



MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on December 1, 2015. Present were Chairman David Asdourian, Commissioner Robert Majeska and Commissioner Stephen Gibbs. Commissioner Norman Higgins attended via teleconference. Commissioner Tobin arrived at 4:03 PM. Also present were General Manager Paul Christian, Chief Information Officer Rob Bulkiewicz, General Counsel Ray Giglio, Finance Manager Connie Fazio, Operations Manager Chuck Adams, Ed Castle with Weiler Engineering, District Clerk Katherine Jackson, and other appropriate District Staff.

Mr. Howard Gelbman led the Pledge of Allegiance.

RECOGNIZE DISTRICT STAFF

Mr. Danny Watson, Wastewater Treatment Plant Operator III (C), was recognized as Employee of the Month for November 2015.

AGENDA ADDITIONS, CORRECTIONS OR DELETIONS

- Commissioner Majeska added a discussion of reduction of board meetings under General Manager's Report.
- Commissioner Tobin added a discussion of Monroe Park Sewer Project under Legal Report.
- Commissioner Gibbs added a discussion of final proposals from the Chemical Storage and Feed System bid opening under Operations Report.
- Chairman Asdourian added a discussion of Morgado, PA under Commissioner's Items.
- Mr. Paul Christian added a report on the trip to Tallahassee under General Manager's Report.

APPROVAL OF AGENDA

Motion: Commissioner Gibbs made a motion to approve the agenda as amended and Commissioner Higgins seconded the motion.

Vote on Motion:

- Commissioner Gibbs – Aye
- Commissioner Higgins – Aye
- Commissioner Tobin – Aye
- Commissioner Majeska – Aye
- Chairman Asdourian – Aye

Motion Passed: 5 to 0

ANNUAL ELECTION OF BOARD OFFICERS

Chairman:

Commissioner Higgins nominated Commissioner Gibbs for the office of Chairman. Commissioner Gibbs nominated Chairman Asdourian for the office of Chairman.

Motion: Commissioner Tobin made a motion to leave all officers as they are currently seated, and Commissioner Majeska seconded the motion.

Vote on Motion:

- Commissioner Tobin – Aye
- Commissioner Majeska – Aye
- Commissioner Gibbs – Aye
- Commissioner Higgins – Aye
- Chairman Asdourian – Aye

Motion passed 5 to 0

Commissioner David Asdourian was reelected Chairman
Commissioner Andrew Tobin was reelected Vice-Chairman
Commissioner Robert Majeska was reelected Secretary-Treasurer

PUBLIC COMMENT

<i>Name and Address</i>	<i>Subject</i>
Howard Gelbman Cross Key	Monroe Park Resolution
Sue Heim Key Largo	Minutes of November 17, 2015
Sue Heim Key Largo	Waive Public Records Request Fee for Margaret Blank

Sue Heim
Key Largo

Health Insurance Renewal – FY2016

Public Comment: Mr. Howard Gelbman read a letter to the Board, which is attached to these minutes as “Attachment A.”

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Minutes of November 17, 2015

Public Comment: Ms. Sue Heim listed numerous suggested changes to the minutes.

Commissioner Tobin suggested a change in wording under the item *Margaret Blank’s Records Request Fees* from “...any fees charged must be based on the cost actually incurred” to “...any fees charged cannot exceed costs actually incurred.”

Motion: Commissioner Majeska made a motion to approve the minutes of November 17, 2015 as amended, and Commissioner Gibbs seconded the motion.

Vote on Motion:

Commissioner Majeska – Aye
Commissioner Gibbs – Aye
Commissioner Higgins – Aye
Commissioner Tobin – Aye
Chairman Asdourian – Aye

Motion passed 5 to 0

CONSTRUCTION REPORT

Monthly Construction Update

Mr. Chuck Adams presented the Monthly Construction Update to the Board. Mr. Adams addressed Commissioner Gibbs’ questions regarding the Chemical Feed and Storage System, stating that the bid opening was held earlier in the day.

Staff answered questions from the Board.

Recommendation of Intent to Award for Dual Buffer Tank Installation

Mr. Chuck Adams presented to the Board a contract for the installation of a dual buffer tank at the Paradise Point Senior Living Center. Mr. Paul Christian explained that this is the same item from a previous meeting with the terms and conditions removed.

Staff answered questions from the Board.

Motion: Commissioner Majeska made a motion to authorize the manager to negotiate and execute a contract with Redland Company for the installation of a dual buffer tank at Paradise Point Senior Living Center, and Commissioner Higgins seconded the motion.

Vote on Motion:

Commissioner Majeska – Aye
Commissioner Higgins – Aye
Commissioner Gibbs – Aye
Commissioner Tobin – Aye
Chairman Asdourian – Aye

Motion passed 5 to 0

Keys Contracting Services Change Order No. 7

Mr. Chuck Adams presented to the Board a change order for Keys Contracting Services to extend the time allowed to complete the Grinder Pump Project noting that the change order did not impact the total project cost.

Staff answered questions from the Board.

Motion: Commissioner Gibbs made a motion to approve Keys Contracting Services Change Order No. 7, and Commissioner Majeska seconded the motion.

Vote on Motion:

Commissioner Gibbs – Aye
Commissioner Majeska – Aye
Commissioner Higgins – Aye
Commissioner Tobin – Aye
Chairman Asdourian – Aye

Motion passed 5 to 0

ADMIN/CUSTOMER SERVICE REPORT

Contract Review for Administration Building Remodel

Mr. Rob Bulkiewicz introduced the revised Vogt-Spear proposal for the administration building remodel project. Mr. Bulkiewicz reviewed the items that were removed during the negotiation process. Commissioner Gibbs stated that he would like to keep some of the items that are on the list to be removed, and Commissioner Majeska asked Mr. Bulkiewicz for his recommendation. Commissioner Tobin expressed his concerns regarding the proposals Vogt-Spear received from sub-contractors for some of the more expensive portions of the project.

Staff answered questions from the Board.

Motion: Commissioner Majeska made a motion to accept the original bid from Vogt-Spear and to authorize the manager to negotiate and execute a contract with Vogt-Spear not to exceed \$280,500, and Commissioner Higgins seconded the motion.

Vote on Motion:

Commissioner Majeska – Aye
Commissioner Higgins – Aye
Commissioner Gibbs – Aye
Commissioner Tobin – Nay
Chairman Asdourian – Aye

Motion passed 4 to 1

5 MIN BREAK: 5:12 PM

REEF Tier 1 Waiver of Assessments

Mr. Rob Bulkiewicz presented Resolution Draft No. 31-12-15 to waive an assessment for 1 parcel for REEF Environmental Education Foundation, Inc. and answered questions from the Board.

Motion: Commissioner Majeska made a motion to approve the REEF Tier 1 Waiver of Assessments Resolution Draft No. 31-12-15 and Commissioner Gibbs seconded the motion.

Vote on Motion:

Commissioner Majeska – Aye
Commissioner Gibbs – Aye
Commissioner Higgins – Aye
Commissioner Tobin – Aye
Chairman Asdourian – Aye

Motion passed 5 to 0

COMMISSIONER'S ITEMS

Waive Public Records Request Fee for Margaret Blank (Commissioner Tobin)

Public Comment: Ms. Sue Heim stated her concerns regarding the District's records request policy.

Commissioner Tobin suggested that the Board adopt a resolution that outlines various exemptions from public records request fees. Commissioner Majeska expressed his concern that the policy might be abused if the exemptions applied to an unlimited number of individual requests, as opposed to multiple requests from the same person

within a particular time period. The Board directed Mr. Ray Giglio to prepare and present a draft public records request resolution at a future board meeting. Staff answered questions from the Board.

Motion: Commissioner Tobin made a motion to adopt a resolution that excludes the first 30 minutes of time and the first 25 copied pages from a request fee, and that limits the hourly rate to \$50 per hour for the first two hours of research time, after which the District may impose reasonable costs, within a consecutive 30 day period, and Commissioner Higgins seconded the motion.

Vote on Motion:

Commissioner Tobin – Aye
Commissioner Higgins – Aye
Commissioner Gibbs – Aye
Commissioner Majeska – Aye
Chairman Asdourian – Aye

Motion passed 5 to 0

Morgado, PA (Chairman Asdourian)

Chairman Asdourian expressed his concerns about whether the terms and conditions set forth in the contract between Morgado, PA and the District were being observed, and about the most recent bill received from Morgado, PA. Commissioner Tobin requested that Mr. Ray Giglio further look into the charges from the 11-16-2015 bill. Chairman Asdourian directed staff to review the minutes from December 2013 to present to research whether any amendments to the Morgado contract had been made.

Staff answered questions from the Board.

GENERAL MANAGER'S REPORT

Approval of Calendar Year 2016 Meeting Dates

Mr. Paul Christian introduced the schedule of 2016 meeting dates. Commissioner Majeska stated that he would like to propose a charter change so that the commissioners would be paid per month instead of per meeting because the duties and responsibilities of commissioners involve more than just attending the scheduled board meetings. Commissioner Majeska also stated that this would allow the Board to eliminate one of the three scheduled meetings per month.

The Board directed Mr. Giglio to prepare an appropriate draft resolution requesting a Charter change, draft Charter revision language, and the legal notice that must be published in the newspaper.

Staff answered questions from the Board.

Motion: Commissioner Majeska made a motion to approve the calendar year 2016 meeting dates and Commissioner Gibbs seconded the motion.

Vote on Motion:

- Commissioner Majeska – Aye
- Commissioner Gibbs – Aye
- Commissioner Higgins – Aye
- Commissioner Tobin – Aye
- Chairman Asdourian – Aye

Motion passed 5 to 0

Commissioner Higgins left the meeting at 6:09 PM.

EXTENSION: 6:09 PM

Motion: Commissioner Gibbs made a motion to extend the meeting 30 minutes. The motion passed without objection.

LEGAL REPORT

Monroe Park Sewer Project

Mr. Giglio explained that he, Mr. Paul Christian and Chairman David Asdourian had a meeting with Mr. Bill Brookman of the Monroe County Health Department. He reported that Mr. Brookman stated that residents of the areas that will not be served by central sewer at this time will need to take action to have a compliant on-site wastewater system installed. He further reported that Mr. Brookman had indicated that part of the reluctance of citizens in the Monroe Park area to connect appears to be a result of their concern that they might have to abandon their on-site systems and connect should the District later decide to provide service in the area.

Mr. Ray Giglio expressed his opinion that the District needs to make a clear statement to the parcel owners of north C-905 and the area behind the wastewater treatment plant that the District will not be servicing them with the central sewer system. Mr. Giglio also suggested that the District pass a resolution providing a conditional prospective exemption to parcel owner in unserved areas within the district boundaries who install a compliant onsite sewer system.

Commissioner Tobin suggested looking into the possibility and financial implications of the District installing and maintaining the on-site sewer systems.

The Board directed staff to develop a resolution to bring to a future meeting, and staff answered questions from the Board.

EXTENSION: 6:30 PM

Motion: Commissioner Gibbs made a motion to extend the meeting 30 minutes. The motion passed without objection.

GENERAL MANAGER’S REPORT

Trip to Tallahassee

Mr. Paul Christian reported on his trip to Tallahassee with Commissioner Majeska in support of the Florida Keys Stewardship Act. Mr. Christian stated that representatives from the City of Marathon, Monroe County, Village of Islamorada, and Key West were all in attendance, and that they met with members of both the Florida House of Representatives and the Florida Senate. Commissioner Majeska informed the Board that the presentations were well received, and that all delegates and their respective lobbyists worked together very well.

BUDGET AND FINANCE REPORT

Health Insurance Renewal – FY 2016

Public Comment: Ms. Sue Heim stated that she would like to see the financial reports include the previous month’s balances shown with the current financial report.

Mrs. Connie Fazio presented the health insurance renewal for 2016, and pointed out that these health insurance premiums are lower than premiums from 2015.

Commissioner Majeska requested Ms. Fazio present two examples of monthly financial reports, one with a column for the current finance figures and the previous month’s figures, and one with just the current month’s finance figures.

Staff answered questions from the Board.

Motion: Commissioner Gibbs made a motion to approve the health insurance renewal agreement, and Commissioner Majeska seconded the motion.

Vote on Motion:

- Commissioner Gibbs – Aye
- Commissioner Majeska – Aye
- Commissioner Higgins – Absent
- Commissioner Tobin – Aye
- Chairman Asdourian – Aye

Motion passed 4 to 0

EXTENSION: 7:00 PM

Motion: Commissioner Gibbs made a motion to extend the meeting 10 minutes. The motion passed without objection.

ADJOURNMENT

The Meeting was adjourned at 7:06 PM.



David Asdourian, Chairman



Katherine Jackson, Clerk



KLWTD MEETING DECEMBER 1 2015

THIS BOARD HAD INSTRUCTED ITS ATTORNEY AT A PRIOR MEETING TO EXPLORE THE OPTIONS FOR CREATING A STAND ALONE CENTRAL WASTEWATER SYSTEM AT CROSS KEY FLORIDA.

HE RETURNED WITH A DRAFT PROPOSAL AT YOUR NOVEMBER 24th 2015 REGULAR MEETING.

AFTER A LOT OF CONFUSING DISCUSSION THE BOARD TABLED THE RESOLUTION.

CREATING THE CONFUSION WAS COMMISSIONER ANDY TOBIN 'S SUGGESTION THAT EACH PROPERTY OWNER INDIVIDUALLY APPLY TO THE FLORIDA DEPARTMENT OF HEALTH FOR A VARIANCE WHICH WOULD SOMEHOW CLARIFY THE ISSUE SO THE BOARD COULD GO FORWARD WITH THIS SYSTEM.

UNFORTUNATELY MR. TOBIN FAILED TO EXPLAIN THE PURPOSE AND REASON FOR THIS ACTION EXCEPT TO SAY IT WAS A FINANCIAL HARDSHIP APPLICATION.

2

NONE OF THE OWNERS HAD THE VAGUEST
UNDERSTANDING OF WHAT THIS VARIANCE
ACCOMPLISHED AND WHY IT SHOULD BE NECESSARY
TO INVOLVE THE PROPERTY OWNERS INDIVIDUALLY,
THE FOLLOWING DAY WHEN WE DOWNLOADED THIS
EIGHT PAGE VARIANCE APPLICATION IT NOT ONLY
ADDRESSED FINANCES BUT REQUIRED EACH OWNER
HIRE AN ENGINEER AND SUBMIT A PLAN FOR THEIR
OWN ON SITE SYSTEM. IT HAD ABSOLUETLY NOTHING
TO DO WITH THE CONSTRUCTION OF A CENTRAL
WASTEWATER SYSTEM OTHER THAN PROVIDE THE
BOARD WITH THE ABILITY TO SAY THAT A CENTRAL
SYSTEM WAS NOT NECESSARY SINCE EACH PROPERTY
OWNER HAD ALREADY SUBMITTED AN APPLICATION
TO INSTALL THEIR OWN.

AN TO MY KNOWLEDGE NONE OF THE PROPERTY
OWNERS HAVE FILED THIS APPLICATION. DECIDING IT
IS NOT IN OUR BEST INTEREST.

(3)

THE BOARD CONTINUALLY CLAIMS THROUGH THE MEDIA THAT THEY DON'T HAVE THE FUNDING TO ACCOMPLISH THIS PROJECT, YET IS IN THE PROCESS OF TRADING AWAY TO THE COUNTY THE 17 MILLION \$ MAYFIELD GRANT THEY HAVE RECEIVED FROM WHICH THEY HAD ALREADY PLEDGED TO USE PART OF ^{IT} TO CONSTRUCT THE CROSS KEY CENTRAL WASTEWATER SYSTEM WHICH MET THE GOVERNORS CRITERIA THAT THE GRANT WAS TO BE USED FOR NEW PROJECTS.

I CHALLENGE THIS BOARD TO BRING BACK FROM THE TABLE THE DRAFT RESOLUTION FROM YOUR LAST MEETING THAT WAS PRESENTED BY YOUR ATTORNEY WHICH HE CLAIMS WILL DEFER THE DECEMBER 31 2015 FLORIDA DEPARTMENT OF HEALTH DEADLINE.

I ALSO CHALLENGE THIS BOARD TO FOREGO THE TRANSFER OF THE \$17 MILLION DOLLAR TO THE



COUNTY AND USE IT FOR THE PURPOSES IT WAS
GRANTED TO THEM WHICH WOULD RELIEVE THE
PROPERTY OWNERS OF CROSS KEY OF HAVING TO PAY
ANY ASSESMENTS FOR THIS CONSTRUCTION.
IT'S TIME FOR THIS BOARD TO PUT THE NEEDS OF THE
RESIDENTS, PROPERTY OWNERS, TAXPAYERS AND
VOTERS OF CROSSS KEY ON THE FRONT BURNER.
THANK YOU