



**BOARD OF DIRECTORS
MEETING MINUTES
December 5, 2023**

Directors

In Person:

Brian Farrar - President, Richard Garner – Treasurer, Vince Marchesani – Secretary, Jim Murphy, Mike Malloy, Bob Bachman and Larry Kosilla

Directors

Absent:

Wayne Bauman – Vice President

Staff

Present:

John Jenkins, Andy Koebel, Steve Richards, Kim Hoskins, Jose Espinoza, Todd Griglin, Don Woodruff and Nathalie Galvan

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 November 21, 2023 Board Meeting. 2nd by **Kosilla**. Approved 8-0.

Member

Comment:

None

Griglin presented staff report and benchmarking including information on revenue collections and incoming phone calls. **Galvan** presented staff report and benchmarking for human resources including employee tenure, turnover, OSHA recordable rate and health and severity rate. **Malloy** and **Marchesani** would like to see a more detail on employee turnover. **Galvan** will present at the next board meeting.

231205-01

Murphy moved to reconsider the Board of Directors Election Manager Services Agreement. 2nd by **Garner**. Approved 8-0. **Griglin** came back to the Board with further information regarding Survey & Ballot systems (SBS) and the agreement for Election Manger Services. References, financial stability and other due diligence was performed as well as other vendors (The Voting Group) contacted, and prices solicited. Legal counsel reviewed agreement and recommended venue change which was negotiated with SBS. **Murphy** moved to approve the agreement with SBS with changes recommended by legal counsel. 2nd by **Malloy**. Approved 8-0

Jenkins raised the issue of what information BSU would be receiving during the voting period. **Garner** felt that BSU should only receive total vote count. The Board discussed monitoring the process to avoid mistakes but agreed only to receive total vote count. **Jenkins** brought up mailing of ballots back and forth to Minnesota and the approved voting schedule of February 20th to March 14th. **Marchesani** moved to amend the approved schedule from February 18th to March 15th. 2nd by **Kosilla**. Approved 8-0.

231205-02 Agenda item moved to Executive Session.

231205-03 **Richards** presented part 1 of the 2024 Annual Budget with a detailed review of the Budget. Presentation of the final budget will be brought to the Board at the December 19th board meeting. No action taken.

231205-04 **Hoskins** presented a Change Order to approve Jacobs Task Order #2 Reverse Osmosis Water Treatment Plant Phase 3 and Wellfield Expansion to install wellhead infrastructure at Wells 41-45, 49, 50 and 52-54. The proposed Guaranteed Maximum Price (GMP) is for the balance of planned work to equip the wellheads. This scope also includes the improvement and expansion of electrical buildings and the emergency power in the East Wellfield. The GMP to complete this work is \$16,241,997. There are sufficient funds in the 2024 5-year CIP budget RO WTP Expansion line item. **Kosilla** moved to approve the Change Order. 2nd by **Attwood**. Approved 8-0.

231205-05 **Hoskins** provided a new construction update.

**Other
Business**

Jenkins informed the Board of a recent ransomware attack against a Pennsylvania water district in which hackers gained control of certain water pumping equipment, which was quickly shut down by utility staff. A certain Iran backed group is attacking Israeli-made Unitronic's PLC's. BSU does not use that brand of PLC. Staff continues to work on cyber security measures.

Jenkins discussed PFAS/PFOS, the so-called forever chemicals that are found in multiple products including stain proofing, teflon coating of pans, fire-fighting foam, etc. In particular, the class action lawsuit settlements involving 3M and Dupont and related parties who were the principal manufacturers of these chemicals and BSU as part of the class. BSU will be testing for these chemicals in drinking water in response to the UCMR 5 requirements.

Koebel discussed the SFWMD Declaration of Water Shortage Warning based on rain fall levels. Areas of Cape Coral now have watering restrictions. BSU has multiple monitoring wells to monitoring aquifer conditions on a regular basis. Also, BSU recently received a letter from FDEP regarding sanitary sewer overflows (SSO's) reported back in August and September. The referenced spills were due to contractors who hit sewer lines and a car hitting an Air Release

Valve (ARV), circumstances out of BSU's control. Staff does a good job documenting the responsible parties, discussing the issue with contractors, and seeking reimbursement for resulting costs.

Jenkins requested Board authorization to enter into a Temporary Service Agreement for the developer of Rooftop at Riverside located on Old 41. The developer has requested a meter as he completes certain restoration work which is not critical to utility service. The risk to BSU is limited, with a requirement that the developer complete restoration and turn over within thirty days or the meter is pulled and service discontinued. Motion made by **Murphy** to approve a Temporary Service Agreement as outlined. 2nd by **Garner**. 8-0

Bill

Payment: **Garner** moved to approve payment of the bills presented and Renewal and Replacement Withdrawal Request (2023-17). 2nd by **Bachman**. Approved 8-0.

Director

Comments: **Malloy** updated the Board on the Member Services Committee meeting.

Meeting recessed at 6:25 p.m.

Executive Session began at 6:30 p.m.

Meeting adjourned at 7:10 p.m.