

MINUTES

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



May 4, 2010
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 Chairman Norman Higgins, Commissioners Andrew Tobin Charles Brooks, Robert Majeska, and Susie Hammaker. Also present the General Manager Charles F. Fishburn, Thomas Dillon, District Counsel, Carol Walker, District Clerk, and other appropriate District Staff.

Chairman Higgins led the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Brooks added an item for the Manager’s Contract. Thomas Dillon explained that Mr. Manson will be calling in at 5:00 PM.

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

Vote on Motion

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

Motion passed 5 to 0

PUBLIC COMMENT: The following persons addressed the Board: Veronica Harris, 97802 O/S Hwy, Key Largo, spoke about the location of the buffer tank at the Kona Kia Resort. Dr. Wells, Rainbow Drive, Key Largo, congratulated the Lobbying Team for the District.

Motion: Commissioner Brooks made a motion to have staff hold off on the construction of a buffer tank in front of Kona Kia until after the meeting the next day. Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

GENERAL MANAGER'S REPORT

FKAA

Mr. Fishburn introduced a request from the FKAA for compensation in the amount of \$150,000 for the District's use of the abandoned FKAA water main.

Motion: Commissioner Brooks made a motion to authorize payment of \$150,000 to the FKAA for compensation for the District's use of the abandoned water main. Commissioner Hammaker seconded the motion.

Vote on Motion

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

Motion passed 3 to 2

STATUS REPORTS

Package Plants

Mr. Matthews reviewed his written report on the status of the package plants in the District.

LEGAL

Mr. Manson by Phone

Mr. Manson explained his method of work. His hourly rate will be \$250 an hour and his expenses would be governed by the State Statues.

Motion: Commissioner Brooks made a motion direct staff to move forward with a retainer agreement without incurring any expenses until directed to. Commissioner Majeska seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Hammaker	X		
Chairman Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		

Commissioner Majeska	X		
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Motion passed 5 to 0

STATUS REPORT

Customer Service Report

Syndi Lankford reviewed her written report.

IT Report

Paul Christian gave a verbal status report.

MANAGER'S REPORT

Basin JK Phases 5 & 6 Change Order

Motion: Commissioner Brooks made a motion to approve a change order awarding Redland Company Basin JK Phase 5 and Basin JK Phase 6. Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

WWTP Change Order

Mr. Fishburn reviewed the WWTP Change Order. Mr. Fishburn explained that change order consolidates 18 work directive changes that were requested by the District for the new WWTP.

Motion: Commissioner Brooks made a motion to Wharton Smith Change Order No. 3. Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

Legislative Update

Mr. Fishburn reported that the Deep Well Bill has been passed and has gone to the Governor. The Board directed staff to do a proclamation thanking Cynthia Henderson for her work.

BULK ITEMS

Pending Payments for May 4, 2010

Minutes of April 26, 2010

Commissioner Tobin requested that the wording “with strong emphasis” be removed from the minutes and the Board agreed.

Motion: Commissioner Brooks made a motion to approve Bulk Items with pending payments contingent upon the availability of funds and the minutes as amended. Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

OPERATIONS MANAGER

Pat Mitchell’s Contract

Commissioner Tobin expressed concern over the DEP Consent order. Mr. Castle explained that the small plant is operating without a permit at the current time.

Mr. Mitchell explained what was happening at the plant.

The Board discussed Mr. Mitchell’s requests in a new contract and his current responsibilities.

Mr. Fishburn stated that he would like to appoint Margaret Blank Operations Manager tomorrow.

The Board left Mr. Mitchell as a month to month employee for the time being.

Charles F. Fishburn’s Contract.

Commissioner Hammaker stated that Mr. Fishburn’s proposal states that if he is terminated before the end of his contract he receives all of the monies. Mr. Fishburn commented that that is not his intent. Mr. Dillon explained that the contract does not say that.

Motion: Commissioner Tobin made a motion to table the Mr. Fishburn’s contract to the May 18, 2010 meeting. Commissioner Brooks seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Hammaker	X		
Chairman Higgins	X		

Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska	X		

Motion passed 5 to 0

ENGINEER’S REPORT

Status Report

Ed Castle presented his report.

COMMISSIONER ROUNDTABLE


Chairman Higgins requested that staff listen to what people say in a respectful way.

Commissioner Tobin proposed that Commissioner Brooks be the lead contact person for the Board dealing with the inter-local agreement with Islamorada; observing and reporting back to the Board on what is going on.

ADJOURNMENT

The KLWTD Board adjourned the Board Meeting at 7:33 P.M.

The KLWTD meeting minutes of May 4, 2010 were approved on June 1, 2010.



 Chairman Higgins



 Carol Walker, CMC
 District Clerk