

MINUTES
Key Largo Wastewater Treatment District (KLWTD)
Board of Commisisoner's Meeting
 September 1, 2004, 5:00 PM,
 Key Largo Civic Club, 209 Ocean Bay Drive

The KLWTD Board of Commissioners met for a regular meeting on Sept 1, 2004 at 5:00 PM. Present were Chairman Gary Bauman, Commissioners Charles Brooks, Andrew Tobin, and Jerry Wilkinson. Commissioner Cris Beaty arrived at 5:40 PM. Also present were General Manager Charles Fishburn, Board Clerk Carol Simpkins, District Counsel Thomas Dillon and all appropriate District staff.

Chairman Gary Bauman led the Pledge of Allegiance.

ADDITIONS/DELETIONS TO THE AGENDA.

Financial Officer Martin Waits requested that an item be added for a resolution changing the authorized persons to access the Districts Line of Credit. Commissioner Charles Brooks requested that an item be added that to authorize him to send a letter to the Water Quality Protection Program Steering Committee requesting a seat on the committee. General Manager Charles Fishburn requested that the Engineers Report be moved up before the Public Hearing for the Budget.

Motion: Commissioner Charles Brooks made a motion to approve the agenda as amended. The motion was seconded by Commissioner Jerry Wilkinson.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Andrew Tobin	X		
Commissioner Charles Brooks	X		
Commissioner Jerry Wilkinson	X		
Commissioner Cris Beaty			Not Present
Chairman Gary Bauman	X		

Motion passed 4 to 0

MINUTES

Motion: Commissioner Jerry Wilkinson made a motion to approve the minutes of December 17, 2003, July 21, 2004, August 4, 2004 and August 18, 2004. Commissioner Charles Brooks made the second.

Commissioner Andrew Tobin stated that he was voting no because he had not reviewed the minutes.

Commissioner Jerry Wilkinson asked David Miles if the TIB Bank Line of Credit is only to be used for normal operational expenses not Capital Expenses as stated in the December 17, 2003 minutes. Mr. Miles answered that was correct.

Vote on Motion

Member	Yes	No	Other
Commissioner Tobin		X	
Commissioner Brooks	X		
Commissioner Beaty			Not Present
Commissioner Wilkinson	X		
Chairman Bauman	X		

Motion passed 3 to 1.

ENGINEER'S REPORT

Peter Kinsley of The Haskell Company gave a report of the status of the permits for the plant site.

All of the permits for the collection system are in hand. The plant permits have all been submitted. The Monroe County and the Department of Environmental Protection permits have to be resubmitted after the Geotek report is completed, which should be in a few weeks. The clearing should be completed in four to six weeks depending on the County turn around time. Will English is working with the Department of Community Affair on a waiver to the forty five day appeal period on permits.

The clearing permit for exotics is in hand. A local biologist will be working with The Haskell Company to identify the exotics on the property. All of the 2.6 acres will be cleared. The collection system permit includes the vacuum system (pump station) which means it can be built. A pre-construction meeting was held on August 31, 2004. All of the utilities were invited but FDOT and FCAA were the only ones that came. It was a productive meeting.

There will be some digging on Kay Drive next week. Experimental work will be done by The A and L Company out of Texas on Kay Drive. Walt Messer of DL Higgins, Roovac,

Charles Fishburn, Ed Castle, and Peter Kinsley will all be reviewing the procedure. Door knobs hangers are being placed on residential property and the newsletter is being updated and will be going out to the community. Pipes will be going in on Kay Drive during the week of Sept 6, 2004.

Mr. Kinsley stated that he will be contacting a local architect to work on putting a second floor on the plant site building.

PUBLIC HEARING: FY 2005 PROPOSED BUDGET

Financial Officer Martin Waits presented the proposed budget. Please see exhibit "A".

Commissioner Jerry Wilkinson explained that Calusa Campground was not officially in the proposed budget yet. It is a future anticipated expense. He also expressed concern over the debt service that is due in 2007. Chairman Gary Bauman explained that the money will be rolled over to the next project if one is ready at that time. David Miles explained that the agreement is in the inter-local and that the money can be rolled into another project but it has to be reflected on the schedule forever.

Commissioner Jerry Wilkinson stated that he has a problem using Ad valorem taxes to pay for a Capital Funded projects.

Commissioner Charles Brooks pointed out that the numbers for the future years are only for planning.

The Board of Commissioners directed staff to place the \$120,000 that is now is the Special Projects Find into an account called Project Reserves.

Motion: Commissioner Charles Brooks made a motion to have staff advertise the FY proposed budget for 2005 in the newspaper before the next meeting. The motion was seconded by Commissioner Jerry Wilkinson.

Vote on motion

Member	Yes	No	Other
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Beaty	X		
Commissioner Wilkinson	X		
Chairman Bauman	X		

Motion passed 5 to 0

Public hearing for proposed budget was opened.

The following persons addressed the Commission concerning the proposed FY 2005 budget: None

Public hearing closed.

PUBLIC COMMENT: The following persons addressed the Board: None

ACTION ITEMS

Request for a letter to the Water Quality Protection Program Steering Committee requesting a seat on the Committee for the KLWTD.

Commissioner Charles Brooks stated that the Steering Committee meets at the Garden Club in Marathon for a day long meeting running from 8 am to 5 pm.

Motion: Commissioner Charles Brooks made a motion to authorize Commissioner Charles Brooks to send a letter to the Florida Keys National Marine Sanctuary Water Quality Protection Program Steering Committee requesting a seat on the Committee for representation of the Key Largo Wastewater Treatment District. The motion was seconded by Commissioner Andrew Tobin.

Vote on motion

Member	Yes	No	Other
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Beaty	X		
Commissioner Wilkinson	X		
Chairman Bauman	X		

Motion passed 5 to 0

The Board of Commissioners appointed Commissioner Charles Brooks as the representative to the Steering Committee and Commissioner Andrew Tobin as the alternate representative.

RESOLUTION NO. 04-09-04

A RESOLUTION ADOPTED BY THE BOARD OF COMMISSIONERS FOR THE KEY LARGO WASTEWATER TREATMENT DISTRICT

DESIGNATING THE GENERAL MANAGER AND THE FINANCE OFFICER AS AUTHORIZED AGENTS FOR LOAN DRAWS ON THE KEY LARGO WASTEWATER TREATMENT DISTRICT'S OPEN END LINE OF CREDIT; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Andrew Tobin was concerned with the procedure that should be in place to request a draw down. He feels that the Finance Officer should send to the General Manger a documented written request concerning the need for a draw down for the line of credit. The General Manager should then respond to the written request.

Motion: Commissioner Charles Brooks made a motion to adopt Resolution No. 04-09-04. The motion was seconded by Commissioner Jerry Wilkinson.

Vote on motion

Member	Yes	No	Other
Commissioner Tobin		X	
Commissioner Brooks	X		
Commissioner Beaty	X		
Commissioner Wilkinson	X		
Chairman Bauman	X		

CHIEF FINANCIAL OFFICERS REPORT

Pending Payments

Financial Officer Martin Waits presented the pending payments schedule for Sept 1, 2004. He then explained that the revised copy of the August 18, 2004 pending payments schedule had an error in the consolidated cash balance forward total. The original was \$12,954.31 and it should have been \$1,544.75. The error seemed to have occurred between the reconciled bank reports and the excel spread sheet schedules sent to Mr. Waits by GSG.

Commissioner Charles Brooks requested that Mr. Waits send a letter requesting the funds due the District as well as continue with the verbal request.

District Counsel Thomas Dillon stated that the monies available for a draw are only to be used for expenses and never for any Capital expense.

Motion: Commissioner Andrew Tobin made a motion to approve the pending payments list for September 1, 2004 contingent upon receipt of adequate funds. Commissioner Charles Brooks made the second.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Andrew Tobin	X		
Commissioner Charles Brooks	X		
Commissioner Jerry Wilkinson	X		
Commissioner Cris Beaty	X		
Chairman Gary Bauman	X		

Motion passed 5 to 0

Project Funding Status Report

Mr. Waits presented the status reports.

LEGAL COUNSEL REPORT

Draft Contract for Key Largo Park

Is being reviewed by The Haskell Company.

The Engagement Letter for the auditor and the KLP contract should be brought back to the next meeting.

GENERAL MANAGER'S REPORT

Site Mitigation

Commissioner Charles Brooks feels that the approval for the entire plant site will be obtained shortly.

Army Corp Update

Commissioner Charles Brooks, General Manager Charles Fishburn, and Ed Castle, Engineer, met with the Army Corp's representative, PBSJ last week. The meeting started out with the PBJs representatives stating that they have money that they want to give to the District.

At the meeting it was explained "Who the KLWTD is" and "What the KLWTD is about". Commissioner Charles Brooks felt that the fact that we have an office here and had the maps and other information at our finger tips was a positive thing. The representatives explained that the South Florida Water Management District will not be involved in the dispersal of the funds.

COMMISSIONER COMMENTS

Commissioner Andrew Tobin thanked David Miles of GSG for his service to the District.

ADJOURNMENT

After a motion and second to adjourn the meeting adjourned at 6:43PM.

Note: The tape recorder was not working for this meeting.

The KLWTD minutes of September 1, 2004 were approved on Sept. 15, 2004.



Chairman Gary Bauman



Carol Simpkins, CMC
Board Clerk



Very truly yours,

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