

# MINUTES

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



November 4, 2008  
98880 OVERSEAS HWY, KEY LARGO, FL 33037

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

The Pledge of Allegiance was led by Chairman Bauman.

### APPROVAL OF AGENDA

Commissioner Higgins requested that the Contract for Vacuum station “D” (Item 10) be moved to the November 18, 2008 meeting. Charles Fishburn, General Manager requested that \$200 million in State funding be put on the agenda as Item 13. Commissioner Hammaker requested that Items 12 and 13 (Deep Well Change Order and Change Order for Basin B-2) be moved to the front of the agenda.

**Motion: Commissioner Tobin made a motion to approve the agenda as amended. Commissioner Bullock seconded the motion.**

### 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: Robby Majeska, Key Largo addressed the Board to clarify his comments in the Keynote. Charles Brooks, Key Largo talked about Basin A being the victim of sloppy work by the contractor.

Mr. Fishburn introduced the new KWLTD employee Pat Mitchell.

## **GENERAL MANAGER'S REPORT**

### *Basin B-2 Change Order*

Mr. Fishburn explained that staff is in uniform agreement that Ric-Man International has performed good work on Basin B-1, as is the Districts past practice, Staff has attempted to negotiate with Ric-Man International to accept a change order for Basin B-2 based on previous publicly bid prices.

Staff is not in full agreement with whether to award B-2 at their latest proposal. However, the General Manger and most of the staff, because it is in the best interest of the District, recommend awarding this change order at latest proposed price with includes \$45,000 mobilization.

**Motion: Commissioner Higgins made a motion to award the Change Order for Basin B-2 to Ricman International. Commissioner Hammaker seconded the motion.**

After discussion among the Board and Staff Commissioner Higgins withdrew his motion and Commissioner Hammaker withdrew her second.

Staff was directed not to go out to bid and to bring the change order to the next meeting.

### *\$200 million in State funding*

Mr. Fishburn presented the new proposed distribution of the \$200 million in State Funding.

Staff was directed to bring this item to the next meeting with the amount that the District will need to finish. The Board will decide who will handle the issue, a lobbyist, a Board Member, Staff Member, or District Counsel.

## **COMMISSIONER'S ITEMS**

### *Invitation to View Treatment Plant*

Commissioner Tobin would like to have a field day for the public to show what is being done. Also, he would like to invite the BOCC to a tour before their next meeting (Nov. 18, 2008). Commissioner Higgins suggested that the Chamber of Commerce's be invited on a tour.

Staff was directed to coordinate the tour before the next KLWTD Board meeting.

## **BULK ITEMS**

### *Minutes of October 21, 2008*

### *Pending Payments*

### *Assessment Appeal for Sevilla Inc.*

**Motion: Commissioner Hammaker made a motion to approve Bulk Items, contingent upon the availability of funds for the pending payments. Commissioner Higgins seconded the motion.**

**Vote on Motion**

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

**Motion passed 5 to 0**

**ENGINEER'S REPORT**

Mr. Castle presented his written report. He pointed out that the District is expecting the 90% drawings for the South Transmission Line any day now from CPH which will be using the abandoned water line.

**FINANCIAL REPORT***FY 2008 Financial Performance of Wastewater Service Operations*

Martin Waits, Chief Financial Officer, reviewed the financial performance of the treatment plant and field service operations for the Fiscal Year 2008. The fixed treatment cost for 1,061 EDU's was \$32.26/EDU per month, just under the \$33.60/EDU monthly fixed charge billed in FY 2008.

*FY 2008 Financial Performance of Project Administration and Construction Activities*

Mr. Waits reviewed the financial performance of the Project Administration and Construction activity of the District for FY 2008. Revenues were slightly less than Administrative and Construction Management expenses, producing a small \$11,695 deficit. This was more than offset by the surplus recorded in Wastewater Service operations.

**LEGAL COUNSEL REPORT***Notice of Intent to use Uniform Method of Collecting Non-Ad Valorem Assessments.*

District Counsel Thomas Dillon explained the need to advertise the resolution, which is essentially the same as that used in previous years.

**Motion: Commissioner Higgins made a motion to approve the Notice of Intent to use Uniform Method of Collecting Non-Ad Valorem Assessments. Commissioner Bullock seconded the motion.**

**Vote on Motion**

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

**Motion passed 5 to 0**

## GENERAL MANAGER'S REPORT

### *Basin I, J, & K Engineering Selection*

Charles Fishburn explained the recommendation of staff to approve the contract with Weiler Engineering to design the remaining Basin I, J, & K in the KLWTD service area. The design will provide wastewater collection for the 4000 EDU's from MM 97 south to Tavernier Creek.

**Motion:** Commissioner Hammaker made a motion to approve Weiler Engineering as Engineer for Basins I, J, and K. Commissioner Tobin seconded the motion.

#### 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

### *Deep Well Change Order*

Mr. Fishburn explained that KLWTD has the opportunity to direct purchase the fiberglass pipe used in the deep well construction project. The direct purchase will save the District in excess of \$60,000 in sales taxes.

**Motion:** Commissioner Hammaker made a motion to approve the Deep Well Change Order for Direct Purchase. Commissioner Tobin seconded the motion.

#### 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

Commissioner Higgins thanked Chairman Bauman for his years of leadership on the Key Largo Wastewater Treatment District Board.

## ADJOURNMENT

The KLWTD Board adjourned the Board Meeting at 6:29 PM.

The KLWTD meeting minutes of November 4, 2008 were approved on January 6, 2009



---

Chairwoman, Susan Hammaker



---

Carol Walker, CMC  
District Clerk

