channel 4 Possible Failure**

Chip Herom, CDM informed the Board that three (3) price proposals had been received based on visit to site and preliminary sketches of the proposed work. The dollar range falls within CDM estimate of the work of \$50,000.00 to \$100,000.00. It is close to the \$100,000.00. Based on a meeting with Tom Tripp, CDM will finalize abridged contract documents and enter into agreement on the District's behalf as early as next week. Repairs could take approximately one (1) month to complete. Mr. Farrell requested who submitted prices. Chip Herom, CDM stated that it was MTM, All American and Kamminga & Roodvoets. Chip Herom, CDM also wanted to inform the Board that upon reviewing the record drawings which called for four (4) inches that there were only two (2) inches on the liner sections where the failure occurred and not sure if that indeed caused the failure but may be in the future.

Tom Tripp stated that Mr. Frazee had attended one of the District's pre-board meetings and was interested in knowing if in the future would the board members on a rotating schedule like to attend a pre-board meeting noting that at no time would there be more than one board member attending.

There was no further business to come before the Board and Mr. Farrell moved to adjourn the meeting. Second was made by Mr. Tingler. Chairman Mr. Frazee closed the meeting at 7:16 P.M.

