

# MINUTES

## Key Largo Wastewater Treatment District (KLWTD) Meeting



July 19, 2011  
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 Robert Majeska, Commissioners Susie Hammaker, Norman Higgins, Andrew Tobin and Charles Brooks. Also present were the General Manager Margaret Blank, District Counsel Thomas Dillon, District Clerk Carol Walker, and other appropriate District Staff.

Kay Thacker led the Pledge of Allegiance.

### APPROVAL OF AGENDA

Commissioner Tobin added an item about Islamorada after public comment. Commissioner Brooks requested that the Islamorada issue be kept to public comment. He also stated he wants a time limit. CFO Zappulla added an item on Newport Village. Commissioner Tobin moved the Gift Policy item to Commissioner's Items from Legal Report.

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

### Vote on Motion

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

**Motion passed 3 to 2**

Commissioner Brooks voted no because he was not really sure what the agenda is in reference to the Islamorada issue.

### CERTIFICATES OF APPRECIATION

Chairman Majeska presented a Certificate of Appreciation and Gift Certificate to Chris Wright and Brenda Campbell.

**PUBLIC COMMENT**

The following persons addressed the Board:

Name:

Sam Stoia, Key Largo

Subject:

Charge to move connection box

**Commissioner Brooks made a motion to bring back Mr. Stoia’s item to the next meeting if it cannot be solved by staff. Commissioner Hammaker seconded the motion. The Board directed that the item be brought back to the August 2, 2011 meeting if not solved before the meeting.**

Pauline Kline, Key Largo

Islamorada

David Asdourian, Key Largo

Islamorada

Fred Nickerson, Key Largo

Islamorada

Kay Thacker, Key Largo

Islamorada

**ISLAMORADA**

Don Achenberg, Islamorada discussed the letter that the Islamorada Council sent the Board Members. (See Exhibit “A”) He assured the Board that there would be no monkey business. He asked that the District open the door to Islamorada so that they can present a contract to the District at their expense.

The Board is taking no action on the Islamorada Letter at the present time. Once a document is prepared by Islamorada Commissioner Hammaker may bring it to the Board and the District will not be spending any monies on the Islamorada issue in the meantime.

Nina Boniske, Village of Islamorada Attorney, stated that there is a need for direction to work with the KLWTD District Staff. There are utility policies and things like that that the Village needs to know so that everyone is on the same page.

Chairman Majeska stated that it is his understanding that the Staffs would talk to each other but not for a long time, not change the document tremendously. Commissioner Hammaker stated that she does not see why they cannot ask questions.

Commissioner Hammaker requested GM Blank and Engineer Castle for positives and negatives from their professional and operational points of view that would be obstacles to processing Islamorada effluent. In summary, there appeared no major obstacles.

Likewise, Commissioner Tobin, questioned Mr. Brzezinski and attorney Nina Boniske as professionals on Islamorada staff whether they had operational, storage capacity and legal concerns that might prevent our RTP processing their effluent. In summary, KLWTD appears to have the capacity and capability to perform Islamorada's effluent processing

Commissioner Brooks stated that the solution is to do nothing and not spend any more money.

**Motion:** Commissioner Tobin made a motion that Key Largo Wastewater Treatment District will review an executable agreement that Islamorada may or may not propose on or before the September 6, 2011 KLWTD Board meeting. Commissioner Hammaker seconded the motion.

**Vote on Motion**

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

**Motion passed 3 to 2**

Margaret Blank will be the point person for the Islamorada Agreement.

**BULK ITEMS**

Minutes of July 11, 2011

RESOLUTION NO. 15-07-11

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING DESIGNATION OF THREE TAX PARCELS AS PARCELS EXCLUDED FROM THE 2008 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

ASSESSMENT APPEAL FOR “PLANTATION TREE”

**Motion:** Commissioner Hammaker made a motion to approve Bulk Items. Commissioner Brooks seconded the motion.

**Vote on Motion**

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

**Motion passed 5 to 0**

**FINANCIAL REPORT**

*Pending Payments*

**Motion:** Commissioner Brooks made a motion to approve Pending Payments Contingent upon the availability of funds. Commissioner Hammaker seconded the motion.

**Vote on Motion**

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

**Motion passed 5 to 0**

*Preliminary Staffing Plan*

General Manager Margaret Blank presented the proposed staffing plan for 2012. Board directed that is item be brought back to the August 8, 2011 Transition Meeting.

*Preliminary Administration Budget 2012 with 4 Projected Years*

Mr. Zappulla presented the preliminary budget and four year projection.

*Newport Village*

Mr. Zappulla explained that Newport Village should have been billed for sewer but it fell through the cracks.

**Motion: Commissioner Brooks made a motion to table the Billing issue of Newport Village. Commissioner Higgins seconded the motion.**

**Vote on Motion**

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

**Motion passed 5 to 0**

**COMMISSIONER'S ITEMS**

*Policy for Charging for Filling Pools*

Commissioner Tobin recommended another method to calculate water used to fill pools. Commissioner Tobin withdrew this item.

*Gift Policy*

Commissioner Tobin explained what he did not like about the no gift policy. He does not like any wiggle room. Thomas Dillon, District Counsel, explained the District's adopted policy.

**Motion: Commissioner Brooks made a motion to keep the current Gift Policy as written. Commissioner Higgins seconded the motion.**

**Vote on Motion**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>
<b>Commissioner Higgins</b>	<b>X</b>		
<b>Chairman Majeska</b>		<b>X</b>	
<b>Commissioner Tobin</b>		<b>X</b>	

<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Hammaker</b>	<b>X</b>		

**Motion passed 3 to 2**

Commissioner Tobin requested an item on allowing employees to accept tips from customers for the next agenda.

**ENGINEER’S REPORT**

Ed Castle, Weiler Engineering, gave a verbal status report.

**GENERAL MANAGER’S REPORT**

*Deep Well Additional Work*

This item will be brought back to the next meeting.

*Letter to Editor*

Margaret Blank, General Manager, explained her Letter to the Editor that she has not sent in yet.

**Motion: Commissioner Brooks made a motion to have the letter sent to the Free Press, Keynoter, and The Reporter letter to the editor. Commissioner Hammaker seconded the motion.**

**Vote on Motion**

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

**Motion passed 5 to 0**

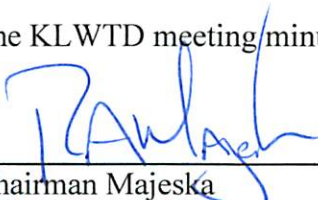
**COMMISSIONER’S ROUND TABLE**

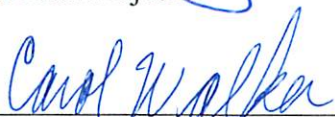
Commissioner Brooks gave a report on the FKWQIP meeting and the sales tax issue.

**ADJOURNMENT**

The KLWTD Board adjourned the Board Meeting at 8:17 PM.

The KLWTD meeting minutes of July 19, 2011 were approved on Aug. 2, 2011.

  
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 Chairman Majeska

  
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 Carol Walker, CMC District Clerk



*Islamorada,  
Village of Islands*

July 15, 2011

VIA EMAIL AND REGULAR MAIL

Honorable Chair and Commissioners  
Key Largo Wastewater Treatment District Board of Commissioners  
Key Largo Wastewater Treatment District  
98880 Overseas Highway  
Key Largo, Florida 33037

**Re: Agreement for Wastewater Services between Key Largo Wastewater Treatment District ("KLWTD") and Islamorada, Village of Islands ("Village") (the "Agreement").**

Dear Chairman Majeska and Commissioners:

The Village remains interested in reaching an agreement with the KLWTD to provide wastewater treatment for the Village. In order to demonstrate the Village's commitment to moving forward with this process, the Village Council approved the business terms listed below. We have agreed to the main business terms that we believe were at issue during recent deliberations.

If the KLWTD is in agreement with these business terms, the Village agrees to further the process by producing an executable agreement for review by the KLWTD. Should the KLWTD desire to modify any of these terms, the Village will consider the proposals and respond to the KLWTD.

Capacity Allocation Charge. The Village agrees to the \$11.5 million Capacity Allocation Charge for the purchase by the Village of village wide flow of 1.4 million GPD (which includes NPK flow) amortized over a ten (10) year term, with 4% interest rate as proposed by the KLWTD. The Village proposes that the down payment of \$1.15 million would be due only if the Village exercises its option.

Base Rate. The Village agrees to the rate proposed by KLWTD of \$4.65 per thousand gallons, together with the draft true-up methodology for treatment expenses.

Term. The Village agrees to a thirty (30) year Initial Term for the Agreement.

