



Key Largo Wastewater Treatment District Board of Commissioner's Meeting Agenda

10:00 AM Saturday, May 15, 2004

Key Largo Civic Club, 209 Ocean Bay Drive
Key Largo, Monroe County, Florida

Board Members Present

Gary Bauman, Chairman
Cris Beaty, Member
Charles Brooks, Member
Andrew Tobin, Member
Jerry Wilkinson, Member

Staff Present

Robert Sheets, General Manager, GSG
Charles L. Sweat, Director of Operations, GSG
Thomas Dillon, Board Attorney
Ed Castle, Board Engineer, WEC
Faith Doyle, Board Clerk

Guests Present

Charles Kupper
Mark Weis
Charles Fishburn
Burke Cannon
Mary Lou Wilkinson

A. Call to Order

Chairman Bauman called to order at 10:03 a.m.

B. Pledge of Allegiance

The pledge was recited.

C. Additions, Deletions or Corrections to the Regular Meeting Agenda

Commissioner Wilkinson suggested removing the items that didn't have back up information. It was the consensus of the Board that item F1 be considered and then discussion on the balance of the items.

D. Minutes – Draft May 5, 2004

Chairman Bauman requested the item be taken up on the next agenda.

E. Public Comment

No one present wished to address the board.

F. Workshop Items

1. Discussion for Possible Action of the KLWTD Manager Candidates
 - a. Review of resumes received

Chairman Bauman suggested discussing the individual reviews of the candidates. Commissioner Tobin suggested deferring the discussion until after the interviews are conducted. The Board was in agreement with Commissioner Tobin. Discussion ensued on the difficulty of conducting public interviews of the candidates. Mr. Dillon cautioned the Board that suggesting the other candidates dismiss themselves during the others interviews would be inappropriate. It was the consensus of the Board to conduct the interviews in the public forum with all members present participating.

- b. Interviews of the Manager Candidates
10:30 a.m. – Charles Fishburn

Mr. Fishburn was asked to give an opening statement. Mr. Fishburn reviewed his qualifications and noted that he had served the Board in the capacity of engineer with Gartek, Inc. and has been active in the Keys attending many public meetings relating to the implementation of sewers there. Mr. Fishburn believes the staff positions require full time effort by the Manager, Clerk and CFO to effectively run the District and implement the Board's policy.

Mr. Beaty asked Mr. Fishburn to describe his management experience. Mr. Fishburn stated that he has 20 years management in the auto industries and was in control of a 30 million dollar budget and a staff of 38. It involved working with various nations on introducing Jeep products that met the host countries laws and regulation. Mr. Beaty asked Mr. Fishburn, if he was hired how he would envision the transition. He stated would like the CFO and clerk to report to him and would like to interview the candidates along with the Board and the current staff. He believes an office to operate from is important. The master plan review would be the first order of business. Mr. Fishburn believes the accounting function should be full time and in house. He suggested that employment ads be rerun describing the jobs as full time to secure better applicants. Commissioner Beaty asked what would be the primary direction after the existing projects are complete. Mr. Fishburn believes the next phase detailed in the revised master plan would be imperative to complete.

Mr. Brooks asked about the bonding of funds for construction instead of securing grants and how familiar he was with the process. Mr. Fishburn stated that he is not familiar with the process, however the grant process is cumbersome and bonding should be considered. Mr. Brooks asked about his management skills and how many employees he had directed. Mr. Fishburn has had companies with thousands of employees under his direction. The businesses were taken from scratch and grown out. Commissioner Brooks asked about his experience in the Keys and if Mr. Fishburn had a comfort level with the "sister" entities, Islamorada and the County. Mr. Fishburn feels very comfortable with his relationships with these entities. Commissioner Brooks stated that the Board would like the staff to report to the Board and asked how that would affect his management plan. Mr. Fishburn believes the staff can be better directed and their time spent more effectively under the manager's direction.

Commissioner Tobin stated that no one has studied the District's issues as much as Mr. Fishburn. Commissioner Tobin asked Mr. Fishburn what he has learned working on the west coast in the last six-months. Mr. Fishburn stated that his time with GSG has resulted in his learning a great deal about the operation of water and wastewater plants.

Commissioner Wilkinson asked Mr. Fishburn why he wants the job. Mr. Fishburn stated that he believes it "clicks" he lives here, he has the technical background, the one issue that concerns the Board (sewers) he is enthusiastic about and he is in the right time at the right place. Commissioner Wilkinson asked what salary he expects. Mr. Fishburn stated that a compensation package in the range of \$100,000 would be fair. Commissioner Wilkinson asked how many hours he would work for that salary. Mr. Fishburn stated all the hours it takes to get the job done. Commissioner Wilkinson asked by December 2004 what other staff he would envision. Mr. Fishburn stated the clerk and the CFO. Commissioner Wilkinson asked how much office space Mr. Fishburn estimated the Board would require. Mr. Fishburn stated that any of the spots being looked at would be sufficient to start but as the District grows it would require larger facilities. Commissioner Wilkinson asked when he would be available. Mr. Fishburn stated he would like to leave a two weeks notice with GSG if possible. Commissioner Wilkinson asked if Mr. Fishburn would be able to work with five independent board members. Mr. Fishburn stated that he could and would be able to help members with their individual projects when afforded 120 man-hours a week with a three member staff.

Chairman Bauman asked how he would improve communication between the Board and management. Mr. Fishburn stated that as a full time manager he would be able to assist all Board members with their projects or help them to obtain information on making informed decision. Chairman Bauman stated that the manager will need to meet with state officials and regulators and asked how he would feel making presentations to them. Mr. Fishburn stated that he was involved with regulators in the auto industry and had met with agencies (EPA) in the USA and in foreign countries. Commissioner Bauman asked what would be his greatest concern in taking this job. Mr. Fishburn stated that the re-election process and the changing of the Board members.

Chairman Bauman offered Mr. Fishburn the opportunity to make a closing statement. Mr. Fishburn stated that the Board was created to initiate sewers, he believes his background meshes with the Board's direction and he looks forward to seeing the District develop and soon be operating a system and he believes he would be able to assist in the effort.

11:00 a.m. – Charles J. Kupper, Jr.

Mr. Kupper was asked to give an opening statement. He reviewed his qualification and past experience, which was heavy in the sewer industries. He had directed 300 construction employees and 200 administrative employees, which includes overseas operations and construction. Mr. Kupper has worked with authorities from inception, when there was no staff or plan, including the estimates and bonding of the funds, bidding and building the plants, and training operators to run the plants. He has worked with every local, state and federal agency, including the Army Corp of Engineers. He has also funded projects with grant funds and been the engineer for 13 communities. Mr. Kupper believes his job would be to keep the Board focused on objectives and to provide information to them. He believes a local office is imperative along with record keeping. He stated that the staff, CFO and clerk would be working for him. Operations personnel would be needed in the future or could be contracted for. A billing system would be needed or contracted out. He would need to work with the electric

company, attend meetings with the County, the DEP and with the Corp of Engineers and all of his work efforts would be inclusive in his salary.

Commissioner Beaty asked about his management style. Mr. Kupper stated he prefers to get along with everyone, never lie and that subordinate employees would have rules that would need to be followed. Commissioner Beaty asked how he would envision the transition of management. Mr. Kupper stated that the transition time frame between the old and the new management would include meetings with the current staff and reading of all the past records. Commissioner Beaty asked how the staff would be structured. Mr. Kupper stated the clerk would report directly to the Board concerning the minutes and agenda as clerk, but as the administrative support should be directed to the manager. CFO could report directly to the Board on the same plane as the Manager or report to the Manager. Commissioner Beaty asked what the largest plant he had constructed was. Mr. Kupper stated that it had been a 200 million gallon a day facility. Commissioner Beaty asked if he would be comfortable working with the present staff. Mr. Kupper stated that he would be comfortable working with the present staff. Commissioner Beaty asked what direction he would suggest the Board take. Mr. Kupper stated whatever the master plan shows and is feasible and recommended by the engineer.

Commissioner Brooks asked what the smallest plant he had constructed. Mr. Kupper stated it was a 150 thousand gallons a day facility on a coastline and abutting a state park. Commissioner Brooks asked if it was an AWT plant. Mr. Kupper stated no but he is familiar with the process. Commissioner Brooks asked how he planned to develop a master plan. Mr. Kupper would look at the whole area and prioritize project. Commissioner Brooks asked whom he believed should do it. Mr. Kupper stated an outside engineer. Commissioner Brooks asked if he would travel. Mr. Kupper stated yes he could without difficulty. Commissioner Brooks asked what he saw developing for the District. Mr. Kupper sees the District growing, the staff will increasing, as the area gets sewerred, there will be the billing component, office assistance to the clerk and eventually operators for the plant.

Commissioner Tobin stated that Mr. Kupper has a great deal of experience in the field and asked what he had been doing for the last five years. Mr. Kupper stated that he had retired but is currently doing property management with his son. Commissioner Tobin asked when his last full time engineering position had been. Mr. Kupper stated that he has maintained a consulting practice with responsibilities in the field. He also has been providing mediation and arbitration in the construction field. Commissioner Tobin asked when he had built the 150 thousand gallon plant. Mr. Kupper stated that it was in the late 1970's. Commissioner Tobin asked when he had been in charge of the construction of wastewater facilities. Mr. Kupper stated from approximately 1954 to 1985. Commissioner Tobin asked if the industry and technology had changed since then and would his experience transfer. Mr. Kupper stated that he believes it would.

Commissioner Wilkinson asked him why he wanted the job. Mr. Kupper stated that his experience would assist the Board. Commissioner Wilkinson asked what his salary requirements would be. Mr. Kupper stated in the range of 75-100 thousand. Commissioner Wilkinson asked how many hours he would work for that salary. Mr. Kupper stated as many as necessary. Commissioner Wilkinson asked what staff he would hire within the next 7 months. Mr. Kupper stated the clerk, CFO and possibly another office assistant. Commissioner Wilkinson asked what type of office space would be necessary. Mr. Kupper stated that approximately 1500 square feet to start and to try purchase a location in the future. Commissioner Wilkinson asked when he could start. Mr. Kupper stated he could start on Monday. Commissioner Wilkinson asked if things were going wrong in the field would he inform

the Board. Mr. Kupper stated that the Board is the boss and the truth is best and informing the board of problems quickly is important. Commissioner Wilkinson asked if he would be able to work with the five individual Board members. Mr. Kupper stated yes he would.

Chairman Bauman asked Mr. Kupper how long he would work for the District. Mr. Kupper stated as long as he could. Chairman Bauman asked if he had worked with cantankerous Boards. Mr. Kupper stated that he has and provided an example of when a manager was misinforming the Board as to staff's direction. Mr. Kupper stated that he worked with the staff and the Board involved to get them to mesh. Chairman Bauman asked about his experience with getting grant funding and meetings with local, state and federal officials. Mr. Kupper stated that he has presented to all the agencies of various sizes in an attempt to get plans approved to both parties satisfaction.

Mr. Kupper stated in closing that he has tremendous experience in the field and has made grant applications and been involved with administering them, he has done bond issues while working with local state and federal government. Mr. Kupper welcomed the opportunity to work for the Board.

11:30 a.m. – Mark W. Weis

Mr. Weis was asked to give an opening statement. Mr. Weis stated that he has worked in management but nothing exclusive to wastewater. He has been a project manager involved heavily with finance. He has been able to take projects and teach himself about the unknown and is strong at being a problem solver. He has managed satellite offices and small staffs. Mr. Weis believes the District has many issues to bring together and he believes he can help.

Commissioner Beaty asked about his management style. Mr. Weis stated he has directed small staffs and has an open style with an emphasis on communication. Mr. Weis believes that planning is imperative to provide direction. Commissioner Beaty asked how he would bring himself up to speed on the District's issues. Mr. Weis stated he would make a home office immediately, meet with all entities that hold a stake in the wastewater plan, and begin pulling the records together for review. Mr. Weis would need an administrative assistant immediately and that the clerk duties would need to be defined. Commissioner Beaty asked his opinion of the CFO position. Mr. Weis stated that it should be an in house position with the first responsibility being to the Board and then to the manager, the Board will need to be active in many decisions made by the CFO and that position would need to get approval quickly. Commissioner Beaty asked what besides the existing project would he do to move things forward. Mr. Weis stated that cash flow makes or breaks an entity and that the master plan would need to be reviewed and adapted so it could be seen what projects would create the most cash flow most quickly.

Commissioner Brooks asked if he considers himself a facilitator and if he would describe how he would get the District moving forward. Mr. Weis stated that he would put together an expediting chart showing how things are presently moving and how things need to move from here. Depending on the hiring of the CFO and the qualifications of the clerk things must be moving within two months. Mr. Weis was asked how he would manage public records. Mr. Weis stated that he would compile a library and an indexing system. Commissioner Brooks asked if he would travel. Mr. Weis stated that he would travel for District. Commissioner Brooks asked if he had bonding experience. Mr. Weis stated none directly. Commissioner Brooks asked if he has worked with the local authorities. Mr. Weis stated that he has followed the issues in the papers but has had no direct experience with the County. Commissioner Brooks

asked how he sees the transition. Mr. Weis stated that he would work with GSG and the Board on the plan.

Commissioner Tobin asked how long he had been in the Keys. Mr. Weiss stated since 1999. Commissioner Tobin asked his marital status. Mr. Weiss stated that he was not married. Commissioner Tobin asked what brought him to the Keys. Mr. Weiss stated that he had relocated to Florida during the down sizing of Mellon Bank. Commissioner Tobin asked if he had any public administration experience. Mr. Weiss stated not from employment, but he has been president of a homeowners association and has sat on the boards of various homeowners associations.

Commissioner Wilkinson asked why he wants the job. Mr. Weis stated that he has the time and the opportunity to learn the wastewater field and he would like the opportunity to help the community he plans to stay in. Commissioner Wilkinson asked what salary he would expect. Mr. Weis stated in the 75-100 thousand dollar range. Commissioner Wilkinson asked what hours he would work. Mr. Weiss stated whatever it takes to do the job. Commissioner Wilkinson asked what staff he would plan to have by December 2004. Mr. Weiss believes it may need to be larger than three because there are many avenues to explore and it would depend on what needs to be done and how fast it is needed. Commissioner Wilkinson asked when he could start. Mr. Weiss stated immediately. Commissioner Wilkinson asked if he would see things going wrong would he bring the problems to the Board. Mr. Weiss stated absolutely and that he is noted for his honesty and outspokenness. Commissioner Wilkinson asked if he would be willing to stick with the Board. Mr. Weiss stated yes.

Chairman Bauman stated for the record that he and Mr. Weiss belong to the same social club and have worked together on that entities board.

Chairman Bauman asked if he would expect full time, part time, or an employment contract. Mr. Weiss stated it would be the Board's pleasure but he believes contracts can cost an entity if things do not work out. Chairman Bauman asked him how he resolves problems. Mr. Weiss stated with logic and communication, look at it from the logical basis and to keep emotion out and doing what is right for the community, project and District. Chairman Bauman asked if he had experience with making formal presentations. Mr. Weis stated that he has not made many formal presentations but he has great 'at the table' negotiation skills. He noted that he is not afraid to meet with people that he does not know and that he envisions most presentations being put together by the staff for him to present. Chairman Bauman asked if he was concerned that he has no wastewater experience. Mr. Weis stated that after his meetings with the Board members he believes he can pick things up along with engineering's experience, the Board and staff support. He understands the principles and issues facing the district. He realizes he would have a lot to do but feels confident he can do it.

Chairman Bauman asked the candidates for closing summaries.

Mr. Weis stated that he would like the job because he loves the area and sewers are something that must happen and he could be a part of making a better community. He believes his experience as a manager and the tackler of problems will make him a team member with the engineer and attorney. He believes he can coordinate the construction and handle any homeowner's problems. Mr. Weis stated that he would work with the Board on the terms of employment and be willing to start immediately.

Mr. Kupper stated that he has the experience to handle the job and to do something substantial for Key Largo. He believes it is a plus being an engineer and an advantage that he has had many agency communications. He believes that the job requires fulltime employment and if a contract were necessary he would work at the pleasure of the Board.

Mr. Fishburn complimented the Board on their demonstration of their knowledge during the questioning phase of the interviews. Mr. Fishburn stated that he has been involved with the process and appreciates the opportunity to work for the Board. Mr. Fishburn is flexible with the employment situation and would work with the Board on the out-sourcing of the other staff members. Mr. Fishburn is willing to start immediately and is aware that he may need to wait for the contract/employment status to be resolved.

Chairman Bauman recessed the meeting at 12:05 p.m.
Chairman Bauman reconvened the meeting at 12: 40 p.m.

2. Discussion of the KLWTD Master Plan
 - a. Presentation of the Sanitary Sewer Wastewater Master Plan Refinement and recommendations in multi-phases

Mr. Castle apologized for the lack of back up information. The documents had been submitted to the staff for review and did not make it to the clerk by the agenda deadline. A proposal for north Key Largo was developed and a proposal for the balance of Key Largo was also developed. The four options that were previously discussed are still viable per Mr. Castle. He will forward the information to the Board. Discussion ensued on the original proposal and following the master plan. Mr. Castle clarified that he is looking at study areas and targeting the hotspots. Commissioner Wilkinson doesn't want the current master plan regurgitated. Mr. Castle does not plan on redoing the plan. It will take the assumptions made by the master plan and update their study areas to ensure nothing was missed. Commissioner Wilkinson is not convinced the master plan revision is necessary.

Discussion ensued concerning the use of the proposed 30 million dollars in funds, Sexton Cove, Lake Surprise and extending the line to MM105.

The steps to implement the next project were noted as follows:

- Step one is to initiate the master plan revision proposal
- Step two is develop the RFP for the selection of an engineer
- Step three is to have an the RFP selected engineer do the design
- Step four is to go out for a hard bid

Mr. Castle suggested doing a scenario of what can be done with the \$30,000,000. Discussion ensued on getting a \$30,000,000 project ready for when the funding is available prior to completing a master plan revision.

Chairman Bauman summarized that the costs would be as follows:

- \$77,000 plan for all of Key Largo
- \$50,000 plan would be for north Key Largo plans with scenarios for various funding levels
- \$30,000 plan for scenarios for north Key Largo with \$30,000,000

Commissioner Beaty stated he would prefer a plan for the entire Key Largo sewer system and suggests doing all the revisions at today's cost instead of doing it in phases. Commissioner Bauman stated he would vote for the \$77,000 today.

b. Presentation of the Draft Scope of Work for the Financial Component to implement the Master Plan

The item was brought to the floor. Discussion ensued on these items being held until the new manager comes on board.

3. Discussion of the Key Largo Park vacant lot issue

Mr. Sheets stated that there are decisions to be considered by the Board, to decide if Haskell is to be the contractor and engineer of record for every thing (this would null and void the contract with Higgins and DEP would need to be contacted and re-approve the \$1.8 million in funds, but it would give the Board "one throat to but a foot on"), or have Haskell be construction manger, or to have Higgins do the work and have WEC be the engineer of record.

Mr. Castle presented a copy of the 60% KLP plans showing what was currently developed and what lots are potentially to be developed. Discussion on where to run the pipe and the cost for running them ensued. A cost benefit analysis is to be done by WEC. The board requested the numbers on doing the work be developed as soon as possible.

4. Discussion of the Commercial Connection Policy

a. Presentation of the Draft Scope of Work for the Calusa Camp Resort Connection Financing Options

Discussion ensued concerning adding Calusa to the project and making the service available to Calusa so they would be required to connect. The Board would want to work with them to connect in the most cost effective way. Mr. Sheets stated if this is going to be considered discussions must be conducted with DEP concerning the grant and financing.

Commissioner Wilkinson stated he has major concerns for the inclusion of the Calusa Camp Resort especially when an AWT plant is considered. He suggested the discussion be differed to the incoming manager.

G. Public Comment

Mr. Burke Cannon stated that it was a great idea to conduct a workshop and to get the manager hired without delay. He stated that if Mr. Fishburn were not selected he should still be involved. Mr. Cannon will take information back to the homeowners and inform them a revised plan for Key Largo is being developed and that digging should start in August.

Chairman Bauman stated the revised plan would be the next level of detail to support the County's master plan. Mr. Cannon thanked the Board for their efforts.

Mrs. Mary Lou Wilkinson stated that although getting EDU's from commercial business would improve cash flow; the point of sewerling the Keys is to eliminate septic tanks and not to remove package plants.

H. Meeting Adjournment

Mr. Sheets provided a copy of the FEMA Phase II documents to the Board and requested they be added to the agenda for discussion on May 19, 2004. Mr. Sheets pointed out that the Exhibit 1 and Attachment A should be given particular attention.

Commissioner Tobin asked about the conservation easement. Mr. Dillon stated that he had spoke with Mr. Garrett concerning the biological opinion of Fish and Wildlife.

Chairman Bauman adjourned the meeting at 2:15 p.m.