



## MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on December 8, 2015. Present were Chairman David Asdourian, Commissioner Norman Higgins and Commissioner Stephen Gibbs. Commissioner Robert Majeska arrived at 4:02 PM. Commissioner Andrew Tobin was absent. 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, Peter Rosasco with Bishop, Rosasco & Co., District Clerk Katherine Jackson, and other appropriate District Staff.

Mr. Bob Thomas led the Pledge of Allegiance.

### AGENDA ADDITIONS, CORRECTIONS OR DELETIONS

- Commissioner Gibbs added under Commissioner's Items 1) a discussion regarding the request from the Key Largo Fire Rescue & EMS District and 2) revisions of the District's Charter.
- Mr. Ray Giglio added an update on his contact with Mr. Dale Morgado under Legal Report.
- Mr. Paul Christian requested that items under the Legal Report be moved to after Public Comment, to accommodate the residents who were in attendance and were interested in those items.

### APPROVAL OF AGENDA

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

#### Vote on Motion:

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

**Motion Passed: 4 to 0**

### PUBLIC COMMENT

<i>Name and Address</i>	<i>Subject</i>
Sue Heim Key Largo	Resolution to Establish Fees and Charges for Records Requests

Kenneth Larrivee  
Patriot Property Services  
14 Hibiscus Dr

Prospective Waiver of Compliant Parcels

Howard Gelbman  
Cross Key

Prospective Waiver of Compliant Parcels

Bob Thomas  
KLFR&EMS  
104 Coral Way

Key Largo Fire/EMS District

## **LEGAL REPORT**

### *Resolution to Establish Fees and Charges for Records Requests*

Public Comment: Ms. Sue Heim read a prepared statement to the Board and requested that it be attached to the minutes. Chairman Asdourian granted Ms. Heim's request. The statement is annexed hereto as "Attachment A."

Mr. Ray Giglio presented to the Board a draft resolution establishing a schedule of fees and charges for copying and providing public records.

Commissioner Majeska raised questions about whether a follow-up request would be considered a new public records request and whether a requestor could appeal a cost estimate to the Board. Staff explained that a follow-up request would be considered a new public records request and that it would be cumulative within the 30-day period. In response to Commissioner Majeska's concern about appeals, Mr. Paul Christian indicated that staff could add the Customer Service Appeals process to the resolution. The Board directed staff to do so.

Staff answered questions from the Board.

### *Waiver of Prospective Compliant Parcels*

Public Comment: Mr. Kenneth Larrivee stated his concerns regarding language used in the Resolution Draft No. 33-12-15.

Public Comment: Mr. Howard Gelbman made a suggestion to the Board regarding the purchase of the sewage plant located at Manatee Bay.

Based on the public comments and discussion, the Board directed staff to hold off on the resolution and to prepare a comprehensive report on the costs associated with servicing Monroe Park and Manatee Bay. The Board also directed Mr. Ed Castle to review, estimate, and if appropriate revise the cost of infrastructure repairs and upgrades. Staff answered questions from the Board.

### *Contact with Mr. Dale Morgado*

Mr. Ray Giglio reported that he has not been able to speak with Mr. Dale Morgado on the phone; however, he was in contact with Mr. Morgado via e-mail.

The Board discussed the use of outside counsel in situations that would benefit the rate-payers. The Board directed staff to investigate past invoices paid to Morgado, PA.

## **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

*Minutes of December 1, 2015*

**Motion: Commissioner Gibbs made a motion to approve the minutes of December 1, 2015 and Commissioner Higgins seconded the motion.**

### **Vote on Motion:**

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

**Motion Passed: 4 to 0**

## **OPERATIONS REPORT**

*Synagro Contract Renewal*

Mr. Chuck Adams presented to the Board a renewal amendment to the Synagro contract and answered questions from the Board.

**Motion: Commissioner Majeska made a motion to approve the Synagro contract renewal and Commissioner Higgins seconded the motion.**

### **Vote on Motion:**

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

**Motion Passed: 4 to 0**

## **COMMISSIONER'S ITEMS**

*Key Largo Fire Rescue & EMS District (Commissioner Gibbs)*

Public Comment: Mr. Bob Thomas, Chairman of the Key Largo Fire Rescue & EMS District (KLFR&EMS) requested that the Board discount or forgive the assessments for the three buildings owned by KLFR&EMS.

The Board Directed Mr. Ray Giglio to look into whether removing or forgiving assessments on properties owned by other governmental entities—such as KLFR&EMS—would be consistent with Florida law and with the District's 2010 Wastewater Revenue Bond Resolution.

*Revision of District Charter (Commissioner Gibbs)*

Commissioner Gibbs led a discussion regarding the proposed revision of the District's Charter for a change in boundary and change in commissioner's pay.

**Motion:** Chairman Asdourian made a motion to table the discussion of changing the District Boundaries until 2016 and Commissioner Gibbs seconded the motion.

**Vote on Motion:**

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

**Motion Passed: 4 to 0**

Commissioner Gibbs reminded the Board that a change in the way commissioners are paid was proposed in a previous meeting. Commissioner Majeska stated that duties of Board members involve more than just attending Board meetings, and that changing their pay to a monthly amount would be more appropriate given the work they put in. Commissioner Majeska also stated that this change would allow the Board to reduce the number of meetings per month.

**Motion:** Chairman Asdourian made a motion for staff to draft paperwork to amend the District's Charter to change compensation paid the Board of Commissioners from per meeting to a flat rate of \$1000 per month and Commissioner Higgins seconded the motion.

**Vote on Motion:**

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

**Motion Passed: 4 to 0**

Mr. Rob Bulkiewicz left the meeting.

**5 MIN BREAK: 5:30 PM**

**BUDGET AND FINANCE REPORT**

*FY 2015 Financial Reports*

Mr. Peter Rosasco presented the year-end 2015 financial report and answered questions from the Board. The Board expressed approval of staff's continued stewardship and their desire for staff to continue to find new ways to save on the budget.


Staff answered questions from the Board.

## COMMISSIONER'S ROUNDTABLE

Commissioner Higgins reiterated his request for Mr. Ray Giglio to conduct research on the KLFR&EMS District's request for assessment forgiveness. Commissioner Majeska requested that staff look up the KLFR&EMS's water records for the possibility of installing an irrigation meter to lower their EDU assignment.

## ADJOURNMENT

The Meeting was adjourned at 6:01 PM.



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David Asdourian, Chairman



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Katherine Jackson, Clerk

KLWTD 12/8/15 Agenda item M-1 Resolution 32-12-15

This Res does not differentiate between public records and public information requests.

When does the money clock start ? When request first received, or first reviewed ?

This Res needs to define to which documents it does not apply (ie customer bills) because as written it applies to all requests for all documents or information.

This resolution needs a glossary to define terms.

Section 2.A -

"multiple requests" does multiple mean duplicate ? What if the request is not properly, accurately or completely completed the first time?

"same requestor" this is defeated by a requestor having a different person make the request.

"any 30 day period " does that apply to the same subject, or a different subject/topic? Many times one answer causes additional questions. So does requestor have to wait 30 days to ask a follow-up question?

Copying Charges Chart

"Amount" is confusing. Category is referring to # of pages. Perhaps title Pages.

Certified copies – is \$1.00 per page inclusive of copying or in addition to copy charges .15/.20 ?

All Other – actual costs inclusive of copying or in addition to copy charges ?

Special Services Chart –

Middle line – 35 min = \$50. Of course staff will decide to estimate over 30 min, due to \$50. incentive.

2.C. Cost estimate – When will a service charge not be imposed ?

2.D. & 2.E – Requestor pays a guess amount, but actual is much higher. At what point is requestor notified of the increase and allowed the option to cancel the request and get the money refunded ?

2.F. – This completely defeats the purpose of the Resolution. Why bother to have rules if GM has option to bypass rules. That's the situation as it is now – that the GM makes the rules.