

MINUTES

Key Largo Wastewater Treatment District (KLWTD) Board of Commissioners Meeting



August 23, 2006
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on August 23, 2006 at 5:00 PM. Present were Commissioners Gary Bauman, Charles Brooks, Norman Higgins and Chairman Claude Bullock. Commissioner Andrew Tobin arrived at 5:14 PM. Also present were District Counsel Thomas Dillon, District Clerk Carol Walker and all other appropriate District Staff, except for the General Manager.

The Pledge of Allegiance was led by Commissioner Bauman.

Approval of Agenda

Motion: Commissioner Brooks made a motion to move the Commissioner's Roundtable to the front of the agenda. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman		X	
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin			Absent
Chairman Bullock		X	

Motion failed

The agenda was approved with the following changes: Commissioner Bauman added an item under Commissioner Items to discuss having Town Hall meetings. Martin Waits requested that Pending Payments be taken off of the Bulk Items. Commissioner Brooks added a discussion on responding to the public phones call and a discussion on commercial assessments.

Motion: Commissioner Bauman made a motion to approve the agenda as amended. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks		X	
Commissioner Higgins	X		
Commissioner Tobin			Absent
Chairman Bullock	X		

Motion passed 3 to 1

Public Comment

N/A

Commissioner's Items

Commissioner Bauman suggested that the District arrange meetings with the next project neighborhoods to let them know what to expect during the construction phase. Commissioner Brooks explained that a large part of the people will not be in Key Largo until at least November.

The Board directed the Manager to set up Town Hall meetings with the residents of Service Basin "A" to inform them on what to expect during construction.

Chairman Bullock requested that the District makes sure that the contractors are informing the commercial property owners of the work scheduled to take place in front of their businesses.

Bulk Items

Minutes of KLWTD Meeting on August 9, 2006

Motion: Commissioner Brooks made a motion to amend the minutes of August 9 by adding additional language to the second paragraph on page five and approve them. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman		X	
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin			Abstained because he was not at the last meeting
Chairman Bullock			Abstained because he needed to hear the tapes of the meeting

Motion passed 2 to 1

Engineers Report

Monthly Status Report
Treatment Plant

Mr. Castle told the Board that the Treatment Plant has not yet met AWT standards. Chemicals have been introduced into the treatment process.

Commissioner Brooks asked if there is written documentation of the progress of the North Component. Mr. Castle stated that he has the written documentation of the progress for the North Component.

Lateral Connection Report

Mr. Castle reviewed the report.

Work Order for Survey of Basin "B"

The surveying of Basin "B" prior to the contracting of the engineering of Basin "B" is recommended by Staff.

Commissioner Brooks questioned the area that the map in the work order was supposed to represent. District Counsel Thomas Dillon explained that the service area is defined in the Facilities Plan and the maps in the work orders are for illustration only.

Commissioner Bauman asked what the split was for the fourteen million dollars that the Basin "B" Project is costing. Mr. Waits stated that \$6.038 million was coming from grants and \$8 million was coming from the State Revolving Fund. The split on the funding is about 45% to 55%.

Commissioner Bauman stated that he is not ready to put any monies into Basin "C" without having a grant partner.

Commissioner Brooks stated that he hopes that the Staff will go in the direction of establishing the District's relationship with the DEP over establishing that relationship for pulling the money down.

Mr. Castle pointed out that Massey Surveyors lowered their price from \$1.80 a foot to \$1.40. Mr. Castle explained that they may have lowered the price because they are planning on doing both Basin "B" and "C".

Motion: Commissioner Brooks made a motion to approve the Work Order for the Survey of Basin "B". Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 5 to 0

Work Order for Survey of Basin "C"

The surveying of Basin "C" prior to the contracting of the engineering of Basin "C" is recommended by Staff. The construction phase of Basin "C" is not on the immediate horizon for construction.

Commissioner Bauman pointed out that he does not want to put any money into a Basin that there is not grant money for.

Martin Waits reminded the Board that one of the premises' of the Facilities Plan and one of the premises' of the advantages that the District said it had was that the District will have collection basins ready so that if money comes in the District would be able to immediately put spades in the ground.

Motion: Commissioner Brooks made a motion to approve the Work Order for the Survey of Basin "C". Chairman Bullock seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman		X	
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 4 to 1

Work Order for North Components Construction Services

The Work Order is to provide construction oversight by Weiler Engineering Corp. of the North Components Project.

Commissioner Tobin made a motion to approve the Work Order. Commissioner Bauman seconded the motion.

Commissioner Brooks requested that the item be held until General Manager Charles F. Fishburn is present.

Commissioner Bauman stated that contract is basically the same scope as the current contract with the exception that the rate is hourly instead of a lump sum.

Mr. Castle stated that he will be the Professional Registered Engineer and the names of the Weiler employees and their positions will be added to the contract.

Commissioner Brooks asked what District Engineer Margaret Blank would be doing. Mr. Castle explained that his duties are Construction Administration. Ms. Blank handles mitigation, land acquisition, construction inspection and items along that line.

Commissioner Brooks explained that he does not have a problem paying an Engineer's Salary for Engineer work but he does have a problem with paying a salary beyond the worth of the work.

Motion: Commissioner Brooks made a motion to table the Work Order for the Northern Components. Chairman Bullock seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman		X	
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin		X	
Chairman Bullock	X		

Motion passed 3 to 2

Chairman Bullock stated that he does not want to delay Weiler and he does not want the issue of employees, which will be discussed in the budget process, to be tied to the Weiler contract and Commissioner Tobin agreed stating that Weiler deserves to have a contract with no delay.

Motion: Chairman Bullock made a motion to reconsider the motion to table the question on the Work Order for the Northern Components. Commissioner Tobin seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks		X	
Commissioner Higgins		X	
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 3 to 2

Motion: Commissioner Tobin made a motion to approve the Work Order for the Northern Components. Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks		X	
Commissioner Higgins		X	
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 3 to 2

Work Order for General Engineering Consultant Services

The Work Order for General Engineering Consultant Services is to provide General Engineering Consulting Services by Weiler Engineering to the Staff and Board during the coming year. District Counsel Thomas Dillon pointed out that there is a "Not to Exceed" amount in the contract.

There was discussion among the Board Members about having additional written confirmation by the Manager for the work done under this work order.

Motion: Commissioner Tobin made a motion to approve the Work Order for General Engineering Consultant Services as written. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks		X	
Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 4 to 1

Finance Officer's Report

Consolidated Salary Budget for FY 2007

Mr. Waits presented the Preliminary FY 2007 Salary Budget.

Commissioner Brooks asked that the documents be footnoted as to what date the document was prepared and who prepared it. Commissioner Brooks also stated that he had questions as to if the rest of the Commissioner received the same documentation on salaries as he did. He has major issues on the amounts and some of the comments that were made at the last meeting and he would like to go over these with the Manager.

Commissioner Bauman remarked that the amount in the proposed budget for merit rates equals 7.95% which is appropriate for the District's budget.

Motion: Commissioner Tobin made a motion to table the Salary Budget issue. Commissioner Brooks seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman		X	
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock		X	

Motion passed 3 to 2

FY 2007 Preliminary Capital and Operating Budget

Mr. Waits reviewed the budget.

Commissioner Brooks stated that he would like the District to move into a more independent position concerning receiving grants; he thinks that will be done through a lobbying process. Commissioner Brooks asked Mr. Waits if there were any funds budgeted for legal fees for lawsuits brought against the District. Mr. Waits explained that there are no funds budgeted for lawsuit defense.

Pending Payments List

Mr. Waits introduced an invoice for Trauner but the Board rejected adding it to the pending payments list at the current time.

Motion: Commissioner Tobin made a motion approve the pending payments list of August 23, 2006 as presented in the original agenda package contingent upon availability of funds. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 5 to 0

Legal Report

Captain Jax and Kings Camp Ground

District Counsel Thomas Dillon reviewed the letter he wrote to Mr. Bloom in response to Mr. Bloom's presentation and written documentation that he provided to the Board at the last meeting.

Mr. Dillon explained that Resolution No. 30-08-06 concerned removing from the assessment role certain properties at MM 102. They may or not be connected to the central sewer during the current round. They present some unique issues to serve the properties that are over 600 feet from the road down hill from the road needing a gravity connection. The engineering is not completed for the area yet.

Rule Change Log #16 Article VIII Section 8.01

Mr. Dillon explained that the Rule Change would allow the District to require commercial customers to install sampling points for determining their discharge strength.

Motion: Commissioner Brooks made a motion to approve Rule Change Log #16 Adopting 8.01 sub-paragraphs 2, 3, and 4; and the definition of "Biochemical Oxygen Demand". Commissioner Tobin seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 5 to 0

Resolution No. 31-08-06, dealing with monthly rates and charges for wastewater collection, transmission, treatment, and disposal.

Mr. Dillon explained that there is no need for this resolution at the current time.

General Manager's Report

N/A

Commissioner's New Items and Roundtable

Commissioner Brooks stated that he plans to respond to all calls that he receives from the public.

Commissioner Brooks expressed concern over the lack of compassion for the public from staff.

After Board discussion the Staff was directed to develop a workshop with commercial property owners. The Staff was directed to come up with some options and alternatives on commercial assessments. Staff is to do a report on the overall impact to the District if the assessment process is changed.

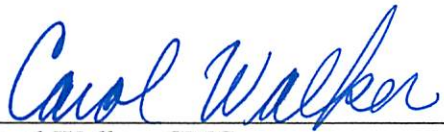
Adjournment

The KLWTD Board adjourned the Board Meeting at 9:12 PM.

The KLWTD meeting minutes of August 23, 2006 were approved on September 6, 2006.



Chairman Claude Bullock



Carol Walker, CMC
District Clerk