

MINUTES
Key Largo Wastewater Treatment District Board of
Commisisoner's Meeting

August 18, 2004, 5:00 PM,
 Key Largo Civic Club, 209 Ocean Bay Drive

The KLWTD Board of Commissioners met for a regular meeting on August 18, 2004 at 5:00 PM. Present were Chairman Gary Bauman, Commissioners Charles Brooks, Andrew Tobin, and Jerry Wilkinson. Commissioner Cris Beaty arrived at 5:03 PM. Also present were General Manager Charles Fishburn, Board Clerk Carol Simpkins, Board Attorney Thomas Dillon and all appropriate District staff.

Chairman Gary Bauman led the Pledge of Allegiance.

ADDITIONS/DELETIONS TO THE AGENDA.

General Manager Charles Fishburn requested that an item for a resolution for a credit card application be added to the agenda and that Item 2 (Keys computing proposal) be deleted from the agenda and that Item 11 (Audit) be moved to the front of the agenda after the action items.

Motion: Commissioner Charles Brooks made a motion to approve the agenda as amended. The motion was seconded by Chairman Commissioner Jerry Wilkinson.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Andrew Tobin	X		
Commissioner Charles Brooks	X		
Commissioner Jerry Wilkinson	X		
Commissioner Cris Beaty	X		
Chairman Gary Bauman	X		

Motion passed 5 to 0

MINUTES

The Board of Commissioners requested that Board Attorney Thomas Dillon review the December 17, 2003 minutes for completeness and the corrected version be brought back

to the Board. Commissioner Charles Brooks requested that on the August 4, 2004 minutes on page 5 paragraph 5 the comment that the Board had not established who was to receive the \$10 million be added. He would also like to have the entire PMP document as the exhibit not just the changes. The minutes will be brought back to the September 1, 2004 meeting.

PUBLIC COMMENT: The following persons addressed the Board: Steve Gibbs of the Free Press stated that it was a pleasure to be at the meetings and he enjoyed reporting on the KLWTD.

ACTION ITEMS

Status of the FY 2004 Audit/FY 2005 Support Services

David Andrews of Caterineau & Caterineua, LLC addressed the Board of Commissioners to explain the terms of the draft Engagement Letter. If approved, that firm will do the audit for the contract rate for the current year. An accounting will be done of the hours of work to use in a comparison of cost for the next year. He explained that a Single Audit is required of any government entity that receives over \$500,000 (Federal requirement) and \$300,000 (State requirement) in grants. It is a compliance audit that encompasses all of the grants.

Motion: **Commissioner Charles Brooks made a motion to approve the execution of the Engagement Letter. The motion was seconded by Commissioner Cris Beaty.**

Commissioner Andrew Tobin expressed concern over the contract going to Caterineau & Caterineua, LLC as a successor to Mull & Associates, which performed the previous audit. Board Attorney Thomas Dillon advised that there is no rule that prohibits District contracts, generally, from being assigned. However, because Mull & Associates was retained to perform specialized professional services, he advised that Mull & Associates could not assign the contract to a successor firm without the KLWTD Board's consent.

The Town Attorney would like to make sure that the requirements of Section 189 are met and that the section of confidentiality be reviewed and removed if necessary.

Motion withdrawal: **Commissioner Charles Brooks withdrew his motion to approve the Engagement Letter. Commissioner Cris Beaty withdrew his second.**

Motion: **Commissioner Charles Brooks made a motion to table the Engagement Letter with Caterineau & Caterineua, LLC and Commissioner Andrew Tobin seconded the motion.**

Resolution for Credit Card Application

The Board directed staff to review the resolution and after attorney review bring it back for approval. The Board also directed that there be a card issued for General Manager Charles Fishburn and Board Clerk Carol Simpkins.

New Office Building

There was discussion and review of Commissioner Charles Brooks' drawings of different way to use the space.

Commissioner Andrew Tobin questioned the need for a public meeting place in the office building as did Commissioner Jerry Wilkinson.

Chairman Gary Bauman stated that the offices would be moving to another site in the future and he feels that there is no need for the whole building.

Motion: Commissioner Charles Brooks made a motion to lease the entire building for the new office space. The motion was seconded by Commissioner Jerry Wilkinson. The layout will be worked out latter.

Vote on motion

Member	Yes	No	Other
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Beaty	X		
Commissioner Wilkinson	X		
Chairman Bauman		X	

Motion passed 4 to 1.

ENGINEER'S REPORT

Rate Resolution for Sewer Plan Review and Inspection Fees.

Ed Castle, Weiler Engineering Corp, thinks that it is crucial that the District interact with the people who are putting in sewer systems now that will have to be hooked up to the sewer line in the future, to make sure everything is compatible. Mr. Castle recommends that a hydro static test be supervised by staff for leaks in the entire system before hookup.

Commissioner Andrew Tobin would like to see staff coordinate with the DEP and the Health Department to inform property owners of what will be required to hook into the KLWTD sewer system.

General Manager Charles Fishburn recommended that the residential properties have their plans reviewed by the KLWTD.

Commissioner Andrew Tobin does not want to see another hurdle put up in the path of the residents trying to build a home. He suggested that staff coordinate with the County, DEP and the Health Department on what is needed and maybe a letter can be sent out to everyone on the ROGO list as to what is going to be required for sewer hook up.

Commissioner Jerry Wilkinson stated that it would be a good idea to test the entire system for the homeowners.

Chairman Gary Bauman would support a sign off on commercial properties before they are permitted but would like staff to come back with a report on what type of problems might be found on residential plans that would cause concern.

Commissioner Charles Brooks can not support any type of inspection on private property (commercial or residential) in any form. It is only tacking on more expense and more paperwork for the property owner who is already under requirements from the DOH and/or the DEP. How will the District be able to tell a property owner where the sewer line will be coming in at in five years? Commissioner Charles Brooks stated that given the fact that the KLWTD has a project going that is 98% residential and we are trying to get financing and planning going for the next project, this can wait.

Ed Castle was directed to work on standards for testing process and requirements on all pipes before hookup.

Key Largo Park Change Order

Mr. Castle stated that it appears to him that there will be enough funds to do Key Largo Park and Sunset Waterways. The price does not include the vacuum values or the dual values that go into the buffer pits.

General Manager Charles Fishburn stated that one price will be negotiated for the contract.

Commissioner Charles Brooks asked what would happen if the Haskell bid on Conch Key comes in lower than the bid for the KLWTD. Mr. Fishburn stated that if that happens then we would hold them to the base contract.

Haskell Progress Report

No one from Haskell was present.

LEGAL COUNSEL REPORT

Draft Contract for Key Largo Park

A draft contract was presented to the Board for their information. Board Attorney Thomas Dillon stated that the reason for a separate contract is that if federal funds are made available to the District for Key Largo Park work, the District needs to have the Key Largo Park project separate from the Key Largo Trailer Village project. The draft contract is being reviewed concurrently by Haskell and District staff.

Purchase Order status report

Board Attorney Thomas Dillon has prepared a draft purchase order and sent it to Haskell and District staff for concurrent review.

Haskell Delay Notice

Board Attorney Thomas Dillon feels that the permitting process is the Design Builder's responsibility. Based on available information, Mr. Dillon believes that the risk of delays in permitting are not the District's responsibility.

CHIEF FINANCIAL OFFICERS REPORT

Pending Payments

Financial Officer Martin Waits presented the pending payments schedule.

Motion: Commissioner Cris Beaty made a motion to approve the pending payments list for August 18, 2004 contingent upon receipt of adequate funds. Commissioner Jerry Wilkinson made the second.

The total \$6,845.23 should be \$7,870.87.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Andrew Tobin	X		
Commissioner Charles Brooks	X		
Commissioner Jerry Wilkinson	X		
Commissioner Cris Beaty	X		
Chairman Gary Bauman	X		

Motion passed 5 to 0

Project Funding Status Report

Mr. Waits presented the status reports and requested that if any of the Commissioners have any suggestion on what they would like to see on the report to please contact him.

GENERAL MANAGER'S REPORT

Site Mitigation

The Board of County Commissioners approved the funding in the amount of \$294,708.08 to be used to pay for required mitigation that will allow the KLWTD to move forward on the Key Largo Park and Key Largo Trailer Village wastewater projects.

FKAA cooperation on billing and collecting for the District

Jim Reynolds will present to the FKAA Board the KLWTD proposal for billing at their meeting this week.

Copier

After reviewing the options from Sands and Toshiba the Board directed staff to obtain a contact from Toshiba and bring it back at the next meeting for approval.

Job Site Signs

Commissioner Charles Brooks stated that what he feels the sign should have:

1. A message as to what is being done & phone number of the trencher
2. 32 square feet in size
3. Proper placement
 - a. One at the entrance by Tradewinds
 - b. One at the construction area
 - c. One at the treatment area

Chairman Gary Bauman felt that the Key Largo Trailer Village entrance sign should be smaller than the 4 by 8 sign. He suggested that the KLWTD fish logo be on the signs.

Commissioner Cris Beaty thought that the funding agencies should be on the sign.

Financial Officer Martin Waits explained that DCA has certain requirements that have to be met on the signs. A statement stating the funding agencies has to be on the signs.

Commissioner Andrew Tobin would like to see less advertisement on the sign by the treatment area.

Staff was directed to coordinate the recommendations and to bring back signage proposals.

Army Corp Update

Commissioner Charles Brooks has heard from the Army Corp and they are setting up a meeting to go over the projects next week. He will set that meeting up.

COMMISSIONER COMMENTS

Commissioner Charles Brooks stated that at the meeting of the Mayors concerning the \$10 million it was established that Islamorada is willing to accept the money, Marathon is willing to give up the money and that the KLWTD is willing to give up the \$10 million.

Chairman Gary Bauman explained that the letter that he sent to the Mayor said that the KLWTD is formally requesting the \$10 million but if the Mayor chooses to use it some place else he will not fight it.

Commissioner Charles Brooks feels that the Inter-Governmental Task Force is being pushed aside. Chairman Gary Bauman explained that the Mayor feels that the politicians should be making the decisions and the Task Force is not made up of elected officials.


Commissioner Jerry Wilkinson requested that the following items under Commissioner's Items be deleted, a. FEMA Status, c. Resolution of \$100k loan repayment issue, e. KLP vacant lot resolution. General Manager Charles Fishburn removed item d. Site mitigation.

Chairman Gary Bauman said that he has received an email for Ken Sorenson saying that he will be doing everything he can to get us money from the next legislation as well as the \$20 million bond.

ADJOURNMENT

After a motion and second to adjourn the meeting adjourned at 8:43PM.

The KLWTD minutes of August 18, 2004 were approved on Sept. 1, 2004.



Chairman Gary Bauman



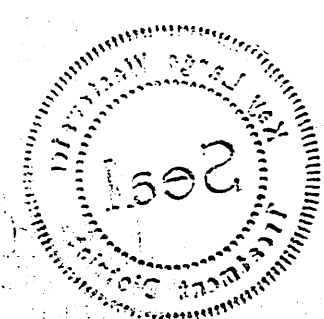

Carol Simpkins, CMC
Board Clerk

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Memo

To: Will English
From: Joe Paterniti
CC: Chuck Fishburn, Ed Castle, Charles Brooks, Walt Messier, Walt McDowell, James Lewanski, Kevin Wynn
Date: September 8, 2004
Re: Pre Construction Meeting Summary for Key Largo Wastewater Treatment District (KLWWTD) regarding the Key Largo Wastewater Collection System.

The meeting was conducted at the Sheraton Key Largo (formerly known as the Westin), at 2 pm on August 31, 2004. The attendees at this meeting are listed on the attached "sign in" sheet.

Walt Messier of D.N Higgins (DNH) introduced the Key Largo Wastewater Treatment and Collection System Design/Build Team.

- Pete Kinsley, The Haskell Company (THC) – Lead Design Builder
- Joe Paterniti, Brown and Caldwell (BC) – Project Engineer

Walt described the contract key dates as follows:

Notice to proceed	8/18/2004
Contract Awards	6/2003
Substantial Completion	12/6/2005
Start of Construction	9/7/2004
Contract Completion Date	1/1/2006

A brief description of the project was presented. Each attendee was given an opportunity to review their concerns and understanding of how the construction project was to proceed.

FDOT Mr. Water Mc Dowell requested 14 working days notice for any state road lane closures. Mr. Mc Dowell reviewed the allowable working hours within SR right of way as follows.



Progress meeting will be at the project trailer on a monthly basis. The first meeting will be held at the DNH project office.

8:30 AM to 4:30 PM for work along the right of way outside paved traffic areas.
9:00 PM to 6:00 AM for lane closures.

He said lane closures would not be allowed during holiday periods or scheduled special events such as Fantasy Fest (The last week of October). Mr. Mc Dowell requested copies of density tests, as-built drawings and asphalt tickets be provided throughout the construction period.

FDEP Ms. Nancy Bookings cautioned the construction team to minimize dewatering impacts. Water on private property and into surface water should be avoided. She recommended that disinfectant should be available if a contaminated groundwater area (from on site wastewater system) is encountered.

FKAA Mr. James Lewinski requested a set of construction plans. James said he would be performing the WM locates and any line/valve closures.

Representative from Bell South, Comcast cable and Monroe County were not present at the meeting. The meeting was adjourned at 3:00 pm

A team meeting was conducted after the utility coordination meeting

Weiler Engineering Corp.(WEC) Ed Castle requested resumes for each construction superintendent for the project. He also indicated that he was working with Will English (THC) on finalizing the QA/QC and safety manuals for the project. Ed indicated that Weiler was providing construction observation for the KLWWTD.

The submittal, change order and payment review process was reviewed.

Collection System Shop drawings - Walt Messier DNH will prepare and certify the shop drawing submittals and forward to BC (Engineer of Record), a copy of the submittal will also be sent to THC.

BC will review the submittal for conformance with the project specification. Once the shop drawing is approved two copies will be forwarded to Walt at DNH and two copies will be forwarded to Pete at THC.

THC. will provide the owners Engineer, WEC. with a copy of the approved shop drawing.

- Walt at DN Higgins will keep the collection system submittal log
- Pete at The Haskell Co. will keep the wastewater treatment plant submittal log

Change order and permit request for the Collection System will be sent to BC and THC by Walt at DNH. These requests will be reviewed and approved by BC then the approved invoice will be sent to THC to forward to the client.

KEY LARGO TRAILER VILLAGE WASTEWATER SYSTEM

Preconstruction

Sign-In

Sign-In Sheet

Date August 31, 2004

Name	Phone	Fax	Organization	E-mail
WALTER MESSER	³⁰⁵ 272-7889	³⁰⁵ 292-7917	D.N. Higgins	DW.HIGGINS/KEY/WEST@AOL.COM
Steve Lippe	³⁰⁵ 797-1701		D.N. Higgins	
Ally Fountain	⁷⁸⁶ 586-9826	³⁰⁵ 238-1039	Fountain Eng	
Eredie Fountain	³⁰⁵ 256-2700	³⁰⁵ 238-1039	Fountain Eng	
Kevin Wynn	⁹⁴¹ 737-8615		Roediger	Wynn@Roediger.com
Nancy Brookings	3052492310	3052392314	FDEP	nancy.brookings@dep.state.fl.us
SCOTT ALLEN	7275887671	7275887668	A+L	SALLEN@ALUNDERGROUND.COM
Ricky Hill	" "	" "	A+L	
Alex Loewe	913.909.1579	" "	A+L	alex@alunderground.com
Will English	909-759-810	909-357-422	Hastell	William.English@TheHastellCo.com
Pete Kausky	904/357-4808	904/475-7642	HASTELL	#
Joe Paterniti	305 484 4090	305 484 4924	Brown & Caldwell	j.paterniti@brwnclld.com
C. FISHBURN	305-942-1376		KLWTO	CF.FISHBURN@AOL.COM
ED CASTLE	305 481-0347	255-0143	WEILER / KLWTO	EDRCASTLE@AOL.COM
JAMES LEWANSKI	305-797-8237		F.K.A.A.	JLEWANSKI@FKAA.COM
CHRIS BROOKOVER	305 797 2121	³⁰⁵ 453-0249	FKAA	C.BROOKOVER@FKAA.COM
Walter McDowell	305-289-2350	305-289-2350	FDOT	WALTER.MCDOWELL@DOT.STATE.FL.US
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