

# MINUTES

## Key Largo Wastewater Treatment District (KLWTD) Meeting



August 2, 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 Acting Chairman Andrew Tobin, Commissioners Susie Hammaker, Norman Higgins, and Charles Brooks. Also present were the General Manager Margaret Blank, District Counsel Thomas Dillon, District Clerk Carol Walker, and other appropriate District Staff.

Commissioner Tobin led the Pledge of Allegiance.

### APPROVAL OF AGENDA

**Motion:** Commissioner Brooks made a motion to change the City Works item to discussion with possible action. Commissioner Higgins seconded the motion.

#### Vote on Motion

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

**Motion passed 3 to 1**

Commissioner Brooks added an item on a Redland Change Order for discussion and possible action. Commissioner Higgins added a discussion on the District paying for education and civil group membership. Commissioner Hammaker removed all of her items except the one on the gift certificate and added an item on the status of the SRF pay off.

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

#### Vote on Motion

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

<b>Commissioner Hammaker</b>	<b>X</b>		
<b>Commissioner Tobin</b>	<b>X</b>		

**Motion passed 4 to 0**

**PUBLIC COMMENT**

The following persons addressed the Board:

Name:

John Sorensen, Key Largo

Kay Thacker, Key Largo

Subject:

District repayment of expenses

Reasonable Notice on Islamorada Letter  
(Exhibit "A")

Board Directed the General Manager to look into Mr. Sorensen's claim.

**FINANCIAL REPORT**

*Report of Cash, Revenues, and Expenditures*

**Motion:** Commissioner Brooks made a motion to approve Cash, Revenues, and Expenditures Report contingent upon the availability of funds with the exception of the Manson Group Invoice check number 7371. 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>Absent</b>
<b>Commissioner Tobin</b>	<b>X</b>		
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Hammaker</b>	<b>X</b>		

**Motion passed 4 to 0**

*Clean Water State Revolving Fund Loan #464030*

CFO Sal Zappulla explained that this is for Bond Funded unused money that Tim Banks notified the District of and that is now been directed to the District.

**Motion:** Commissioner Brooks made a motion to approve the Clean Water State Revolving Fund Loan #464030. 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>Absent</b>
<b>Commissioner Tobin</b>	<b>X</b>		
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Hammaker</b>	<b>X</b>		

**Motion passed 4 to 0**

*Automatic Debit Authorization*

**Motion:** Commissioner Brooks made a motion to approve the Automatic Debit Authorization. Commissioner Higgins seconded the motion.

**Vote on Motion**

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

**Motion passed 4 to 0**

**COMMISSIONER'S ITEMS**

*Certificate of Appreciation and Gift certificate for Carol Walker*

Commissioner Hammaker discussed the community service of the District Clerk, Carol Walker.

**Motion:** Commissioner Hammaker made a motion to award Carol Walker a certificated of appreciation and gift certificate. Commissioner Brooks seconded the motion.

**Vote on Motion**

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

**Motion passed 4 to 0**

*Status Report on Bridge Loan*

Sal Zappulla, CFO gave a report on the Bridge Loan and that there may be a \$10 Million DEP Loan to cover the Bridge Loan. The Board commends Margaret Blank's skills in this matter and the work that Sal Zappulla and Martin Waits did on it.

**LEGAL COUNSEL REPORT**

*Employee Handbook "Gift Policy"*

Thomas Dillon, District Counsel, reviewed the proposed change on the District's gift policy. (Exhibit "B")

**Motion:** Commissioner Hammaker made a motion to approve the change in the gift policy in the Employee Handbook. Commissioner Brooks 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>Absent</b>
<b>Commissioner Tobin</b>	<b>X</b>		
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Hammaker</b>	<b>X</b>		

**Motion passed 4 to 0**

*Sunshine Law Requirements*

Mr. Dillon introduced the advertising requirements.

Acting Chairman Tobin reviewed the requirements for advertising agenda items and meetings.

Commissioner Brooks discussed noticing agenda items.

**GENERAL MANAGER'S REPORT**

*Inter-Local with FKAA*

General Manager Margaret Blank explained the inter-local with the FKAA sharing restoration cost.

**Motion: Commissioner Higgins made a motion to move the Inter-Local with FKAA to action and approve it. Commissioner Brooks 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>Absent</b>
<b>Commissioner Tobin</b>	<b>X</b>		
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Hammaker</b>	<b>X</b>		

**Motion passed 4 to 0**

*City Works Upgrade*

Paul Christian, IT Manager gave a report on the City Works Upgrade.

**Motion: Commissioner Brooks made a motion to approve the City Works Upgrade. 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>Absent</b>
<b>Commissioner Tobin</b>	<b>X</b>		
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Hammaker</b>	<b>X</b>		

**Motion passed 4 to 0**

*Arcadis Work Authorization No. 3 Amendment No. 1*  
 Margaret Blank explained the Work Authorization.

**Motion:** Commissioner Brooks made a motion to move to action and approve the Arcadis Work Authorization No. 3 Amendment No. 1 with the sentence that both parties acknowledge that the work has already been performed. Commissioner Higgins seconded the motion.

**Vote on Motion**

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

**Motion passed 4 to 0**

*Redland Change Order Request*

General Manager Margaret Blank introduced a change for Redland to put in two air vents on the South Force Main.

**Motion:** Commissioner Brooks made a motion to authorize the General Manager to execute a contract with Redland Company to furnish and install 2 ARV's complete in place for the amount of \$17,666.14. Commissioner Higgins seconded the motion.

**Vote on Motion**

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

**Motion passed 4 to 0**

**COMMISSIONER'S ROUND TABLE**

*Leadership Monroe County*

**Motion:** Commissioner Brooks made a motion to authorize payment for Margaret Blank and Paul Christian to join Leadership Monroe County. Commissioner Higgins seconded the motion.

**Vote on Motion**

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska			Absent

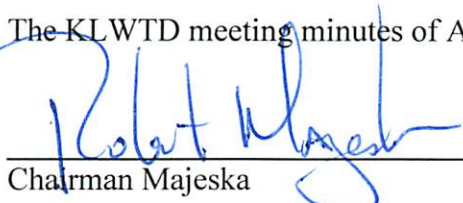
<b>Commissioner Tobin</b>	<b>X</b>		
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Hammaker</b>	<b>X</b>		

**Motion passed 4 to 0**

**ADJOURNMENT**

The KLWTD Board adjourned the Board Meeting at 6:20 PM.

The KLWTD meeting minutes of Aug. 2, 2011 were approved on Aug. 8, 2011.

  
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 Chairman Majeska

  
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 Carol Walker, CMC District Clerk

# EXHIBIT "A"

My Name is Kay Thacker; I reside in Key Largo for the record.

I would like to address Tab 4-- Agenda item #10-- Sunshine Law Requirements.

I am sure you have read the remarks from State Attorney Dennis Ward in the email he had sent to me and to Commissioner Brooks?

Commissioners, you took action concerning the letter and possible contract being brought back to this board on or before Sept. 6<sup>th</sup> by the Village of Islamorada. The action by this Commission dealing with Islamorada is considered to be controversial by many rate payers here in Key Largo; and according to the Attorney General's office he had advised boards to "postpone formal action on any added items that are controversial. In the spirit of the Sunshine Law, the Commission should be sensitive to the community's concerns that it be allowed advance notice and, therefore, meaningful participation on controversial issues coming before the commission".

I would like to request from the Commission the letter from Islamorada be publically noticed item in the newspapers so the public has a chance to voice their opinions.

Thank you for allowing me to speak on this issue.

Kay Thacker

*Pauline Klein also wants this said records and could not attend*

# EXHIBIT "B"

## 4.2 STANDARDS OF CONDUCT

Conduct that interferes with operations, discredits the District, or is offensive to customers or coworkers will not be tolerated. The District is committed to upholding the highest level of ethical conduct in its business dealings with others and expects the same conduct from people acting in its behalf.

1. Workplace Conduct.
  - a. In General. An employee must:
    - i. Comply with the District policy on drugs and alcohol.
    - ii. Comply with all lawful requests and directions from the employee's supervisor.
    - iii. Report to work punctually as scheduled.
    - iv. Ensure that all District records for which the employee is responsible are complete, accurate, and in compliance with all legal requirements.
    - v. In case of doubt as to the legal requirements for documents, request instruction from the employee's supervisor.
    - vi. Report to the General Manager any instances in which another employee directs, suggests, or advises that the employee falsify any document or fail to follow approved procedures for the gathering of data or completion of records.
    - vii. Refrain from possessing firearms, or any other weapons, on District property or District vehicles.
    - viii. Observe all safety requirements, including use of safety gear.
    - ix. Dedicate the employee's entire attention during working hours to performing the employee's work responsibilities.
    - x. Refrain from smoking within any enclosed space on District premises.
    - xi. Maintain cleanliness and order in the employee's assigned work areas.
  - b. Working with the Public. An employee must:
    - i. Observe the highest standards of courtesy and respect toward members of the public.
    - ii. Respond to public inquiries honestly and fully.
    - iii. In a case where the employee is not certain of the appropriate response, refer an inquiry to the employee's supervisor.

iv. Refrain from accepting any gift, gratuity, or the like, from any District customer, and avoid any words or actions that would imply that a gift, gratuity, or the like, is desired, expected, or welcome on account of services performed for a District customer. If a District customer indicates a desire to give a gift, gratuity, or the like, to an employee, the employee must advise the customer that the employee is



prohibited from accepting them. The employee may suggest that the District welcomes customer communications commenting on the services provided to customers by District employees.

This section does not prohibit the solicitation or acceptance of anything of monetary value from a friend, parent, spouse, child, or other close relative when the circumstances make it clear that the motivation for the transaction is unrelated to the employee's employment with the District and is based upon a personal or family relationship.

This section does not prohibit participation in the activities of, or the acceptance of an award for, a meritorious public contribution or achievement from a charitable, religious, professional, social, or fraternal organization, or from a non-profit educational, recreational, public service, or civic organization.

- c. Working with other Employees. An employee must:
- i. Observe the highest standards of courtesy and respect toward other employees and their property.
  - ii. Avoid any statement or conduct that constitutes sexual harassment.
- d. Use of District Premises. The District premises, including plant facilities, installations, office, and premises rented on a temporary basis are to be used exclusively for District business. No person may use District premises to promote, advertise, or advocate anything that does not directly further District business. The District shall remove any materials that are inconsistent with this policy from the District premises. The General Manager may approve exceptions to this policy to post notices of events by non-profit or service organizations whose functions are similar to or supportive of District business.

Each employee has an obligation to observe and follow the District's policies and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken.

Disciplinary action may include a verbal warning, written warning, suspension with or without pay and/or discharge. The appropriate disciplinary action imposed will be determined by the District. The District does not guarantee that one form of action will necessarily precede another.

The following may result in disciplinary action, up to and including discharge: violation of the District's policies or safety rules; insubordination; unauthorized or illegal possession, use or sale of alcohol or controlled substances on work premises or during working hours, while engaged in District activities or in District vehicles; unauthorized possession, use or sale of weapons, firearms or explosives on work premises; theft or dishonesty; physical harassment; sexual harassment; disrespect toward fellow employees, visitors or other members of the public; performing outside work or use of District property, equipment or facilities in connection with outside work while on District time; poor attendance, or poor performance. These examples are not all inclusive. We emphasize that discharge decisions will be based on an assessment of all relevant factors.

Nothing in this policy is designed to modify our employment-at-will policy.