

951 Martin Luther King Boulevard, Kissimmee, FL

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**Board of Supervisors
Regular Meeting Minutes
Wednesday January 22, 2024**

Present:

Chairman - Henry Thacker
Vice Chairman – Rayelynn Ketchum
Supervisor - Hector Lizasuain
Supervisor – John McAleenan
Secretary – Tom White
Supervisor – Dave Askew

Executive Director – Todd P. Swingle
General Counsel – Anthony Cotter
Ex Officio Board Member, City of
St Cloud - Kolby Urban
Ex Officio Board Member, City of
Kissimmee - Angela Eady

Absent:

Supervisor – Skip Stellfox
Ex Officio Board Member, Osceola County - Cheryl Grieb
Ex-officio Board Member, Polk County, Rick Wilson.

1. **Meeting called to order by:** Chairman Thacker at 5.00pm.
2. **Moment of Silent Reflection and Pledge of Allegiance** led by Chairman Thacker.
3. **Approval of the Agenda**

Motion to approve the Agenda made by Vice Chair Ketchum. Motion seconded by Supervisor Lizasuain. Motion passed 6-0.
4. **Awards and Presentations:** None
5. **Public Hearing:**

5A. **REVIEW AND APPROVAL OF THE WATER AND SEWER SYSTEM DEVELOPMENT CHARGES STUDY PREPARED BY STANTEC; APPROVAL OF SDC RESOLUTION (Cost: None) (Henderson)**

Andy Burnham with Stantec shared the SDC analysis.

Motion to approve of Study prepared by Stantec was made by Secretary White. Motion seconded by Supervisor McAleenan. Motion passed 6-0.

Motion to approve finding of extraordinary circumstance per Section 163.31801 was made by Supervisor McAleenan. Motion seconded by Secretary White. Motion passed 6-0.

Motion to approve Resolution 2025-001 by Supervisor Askew. Motion



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seconded by Supervisor Lizasuain. Motion passed 6-0.

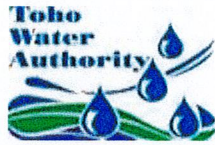
Passed unanimously by the present Board, with 2/3 of the Board being present, which is a requirement of the Florida Statute.

6. Hear the Audience:

Meeting floor was opened for Hear the Audience. **Corally R. Wheeler of 2502 Oakbank Ct, St. Cloud, FL 34771** addressed the Board regarding a letter from Toho concerning the Lead and Copper monitoring violation. CEO Swingle advised that this was human error, due to an incorrect date being entered into the compliance schedule/tracker where we are supposed to respond twice a year. The next sampling date is 2026 and we have reviewed all permits to ensure that all of the data was keyed in correctly. No further comments were received, and Hear the Audience was closed.

7. Consent Agenda

- 7A. **APPROVAL OF THE TOHO BOARD OF SUPERVISORS' REGULAR MEETING MINUTES AND SDC WORKSHOP MINUTES OF December 11, 2024** (Cost: None) (Smith)
- 7B. PULLED
- 7C. **APPROVAL OF AERZEN RENTAL USA, LLC BLOWER RENTAL BID WAIVER BW-25-003** (Cost: Estimate \$372,000) (Vedner)
- 7D. **APPROVE THE SIXTH AMENDMENT AGREEMENT BETWEEN TOHO AND CDW GOVERNMENT, LLC FOR INFORMATION TECHNOLOGY SOLUTIONS AND SERVICES (PBA-18-091) AND \$500,000.00 IN FUNDING FOR SERVICES.** (Cost: Additional \$500,000. Not to exceed \$2,035,000) (Aviles)
- 7E. **APPROVAL OF THE SECOND AMENDMENT AGREEMENT BETWEEN TOHO AND SAMSARA, INC FOR EQUIPMENT, PRODUCTS, AND SERVICES (FLEET DASH CAMERAS) (PBA 22-008) AND \$324,030.78 IN FUNDING FOR SERVICES.** (Cost: \$324,030.78 including contingency of \$29,457.34 for a not-to-exceed amount of \$877,857.86) (Weber)
- 7F. **APPROVAL OF CUSTOMER THOMAS TOMPKINS CREDIT ADJUSTMENT** (Cost: \$10,581.22) (Havey)
- 7G. **APPROVAL AND EXECUTION OF A CONSTRUCTION CONTRACT AWARD TO VOGEL BROTHERS BUILDING COMPANY FOR THE CYPRESS WEST WATER RECLAMATION FACILITY SECOND MECHANICAL SCREEN ADDITION PROJECT.** (Cost: This/cumulative Total: \$1,250,279) (Talavera)



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- 7H. **APPROVAL OF STAFF'S RECOMMENDATION TO SIGN THE NATURE CONSERVANCY (TNC) AGREEMENT FOR ENTRY AND ACCESS TO STOPR WETLAND MONITORING SITES ON NATURE CONSRVANCY PROPERTY** (Cost: None) (Cudahy)
- 7I. **APPROVAL OF CUSTOMER SERVICE STAFFING REQUEST** (Cost: This/Cumulative Total \$91,000) (Havey)
- 7J. **APPROVAL FOR CUSTOMER TANYA SANDERSON CREDIT ADJUSTMENT** (Cost: This/Cumulative Total \$10,971.57) (Havey)
- 7K. **APPROVAL FOR CUSTOMER SIMPSON RIDGE CREDIT ADJUSTMENT** (Cost: This/Cumulative Total: \$26,753.20) (Havey)
- 7L. **APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN OSCEOLA COUNTY AND TOHOPELALIGA WATER AUTHORITY RELATING TO THE BUENAVENTURA BOULEVARD COMPLETE STREETS AND SAFETY IMPROVEMENTS PROJECT FROM SIMPSON ROAD TO OSCEOLA PARKWAY.** (Cost: This/Cumulative: 2,400,000.) (Pelham)
- 7M. **APPROVAL OF FIRST AMENDMENT TO WATER CONSERVATION PROGRAM INTERLOCAL AGREEMENT BY AND BETWEEN TOHOPEKALIGA WATER AUTHORITY AND SUNBRIDGE STEWARDSHIP DISTRICT** (Cost: None) (Tilley)
- 7N. **APPROVAL AND EXECUTION OF A CONSTRUCTION CONTRACT WITH INSITUFORM TECHNOLOGIES, LLC FOR THE ELBRIDGE DRIVE GRAVITY SEWER REHABILITATION PROJECT.** (Cost: This/Cumulative: \$1,235,400) (Shields)
- 7O. **APPROVAL OF SIXTH AMENDMENT TO THE AGREEMENT WITH NATIONAL METERING SERVICES, INC., FOR THE PROVISION OF METER TRANSMISSION UNIT EXCHANGES AND METER SET INSTALLATIONS AND EXCHANGES (EM-20- 065)** (Cost: his \$687,765, cumulative total: \$4,001,335) (Havey)

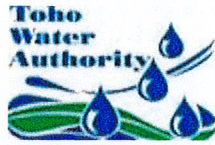
**Motion to approve Consent Agenda items, made by Vice Chair Ketchum.
Motion seconded by Secretary White. Motion passed 6-0.**

8. **Informational presentations:** None

9. **Unfinished business:** None

10. **New business:**

- 10A. **APPROVAL OF THE 2025 TOHO STANDARDS, SPECIFICATIONS & DETAILS UPDATE** (Cost: None) (Biron)



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Ray Biron shared the specs, conservation and TEP irrigation changes. Toho-led educational meetings were held to collaborate with the Developers in conserving water. About 50 developers participated in the workshops, with over 300 invited via an email blast and notifications placed on Toho website.

The Board were advised that these changes go into effect beginning April 1st for any new project submitted; for those already submitted, they will follow the old specifications.

Motion to approve the 2025 Toho Standards Specifications and details update, as included in this agenda item, was made by Supervisor Lizasuain. Motion was seconded by Supervisor Askew. Motion passed 6-0.

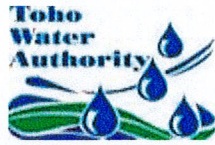
- 10B. **INDUSTRIAL PRETREATMENT PROGRAM INDUSTRIAL CUSTOMER SETTLEMENT AND CONSENT AGREEMENT – LIQUID ENVIRONMENTAL SOLUTIONS (LES)** (Cost: Proposed settlement of IPP surcharge of \$761,047.11 in an amount between \$170,000 and \$293,848.92 to provide coverage of Toho's incurred treatment costs in addition to a reduced surcharge rate of \$2.68 applicable to their flow and surcharge factor moving forward) (Weber)

CEO Swingle asked for a range of settlement from the Board, who discussed the range options and proposed that if \$293,000 is our costs, and their stance is \$170,000 it should be a shorter range. If the settlement is outside that range, we will go back to the Board.

Motion to approve the settlement as shown, except for the \$170K becomes \$250k for the minimum, and any settlement outside of that range would come back to the Board for consideration, was made by Supervisor Lizasuain. Motion seconded by Supervisor Askew. Motion passed 6-0.

11. Staff reports:

- 11A. **MONTHLY FINANCIAL & STATISTICAL REPORT ENDING NOVEMBER 30, 2024** (Cost: None) (Villarosa)
- 11B. **INFRASTRUCTURE EMERGENCY REPAIR STATUS** (Cost: None) (Chavez)
- 11C. **PUBLIC RELATIONS QUARTERLY REPORT FOR OCTOBER-DECEMBER 2024** (Cost: None) (Grayson)
- 11D. **NOTIFICATION OF EMERGENCY APPROVAL RELATED TO OSCEOLA PARKWAY 20" HDPE EMERGENCY FORCE MAIN BREAK** (Cost: Estimated \$1,200,000-\$1,400,000) (Leslie)



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CEO Swingle shared a Procurement Emergency Purchase Form outlining the costs incurred regarding HDPE Emergency Force Main.

12. Comments:

Board Officials – None

Executive Director – CEO Swingle has a planned vacation for March and will not be attending Board. CEO Swingle proposed a Board date adjustment to the Board from April 9th to April 16th? Board agreed to change to April 16th.

Fluoride Data - Staff are still collecting fluoride data from both perspectives - dental care and health concerns and will come back with an engagement plan, asking the Board to make this decision in August.

New PIO Director Caitlin Denine - Introductions and welcome to Toho -.

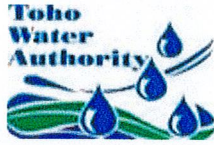
House and Senate - authorized a US Army Corps. funding amount of \$45 million with Cypress Lake and Taylor Creek.

A New agenda format will begin for our February Board meeting. Our goal is to provide a 1-page review with standardized language for each agenda item. Toho's Walk of Fame staff recognition event will be held on February 27th. We will be shutting down the call center from 11am – 2pm. The Board is invited to attend and would be very welcome.

General Counsel – None

13. Upcoming events:

Osceola Arts Lip Sync Battle 1/25/2025
National Florida Day 1/25/2025
Holocaust Remembrance Day 1/27/2025
JA (Junior Achievement) Inspire 1/28/2025
Black History Month 2/1/2025
NeoCity Community STEM Day 2025 2/1/2025
Groundhog Day 2/2/2025
Boots to Suits Annual Chamber Meeting 2/8/2025
International Day Women/Girls in Science 2/11/2025
Leadership Osceola Environmental Day 2/12/2025
Osceola County Fair 2/14-2/23/2025
Valentine's Day 2/14/2025
Kissimmee Sweetheart 5K 2/15/2025
Monster Bulls 2/15/2025
Silver Spurs Rodeo Parade 2/15/2025
National Engineers Week 2/16-2/22/2025
Rodeo Day 2/17/2025
Presidents Day 2/17/2025



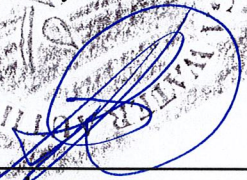
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14. Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 6:09 pm by Chairman Thacker.

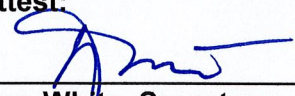
Approved:



Henry Thacker, Chairman

Roselynne Ketum, Board Vice-Chair

Attest:



Tom White, Secretary
