



January 28, 2026
POLK REGIONAL WATER COOPERATIVE
Lake Myrtle Sport Complex

Member Governments in Attendance:

Member Government	Representative
City of Auburndale	Mayor Alex Cam
City of Bartow	Commissioner Trish Pfeiffer
City of Davenport	Commissioner Tom Fellows
City of Dundee	Commissioner Bert Goddard
City of Eagle Lake	Commissioner Steve Williams
City of Fort Meade	Commissioner James Watts (Absent)
City of Frostproof	Mayor Mike Hutto (via Teams)
City of Haines City	Mayor Morris West (Absent)
City of Lake Alfred	Mayor Mac Fuller (Absent)
Town of Lake Hamilton	Commissioner Phyllis Hall
City of Lake Wales	Commissioner Keith Thompson
City of Lakeland	Commissioner Mike Musick
City of Mulberry	Commissioner Kathy Barsotti
City of Polk City	Mayor Joe LaCasia (Absent)
City of Winter Haven	Commissioner Nathaniel Birdsong
Polk County	Commissioner Becky Troutman
PRWC	Eric DeHaven
PRWC	Ed de la Parte

A. Call To Order - 2:00 p.m. – Chairman Birdsong called the meeting to order at 2:00 p.m. Eric confirmed that a quorum was present. Mayor Mike Hutto was online via TEAMS.

B. Recognition of new primary/alternate appointees of members

Chairman Birdsong welcomed new board members, Mayor Alex Cam from Auburndale and Commissioner Musick from the City of Lakeland.

C. Agenda Revisions

Eric DeHaven mentioned there was one change to the agenda. Item E3 - Change Order No. 002 to Southeast Wellfield GMP-5 is not ready for board consideration. The contractor (Midsouth) is working with the pipe vendor to determine final pipe quantity

needed for construction package 3A and the cost associated with the pipe. This item will be brought back to the board when ready.

D. Public Comments (Limited to 3 minutes)

Lisa Reiner from Lakeland, who lives on Lakeland Blvd. came to address the concern of making sure there is potable water in the future. Lisa's concern is that a lot of Municipalities, such as Auburndale and Haines City, are letting huge developments come in and she is concerned about potable water. Lisa also expressed her concern about not getting notifications of the upcoming water rate increases in the billing. AI data centers are coming and will use potable water which will come from our drinking water supply. Also, small towns are not enforcing rules and regulations regarding water use. Lisa also mentioned that climate change is an issue.

Chairman Birdsong responded by stating that we are all here to establish Alternative Water Supply for the future well-being for all municipalities and Polk County. The members have been working on this issue for over 10 years.

E. Consent Items

E.1. Approve November 2025 BOD Regular Meeting Minutes (Action)

E.2. Approve the Heartland Headwaters Act Member Agreement Amendments (Action)

Eric DeHaven mentioned there are two consent agenda items. Regarding the Heartland amendments there are four members involved, which include Polk County, Winter Haven, Frostproof, and Eagle Lake. An example amendment is included in the packet, and the request is to reflect the change in amending the time for when the contracts will end with no additional dollars. **Chairman Birdsong** asked for a motion.

*Motion to approve consent items E1-E2 in the entirety was made by **Commissioner Troutman** seconded by **Commissioner Thompson**. Motion was unanimously approved.*

F. Regular BOD Items

F.1. PRWC Boards and Member Voting (Information)

Eric DeHaven provided some background on the Polk Regional Water Cooperative and how it is organized. There are five separate board of directors that meet under the umbrella of our regular board. The regular board is comprised of 16 members, and they are the oversight of the PRWC. The Combined Projects Board consists of 15 members. All the combined project board members signed up under the combined projects implementation agreement when that was created back around 2019. There are 11 Members on the Southeast Project Board and 6 members on the West Polk Project Board. There are also project associate members with both of these Boards that are

non-voting members. The voting members on Southeast are 11 Members, West Polk has 6 members, and our final board was created just last year - the conservation Projects Board is the regular board minus frost proof and Mulberry. Each board meets as a separate entity on each of these items with Members voting on agenda items. Eric provided a chart which shows what project board each representative is on and where each member is allowed to vote.

Chairman Birdsong asked for any questions.

F.2. Draft 2026 Business Plan Review (Information)

Murray Hamilton, representing PRWC's Team One, presented the business plan results that were put together by TeamOne, the executive staff at PRWC, and with input from the members and committee members who participate both in the Funding Workgroup and the Technical Advisory Committee. As we move into finalizing the 2026 Business Plan at the March meeting, the process is going to start over again and by the July and September Boards meetings, the PRWC will formally propose its recommended budget for next year.

A summary of the overall Program costs includes the capital costs related to all programs that the PRWC covers, the combined agreement, the Southeast, the West Polk, but soft expenses included are the legal finance, administrative costs, and some of the debt service in Reserve fund. The total program costs of all the agreements are estimated to be **\$796 million**. One of the primary takeaways from this is that approximately **39%** of the total Program costs are funded with grants and other external funding sources. Last year's plan we had an estimated cost of \$807 million. We're now showing \$796 million, which is a slight decrease of \$11M.

Mr. Hamilton indicated that there has been a lot of substantive changes within that overall planning framework, and we had some plant and well costs that came in slightly higher in this year's program. There is a second Injection Well that has been added to the planning criteria, and the state appropriations came in much stronger. Loan obligations that the PRWC has been estimating are down over \$44 million for this planning cycle. He proceeded to provide additional highlights of this year's plan.

Mr. Hamilton discussed that the PRWC financial advisor and her team have put together a revised financing plan with estimated payment schedules over the life of this forecast period. Under this plan the PRWC executed amendment to the Southeast and West Polk SRF loans that resulted in lower near-term costs. The Southeast WIFIA loan has actually been reduced from \$222 M to approximately \$179M. The team is still planning to borrow \$130 million for the Southeast project through the Southeast construction loan. At this point in time, 6.5 M has been approved for principal forgiveness.

Mr. Hamilton proceeded to show several graphics that summarized the Business Plan. He indicated that for the next three years, costs are much lower compared to last year's

plan. He provided a table that shows how costs have changed for each member over the next three years and then provided charts that compared costs for each Board from the 2025 Business Plan to the 2026 plan. His final slide provided a payment/budget schedule for each member out to 2036. He pointed out that the 2027 figures are the amounts members should plan to budget for next year.

Mr. DeHaven noted the payment schedule slide and reiterated that there is a summary schedule and individual detailed schedules for each one of the members.

Mr. DeHaven then reviewed the proposed additional budget items for fiscal year 2027. The PRWC is considering adding one or two new positions, a conservation program manager to get our conservation project off the ground. He anticipates that this would be a less than full-time job. The PRWC is also considering hiring a full-time assistant project manager/owner site representative. This would be additional eyes and ears out in the field that would assist the PRWC to observe construction activities. The two positions would add a cost of about \$150K to the FY2027 budget.

He noted that at the November Board the PRWC brought several items to the Board which would require additional funds to be budgeted under the Combined Projects Budget. These include items like the Peace River Reservoir feasibility project with Mosaic and beginning a five-year cycle of Regional Water Supply Planning. The total amount estimated for these needs is about \$1 M.

Finally, he noted the need for additional operational and maintenance budgeted funds to maintain well sites and completed pipeline segments. Currently the PRWC is anticipating about \$200,000 for operations and maintenance costs.

Chairman Birdsong asked if there were any questions. **Commissioner Troutman** asked about the positions and if they would be full-time. **Mr. DeHaven** answered likely not but will have additional information at the March meeting.

Commissioner Pfeiffer asked about future property tax discussions being held in by the legislature in Tallahassee and how that might impact the PRWC's grants from the water management district. Mr. DeHaven indicated that the District is providing significant funding and we have contracts in place with the District for those funds. There are clauses in the contracts that predicate the funding based on the District's annual approval of its budget. The funds allocated to the PRWC are largely from District reserve funds that have already been collected by the District. **Mr. DeHaven** asked Jennette Seachrist with the water management district to assist in answering the question.

Jennette Seachrist, the Resource Management Division Director at the Southwest Florida Water Management District, could not comment on any pending legislation but agreed with **Mr. DeHaven** that the district has prioritized **\$296M** alternative water supply funding for the PRWC. We have also been able to secure about **\$50M** in state

alternative water supply funding for the PRWC. She indicated the PRWC is a priority project by the District's Board.

G. Recess Regular BOD/Commence Combined Projects BOD

G.1. Alafia River Water Supply Project Additional Funding for Legal Challenge (Action)

Eric DeHaven stated that there is an attorney-client session scheduled for the end of the meeting to talk in detail about where the PRWC stands with our legal challenge to Tampa Bay Water and the SW Water Management District. This item is asking for additional funds to continue the legal challenge with Tampa Bay Water. As background, PRWC is looking at the Alafia River as a source of water for the future. It is listed in the Regional Water Supply plan by the District and by the CFWI as a potential source. Tampa Bay Water has an existing permit to pump 10% of the 19% water that is available from the Alafia for public supply. Tampa submitted a permit modification to pump the remaining 9% of the river flow, so the PRWC challenged the permit modification because of a potential project that could provide 15 MGD to the PRWC. The PRWC would be able to withdraw water out of the river on 80% of those days in a given year. With this modification, the yield drops to under 5 MGD and we would only be able to take water off the river 17% of the time.

The PRWC submitted a water use permit on June 18th of last year and we are continuing to go through the evaluation of that permit with the Water Management District. The PRWC also filed an administrative challenge on September 30th. We have hearing dates set for March 4th through 11th, 2026. Discovery and depositions are ongoing.

The PRWC is in good standing with the permit challenge; however, additional funds are needed for the legal challenge. The board approved \$204,820 in July of 2025. The PRWC has spent about \$175,000 of that amount through the end of last year. The PRWC projects that \$226,000 in additional funding will be needed through the entry of a final order which will take place after March 11th. That would bring the PRWC total litigation budget up to \$430,820. **Mr. DeHaven** indicated that if the issue is settled, not all these funds would be spent.

Mr. DeHaven provided a table of costs to each member for the additional funds. If this item is approved the PRWC will invoice members by the end of FY2026.

Chairman Birdsong asked if there were any questions. **Commissioner Pfeiffer** asked if the table on the screen was in the Board packet and Mr. DeHaven indicated it was on page 61.

Motion to approve the additional costs to the legal challenge budget for the Alafia River Water Supply Project and amend the Administrative Budget by \$226,000 to cover the

*costs of this work was made by **Commissioner Goddard** seconded by **Commissioner Troutman**. Motion was unanimously approved.*

G.2. Designate the Alafia River Water Supply Project as an Approved Project and approve Second Amendment to the Combined Projects Implementation Agreement adding the Alafia River Water Supply Project (Action)

Eric DeHaven mentioned the PRWC would like to elevate the Alafia River Water Supply Project to an approved project under the Combined Projects Implementation Agreement which would place it on the same level as the Peace Creek, Peace River, Southeast LFA Wellfield and West Polk LFA Wellfield projects. This essentially means the project is deemed ready for potential implementation and requires the PRWC to amend the implementation agreement.

Mr. de la Parte added that the demand projections show that after the two wellfields are fully developed that additional alternative water supply is going to be needed after 2040. That supply could be locally developed water or AWS water developed by the PRWC. Therefore, it is important that the Alafia River be placed on the same level as the Peace River project, which was added to the implementation agreement in 2019. **Mr. de la Parte** noted that it takes considerable time to bring these projects online, so it is important to add the Alafia Project now.

Mr. de la Parte mentioned we will talk about this later in a private session, but there is a possibility of a settlement. Depending on how the settlement turns out there also could be an additional project added or substituted for one of these projects. It is important to have a placeholder in both the combined projects agreement and elevating this to an approved project.

Chairman Birdsong asked if there were any questions. **Commissioner Fellows** stated he is concerned that if we elevate this project or get the outcome of the litigation we are seeking are we just spinning our wheels and wasting time because the project is not feasible. **Mr. DeHaven** noted we are not asking for feasibility funds at this time. He mentioned we could always transition that to a project which might emerge as a part of the settlement agreement that we have with Tampa Bay Water and the water management district.

Mayor Birdsong stated **Mayor Hutto** can vote online but cannot be counted for the quorum requirements. **Mr. de la Parte** mentioned that this is the Combined Projects Board and only members on that Board can vote.

*Motion to approve the Designation of the Alafia River Water Supply Project and approve the Second Amendment to the Combined Projects Implementation Agreement adding the Alafia River Water Supply Project was made by **Commissioner Camm** seconded by **Commissioner Troutman**. Motion was unanimously approved.*

Chairman Birdsong closed the Regular Board of Directors meeting and turned the meeting over to Southeast BOD **Chairman Pfeiffer**.

H. Recess Combined Projects BOD/Commence Southeast Wellfield BOD

Chairman Pfeiffer began the meeting by requesting roll-call votes for action items on the Southeast agenda. She asked that you state your name when making a motion or second.

H.1. Update on Southeast Wellfield Project (Information)

Mark Addison provided an update on the SE Wellfield project. He began with design tasks and noted it is wrapping up overall. The water production facility and the finished water transmission pipeline have been complete for some time. Design of the PRWC meter stations and two transmission system booster pump stations is essentially complete with bidding anticipated early March. Ongoing pipeline design refinements are in progress for the Polk County NE and Haines City receiving Facilities.

Mr. Addison then reviewed the status of the Guaranteed Maximum Price (GMP) packages. GMP's 1-5 were previously approved by the board. GMP 6, which consists of construction package 2C and the Dundee area and 3B in the Haines City area, is on today's board agenda. GMP 7 will consist of the PRWC meter stations and two booster pump stations which will be bid in early March. He noted there is a future GMP planned in mid-2027 to address final testing and commissioning of the transmission system.

Well construction in the Walk and Water corridor is making satisfactory progress. At SE well site 9 the UFA supply well and 30-inch surface casing are complete, and drilling of the pilot hole is underway. Completion of Well 9 is anticipated in June of this year. Construction is completed at SE well sites 10 and 11 with site restoration occurring. SE well site 14 was acquired in December and a notice to proceed was subsequently issued to the contractor on January 15th. Completion of this well is anticipated in July 2026.

Regarding water production facility, concrete work is in progress. Construction of the 2M gallon ground storage tank is commencing. The RO feed pump cans have been installed underground, and site fill balancing is basically complete, including construction of the storm water and reject ponds. Construction of the onsite potable water loop is ongoing. The master schedule continues to show substantial completion in the fall of 2028. **Mr. Addison** provided a video and pictures of site construction.

He then provided an overview of the main transmission construction. GMP-1 construction is complete and GMP-2 is 25% complete. GMP-4 is fully in construction with Package 4A ahead of schedule at 75% complete. GMP-5 has notices to proceed issued and will be in construction later this month. Pictures of pipeline construction were provided.

On land acquisition, the PRWC has made offers on all affected parcels as of November 2025. Land acquisition is a critical path for the transmission system. We have temporary or permanent easements needed for over 300 parcels across 10 design segments. Settlements have been reached on **264** parcels totaling nearly **\$12 million**.

The PRWC has all the permits for the water production facility and is working on getting the final site plan approvals for two of the well sites. On the transmission system, the PRWC has permits in hand for most of the construction packages.

Chairman Pfeiffer asked if there were any questions. **Mr. DeHaven** noted the handout on easement costs was available and he would be happy to answer any questions from the Board regarding easement cost approvals.

H.2. Approve the Guaranteed Maximum Price (GMP-6) for Construction Packages 2C and 3B for the Southeast Wellfield Project (Action)

Mark Addison indicated that construction packages 2C and 3B are the two final major transmission packages for transmission system construction. Package 2C is in the Dundee and Lake Hamilton area and Package 3B is in Haines City and Davenport area. Construction package 2C includes about 33,700 feet of 30-inch ductile iron pipe and 4,100' of 30" HDPE pipe. Bids were received on December 2, 2025, with Amici as the low bidder at just under \$15.6 million. Six other bidders submitted, with pricing ranging from about \$16.3M to \$21.5M. Florida Water Partners recommended award to Amici.

Package 3B includes about 4,000 feet of 30-inch ductile iron pipe, 6,350 feet of 24" PVC pipe, and 6,300 feet of 30" and 24" HDPE pipe. This segment facilitates connections to Davenport, Polk County Northeast, and Haines City receiving facilities. Five bids on package 3B were received on December 2, 2025, with RCS the lowest bidder at about \$7.9 million. After review of the submitted bids, the Florida Water Partners recommended that RCS be disqualified due to a lack of relevant experience and documented OSHA violations specifically for trench safety. They also did not submit all the required documentation, including licenses for qualified underground contractors. As a result, Florida Water Partners recommended award of package 3B to Midsouth at a bid price of just under \$8.3 million. GMP 6 includes language that allows the board to consider the approval of a change order in the future to address the change in the county northeast.

In summary, the base bid price was \$26,643,892 including contingency amounts. Including other CMAR related costs brings the GMP-6 total cost to \$32,297,597. Construction will start on this package in the spring of 2026 and be complete in early 2028. Mr. Addison concluded by providing information on overall cost trends and noted the transmission main was about \$55M under the contractors 90% construction estimate.

Chairman Pfeiffer asked if there were any questions. She then asked for a roll call vote.

*Motion to approve the Guaranteed Maximum (GMP-6) for Construction Packages 2C and 3B for the Southeast Wellfield Project made by **Commissioner Goddard** seconded by **Commissioner Birdsong**. Motion was unanimously approved.*

H.3. Approve the Cost Share Agreement between the PRWC and the City of Lakeland to Share Easement and Construction Costs for Water Transmission Projects (Action)

Mr. Addison provided background information on this item. The PRWC transmission main construction performed under Package 6 includes pipeline into the CR 540A Booster Pump Station. Concurrently, Lakeland is extending a water main South on US 98 to connect to the CR 540A booster pump station. Since both mains intersect on the West side of US 98 prior to reaching the booster pump station, it is advantageous to construct both lines in parallel utilizing water transmission easements acquired by the PRWC and the PRWC contractor. This agreement addresses the construction of parallel mains and sharing of the costs between the PRWC and the City of Lakeland.

Under the agreement, Lakeland's share is a little over \$243,000, while PRWC share is about \$206,000. This agreement has already been approved by the Lakeland City Commission back in early December.

Mr. Addison provided a map that shows the area of the shared construction.

Chairman Pfeiffer asked for questions.

*Motion to approve the cost share agreement between PRWC and the City of Lakeland was made by **Commissioner Birdsong** seconded by **Commissioner Cam**. Motion was unanimously approved.*

H.4. Approve Interlocal Agreement Between the PRWC, City of Bartow and Bartow Municipal Airport Development Authority (Action)

Chairman Pfeiffer mentioned that this agreement is between the PRWC, Bartow, and Bartow Airport Authority to construct the transmission line on a property controlled by Bartow and the airport authority. Bartow has approved the agreement.

Eric DeHaven discussed 9 parcels that the PRWC has identified on this property for transmission main easements. He noted that they are owned and controlled by Bartow and the Municipal Airport. This property is subject to regulation under the War Assets Administration as well as the Federal Aviation Authority. The Bartow Airport facility was World War II facility, and it has some issues from that time tied to land ownership and the granting of easements.

Given the land ownership issues, the PRWC and Bartow decided that a license agreement is the best mechanism for construction and operation of the transmission line. The license agreement would be between the PRWC, Bartow, and the Bartow Municipal Airport Development Authority.

Chairman Pfeiffer requested any questions from the Board.

*Motion to approve Interlocal Agreement between the PRWC, City of Bartow Municipal Airport Authority Development Authority was made by **Commissioner Birdsong** seconded by **Commissioner Troutman**. Motion was unanimously approved.*

H.5. Revision of Final Points of Connection for the Southeast Wellfield Project and Adopt Resolution 2026-01 to Amend Resolutions 2025-05, 2024-34, and 2025-05 Project Resolution of Necessity Approving the Southeast Wellfield Water Production Facility and Transmission Main Project due to a change in the Transmission Main Route (Action)

Mary Thomas indicated that this item is a result of changes in the location where Haines City and Davenport are receiving PRWC water and identifying points of connection are a requirement of the Implementation Agreement. The points of connection are those locations where each of the individual members will receive water from the Southeast facility. Over the years, a handful of amendments have been made to the resolution due to relocations of the points of connection. Points of connections are identified by the members and discussed through the Technical Advisory Committee.

For this particular item, the point of connection is the Haines City relocation which will involve an update to the Southeast Transmission main. There are a number of evaluations that need to be conducted when making revisions to the transmission main. The PRWC team is looking at many factors in these evaluations such as cost, environmental impacts, and safety. The Haines City change will result in approximately 9000 additional linear feet of pipeline.

In addition, Davenport has been able to move their point of connection from the west portion of their receiving parcel to the east portion of their parcel, so it is not a change in the point of connection, but it is a significant reduction in pipeline.

This action item is to approve the location of the Haines City point of connection which will also result in approximately \$3.1 million in additional pipeline costs.

Chairman Pfeiffer asked if there were any questions. **Commissioner Goddard** asked who pays for the increased cost of the new point of connection. **Ms. Thomas** indicated it is a PRWC cost shared by all the members.

*Motion to approve the revision of the final points of connection for the Southeast Wellfield Project was made by **Commissioner Fellows** seconded by **Commissioner Birdsong**. Motion was unanimously approved.*

H.6. Approve the Mediated Settlement with Taylor and Patricia Neilsen for PRWC Parcel Number 13022 Permanent and Temporary Construction Easements (Action)

Eric DeHaven provided an overview of the easement location and provided several pictures of the property locations. He noted the parcel now has a home on the property surrounded by a vegetative buffer.

The Stipulated Order of Taking was approved by the court in September of 2025. On September 15th of 2025, we began negotiations with the owner on the easement cost. On November 24th of last year, we had a mediation session and reached an agreement on the monetary value with the property owner.

The PRWC appraisal amount was \$36,900. They countered it \$163,100 and a settlement was reached at \$110,000. In addition to the settlement costs, we must pay attorney fees and expert fees which brings the total easement cost to **\$167,083.80**.

The PRWC is receiving about .46 acres of easement. The settlement is about \$53,100 less than what the owner initially wanted, the PRWC transmission main design remains unchanged, and a jury trial was avoided. The PRWC attorney will file a stipulated final judgement upon Board approval.

*Motion to approve the mediated settlement with Taylor and Patricia Neilsen for PRWC Parcel Number 13022 was made by **Commissioner Troutman** seconded by **Mayor Cam**. Motion was unanimously approved.*

H.7. Approve the Mediated Settlement with Ann Combee and Timothy Irby for PRWC Parcel Numbers 10006 and 10010 Permanent and Temporary Construction Easements (Action)

Eric DeHaven provided a map and pictures that showed the approximate location of the parcels along Old Bartow Lake Wales Road. There are two parcels involved that are owned by Ann Combee and Timothy Irby that cover a significant area of the transmission main.

In June 2025, the PRWC obtained a stipulated order of taking. On July 21, 2025 negotiations began with the owner. On October 17, 2025, a mediation session was held with the owner and on January 20, 2026, a settlement agreement was reached. The PRWC appraisal amount was \$127,250. The owners presented a counteroffer at \$794,880 and a settlement was reached at \$400,000. Statutory attorney fees were

\$66,575, expert costs were \$60,000, and the total easement cost was \$526,575. Expert fees were reduced through negotiation.

The PRWC received easements over 2.02 acres. The settlement was \$394,880 less than the initial property owner offered. The PRWC did change the transmission design slightly to bury the pipeline deeper and a jury trial was avoided.

Chairman Pfeiffer asked for questions. **Commissioner Troutman** asked if the owner's value came from an appraisal. **Mr. DeHaven** responded yes, it is common on all of these easements for the property owner to provide their own appraisal. Additional discussion occurred regarding the appraisal process.

*Motion to approve the mediated settlement with Ann Combee and Timohy Irby for PRWC Parcel Numbers 10006 and 10010 was made by **Commissioner Cam** seconded by **Commissioner Troutman**. Motion was unanimously approved.*

Chairman Pfeiffer recessed the Southeast Wellfield Board meeting and turned the meeting over to the **Commissioner Musick** for the West Polk Board meeting.

I. Recess Southeast Wellfield BOD/Commence West Polk BOD

Chairman Musick called to order the West Polk Board of Directors. He indicated there were two items on the agenda and asked members to state their name when making a motion.

I.1. Update on the West Polk Wellfield Project (Information)

Tom Mattiacci provided an overview of the project schedule, construction, and acquisition. He provided a timeline of events to occur.

He discussed the well construction status and indicated that the test production well and injection well construction is underway and on or ahead of schedule. He noted that the Test production well will be acid treated to improve production capacity.

The water production facility value engineering design is underway. Raw water pipeline design review is also underway, and the acquisition of well sites continues. To accommodate the acquisition schedule, the 60% West Polk facility design will begin in July 2026. Heartland appropriations are to be used for land and easement acquisition, and offers have been made for the raw water alignment.

Chairman Musick asked if there were any questions.

I.2. Approve the Deferral of Final Points of Connection for the West Polk Project (Action)

Eric DeHaven mentioned the West Polk West Implementation Agreement requires that we identify points of connection and meter locations. The first time we did this was in January of 2023. Final design of the West Polk project will not begin until 2027, so we

do not know where our final points connections are located but once determined through final design the POC's will be brought to the Board of Directors for approval when determined or by January 2027.

*Motion to approve deferral of final points of connection for the West Polk Project was made by **Commissioner Camm** seconded by **Chairman Pfeiffer**. Motion was unanimously approved.*

Chairman Musick adjourned the West Polk Board of Directors meeting and turned the meeting back over to Chairman Birdsong.

J. Recess West Polk BOD/Commence Attorney - Client Session

Chairman Birdsong started the Regular BOD meeting and noted the next item was an attorney client session.

J.1. Attorney-Client Session Between the Board of Directors and legal counsel pursuant to Section 286.011(8), F.S., pertaining to PRWC v. Tampa Bay Water and Southwest Florida Water Management District (DOAH Case No. 25-005480) - Discussion and Action, if Necessary.

Chairman Birdsong indicated that the PRWC will now convene a private attorney-client session. Our attorneys have advised us that they desire to seek the advice of this board concerning pending litigation to which PRWC is presently a party before a court or administrative agency. Therefore, in accordance with section 286.011(8) of the Florida Statutes, we will commence a private attorney-client session.

The subject matter of this meeting will be confined to settlement negotiations and strategy sessions related to litigation expenditures in the pending case of *Polk Regional Water Cooperative v. Tampa Bay Water and Southwest Florida Water Management District*, DOAH Case No. 25-5480.

The following individuals will be attending this private session:

Chairman Nathaniel Birdsong (Winter Haven)
Becky Troutman (Secretary/Treasurer) – via conference call
Trish Pfeiffer (Bartow)
Tom Fellows (Davenport)
Bert Goddard (Dundee)
Alex Cam (Auburndale)
Phyllis Hall (Lake Hamilton)
Mike Musick (Lakeland)
Kathy Barsotti (Mulberry)
Keith Thompson (Lake Wales)

The session will also be attended by our Executive Director Eric DeHaven, and the following PRWC attorneys: General Counsel Ed de la Parte and Attorney Nick Porter. We

estimate that this session will last approximately 30 minutes. This entire session will be recorded by a certified court reporter. No portion of the session will be off the record. The court reporter's notes will be fully transcribed and filed with our clerk within a reasonable time after the meeting. The transcript will become part of the public record upon conclusion of the litigation.

At the conclusion of the attorney-client session, we will reconvene in open session to announce the termination of the private meeting. We will now clear the room of all individuals except for the board members, our executive director, our attorneys, and the court reporter. The attorney-client meeting will commence momentarily.

K. Recess Attorney-Client Session/ Commence Regular BOD Items

Following the attorney Client session **Chairman Birdsong** indicated that he was reconvening the Regular Board of Directors meeting and the attorney client session is now terminated. He asked for a motion from the Board to move forward with a mediation session with Tampa Bay Water and the Southwest Florida Water Management District.

*Motion to approve moving forward with a mediation session and accept Chairman Birdsong as the PRWC representative was made by **Commissioner Thompson** and seconded by **Commissioner Musick**. Motion was unanimously approved.*

L. Open Discussion

M. Chair / Executive Director Report

N. Adjournment

Chairman Birdsong adjourned the Board of Directors meeting.

In accordance with the American with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact the Polk County Communications Office not later than forty-eight hours prior to the proceeding. Their offices are located in the Neil Combee Administration Building, 330 West Church Street in Bartow. Telephone (863) 534-6090, TDD (863) 534-7777 or 1-800-955-8771, Voice Impaired 1-800-955-8770 via Florida Relay Service. If a person decides to appeal any decision made by the board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.