



BOARD OF DIRECTORS MEETING MINUTES

March 2, 2021

Directors

In Person: Brian Farrar-President, Paul Attwood-Secretary, Bob Bachman, Richard Garner, Larry Kosilla and Jim Murphy

Remote: Vince Marchesani-Vice President, Mike Malloy-Treasurer and Ben Nelson

Staff Present: John Jenkins, Steve Richards, Andy Koebel, Lori Nalli and Jose Espinoza

Don Thomson of Henderson Franklin

Staff Remote: Kim Hoskins and Lisa Karnow

IN ACCORDANCE WITH THE CENTERS FOR DISEASE CONTROL (CDC) SOCIAL DISTANCING GUIDELINES DUE TO THE COVID-19 PANDEMIC, SOME DIRECTORS, STAFF, MEMBERS, AND OTHERS ATTENDING THIS MEETING DID SO REMOTELY UTILIZING THE ZOOM MEETING ONLINE PLATFORM.

Meeting called to order at 5:00 p.m. by President Farrar.

Minutes: **Kosilla** moved to approve the Minutes from the February 16, 2021 meeting to include changing “Thomas” to “Thomson” in Other Business. 2nd by **Bachman**. Approved 9-0.

Member

Comment: Larry Halpin, a resident in The Brooks, expressed concern with the quality of water coming from his faucets. Mr. Halpin stated there appeared to be a gravel-type substance in the water. He stated other neighbors had a similar problem. He brought a damaged showerhead. President Farrar directed staff to look into the problem.

210302-01 **Marchesani** moved to approve a Resolution ratifying and approving the Bonita Springs Utilities, Inc. 401(k) Profit Sharing Plan and Addenda dated April 21, 2020. 2nd by **Attwood**. Approved 9-0.

210302-02 **Richards** reported that BSU’s Independent Auditors, Nichols, Cauley & Associates, LLC were completing the annual audit of the financial statements as of December 31, 2020 and would present their findings at the

April Board Meeting. He presented the draft 2020 financial statements and indicated he did not anticipate any changes.

210302-03 Hoskins reported on the Esri Geographic Information System (GIS) used to gather, manage, analyze and map BSU infrastructure and presented a new, three year Term Enterprise License Agreement and related documents. **Kosilla** moved to approve the Term Enterprise License Agreement and related documents, subject to review and approval by legal counsel. 2nd by **Bachman**. Approved 9-0.

210302-04 Hoskins presented a Vacant Land Contract with Haje, LLC for wellsite acquisition on East Terry St. **Bachman** moved to approve the Vacant Land Contract with the due diligence provisions. 2nd by **Murphy**. Approved 9-0.

210302-05 Hoskins reported on the New Construction Project Status (Information Only).

Other

Business: Jenkins advised the Board that the Company's Conservation Plan submitted for the Water Use Permit Renewal Application Renewal was available on the ShareFile.

Jenkins provided a COVID-19 response update including impact on staffing.

Murphy made a motion to waive the prohibition against remote attendance by Board Members for the March 16, 2021 Annual Meeting. 2nd by **Kosilla**. Approved 9-0.

Garner made a motion to authorize members who are not physically present to participate at the Annual Meeting on March 16, 2021, by means of remote communication and be deemed present in person so long as the Company implements reasonable means to verify that each person deemed present is a member or proxy holder and reasonable measures are taken to provide attendees with a reasonable opportunity to communicate and to read or hear the preceding substantially concurrent with the meeting. 2nd by **Attwood**. Approved 9-0.

Farrar moved discussion regarding current litigation to Executive Session.

Bills: Malloy moved to approve payment of the bills presented and Renewal and Replacement Withdrawal Request (2021-4). 2nd by **Marchesani**. Approved 9-0.

Director

Comments: **Murphy** wished the best to those with COVID and hoped for a speedy recovery. Others concurred.

Bachman happy to hear BSU had another good year financially, were able to repay a lot of debt and will be current with all the Capital Credits in a month.

Meeting Recessed at 5:46 p.m.

Executive Session began at 5:51 p.m.

Meeting Adjourned at 6:00 p.m.