

MINUTES

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



May 6, 2008
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on May 6, 2008 at 4:00 PM. Present were Commissioners Susan Hammaker, Norman Higgins, Claude Bullock, and Acting Chairman Andrew Tobin. Also present 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 Acting Chairman Tobin.

APPROVAL OF AGENDA

Charles F. Fishburn, General Manager, added an item concerning a conference call about House Bill 1231 under Legal, moved item K-12 "Basin E & F Engineering Contract" and item thirteen-13, "Basin G Engineering Contract" to the front of the agenda. Martin Waits requested that item I-5, Banking Update, be moved to the front of the agenda. Charles Brooks, from the audience requested that Pending Payments be taken off of Bulk Items. Commissioner Hammaker stated that she has the approved Manager's review to pass out. Commissioner Bullock asked that item K-16 "General Manager's Contract Renewal" be taken off the agenda.

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

Vote on Motion

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

Motion passed 4 to 0

PUBLIC COMMENTS: The following persons addressed the Commission: Charles Brooks, Key Largo spoke about the agenda package not being on the website until Monday. He would like it up in a timelier manner. Further discussion was had in which the Board agreed that Staff was making the agenda available in a timely manner. District Clerk Carol

Walker advised the Board that the agenda for the 5/20/08 meeting would not be posted to the web, but would be available at the District office.

FINANCIAL OFFICER'S REPORT

Banking Update

Representatives of Community Bank and First State Bank gave presentations to the Board on programs their banks could offer for the investment of assessment revenue balances and loan programs which can be made available to Key Largo residents to finance lateral installation and hookup cost.

Chief Financial Officer Martin Waits will return to the Board with a recommendation at the June 3rd meeting.

COMMISSIONER'S ITEMS

PCA Update

Martin Waits reported that the Army Corp attorney has determined that as long as there is an unresolved issue from the PDT meeting that involves the County and the District, the District will not be able to amend its PCA to cover additional areas. If it can be shown that the District and the County are in agreement on the issue of the County sharing in the funding, and the PDT agrees, then things can move forward on an amendment to add Basin D-1 to the District's PCA.

Manager's Review Form

Commissioner Hammaker informed the Board that there is an approved form that is a goal setting document that the Board Members and Mr. Fishburn are supposed to fill out for his annual review. The forms were passed out at the break.

BULK ITEMS

Commission Meeting Minutes of April 15 & 18, 2008

Motion: Commissioner Higgins made a motion to approve the Bulk Items. Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

Pending Payments for May 6, 2008

Charles Brooks asked about the draws from Monroe County he asked when the MSTU ends.

Mr. Waits stated that the County is processing the draws in a timely manner. The MSTU funds are expected to run out in a year and seven months.

Motion: Commissioner Higgins made a motion to approve the Pending Payments being contingent upon the availability of funds. Commissioner Bullock seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

GENERAL MANAGER

Basin E & F Engineering Contract

Don Eckler, Eckler Engineering, presented the contract for the Engineering of Basins E & F. The Board requested that the project be broke down into small sections enabling work to begin in the Basins before the entire Basin's engineering is completed.

Motion: Commissioner Bullock made a motion to approve the contract to Eckler Engineering for the Engineering of Basin E and Basin F in concept. Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

Basin G Engineering Contract

W.F. McCain & Associates has been ranked number one by the Staff for the design and engineering of a collection system for Basin G. With Board approval; staff will work with McCain & Associates on a work order for the design and engineering of Basin G.

Motion: Commissioner Hammaker made a motion to confirm the Staff recommendation of W.F. McCain & Associates for the Engineering of a collection system for Basin G. Commissioner Bullock seconded the motion.

Vote on Motion

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

Commissioner Bullock	X		
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Motion passed 4 to 0

ENGINEER'S REPORT

Dan Saus, Weiler Engineering reviewed the written report in the agenda package.

FINANCIAL REPORT

SRF Update

Mr. Waits reported that the District has been contingently approved for an increase of \$28,461,000 in loan funding. The District executed loan agreements in the amount of \$12,670,199 and has a previous contingent funding commitment of \$8,035,000 from 2007. If the SRF Loan program cannot keep up with the request, the District will be able to receive bridge loans through the Rural Water Association.

2008 Assessment Issue

Mr. Waits told the Board that the total assessment for Basins E, F, and G totals \$23,209,881.

LEGAL REPORT

RESOLUTION NUMBER NO. A PRELIMINARY RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT RELATING TO THE CONSTRUCTION AND FUNDING OF WASTEWATER COLLECTION, TRANSMISSION, AND TREATMENT FACILITIES WITHIN THE DISTRICT; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED SPECIAL ASSESSMENTS AND THE METHOD OF THEIR COLLECTION; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS AND FOR CORRECTION OF ERRORS AND OMISSIONS; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

District Counsel, Thomas Dillon, explained that on page eight of eighteen the amount of \$23,237,080, and \$31 million plus or minus will be filled in. The public hearing will be June 17, 2008.

Procurement Policy

Mr. Dillon explained that the changes (1) reflect competitive procurement requirements of § 255.20, (2) add provisions regarding acceptance of gifts and meals (3) clarifications re minor informalities and bid evaluation.

RESOLUTION NUMBER

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING RESOLUTION NO. 18-05-06 REGARDING MONTHLY RATES AND CHARGES FOR WASTEWATER COLLECTION, TRANSMISSION, TREATMENT, AND DISPOSAL; AND PROVIDING AN EFFECTIVE DATE.

Staff was directed by the Commission to send out a letter to every business that might be affected by the BOD surcharge provision.

House Bill 1231

Mr. Fishburn reported that the District will have a conference call with Ken Kuhl on Friday to educate the Governor's office about the bill.

GENERAL MANAGER'S REPORT

Basin "B" Phase 1

Charles Fishburn reported that Ric-Man International was the low bidder for the Basin B Phase 1 collection system. The Notice of Intent to Award has been issued.

Deep Well Review

Mr. Fishburn reported that L.S. Sims & Associates have not completed the review yet. He stated that Mr. Sims is making some very interesting findings and will turn in a complete review for the next meeting.

Plant Fence Expansion

Mr. Fishburn explained that the newly cleared 1.6 acres at the WWTP needs to be enclosed with fencing.

Motion: Commissioner Higgins made a motion to approve the contract with Ronnie's Fencing & Fence Repair for \$8,450.00. Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

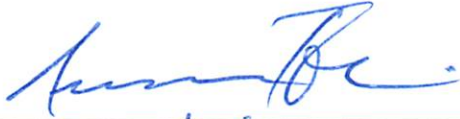
Commissioner Bullock asked if Staff had contacted DCA to find out if there would be any action taken against them if they are not connected by June 2010.

Commissioner Tobin explained that the people in the Key Largo District will be fine.

ADJOURNMENT

The KLWTD Board adjourned the Board Meeting at 7:19 PM.

The KLWTD meeting minutes of May 6, 2008 were approved on June 3, 2008.



Acting Chair



Carol Walker, CMC
District Clerk