

MINUTES

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



November 6, 2007
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on November 6, 2007 at 4:00 PM. Present were Chairman Gary Bauman, Commissioners Susan Hammaker, Norman Higgins, Claude Bullock (arriving at 4:07 PM), and Andrew Tobin. Also present were the General Manager Charles F. Fishburn, District Counsel Thomas M. Dillon, District Clerk, Carol Walker, and all other appropriate District Staff.

The Pledge of Allegiance was led by Commissioner Bauman.

APPROVAL OF AGENDA

District Counsel Thomas Dillon stated that he would like to add an item concerning the Conservation Easement for the Regional Treatment Plant property. District Manager Charles F. Fishburn asked that Item I7 be moved up.

Motion: Commissioner Tobin made a motion to approve the Agenda with the requested changes. Motion seconded by Commissioner Higgins.

Vote on Motion

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

Motion passed 5 to 0

Public Comment: The following persons addressed the Commission: Burke Cannon informed the Board that there is a meeting of the Federation of Homeowner's Associations and they are invited to it. They will be discussing Islamorada hooking up to Key Largo sewer and Representative Saunders will be attending the meeting.

COMMISSIONER ITEMS

Missed Meeting Compensation

Commissioner Bullock requested that the Board approve a payment for a missed meeting on January 23, 2007 when he went to Washington D.C. on District business.

The Board had passed a resolution previously approving payment for meetings missed while on District business.

Motion: Commissioner Tobin made a motion to pay Commissioner Bullock for the missed Board meeting on January 23, 2007. The motion was seconded by Commissioner Higgins.

Vote on Motion

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

Motion passed 5 to 0

BULK ITEMS

Minutes of October 23, 2007

Pending Payments List

RESOLUTION NO. 22-11-07

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF TONYA ANN AND IAN G KOBLOCK, AND NEIL AND JULLIN MONNEY FOR REMOVAL OF ONE TAX PARCEL FROM THE 2007 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE

Motion: Commissioner Tobin made a motion to approve the Bulk Items, with the Pending Payments List contingent upon the availability of funds. The motion was seconded by Commissioner Higgins.

Vote on Motion

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

Motion passed 5 to 0

ENGINEER'S REPORT

Monthly Report

Mr. Castle, District Engineer presented his written monthly report. He told the Board that the bid for the injection well will be going out shortly.

Mr. Castle explained that the \$32 million dollar estimate for the Regional Plant includes \$7 million dollars is for the administration and operations building.

Later Connections

The latest connections report was presented.

Carol Walker the District Clerk reported that nine more properties from the Key Largo Trailer Village were turned over to Code Enforcement and that finished up the Village.

FINANCIAL REPORT

401 K Plan Revision

Mr. Waits, CFO, introduced Henry Danzig, from Merrill Lynch, who explained to the Board what Merrill Lynch can offer the District.

Motion: Commissioner Tobin made a motion to move the 401 K Plan from Federated to Merrill Lynch. Motion seconded by Commissioner Bullock.

Vote on Motion

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

Motion passed 5 to 0

The Board discussed various plans for expanding the current 401 K Plan to include a District Match. The Board directed staff to bring this issue back to the Board for action.

FY 2007 Consolidated Revenue & Expenses

Mr. Waits reviewed the Consolidated Revenues & Expenses for the last twelve months, October, 2006 to September, 2007.

LEGAL REPORT

CONSERVATION EASEMENT

District Counsel Thomas Dillon introduced the Conservation Easement for the Regional Treatment Plant for review.

Commissioner Tobin expressed concern over the lack of access to US 1 if needed. Mr. Dillon explained that there would be no pavement allowed.

MANAGER'S REPORT

Islamorada Update

General Manager, Charles F. Fishburn explained that Islamorada will be discussing connecting to the District at their meeting on Thursday.

The regular session of the KLWTD Commission meeting was recessed at 5:25 PM. The Key Largo Wastewater Treatment District Board went into Attorney/Client Session to discuss the Calusa Campground issue. The following persons were in attendance: Chairman Gary Bauman, Vice-Chairman Andrew Tobin, Commissioners Claude Bullock, Norman Higgins, and Susan Ford Hammaker. Also in attendance were General Manager Charles Fishburn, and District Counsel Thomas Dillon, and the court reporter. A transcript of the session will be made and sealed until the Calusa litigation is concluded.

The Commission returned from the Attorney/Client Session at 5:45 pm and reconvened the public meeting.

GENERAL MANAGER'S REPORT

State Representative

Commissioner Tobin made a motion to table the item but it died for the lack of a second.

Commissioner Bullock stated that the District needs a lobbyist but there is more guidance and communication needed with the current ones.

Commissioner Tobin told the Board that he liked the monthly reports and the hourly billing that the Federal lobbyists give the District.

Commissioner Higgins would like to keep the current lobbyist. They are well known and the District needs them.

Motion: Commissioner Bullock made a motion to approve the contract with Robert Levy and Associates with the provision that the contract have a provision terminable at will and that Whit Van Cott will be designated as the contact person for the District with them and they are to keep him informed. The motion was seconded by Commissioner Higgins.

Vote on Motion

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

Motion passed 5 to 0

Haskell Settlement

Mr. Fishburn introduced the Settlement Agreement that would call for the District paying Haskell all but \$80,000 of the retainage.

Commissioner Tobin would like to counter off and then split the difference.

Motion: Commissioner Higgins made a motion to approve the Staff recommended Haskell Settlement Agreement. The motion was seconded by Chairman Bauman.

Vote on Motion

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

Motion passed 3 to 2

Adjournment

The KLWTD Board adjourned the Board Meeting at 6:15 PM.

The KLWTD meeting minutes of November 6, 2007 were approved on November 20, 2007



Chairman ~~Gary Bauman~~ ANDREW TOBIN



Carol Walker, CMC
District Clerk