

# MINUTES

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



October 20, 2009  
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 Norman Higgins, Andrew Tobin, Charles Brooks, Robert Majeska (arrived at 4:08 PM), and Chairwoman Susie Hammaker. Also present the General Manager Charles F. Fishburn, Thomas Dillon, District Counsel, Carol Walker, District Clerk, and other appropriate District Staff.

Commissioner Higgins led the Pledge of Allegiance.

### APPROVAL OF AGENDA

Commissioner Higgins added a discussion on the Deep Well Legislation Bill. Chairwoman Hammaker moved her item on Additional Office Space from an action item to a discussion item. General Manager Charles Fishburn added an item on a letter from the FKAA and an item from Integra. Chief Financial Officer, Martin Waits drew the Boards attention to a hand out on the Financial Statement and a revised Pending Payments list.

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

### Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska			Absent

**Motion passed 4 to 0**

**PUBLIC COMMENT:** The following persons addressed the Board: Julio Rodriguez, 422 Laguna Ave, Enrique Diaz, 421 Laguna Ave, Blanca Rodriguez, 133 Ocean Shores Drive, John Ludington, 423 Laguna Ave, spoke to the Board because they did not like where their sewer connection was going to be installed. Deu Hudson 402 Laguna Ave liked where her connection is. Burke Cannon, Hammer Point, and Pauline Klein, Key Largo, spoke about Islamorada connecting to the District's treatment plant.

After Board discussion the Staff was directed to meet with the residence on Laguna Avenue to review the requested changes; and to bring the resolution to the problem of the placement of connections to the sewer to the November 3<sup>rd</sup> meeting.

**MANAGER’S REPORT**

*Basin B I Change Order*

The Board discussed the change order for Basin I.

*Paving Coordination with Monroe County*

There was a discussion on the use of \$1.8 million for paving the roads on the Island of Key Largo.

Gary Bauman introduced a letter to the County supporting the use of the \$1.8 million for paving. Mr. Bauman was tasked by the Board to work with the Monroe County Administration and the BOCC on obtaining paving funding for Key Largo.

**Motion:**        **Commissioner Brooks made a motion to make this item an action item and approve the letter to Monroe County with any needed amendments in support of the use of the \$1.8 million for paving on the Island of Key Largo. Commissioner Tobin seconded the motion.**

**Vote on Motion**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>
<b>Chairwoman Hammaker</b>	<b>X</b>		
<b>Commissioner Higgins</b>	<b>X</b>		
<b>Commissioner Tobin</b>	<b>X</b>		
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Majeska</b>	<b>X</b>		

**Motion passed 5 to 0**

*Letter from FKAA about the South Transmission Line*

Mr. Fishburn informed the Board that the FKAA is in contact with the District about using part of the abandoned line for FKAA use.

*Integra*

Mr. Fishburn informed the Board that Integra would like to make a presentation to the Board on buying capacity in the District’s plant.

The Integra will make a presentation at the next meeting.

**COMMISSIONER’S ITEMS**

*Grant Assistant Form / Request for Pledged Monies*

**Motion:** Commissioner Tobin made a motion to refer the Grant Assistant Form to Staff and to Table the Request for Pledged Monies. Commissioner Brooks seconded the motion.

**Vote on Motion**

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska	X		

**Motion passed 5 to 0**

*Additional Office Space*

The Board discussed additional office space.

The General Manager told the Board that the Inspectors are moving to the White Rhino Building Wednesday.

*Deep Well Legislation*

Commissioner Higgins reported that he had heard that the Department of Health is trying to attach something to the Deep Well Bill.

Thomas Dillon, District Counsel, told the Board that Senator Larcenia Bullard has submitted the Deep Well Bill under her name and it will be a General Bill.

**BULK ITEMS**

*Minutes of October 6, 2009*

*Pending Payments of October 20, 2009*

Mr. Waits reviewed the amended pending payments.

**Motion:** Commissioner Brooks made a motion to approve Bulk Items with Pending Payments as amended and contingent upon the availability of funds. Commissioner Majeska seconded the motion.

**Vote on Motion**

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska	X		

**Motion passed 5 to 0**

*Assessment Appeal Locust Center Limited/The Pink Plaza*

After discussion the Board voted on this item.

**Motion:** Commissioner Tobin made a motion to the Assessment Appeal of Locust Center Limited/The Pink Plaza. Commissioner Higgins seconded the motion.

**Vote on Motion**

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska	X		

**Motion passed 5 to 0**

*Resolution No. 31-10-09*

Commissioner Tobin pulled Resolution No. 31-10-09.

**Motion:** Commissioner Tobin made a motion to table Resolution No. 31-10-09 and have the District Counsel look into assessing Port Largo as commercial. Commissioner Brooks seconded the motion.

**Vote on Motion**

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska	X		

**Motion passed 5 to 0**

**ENGINEER'S REPORT**

*Deep Well Change Order*

**Motion:** Commissioner Tobin made a motion to authorize the General Manager to pay all or part of the Deep Well Change Order after careful review. Commissioner Higgins seconded the motion.

**Vote on Motion**

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska	X		

**Motion passed 5 to 0**

*Monthly Status Report*

Todd Helt, from Weiler Engineering, gave a verbal progress report.

Commissioner Tobin stated that he would like to go on record that he thinks that it was a mistake to give Arcadis money at the last meeting.

**FINANCIAL REPORT**

*FY 2009 Financial Report*

Mr. Waits reviewed his report.

*Capital Projects Status Report*

Mr. Waits reviewed his report.

**LEGAL REPORT**

*Assessment of Unique Parcels*

District Counsel, Thomas Dillon, reviewed his memo of October 15, 2009 on Unique Properties.

After Board discussion the Staff was directed to return in ninety days with a resolution as to what the District is going to do with Coral Coast, Seven Acres, Sunset Acres, and Lake Surprise II and a Board policy on Grinder Pumps.

**COMMISSIONER'S ROUNDTABLE**

The Board had a discussion on property owner's complaints as to where their connections are located.

The Board discussed the October 19, 2009 Joint Meeting with the Village of Islamorada. They are waiting to see what Islamorada does.

**ADJOURNMENT**

The KLWTD Board adjourned the Board Meeting at 7:40 PM.

The KLWTD meeting minutes of Oct. 20, 2009 were approved on Nov. 3, 2009.



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Chairwoman Hammaker



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Carol Walker, CMC  
District Clerk