

MINUTES

Key Largo Wastewater Treatment District (KLWTD) Transition Meeting



June 7, 2010
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a Transition Meeting at 4:00 PM. Present were Chairman Norman Higgins, Commissioners Andrew Tobin, Charles Brooks, and Susie Hammaker. Also present the General Manager Charles F. Fishburn, District Counsel Thomas Dillon, Acting District Clerk, Syndi Lankford, District Clerk Carol Walker, and other appropriate District Staff.

Commissioner Higgins led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Fishburn added an item on the North Transmission Line. Chairman Higgins put Soaficient and changing the July meeting under Commissioner's Roundtable.

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

Vote on Motion

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

Motion passed 4 to 0

APPROVAL OF MINUTES

Motion: Commissioner Brooks made a motion to approve the minutes of May 18, and June 1, 2010. Commissioner Tobin seconded the motion.

Vote on Motion

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

Commissioner Brooks	X		
Commissioner Majeska			Absent

Motion passed 4 to 0

KONA KAI BUFFER TANK LOCATION

Tracy Weaver, manager of Kona Kai read a letter from the owners. (See Exhibit “A”)

Russell Yagel, of Hershoff, Lupino, & Yagel reviewed the vote of the Board last week and asked that it not be over turned.

Commissioner Brooks pointed out that the tank is going into the right of way and the District has the right to put the facilities in the right of way at the best advantage to the District. He would like the Board to reconsider the last vote to put the tank in front of the Kona Kai property. Commissioner Tobin agreed with Commissioner Brooks.

Motion: Commissioner Brooks made a motion to reconsider the location of the buffer tank at Kona Kai. Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion died 2 to 2

PUBLIC COMMENT: Tom McDermott, 7 Acres.

NORTH TRANSMISSION LINE CHANGE ORDER

Mr. Fishburn explained the change order would go to Redland Construction Company.

MOTION: Commissioner Brooks made a motion to approve the Change Order for the North Transmission Line. Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

90 DAY NOTICE LETTER

The Board directed staff to redo the letter making it easier to understand.

INTELLIPRO PROCESS MANAGEMENT SYSTEM PRESENTATION

Margaret Blank explained how the process works. Paul Christian explained how the new system works.

Chris Bunch, Hach Regional Sales Manager, and John Misiti, Hach SE Divisional Sales Manager, told the Board about the company.

COMMISSIONER’S ROUNDTABLE SOFTWARE

Chairman Higgins presented Soaficient software and asked the Board to review it.

JULY MEETING DATE

Chairman Higgins would like to move the July 20th meeting to July 26th.

UNQUE PROPERTIES

Commissioner Tobin would like to go outside for a finding on the Unique Properties. Commissioner Hammaker would like to see other options explores. The Board agreed.

ADJOURNMENT

The KLWTD Board adjourned the Board Meeting at 6:04 PM.

The KLWTD meeting minutes of June 7, 2010 were approved on June 15, 2010.



Chairman Higgins



Carol Walker, CMC
District Clerk

Exhibit "A"

"We are, of course, disheartened by the recent vote of the KLWTD elected Board acknowledging, by a 3-2 vote, the "psychological effects on individuals" of the sewer construction.

Since we were neither advised, nor present at the meeting, we can only envision what transpired and thus have surmised rumor and innuendo, not facts, were presented as a means to sway your vote.

We applaud Mr. Fishburn's engineering and management staff in their initial, in-field, on-site decision to locate the holding tank for Kona Kai Resort on scarified public right-of-way property, which has been in use for well over a decade as a waste and garbage holding area. In selecting the current site, rather than destroying expensive landscaping that is an asset to the Key Largo community, as well as our individual business, Mr. Fishburn's team demonstrated their consideration of the *real*, **REAL**, not imagined, impacts of the sewer construction on the community.

Numerous persons in this room, both staff and board members, were present at a second, comprehensive, on-site meeting of all parties involved; at which time the owners of Rock Reef Resort clearly acknowledged their business will experience no environmental or economic impacts of the current location of the underground tank; again, a location selected by KLWTD field and management staff, not any individual property owner. Mr. and Mrs. Adams clearly specified the only impact was one of a "psychological nature."

We believe the board's pending final decision to relocate the tank opens the door to the broader question of liability and compensation for the "psychological impacts" of the Key Largo sewer construction.

In addition, we believe, as do our advisors, the additional expenditure of money, taxpayer's money, to correct a **non-existent physical problem** does not represent the best interests of the community-at-large. Further, if the tank is relocated, will the expenditure of such additional funds open the door to monetary or other mitigation for all citizens who may be under duress due to the Key Largo Wastewater project, certainly including ourselves?

\Nonetheless, if the tank location is to be moved, we reiterate the position we have taken since our initial discussions with KLWTD and agreed upon on March 30th. On that date we were presented with a KLWTD engineering drawing specifying that the tank, and any associated plumbing, would be installed as close as possible to our northern property boundary. Thus located, the eventual cost of hook-up would be the least burdensome to our business and would have the smallest impact upon the future value of our property.

In closing we hope your final decision is based solely on fact, including the reality of adding additional cost and financial burden to a business and residential community already overburdened by this project.

We thank you for your time."

Joe and Veronica Harris