

# MINUTES

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



March 20, 2007  
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on March 20, 2007 at 4:00 PM. Present were Chairman Claude Bullock, Commissioners Susan Hammaker, Andrew Tobin\* (arrived at 4:03 PM), Gary Bauman, and Norman Higgins. Also present were District Counsel Thomas Dillon, General Manager Charles F. Fishburn, District Clerk Carol Walker, and all other appropriate District Staff.

The Pledge of Allegiance was led by Commissioner Bauman.

### AGENDA

Commissioner Bauman requested that a report on the Districts Legislative Representative be added. Chairman Bullock requested that Commissioner Hammaker give a report on the meeting with U.S. Congresswoman Ileana Ros-Lehtinen. Staff asked that Item K12 be moved to the front of the agenda and the introduction of new employees be first.

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

### Vote on Motion

| Member                       | Yes      | No | Other |
|------------------------------|----------|----|-------|
| <b>Commissioner Bauman</b>   | <b>X</b> |    |       |
| <b>Commissioner Hammaker</b> | <b>X</b> |    |       |
| <b>Commissioner Higgins</b>  | <b>X</b> |    |       |
| <b>Commissioner Tobin</b>    | <b>X</b> |    |       |
| <b>Chairman Bullock</b>      | <b>X</b> |    |       |

**Motion passed 5 to 0**

### *Introduction of New Employees*

The General Manager introduced Hugh (Chuck) Grubb, Construction Inspector, Maureen (Mo) Schneider, Office Assistant (part time), and Mark Weis, Construction Coordinator (part time).

### Public Comment

The following persons addressed the Board: Steve Gibbs, Key Largo addressed the Board about concerns with the Press only being allowed to talk to the General Manager for public information requests and/or general questions.

**Commissioner Items**

*Employee Policies and Procedures*

Commissioner Hammaker presented policies about communication with the media, business use of vehicles, accidents, and other safety issues. She also introduced the ethics and personal conduct policy.

**Motion:** Commissioner Higgins made a motion to approve the Ethics and Personal Conduct Policy (short one page version). Commissioner Tobin seconded the motion.

**Vote on Motion**

| Member                | Yes | No | Other |
|-----------------------|-----|----|-------|
| Commissioner Bauman   | X   |    |       |
| Commissioner Hammaker | X   |    |       |
| Commissioner Higgins  | X   |    |       |
| Commissioner Tobin    | X   |    |       |
| Chairman Bullock      | X   |    |       |

**Motion passed 5 to 0**

The Board directed Thomas Dillon, District Counsel, to review the policies about communication with the media, business use of vehicles, accidents, and other safety issues and bring them back to the next meeting.

Commissioner Bauman was opposed to having Mr. Dillon review the policies.

*Travel Trailer Update*

General Manager Charles F. Fishburn requested that the trailer be stored until the Fall and then possibly used for a construction trailer.

The Board, by consensus, approved his request.

*State Legislative Representatives*

Commissioner Bauman stated that he has spoken with Ken Sorensen who pointed out the necessity of having a Legislative Representative on the State level. Commissioner Bauman stated that he has no problem with employing them until the end of the legislative session.

*Meeting with U.S. Congresswoman Ileana Ros-Lehtinen*

Commissioner Hammaker reported that there was close to 100 persons at the meeting. Most of the elected officials in Monroe County attended. Each area gave a short synopsis of what they are doing concerning sewers.

**Bulk Items**

*Minutes of KLWTD Meeting on March 20, 2007*

**Motion:** Commissioner Higgins made a motion to approve the Minutes of March 20, 2007. Commissioner Bauman seconded the motion.

**Vote on Motion**

| <b>Member</b>                | <b>Yes</b> | <b>No</b> | <b>Other</b>     |
|------------------------------|------------|-----------|------------------|
| <b>Commissioner Bauman</b>   | <b>X</b>   |           |                  |
| <b>Commissioner Hammaker</b> | <b>X</b>   |           |                  |
| <b>Commissioner Higgins</b>  | <b>X</b>   |           |                  |
| <b>Commissioner Tobin</b>    |            |           | <b>Abstained</b> |
| <b>Chairman Bullock</b>      | <b>X</b>   |           |                  |

**Motion passed 4 to 0**

*Pending Payments List for March 20, 2007*

Commissioner Bauman asked if the wastewater revenues were received on a timely basis. Martin Waits, Financial Officer, explained that the District receives a sweep every Tuesday of all of the receipts that the FKAA has collected for the District.

Commissioner Tobin asked about District controls.

Mr. Martin explained that he reviews the number of customers that have been billed and compares them to the number of District customers. He also reviews the amount collected and compares it to the previous months to make sure it is consistent.

**Motion: Commissioner Bauman made a motion to approve the Pending Payments List of March 20, 2007 contingent upon the availability of funds. Commissioner Higgins seconded the motion.**

**Vote on Motion**

| <b>Member</b>                | <b>Yes</b> | <b>No</b> | <b>Other</b> |
|------------------------------|------------|-----------|--------------|
| <b>Commissioner Bauman</b>   | <b>X</b>   |           |              |
| <b>Commissioner Hammaker</b> | <b>X</b>   |           |              |
| <b>Commissioner Higgins</b>  | <b>X</b>   |           |              |
| <b>Commissioner Tobin</b>    | <b>X</b>   |           |              |
| <b>Chairman Bullock</b>      | <b>X</b>   |           |              |

**Motion passed 5 to 0**

**General Manager's Report**

*Basin "B" Engineers Contract*

Charles Fishburn introduced the contract for the Engineering for Basin "B."

Don Eckler, of Eckler Engineering, was present to answer questions. He told the Board the history of the company's work history.

Staff explained the current review status of the contract and told the Board that they are still negotiating the contract and would bring it back to the Board at the next meeting with their recommendation.

**Engineers Report**

*Monthly Status Report*

Mr. Castle reported that LaRocco has substantially completed Phase 2 of the Northern Transmission Line. There was a pre-construction meeting for Basin A Phase 1. The contractor has submitted the paper work for Basin A Phase 3.

Mr. Castle said that the plant still has trouble with TSS and they are currently looking at the filters.

*Lateral Connection Report*

Ed Castle reviewed the lateral connection report.

*GIS System*

Todd Helt, Weiler Engineering, and Margaret Blank, District Engineer, reviewed, for the Board, how the GIS System would be used by the District. The Board directed Staff to bring back a proposal for action to the next meeting.

**Finance Officer’s Report**

*Request for Inclusion of North Components Basin A & D in the State Revolving Loan Program*

**Motion:** Commissioner Hammaker made a motion to approve the Inclusion of North Components Basin A & D in the State Revolving Loan Program. Commissioner Higgins Bauman seconded the motion.

**Vote on Motion**

| Member                | Yes | No | Other  |
|-----------------------|-----|----|--------|
| Commissioner Bauman   | X   |    |        |
| Commissioner Hammaker | X   |    |        |
| Commissioner Higgins  | X   |    |        |
| Commissioner Tobin    |     |    | Absent |
| Chairman Bullock      | X   |    |        |

**Motion passed 4 to 0**

**Legal Report**

*Procurement Policy*

District Counsel Thomas Dillon presented, as a conceptual agreement for discussion only, the Agreement for Wastewater Services with Islamorada and explained that he has sent it to Islamorada’s Attorney’s for preliminary review.

The Board was in general agreement with the idea that the relationship between the District and the Village should be a wholesale wastewater processing agreement.

There was general agreement that a capital contribution by the Village should be required and that the amount should be proportional to the percentage of Village wastewater in the transmission main, and the percentage of Village wastewater in the plant, with periodic adjustments based on data.

There was general agreement that the Village capital contribution must be firm and irrevocable due to the need to construct facilities that would not be constructed but for the Village. Even with such a capital contribution, if the Village were to back out, there is a concern with the negative operational effects of constructing an oversized transmission main.

There was general agreement that the term of the agreement should bear a relationship to the design life of the facilities to be constructed, but one commissioner suggested a 99-year term.

The sense of the Board was that further effort by District staff should await a more definite expression of interest by the Village.

No official action was taken.

**General Manager’s Report**

*Vactron Purchase Order*

Charles F. Fishburn presented the Vactron vacuum trailer system for purchase.

**Motion: Commissioner Higgins made a motion to approve the purchase of the Vactron PMD550DT Vac System for \$40,132.15. Commissioner Hammaker seconded the motion.**

**Vote on Motion**

| <b>Member</b>                | <b>Yes</b> | <b>No</b> | <b>Other</b>  |
|------------------------------|------------|-----------|---------------|
| <b>Commissioner Bauman</b>   | <b>X</b>   |           |               |
| <b>Commissioner Hammaker</b> | <b>X</b>   |           |               |
| <b>Commissioner Higgins</b>  | <b>X</b>   |           |               |
| <b>Commissioner Tobin</b>    |            |           | <b>Absent</b> |
| <b>Chairman Bullock</b>      | <b>X</b>   |           |               |

**Motion passed 4 to 0**

*Non Compliant Property Owners*

Mr. Fishburn presented the letter to be sent to the property owners in KLTV who have not yet pulled an “Approval to Proceed” letter.

Commissioner Bauman requested that the words “for prosecution” in the second paragraph be removed. Mr. Dillon then suggested that the word “this” in the following sentence be changed to “any.”

**Motion: Commissioner Higgins made a motion approve the KLTV letter for non compliance with the suggested changes. Commissioner Hammaker seconded the motion.**

**Vote on Motion**

| <b>Member</b>                | <b>Yes</b> | <b>No</b> | <b>Other</b>  |
|------------------------------|------------|-----------|---------------|
| <b>Commissioner Bauman</b>   | <b>X</b>   |           |               |
| <b>Commissioner Hammaker</b> | <b>X</b>   |           |               |
| <b>Commissioner Higgins</b>  | <b>X</b>   |           |               |
| <b>Acting Chairman Tobin</b> |            |           | <b>Absent</b> |
| <b>Chairman Bullock</b>      | <b>X</b>   |           |               |

**Motion passed 4 to 0**

**Commissioner's Round Table**

Chairman Bullock asked Staff about the progress on the permit for the 1.6 acres of the Regional Treatment Plant and the right-of-ways for the vacuum stations.

Staff reported that the 1.6 acres issue is on the Monroe County DRC meeting agenda for April 10, 2207.

Mr. Dillon reported that the right-of-ways are proceeding.

**Adjournment**

The KLWTD Board adjourned the Board Meeting at 6:05 PM.

\*Commissioner Tobin left the meeting at 5:15 pm due to illness.

The KLWTD meeting minutes of March 20, 2007 were approved on April 3, 2007.



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Chairman Claude Bullock



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Carol Walker, CMC  
District Clerk