



Minutes of the OUA Interlocal Agreement Committee Okeechobee County, Florida

Wednesday, May 24, 2017

Committee

The Committee met this date in the Okeechobee County Historic Courthouse in the “Judge William L. Hendry Courtroom”, Room 270, at 304 NW 2nd Street in Okeechobee, Florida at 5:30 PM.

Call to Order

Attendee Name	Title	Status	Arrived
Terry Burroughs	Commissioner	Present	
David Hazellief	Commissioner	Present	
Dowling Watford	City of Okeechobee	Present	
Noel Chandler	City of Okeechobee	Present	
John Creasman	Okeechobee Utility Authority	Present	
Tommy Clay	Okeechobee Utility Authority	Present	
Jeff Shain	Deputy Clerk	Present	

I. Commencement

Commissioner Terry Burroughs introduced the Committee.

II. Agenda

ORGANIZATIONAL MEETING OF THE OKEECHOBEE UTILITY AUTHORITY (OUA) SUB-COMMITTEE TO REVIEW INTERLOCAL AGREEMENT

Okeechobee Utility Authority was formed November 1994 between the County and the City of Okeechobee by Interlocal Agreement. (See attached). The agreement is now over twenty years old and may be in need of revisions.

On March 30, 2017, the three (3) agencies conducted a workshop to discuss possible revisions to the Interlocal Agreement, as well as, the formation of a Board to oversee the revision process.

Each entity selected two of its members to sit on a sub-committee for the purpose of reviewing the Interlocal Agreement, to make recommendations for its update and revision.

Requested Action: Conduct an organizational meeting of the Okeechobee Utility Authority (OUA) Sub-Committee to review Interlocal Agreement.

RESULT:	CONDUCTED
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- Select a Chair and Vice Chair.

Motion: Dowling Watford nominated Terry Burroughs as Chair.

Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	1 of 5 May 24, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dowling Watford, City of Okeechobee
SECONDER:	Tommy Clay, Okeechobee Utility Authority
AYES:	Burroughs, Hazellief, Watford, Chandler, Creasman, Clay

Motion: Noel Chandler nominated John Creasman as Vice Chair

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Noel Chandler, City of Okeechobee
SECONDER:	Dowling Watford, City of Okeechobee
AYES:	Burroughs, Hazellief, Watford, Chandler, Creasman, Clay

2. Select an attorney to draft the revised Interlocal Agreement, with funding to be paid by each of the three (3) entities paying a 1/3 share of attorney's cost.

Noel Chandler recommended Attorney Michael Minton of Dean Mead, Attorneys at Law; he was the original drafter of the Interlocal Agreement.

John Creasman asked if both OUA Board Members were allowed to vote in this Committee.

Dowling Watford asked if we needed that level of expertise for the changes we are making.

Motion: Motion by Noel Chandler to hire Attorney Michael Minton of Dean Mead, Attorneys at Law to act as legal counsel to the Committee, each of the 3 entities being the County, City and OUA, paying a 1/3 share of attorney's cost

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Noel Chandler, City of Okeechobee
SECONDER:	Tommy Clay, Okeechobee Utility Authority
AYES:	Burroughs, Hazellief, Watford, Chandler, Creasman, Clay

3. Discuss Lifecycle of Committee

Commissioner Terry Burroughs stated the lifecycle of the Committee would be determined after discussion with the Attorney.

4. Issues to discuss what may be part of the addendum

- a. Increased Communications to City and County

Quarterly Presentations of Plans, Finances & Issues that may affect City and or County.

John Creasman discussed not needing the communications in the Interlocal Agreement. David Hazellief suggested putting it in the Interlocal Agreement.

Agreement to put into the Interlocal Agreement.

Committee discussed who should do the communicating. One person representing the OUA Board, one person appointed by County and one appointed by City.

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The BOCC and the City Council will appoint an OUA representative to talk to the respective Boards every quarter.

Motion: Motion that the County Board and the City Council will appoint an OUA representative to talk to the respective Boards every quarter.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tommy Clay, Okeechobee Utility Authority
SECONDER:	David Hazellief, Commissioner
AYES:	Burroughs, Hazellief, Watford, Chandler, Creasman, Clay

b. Quorum Discussion

1. Is 4 or 5 members of full Board necessary.
2. Can a simple majority be implemented.

The Committee discussed a Simple Majority vs a Super Majority.

The OUA Board had voted for a Simple Majority.

The Committee decided not to take any action and leave as is, requiring a Super Majority.

c. Compensation

1. Board compensation for regular meetings in 4.9 of the Interlocal Agreement.

Already in Interlocal Agreement providing compensation for per-diem and travel expenses.

Discussed to do away with ILA #4.9 altogether and let OUA Board decide.

Compensation might entice someone to join the OUA Board.

Decision of the Committee was three (3) for and three (3) against, 4.9 stays the same.

d. Strategic Plan Policy

1. Implementation of three (3) year rolling strategic Plan
2. Review of plan yearly
3. Make this part of the Executive Directors objectives

Tommy Clay discussed how OUA does their planning, five (5) year plan and budgeting.

The Committee discussed having a rolling three (3) year plan.

Commissioner Terry Burroughs stated a three (3) year rolling plan does not require a budget but requires a thought process to develop what is needed to implemented and then the budget would reflect those items of need.

City Mayor Dowling Watford stated ILA Article 7.3 says the OUA Board shall adopt by budget resolution its tentative annual budget for the ensuing fiscal year and shall forward copies to the County and City.

5. Glades County Beach Water Association involvement, Buckhead Ridge

ILA 4.4 in Interlocal Agreement, remove the verbiage of "Glades County" and use "Service Area"

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The Glades County Beach Water Association does not exist anymore.
 OUA does service Buckhead Ridge.
 By replacing wording "Glades County" with "Service Area" then the fifth member of the Board could come from any of the OUA service areas.

Alternate Members are encouraged to participate in a discussion but cannot make motions or second and cannot vote. Does this need to be clarified in the ILA 4.7, 4.8?

Motion: Motion to change 4.4 of ILA, remove "Glades County" and replace with "Service Area"

RESULT:	APPROVED [5 TO 1]
MOVER:	Dowling Watford, City of Okeechobee
SECONDER:	Tommy Clay, Okeechobee Utility Authority
AYES:	Burroughs, Watford, Chandler, Creasman, Clay
NAYS:	David Hazellief

Motion: Motion to state Alternate Members are encouraged to participate in a discussion but cannot make motions or second and cannot vote.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tommy Clay, Okeechobee Utility Authority
SECONDER:	Noel Chandler, City of Okeechobee
AYES:	Burroughs, Hazellief, Watford, Chandler, Creasman, Clay

- 6. Discussion on interest in changing membership in reference to having an elected Official from County/City being appointed to the OUA Board

ILA 4.5: Making one or more appointments of an elected official from County or City

The Committee did not have any interest.

- 7. Discussion on the OUA Executive Directors responsibilities

OUA Executive Director acts as Secretary, but designates the responsibility.

Discussed updating the programs.

Reference to "Okeechobee Utility Authority Working Group" throughout the ILA. Consensus of the Committee to remove.

4.17 The Authority Board should make at least once a year a compressive report of its activities including all matters related to rates, revenue, expenses of maintenance, repair, operation renewals and capital replacements, audited financial statement, etc. forward to the City and the County and be public record.

- 8. Discussion moving OUA Board meeting to the BOCC Boardroom to video and improve transparency

Discussion - do we want to put in the ILA about Live Streaming of meetings.

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It was agreed that it does not need to be in the ILA.

9. Discussion Communication between internal organizations

Discussed issue with road construction and repairs.
Discussed to put in ILA 4.12 about ensuring the Executive Director is responsible for checks and balances and be responsible to OUA Board.
Committee agreed that it is already covered in 4.12a.

Commissioner David Hazellief stated in reference to the OUA Board, he sees resistance to be transparent and resistance to get the Administrator under control, and because of those items that's why we are here tonight.

Commissioner Terry Burroughs stated when we bring the ILA back after reviewing with the Attorney we can have more discussions and see if there are any more improvements we can make.

III. Adjournment

There being no further business or discussion, the meeting was adjourned at 7:40 pm.

BOARD OF COUNTY COMMISSIONERS
OKEECHOBEE COUNTY, FLORIDA

By: _____
Terry W. Burroughs - Chairman

ATTEST:

Sharon Robertson
Clerk of the Circuit Court & Comptroller

By: _____
Deputy Clerk

(SEAL)

Approved: _____

Sharon Robertson Clerk to the Board of County Commissioners Okeechobee County, Florida	5 of 5 May 24, 2017	Terry Burroughs, Chairman Board of County Commissioners Okeechobee County, Florida
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