



March 18, 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 (Absent)
City of Fort Meade	Commissioner James Watts (Absent)
City of Frostproof	Mayor Mike Hutto (Absent)
City of Haines City	Mayor Morris West
City of Lake Alfred	Mayor Mac Fuller (Secretary/Treasurer)
Town of Lake Hamilton	Commissioner Phyllis Hall (Absent)
City of Lake Wales	Commissioner Keith Thompson
City of Lakeland	Commissioner Mike Musick (via Teams)
City of Mulberry	Commissioner Kathy Barsotti
City of Polk City	Mayor Joe LaCasia
City of Winter Haven	Mayor Nathaniel Birdsong (Vice Chairman)
Polk County	Commissioner Becky Troutman
PRWC	Eric DeHaven

A. Call To Order - 2:00 p.m. – Chairman Birdsong called the meeting to order at 2:00 p.m. **Eric DeHaven** confirmed that a quorum was present and noted that Commissioner Musick was online via TEAMS.

B. Recognition of new primary/alternate appointees of members

Chairman Birdsong noted that there were no new members or alternates present for the meeting.

C. Agenda Revisions

Chairman Birdsong asked if there were any changes to the agenda and **Eric DeHaven** noted that there were no changes.

D. Public Comments (Limited to 3 minutes)

Chairman Birdsong asked if there were any public comments.

E. Consent Items

Chairman Birdsong noted there were four items on the consent agenda. Eric DeHaven provided a brief overview of those items. **Mayor Cam** asked that the minutes be corrected to reflect that he is with the City of Auburndale, not the City of Lake Alfred.

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

E.2. Approve Agreements with the City of Winter Haven for PRWC Parcels 9052 and 9053 Permanent and Temporary Construction Easements for the Southeast Wellfield Transmission Main Project (Action)

E.3. Approve Utility and Access Easements with Polk County for the Central and East Regional Utility Service Area Receiving Stations Associated with the Southeast Wellfield Transmission Main Project (Action)

E.4. Approve Change Order No. 001 (Deductive) to Guaranteed Maximum Price GMP-6 with Florida Water Partners for the Southeast Wellfield Transmission Main (Action)

Chairman Birdsong asked for a motion on the Consent Agenda.

*Motion to approve consent items **E1-E4** in the entirety was made by **Mayor Cam** seconded by **Mayor Fuller**. Motion was unanimously approved.*

F. Regular BOD Items

F.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 (Action)

Chairman Birdsong announced that the Cooperative Board of Directors will 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.

He noted that 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)
Vice-Chairman Mac Fuller (Lake Alfred)
Secretary/Treasurer Becky Troutman (Polk County)
Trish Pfeiffer (Bartow)
Tom Fellows (Davenport)
Bert Goddard (Dundee)
Morris West (Haines City)
Alex Cam (Auburndale)
Mike Musick (Lakeland)
Joe LaCascia (Polk City)
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. It is estimated that this session will last approximately 30 minutes.

Chairman Birdsong also indicated that the 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. At that time, the Board may decide to take action in connection with this case.

The Board will now move to our alternate room, and the attorney-client meeting will commence momentarily.

BOARD MEMBERS MOVE TO ALTERNATE ROOM FOR SESSION

BOARD MEMBERS RETURN TO BOARD ROOM AND RESUME REGULAR MEETING

Chairman Birdsong reconvened the Cooperative Board of Directors and announced that the attorney-client session is now terminated. He noted that as a result of this session, the Board will consider a settlement agreement concerning the pending case. Hard copies of the settlement agreement are located at the back of the room, a copy will be posted to the Cooperative's website, and a copy will be made available to anyone who requests one.

Chairman Birdsong asked the PRWC General Counsel, Edward de la Parte to discuss the settlement agreement.

Ed de la Parte noted that on February 10 a mediation session between the parties occurred. A settlement in concept resulted from that meeting which has now resulted in a Settlement Agreement that is before you today. The agreement provides that the parties will work together to try and find a 12 MGD project to replace the Alafia River. If an alternative project cannot be determined or is not acceptable to the PRWC, the PRWC can develop an Alafia River project using 5% of the flow available under the minimum flow rule. The agreement ends the litigation and prevents litigation in the future. **Mr. de la Parte** recommended the Board approve the agreement.

Chairman Birdsong asked for a motion and second to approve the Settlement Agreement.

*Motion to approve item F.1 was made by **Mayor West** seconded by **Commissioner Pfeiffer**. Motion was unanimously approved.*

F.2. Accept the Independent Auditors Report for Fiscal Year 2025 (Action)

Chairman Birdsong recognized the PRWC external auditor, **Mike Brynjulfson**. **Mr. Brynjulfson** began his presentation by noting that he has been the PRWC external auditor for the past ten years. He noted he would review the results of six audit reports that are in the Boards packet.

He noted the PRWC audit was an unmodified, clean opinion and that the financial statements are free of material errors and are in accordance with GAAP – the statements are a fair representation of what happened during the year. There were no internal control findings, no instances of noncompliance, and all findings from previous year have been fully corrected.

The audit also noted that the PRWC was in compliance with state statute governing rules for investments and investment policy.

Under the Single Audit the PRWC complied with the applicable state and federal criteria. One small noncompliance finding was identified regarding the failure to list SWFWMD and FDEP as additional insured on the PRWC insurance policy. The matter was addressed by the PRWC.

There were no adverse findings or recommendations associated with the management letter. The governance letter noted no disagreements with management, no difficulties getting the audit completed, and no material adjustments.

Mr. Brynjulfson noted that the PRWC budget and financial statements are increasing over time. He showed a slide of revenue and expenses that demonstrated greater revenue and costs. He also showed assets and liabilities and how quickly the PRWC is evolving.

Chairman Birdsong noted this was a good audit report and asked for any questions.

Motion to approve item F.2 was made by Commissioner Troutman seconded by Mayor LaCascia. Motion was unanimously approved.

F.3. Approve the First Amendment to the Employment Agreement for the PRWC Financial Manager (Action)

Chairman Birdsong noted that one of the reasons for a good audit report was the PRWC bringing out **Laura Guy-Rice** as Financial Manager. **Mr. DeHaven** agreed with this assessment. He began his presentation reviewing the employment agreement with **Laura Guy-Rice** and then noted how the PRWC wanted to amend the current agreement to provide a 5% salary increase to \$89,250.

Mr. DeHaven recommended the Board approve the new employment agreement.

Chairman Birdsong asked if there were any questions.

Motion to approve item F.3 was made by Commissioner Pfeiffer seconded by Commissioner Troutman. Motion was unanimously approved.

F.4. Final 2026 Business Plan Report and Member FY2027 Budgeting Information (Information)

Murray Hamilton provided an overview of the Final PRWC Business Plan and hard copies were distributed to all the members. The slides provided were focused on sources of PRWC funding. Approximately 40% of the total program costs, just under \$800M, are funded with grants and costs have decreased from last year's Business Plan projections.

Mr. Hamilton provided a projection of members' payments out to 2036 (ten years). He noted a summary of additional costs added to the Business Plan costs that include: 1) a new conservation program specialist position for \$65,000 and, 2) an addition \$1.1M for the Combined projects budget for future water supply projects such as the Mosaic reservoir feasibility and a Water Use Application for the Peace River.

He provided a summary of proposed FY2027 PRWC costs that members should plan to budget for in FY2027. He concluded with a discussion on how to reduce program costs.

Chairman Birdsong noted this was for the Boards information and asked if there were any questions. **Mayor West** asked how the projections were developed. **Mr. Hamilton** indicated that each member has a summary schedule that shows how the costs were developed. **Mr. DeHaven** provided additional background. **Mayor West** asked for the implementation agreement table to be sent to all members once again and **Mr. DeHaven** confirmed he would do that.

F.5. Adopt Resolution 2026-02 to Approve the Extension and Amendment of the PRWC Revolving Credit Agreement with Truist Bank and its Affiliate, Truist Commercial Equity, Inc. (Action)

Laura Guy-Rice provided an overview of Resolution 2025-04 which approved the original Line of Credit Loan. The current loan is for \$10M and has a balance used of \$1,217,521.95. The loan expires March 24, 2026, and the PRWC would like to extend the Line of Credit for one year with the same fees and terms offered under the original loan. This item will also be on the agenda for the Southeast and West Polk Boards.

Chairman Birdsong asked if there were any questions and requested a motion.

*Motion to approve item F.5 was made by **Commissioner Troutman** seconded by **Mayor Fuller**. Motion was unanimously approved.*

G. Recess Regular BOD/Commence Combined Projects BOD

G.1. Approve Memorandum of Understanding with Mosaic Fertilizer, LLC and South Ft. Meade Partnership, L.P., LTD. Regarding Water Supply and Water Reservoir Planning and Development (Action)

Eric DeHaven provided an overview of discussions with Mosaic on a potential reservoir location off the Peace River. He provided a map of the property locations involved. Discussions with Mosaic have resulted in a Memorandum of Understanding to evaluate the feasibility of a reservoir. There are no direct costs with the MOU, but the PRWC is requesting \$225,000 in the FY2027 budget for the actual feasibility study. The MOU provides the PRWC to conduct the feasibility study.

Commissioner Pfeiffer asked more about intake location and reservoir location. **Mr. DeHaven** provided an explanation of the raw water pipeline location.

Chairman Birdsong noted the need for treatment location as well and the minimum flow issue with the water management district. **Commissioner Pfeiffer** asked more about how often the District reassesses minimum flow. **Mr. DeHaven** said that once they are set, they usually are left in-place – the Peace River is a special situation because the District never set the full suite of minimum flows for all the flow regimes.

Chairman Birdsong asked for a motion.

*Motion to approve item G.1 was made by **Commissioner Pfeiffer** seconded by **Mayor West**. Motion was unanimously approved.*

G.2. Request to Increase FDEP SRF Planning Loan DW520000 for Costs Associated with West Polk Test Production Well #3 (Action)

Tom Matiacci provided background on the original SRF planning loan. The loan has been used for test wells on both the Southeast and West Polk projects. The West Polk TPW2 well has come in over budget so \$1.4M more is needed from SRF. He provided a timeline of the SRF loan and its amendments. This is the third amendment.

Mr. DeHaven noted that we did submit this request to the FDEP and it is on their May agenda for approval. The actual agreement, if approved by FDEP, will come before the Board at a later date.

*Motion to approve item G.2 was made by **Commissioner Fellows** seconded by **Mayor Cam**. Motion was unanimously approved.*

H. Recess Combined Projects BOD/Commence Southeast Wellfield BOD

Chairman Birdsong recessed the Combined Projects Board and turned the meeting over to **Chairman Pfeiffer** for the Southeast Board agenda. **Chairman Pfeiffer** welcomed the Board members and noted we would use a role call vote for action items as we did last month.

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

Mark Addison provided an agenda for his presentation. He noted that design is largely complete with only refinements underway. The two booster pump stations are in bid. He provided a summary of the GMP packages.

He next reviewed the status of production wells and noted PW-14 is now under construction. PW-14 is the last well required for Phase 1.

He reviewed the water production facility construction and noted a lot of activity is occurring including the raw water pipeline. The construction remains on schedule. He provided numerous pictures and two videos of site construction.

Mr. Addison then reviewed the construction status of the various transmission line packages. He noted all transmission packages are now under construction, have been provided notice to proceed, or are complete. **Commissioner Troutman** asked about the parcel acquisition and sequencing. **Mr. Addison** responded by noting the contractor will be working with us to schedule appropriately based upon acquisition. He provided pictures of transmission main construction.

He then provided a cost summary of the Southeast Project and noted that prices have decreased over time as our grant funding has increased. He noted the value engineering and bid pricing caused the cost reductions.

Mr. Addison reviewed road closures due to transmission main construction. He provided a link on the PRWC website that keeps the public up to date on road closures. This information was also provided to the City Managers. **Mayor West** asked how often this information is updated. **Mr. Addison** noted it is done daily. **Commissioner West** asked if the cities can be notified ahead of time. **Mr. Addison** noted that is happening through the road closure permit process through the County and cities. He noted variable message boards are being used. **Shannon Estep** with Valerin also provided additional information on the road closure notification process. Current road closures as well as upcoming closures were reviewed.

Mayor Fuller asked if there was coordination with FDOT. **Mayor LaCascia** noted there is a schedule FDOT keeps.

Mr. Addison reviewed progress on easement acquisition. He noted settlements have been reached on 274 parcels totaling over \$13.5M. He concluded with providing the status of permits and that the majority have been obtained.

Chairman Pfeiffer asked for questions and noted this was a good report.

H.2. Adopt Resolution 2026-02 to Approve the Extension and Amendment of the PRWC Revolving Credit Agreement with Truist Bank and its Affiliate, Truist Commercial Equity, Inc. (Action)

Chairman Pfeiffer indicated that this item was presented by Laura Guy-Rice under Item F.5 on the Regular Board agenda. It now needs to be approved by the Southeast Board. She proceeded to call for a motion.

*Motion to approve item H.2 was made by **Commissioner Troutman** seconded by **Mayor West**. Motion was unanimously approved.*

H.3. Approve the Negotiated Settlement with Alcoma Properties LTD. and UPCO, Inc. for PRWC Parcels 5039, 5044, 5058, 5059, 5082, 5041, 5083-A, 5083-B, 5084, 5076, and 5078 Permanent and Temporary Construction Easements (Action)

Eric DeHaven noted that there were ten parcels along Mammoth Grove Road east of Lake Wales that the PRWC needs easements on for the transmission pipeline. He provided a map and pictures of the parcels and a timeline.

The PRWC appraisal amount was \$230,600 and the property owner wanted \$1,034,500 for the easements. The parties were far apart due to the number of citrus trees that were impacted. The final settlement agreed upon was \$700,000 with additional costs of \$155,380.50 for statutory attorney fees and expert costs of \$75,294.80. The total cost for the easements is \$930,675.30.

The PRWC will receive easements over 6.8 acres representing 1.3 miles of transmission main. The settlement is \$334,500 less than the owners offer and the PRWC avoided a jury trial.

Chairman Pfeiffer asked if there were any questions.

*Motion to approve item H.3 was made by **Commissioner Troutman** seconded by **Mayor Fuller**. Motion was unanimously approved.*

I. Recess Southeast Wellfield BOD/Commence West Polk BOD

Chairman Pfeiffer thanked the members and concluded the Southeast Project agenda and turned the meeting over to **Chairman Musick**. Chairman Musick started the West Polk Project Board and indicated there were three items for the Boards review.

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

Tom Mattiacci began with a review of the West Polk project schedule. He noted that construction of the TPW2 site and the Injection well continues. The project design of the water production facility will begin this summer and continued raw water pipeline design continues based on well site acquisition.

He reviewed the well construction status and noted that the TPW-2 aquifer performance test will begin on March 23rd. He then reviewed the well site acquisition status.

Chairman Musick noted this was for information only.

I.2. Approve the Construction Manager at Risk (CMAR) Pre-Construction Services Addendum with Florida Water Partners for the West Polk Lower Floridan Aquifer Project (Action)

Tom Mattiacci provided an overview of per-construction services by the PRWC's Construction Manager at Risk. He reviewed tasks the CMAR will perform under the addendum in pre-construction and then during the construction phase.

He provided a slide that detailed costs for the addendum and noted the initial authorization is for \$1,196,227. The total fee is \$1,606,792 with the difference to be authorized by the Executive Director at a later date. He also reviewed the insurance requirements.

Chairman Musick asked if there were any questions.

*Motion to approve item I.2 was made by **Commissioner Pfeiffer** seconded by **Mayor Cam**. Motion was unanimously approved.*

I.3. Adopt Resolution 2026-02 to Approve the Extension and Amendment of the PRWC Revolving Credit Agreement with Truist Bank and its Affiliate, Truist Commercial Equity, Inc. (Action)

Chairman Musick noted this item was already presented to the Regular and Southeast Boards and asked for a motion.

*Motion to approve item I.3 was made by **Commissioner Troutman** seconded by **Mayor Fuller**. Motion was unanimously approved.*

J. Recess West Polk BOD/Commence Regular BOD

Chairman Musick concluded the West Polk Board and turned the meeting back over to **Chairman Birdsong** to finish the Regular Board agenda.

K. Open Discussion

Chairman Birdsong asked if any of the members had any topics they would like to discuss.

L. Chair / Executive Director Report

Chairman Birdsong asked **Eric DeHaven** if there were any Executive Director comments. **Mr. DeHaven** indicated there were two items. He noted he would be presenting the PRWC status to the Polk County Commission Board retreat on March 26 and at the Winter Haven Strategic Momentum Session on April 1. He asked if any other members would like a status report, he would be happy to provide that.

M. Adjournment

Chairman Birdsong recessed the Regular Board meeting and then adjourned.

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.