



**BOARD OF DIRECTORS  
MEETING MINUTES  
August 1, 2023**

**Directors**

**In Person:** Brian Farrar - President, Wayne Bauman - Vice President, Richard Garner – Treasurer, Vince Marchesani – Secretary, Paul Attwood, Jim Murphy, Larry Kosilla, Bob Bachman and Mike Malloy

**Staff Present:** John Jenkins, Andy Koebel, Steve Richards, Kim Hoskins, Todd Griglin, Jose Espinoza, Don Woodruff, and Krystal Dickout

**Legal Counsel:** Don Thomson of Henderson Franklin

**Meeting** called to order at 5:01 p.m. by President Farrar.

**Minutes:** **Marchesani** moved to approve the Minutes for the June 20, 2023 Board Meeting. 2<sup>nd</sup> by **Kosilla**. Approved 9-0.

**Member  
Comment:** None

**230801-01** **Hoskins** briefed the Board on the development plans for Bayview (Ritz Carlton Residences Estero Bay) and BSU's plan to abandon the adjacent Hyatt Coconut Point lift station and direct wastewater flow to the new Bayview lift station. This Board item was previously tabled at the 6/6/23 meeting. Eliminating the Hyatt lift station will reduce the number of vulnerable lift stations near the coast and eliminate ongoing maintenance and costly Hurricane Ian repairs. The estimated BSU cost share is \$483,512.30 plus a 5% contingency for a total of \$507,687.92. The 2023 CIP budget allocated \$700,000 for this project. The Developer Agreement has gone through legal review and staff recommended approval of the Developer Agreement with LB Estero Bay Investments, LLC. **Bachman** moved to approve the Agreement. 2<sup>nd</sup> by **Bauman**. Approved 9-0.

**230801-02** **Hoskins** provided the new construction status update.

**Other**

**Business:** **Jenkins** informed the Board of several matters: a Company sponsored Mighty Mussels baseball game on August 11th, 2023; the September 7th SWFL Inc. sponsored 2023 State of the Region event featuring economic trends, policies, and issues impacting Southwest Florida; his recent

presentation to the Estero Rotary Club; and scheduling a photographer for Board photos.

**Jenkins** updated the Board on the Lee County Resilient Lee program distributing \$1.1 billion disaster recovery funds allocated by the federal Department of Housing and Urban Development. BSU has submitted projects totaling \$45.5 million for possible funding. On 8/1/23 Lee County published a draft Action Plan which staff will review and continue to follow up on Resilient Lee funding requests on behalf of BSU members.

**Jenkins** followed up on Cogsdale billing software problem in which a setting resulted in an incorrect consumption multiplier underbilling usage for 542 customers. **Richards** advised that this error had a financial impact of around \$30,000. Staff is moving forward to recover this underbilling on the following month's invoice. **Farrar** commented that if Cogsdale is responsible for this problem, then some financial restitution should be required from them. BSU does not want a negative perception from members and could be adversely affected if some members refuse to subsequently pay the amount due. **Richards** also noted that internal processes are being examined to determine if an additional review process can be implemented to prevent this issue from reoccurring.

**Hoskins** informed the Board that the construction bids for the two septic to sewer projects came in considerably higher than budgeted and discussed reasons why only two bids were received. In response, staff is looking into rebidding the projects and allowing for a longer bid response time, allowing for a later construction timeframe and having the City request additional DEP grant funding to cover the increased cost. The current grant deadline to complete the projects is in 2026. Staff will also be rescheduling the community open house meetings. **Marchesani** inquired and **Jenkins** responded regarding the financial impact on members in the event of higher construction costs.

**Griglin** updated the Board on the Hurricane Ian waiver program. 102 members were granted waivers and 57 are currently still receiving them. The last quarter waiver credits were just applied wrapping up the program.

**Bills:** **Garner** moved to approve payment of the bills presented and Renewal and Replacement Withdrawal Request (2023-11). 2<sup>nd</sup> by **Murphy**. Approved 9-0.

**Director Comments:** **Garner** was glad to be back after the break and requested an update on the proposed phosphorus removal project. **Jenkins** responded that staff had receive a proposal for engineering design services from Jacobs, staff was checking on competitiveness of fees, and he expected to bring this item up at the next Board meeting.

**Kosilla** commended BSU staff on their good work addressing a water main break on Paradise Road which was resolved within six hours.

**Malloy** made a motion to increase the directors' stipend by the 2023 cost of living adjustment (COLA) received by BSU employees, effective August 1<sup>st</sup>, 2023. **Thomson** commented that he believed the Bylaws allowed for an increase, but that it must be reasonable, and previous increases followed an investigation into the reasonableness of the payments. **Malloy** commented that the stipend had not increased in 12 years. 2<sup>nd</sup> by **Attwood**. Approved 5-4 with Bachman, Garner, Bauman and Farrar opposed.

**Malloy** briefed the Board on the Member Services Committee Meeting. The new BSU website was reviewed and he encouraged Board members to review and provide comments.

**Meeting recessed at 5:37 p.m.**