

MINUTES

Key Largo Wastewater Treatment District (KLWTD) Transition Meeting



July 12, 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, Robert Majeska, Charles Brooks, and Susie Hammaker. Also present the General Manager Charles F. Fishburn, District Counsel Thomas Dillon, District Clerk, Carol Walker, and other appropriate District Staff.

Commissioner Higgins led the Pledge of Allegiance.

Synthia Lankford introduced the new Accounting Clerk, Connie Fazio.

APPROVAL OF AGENDA

Chairman Higgins added Winston Water Ways on the agenda. The Board added Public Comment.

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			

Motion passed 5 to 0

KLWTD UNDERGROUND CONTRACTORS

Jackie Harder, Key Largo Chamber of Commerce spoke to the Board, see Exhibit "A".

Metro Construction, Danny Gonzalez.

He explained that the work for the best efficiency, which means they come back several times after the main trenching has been done. Mr. Gonzalez requested that the complaints be forwarded to Metro's main office so that he can keep track of them.

LaRocco, Bryant Conover

He explained that safety is there major concern when it comes to coming back to an area after it has been trench.

Redland, June Kolb

He explained that keeping the traffic flowing, public safety and worker safety is their concern when it comes to coming back to an area after is has been trenched.

Fountain Engineering, Chris Brown

He explained that paving is not done until everything has been tested because it would be a huge mess if it had to be dug up. It makes financial sense to do the work in stages.

PUBLIC COMMENT

The following persons addressed the Board: Ray Gigilio, Key Largo spoke about the District policies. Fred Nickerson, Key Largo spoke against currently having Islamorada as a customer.

WHARTON SMITH CHANGE ORDER NO. 4

Mr. Fishburn explained the change order.

Motion: Commissioner Brooks made a motion to approved Wharton Smith Change Order No. 4. Commissioner Hammaker seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

MARTIN WAITS, CFO CONTRACT

Motion: Commissioner Tobin made a motion to approve the contract for Martin Waits, with the words “District’s General Manager” “with District Council”. Commissioner Hammaker seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

RESOLUTION NO 08-07-10

Mr. Waits introduced the budget amendment resolution.

Motion: Commissioner Brooks made a motion to approve Resolution No. 08-07-10. Commissioner Hammaker seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

MANSON LAW GROUP CONTRACT

Mr. Fishburn stated that he has been talking to Mr. Manson about his current invoice.

HOLD ON ISLAMORADA NEGOTIATIONS

The Board discussed negotiating with Islamorada.

Motion: Commissioner Brooks made a motion to put negotiation with Islamorada on hold indefinitely. Chairman Higgins seconded the motion.

Vote on Motion

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

Motion Failed 2 to 3

Commissioner Tobin introduced a Concurrent Resolution with Islamorada. (See Exhibit "B").

Motion: Commissioner Tobin made a motion to approve the Concurrent Resolution with Islamorada No. 09-07-10. Commissioner Majeska seconded the motion.

Vote on Motion

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

Motion Passes 3 to 2

STAFFING PLAN

Margaret Blank and Martin Waits introduced the next two years staffing plan. Commissioner Tobin requested an ad in the paper with the Hook Up Schedule for Key Largo.

SALARY FREEZE

Board discussed the current salary freeze.

STEERING COMMITTEE

Commissioner Brooks gave a report on the Steering Committee meeting.

COMMISSIONER'S ROUNDTABLE

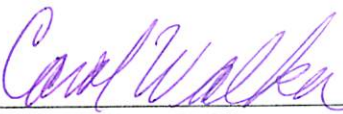
ADJOURNMENT

The KLWTD Board adjourned the Board Meeting at 7:58 PM.

The KLWTD meeting minutes of July 12, 2010 were approved on August 3, 2010.



Chairman Higgins



Carol Walker, CMC
District Clerk



Exhibit "A"



Legendary
KEY LARGO

Chamber of Commerce

106000 Overseas Highway • Key Largo • FL • 33037 • 305/451-1414 • Fax: 305/451-4726 • keylargo-chamber.org

July 12, 2010

I have only a few more issues to report since I spoke to you last week. One involves a problem with a vehicle getting stuck after a heavy rain in a trench that had been filled, but not completely compacted. The vehicle owner had to get it towed to get it out of the trench.

Another asks that sewer work be done at night when it's less disruptive.

A third is about the dust generated by the work, and the failure of work crews to sprinkle water to settle the dust. This complaint was from a restaurant that has outdoor seating. Customers had to be relocated inside, which was inconvenient and resulted in a loss of revenue. It also created additional labor costs to clean up the mess.

Other general comments:

1. Work should be done at night.
2. Lanes of traffic should be open around the lunch hour.
3. Crews come back to the same site multiple times, causing multiple disruptions; in one case, taking 7 months to put in pipes for 16 houses.
4. The sewer district staff is defensive and uncaring when it comes to issues created by the sewer work.

I saw some of this displayed at last week's meeting.

When I read the comment about the pickup truck parked in the "trenching zone," the staff's response was that the owner was lucky the truck wasn't towed.

When I mentioned watering the dust to another staff member, I was told, "The same people who complain about the dust will complain about the mud."

That may be true – but that is not the point. The point is that much of the sewer work is being paid for by the businesses and property owners of this community, and their concerns should be heard and treated with respect.

I left the meeting feeling that the contractors are allowed to do whatever they want, as long as the work gets done, and public's comments are inconsequential.

The relatively few complaints you have received is not so much a testament to the fine job you're doing but a lack of confidence in the district's ability or desire to resolve them.

The chamber supports Mr. Tobin's request to do a better job at communicating construction schedules. It would also be helpful to explain why work has to be done over and over again in the same location.

And we also appreciate Chairman Higgins, who has twice visited First State Bank, which had complained about drainage issues as well as destroyed landscaping. Initially, the bank was told to send someone down to file an official complaint. Later they were told it could be done over the phone.

At your request, I have been telling people to call the district directly to complain about construction issues, so they could be addressed in a timely fashion. I was not told that people had to come to the district office to file a formal complaint.

A phone call is timely. An in-person visit is not. Business owners and working residents do not have the time to leave their jobs to come down to the district office to make a complaint.

Mr. Tobin said that sewer construction will go on for another year. The chamber looks to you for leadership to ensure these and other issues are addressed so this needed work can be done efficiently, and with a minimum of disruption to the community.

Jackie Harder
President

Mission statement of the Key Largo Chamber of Commerce
***Through the collective power of our membership, build a vibrant business
and social environment for our community.***

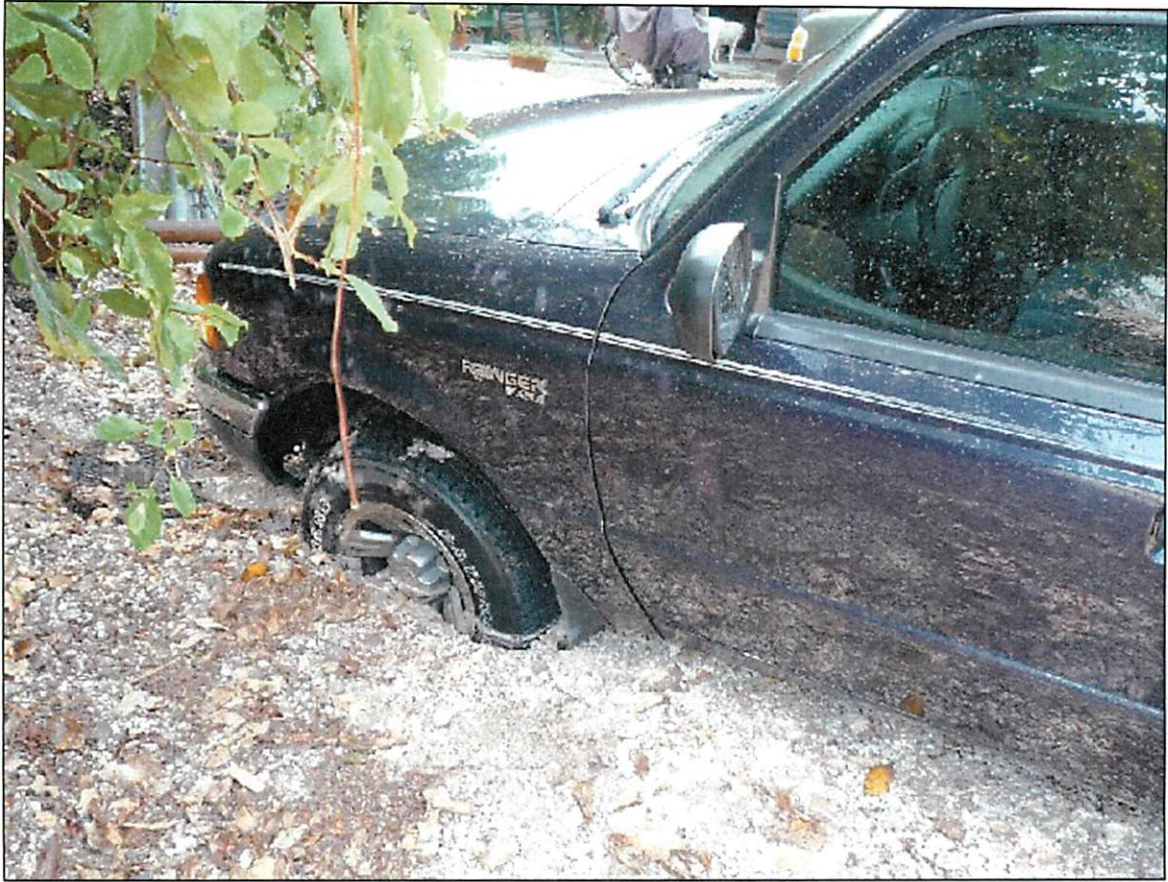


Exhibit "B"

CONCURRENT RESOLUTION OF INTENT BY THE
KEY LARGO WASTEWATER TREATMENT DISTRICT

AND

ISLAMORADA, VILLAGE OF ISLANDS

CONCERNING

NEGOTIATIONS FOR A WASTEWATER TREATMENT AGREEMENT

WHEREAS, the Key Largo Wastewater Treatment District ("District") and Islamorada, Village of Islands ("Village") believe it is in their best interests to enter into negotiations to formulate and adopt a long terms agreement under which the Village would deliver wastewater to the District and the District would treat the wastewater and dispose of all by-products; and

NOW, THEREFORE, Be It Resolved:

A. The parties agree to negotiate in good faith to arrive at a long term agreement that is reasonable and fair to both parties and their respective customers and is consistent with the standards set forth in other agreements between local governments; and

B. The parties will adopt a reasonable timetable for moving forward with negotiations.

CAVEAT: This joint resolution is not intended, and shall not be construed, to be a binding agreement between the parties. The parties recognize there may be grounds to delay negotiations and/or to provide contingency plans that could defer the implementation of any agreement. It is the intent of the parties that a binding agreement between them will not exist until a full agreement is negotiated and drafted and expressly adopted by the District Board of Commissioners and the Village Council.

KEY LARGO WASTEWATER
TREATMENT DISTRICT

Voting Yes:

Voting No.

ATTEST: Key Largo Treatment District Clerk

Date: _____, 2010

Approved as to Content and Form:

By: _____

Its: District Counsel

ISLAMORADA, VILLAGE OF ISLANDS

Voting Yes:

Voting No:

ATTEST: Islamorada, Village Clerk

Date: _____, 2010

Approved as to Content and Form:

By: _____

Its: Village Counsel