

MINUTES

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



December 4, 2007
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on December 4, 2007 at 4:00 PM. Present were Chairman Gary Bauman, Commissioners Susan Hammaker, Norman Higgins, and Claude Bullock. 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 Chairman Bauman.

APPROVAL OF AGENDA

Commissioner Hammaker asked that a letter concerning the CDBG grants be added under Commissioner Items. Martin Waits, Chief Financial Officer, pulled Pending Payments from Bulk Items. General Manager Charles F. Fishburn requested addition of a discussion on the Deep Well Bids be added under Manager's Items. District Counsel Thomas Dillon added an amended Conservation Easement.

Motion: Commissioner Higgins made a motion to approve the minutes of December 4, 2007 as amended. Commissioner Hammaker seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

PUBLIC COMMENTS: The following persons addressed the Commission: Burke Cannon, Tavernier who commented that most of the people in Hammer Point do not have a problem with servicing Islamorada. Jerry Wilkinson, Tavernier, John Hammerstron, Tavernier, and Charles Brooks, Key Largo all spoke against servicing Islamorada.

MINUTES
Key Largo Wastewater Treatment District (KLTWD) Board
of Commissioners Meeting



December 4, 2007
 68280 OVERSEAS HWY. KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on December 4, 2007 at 4:00 PM. Present were Chairman Gary Bannan, Commissioners Susan Hammer, Norman Higgins and Claude Balford. Also present were the General Manager Charles F. Fishburn, District Counsel Thomas M. Wilber, District Clerk Janet Walker, and all other appropriate District Staff.

The Pledge of Allegiance was led by Chairman Bannan.

APPROVAL OF AGENDA

Commissioner Hammer asked that a letter concerning the CDBG grants be added under Commissioner Norman Martin White. Chief Financial Officer pulled pending payments from Bulk Items. General Manager Charles F. Fishburn requested addition of a discussion on the Prop Well Bids be added under Manager's Items. District Counsel Thomas Wilber added an amended Construction Escrow.

Motion: Commissioner Higgins made a motion to approve the minutes of December 4, 2007 as amended. Commissioner Hammer seconded the motion.

Vote on Motion	
Member	Vote
Chairman Bannan	Yes
Commissioner Hammer	Yes
Commissioner Higgins	Yes
Commissioner John	Absent
Commissioner Balford	Yes

Motion passed 4 to 0

PUBLIC COMMENT: The following persons addressed the Commission: Bruce Cannon, a member who commented that most of the people in Hammer Point do not have a problem with septic systems. Jerry Williamson, Engineer, John Hammerhead, Director and Charles Balford, Key Largo all spoke against septic systems.

COMMISSIONER'S ITEMS

Employee Handbook Review

Commissioner Hammaker stated that she has numerous points that she would like to see clarified.

Commissioner Bullock point out that the word "company" should be replaced with "District." He also stated that the day before and the day after a holiday the employee should be in paid status.

Chairman Bauman wanted a page stating that the District computers are not to be taken home.

The Board by consensus decided that Commissioner Hammaker will work with Mr. Matthews on the handbook.

CDBG Meeting

Commissioner Hammaker asked the Board to approve a letter asking that the CDBG Rule be changed to allow 100% of grant funds to be used to pay for lateral connections.

Motion: Commissioner Bullock made a motion to approve the CDBG letter. Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

BULK ITEMS

Minutes of November 20, 2007

Motion: Commissioner Bullock made a motion to approve the minutes of November 20, 2007. Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

COMMISSIONER'S TERMS

Supervisor Hammond stated that she has numerous points that she would like to see clarified.

Commissioner Bullock pointed out that the word "company" should be replaced with "District". He also stated that the day before and the day after a holiday, the employees should be in paid status.

Chairman Bennett stated a page stating that the District employees are not to be taken home.

The Board by consensus decided that Commissioner Hammond will work with Mr. Hammond on the handbook.

COMMISSIONER'S TERMS

Commissioner Hammond asked the Board to approve a letter asking that the CDBG Rule be changed to allow 100% of grant funds to be used to pay for lateral connections.

Commissioner Bullock made a motion to approve the CDBG letter. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bullock	X		
Commissioner Hammond	X		
Commissioner Higgins	X		
Commissioner Labin			Absent
Commissioner Bullock	X		

Motion passed 4 to 0

COMMISSIONER'S TERMS

November 20, 2007

Motion: Commissioner Bullock made a motion to approve the minutes of November 20, 2007. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bullock	X		
Commissioner Labin			Absent
Commissioner Higgins	X		
Commissioner Hammond	X		
Commissioner Bullock	X		

Motion passed 4 to 0

Pending Payments List of December 4, 2007

Mr. Waits pointed out the revised pending payments list.

Motion: Commissioner Hammaker made a motion to approve the Pending Payment list of December 4, 2007 contingent upon the availability of funds. Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

ENGINEER'S REPORT

Monthly Report

Mr. Castle introduced his written report. He also informed the Board that there was a meeting this same day with Eckler Engineering, about Basin B that went very well. There was also a meeting with CPH Engineering about the South Force Main.

Lateral Connections

The latest connections report was presented.

FINANCIAL REPORT

Islamorada Letter

Mr. Waits introduced the letter that he had been directed by the Board to write to Islamorada.

Commissioner Higgins stated that the District does not need Islamorada's problems and that the saving would not be worth the effort.

Commissioner Bullock pointed out that the Monroe County Master Plan called for one plant for Key Largo and Islamorada. He would like the letter to say that if the District proceeds with any work connected to servicing Islamorada it would be at Islamorada's cost.

Commissioner Hammaker stated that Islamorada should come to the District if they are interested.

Chairman Bauman felt that the District should just take care of Key Largo and not include Islamorada.

Motion: Commissioner Hammaker made a motion to approve the Islamorada Letter amended by just giving them the numbers. Commissioner Bullock seconded the motion.

Motion: Commissioner Hammer made a motion to approve the Board's letter regarding the number of Key Largo and not include Key Largo in the District. Commissioner Bullock seconded the motion.

Commissioner Hammer stated that the District should just take care of Key Largo and not include Key Largo in the District.

Commissioner Bullock stated that the District should come to the District if they are interested.

Commissioner Bullock pointed out that the Monroe County Master Plan called for one plan for Key Largo and Islamorada. He would like the letter to say that if the District proceeds with any work connected to servicing Islamorada it would be at Islamorada's cost.

Commissioner Higgins stated that the District does not need Islamorada's problems and that the saying would not be worth the effort.

FINANCIAL REPORT
 Amanda Wray
 The latest connection report was presented.

Amelia Wray
 The latest connection report was presented.

ENGINEERING REPORT
 Amelia Wray
 Zia Gatie introduced his written report. He also informed the Board that there was a meeting this same day with Becker Engineering about Islam B that went very well. There was also a meeting with CFI Engineering about the South Force station.

Motion passed 4 to 0

Member	Yes	No	Other
Commissioner Bullock	X		
Commissioner Tobias	X		
Commissioner Higgins	X		
Commissioner Hammer	X		
Commissioner Bullock	X		

Motion: Commissioner Higgins seconded the motion.
 Payment list of December 4, 2007 contingent upon the availability of funds.
 Commissioner Higgins seconded the motion.

Ms. Wray pointed out the revised pending payments list.
 Pending payments list of December 4, 2007

Vote on Motion

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

Motion Failed 2 to 2

LEGAL REPORT

District Counsel Thomas Dillon reminded the Board Members that at the next meeting there will be a public hearing on a resolution dealing with the intend to levy assessments.

Conservation Easement

Mr. Dillon introduced the changes in the Conservation Easement that the Board had already approved.

Motion: Commissioner Higgins made a motion to approve the amended Conservation Easement as presented. Commissioner Hammaker seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

The regular session of the KLWTD Commission meeting was recessed at 5:23 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, 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 5:35 pm and reconvened the public meeting.

GENERAL MANAGER’S REPORT

Treatment Plant Building Proposal

Mr. Fishburn reviewed the proposed building for the Regional Treatment Plant that will also include the garage area and generator.

Vote on Motion

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

Motion passed 3 to 2

LEGAL REPORT

District Counsel Thomas Dillon reminded the Board Members that at the next meeting there will be a public hearing on a resolution dealing with the intent to levy assessments.

Conservation Assessment

Mr. Dillon informed the changes in the Conservation Assessment that the Board had already approved.

Motion: Commissioner Higgins made a motion to approve the amended Conservation Assessment as presented. Commissioner Hamacher seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

The regular session of the KLVWD Commission meeting was recessed at 5:35 PM. The Key Largo Wastewater Treatment District Board went into Attorney/Client Session to discuss the Ombuds Complaint issue. The following persons were in attendance: Chairman Tom Bauman, Commissioners Claude Bullock, Norman Higgins, and Susan Ford Hamacher. Also in attendance were General Manager Charles Frazier and District Counsel Thomas Dillon and the court reporter. A transcript of the session will be made and sealed until the Ombuds Complaint is concluded.

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

GENERAL MANAGERS REPORT

Thomas Frazier Building Program
Mr. Frazier reviewed the proposed building for the Regional Treatment Plant that will include the garage area and generator.

Amendment to the Weiler Work Authorization

Motion: Commissioner Higgins made a motion to approve Amendment No. 1 to the Work Authorization No. 06-02 and Amendment No. 1 to Work Authorization No. 06-03 as presented. Commissioner Hammaker seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

Army Corp PCA Update

Mr. Fishburn informed the Board that the Army Corp will be signing the District's PCA on January 11, 2007 in Key West, FL.

Deep Wells

Mr. Fishburn talked to the Board about single sourcing the contract for the Deep Well for the Regional Treatment Plant.

Adjournment

The KLWTD Board adjourned the Board Meeting at 6:10 PM.

Authorization to the Water Work Authorization

Motion: Commissioner Higgins made a motion to approve Amendment No. 1 to the Work Authorization No. 00-02 and Amendment No. 1 to Work Authorization No. 00-03 as presented. Commissioner Hammar recorded the motion.

Vote on Motion		Member
Yes	No	Other
X		Chairman Hammar
X		Commissioner Hammar
X		Commissioner Higgins
		Commissioner Toim
X		Commissioner Butack

Motion passed 4 to 0

Mr. Toim informed the Board that the Army Corp will be signing the District's CCA on January 11, 2007 in Key West FL.

Mr. Toim talked to the Board about single sourcing the contract for the Deep Well for the Regional Treatment Plant.

Adjournment
The K1 WTD Board adjourned the Board Meeting at 6:10 PM.

The KLWTD meeting minutes of December 4 2007 were approved on December 18, 2007



Chairman Gary Bauman



Carol Walker, CMC
District Clerk