

# MINUTES

## Key Largo Wastewater Treatment District (KLWTD) Board of Commisisoner's Meeting

January 5, 2005  
Key Largo Civic Club, 209 Ocean Bay Drive

The KLWTD Board of Commissioners met for a regular meeting on January 5, 2005 at 5:05 PM. Present were Chairman Charles Brooks, Commissioners, Andrew Tobin, Claude Bullock, Gary Bauman, and Glenn Patton. Also present were General Manager Charles Fishburn, Board Clerk Carol Simpkins, District Counsel Thomas Dillon, Financial Officer Martin Waits, and all appropriate District staff.

Commissioner Glenn Patton led the Pledge of Allegiance.

### ADDITIONS/DELETIONS TO THE AGENDA.

Commissioner Andrew Tobin requested that item 8, a discussion on Project Delivery Methods, be moved up to come after Public Comment.

**Motion: Commissioner Tobin made a motion to approve the agenda as amended. The motion was seconded by Commissioner Patton.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

### MINUTES

**Motion: Commissioner Tobin made a motion to approve the Minutes of December 15, 2004. The motion was seconded by Commissioner Patton.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		

MINUTES

Meeting of the Board of Directors of the American Library Association

January 2, 2002

January 2, 2002

Meeting of the Board of Directors of the American Library Association

The meeting was held on January 2, 2002 at the American Library Association headquarters in Washington, D.C. The meeting was attended by the following members of the Board of Directors: [Names listed in reverse order]. The meeting was presided over by [Name]. The meeting was opened with a prayer by [Name]. The meeting was then turned over to the Executive Director, [Name], for a report on the activities of the Association during the past year. The report was well received and the Board expressed its appreciation for the work of the Executive Director and the staff of the Association. The meeting then turned to the report of the Finance Committee, which reported that the Association's financial position was sound and that the budget for the coming year had been approved. The meeting then turned to the report of the Program Committee, which reported that the Association's programs were well received and that the Board should continue to support them. The meeting then turned to the report of the Membership Committee, which reported that the Association's membership was growing and that the Board should continue to support its efforts to attract new members. The meeting then turned to the report of the Public Relations Committee, which reported that the Association's public relations efforts were well received and that the Board should continue to support them. The meeting then turned to the report of the Governance Committee, which reported that the Association's governance structure was sound and that the Board should continue to support it. The meeting then turned to the report of the International Relations Committee, which reported that the Association's international relations efforts were well received and that the Board should continue to support them. The meeting then turned to the report of the Special Projects Committee, which reported that the Association's special projects were well received and that the Board should continue to support them. The meeting then turned to the report of the Executive Director, who reported that the Association's activities during the past year had been successful and that the Board should continue to support the work of the Association. The meeting then turned to the report of the Board members, who reported that they were satisfied with the work of the Association and that they would continue to support it. The meeting then turned to the report of the Executive Director, who reported that the Association's activities during the past year had been successful and that the Board should continue to support the work of the Association. The meeting then turned to the report of the Board members, who reported that they were satisfied with the work of the Association and that they would continue to support it. The meeting then turned to the report of the Executive Director, who reported that the Association's activities during the past year had been successful and that the Board should continue to support the work of the Association. The meeting then turned to the report of the Board members, who reported that they were satisfied with the work of the Association and that they would continue to support it.

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[Name]	[Address]	[City]	[State]	[Country]
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[Name]	[Address]	[City]	[State]	[Country]

Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

**Motion:** Commissioner Bullock made a motion to approve the minutes of the December 29, 2004 Special Call meeting. The motion was seconded by Commissioner Patton.

Commissioner Tobin and Commissioner Bauman stated that they will be abstaining from the vote since they did not attend the meeting.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman			Abstained
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin			Abstained
Chairman Charles Brooks	X		

Motion passed 3 to 0

**PUBLIC COMMENT:** The following persons addressed the Commission: None

#### DISCUSSION ON PROJECT DELIVERY METHODS

John Darmody, Larry Laws, and Patrick Mullin of MWH gave a presentation on the different types of project delivery methods. See Exhibit "A".

#### ENGINEERS REPORT

##### *Key Largo Village Project and Key Largo Park*

Ed Castle, District Engineer, reported on the monthly status report. On the Key Largo Village Project the construction of the vacuum collection system is continuing and the clearing of the Wastewater Treatment Plant site is continuing. There is another request for additional information concerning the permit for the Treatment Plant. Construction on the Vacuum Pump Station has been started.

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*Lake Surprise / Sexton Cove*

The requested action for this item is to give the Manager approval to send out a letter to the eight engineering firms that the District has contracts with asking them to update their "Statement of Qualifications". There was no action taken on this item.

Commissioner Bauman explained that he was on the review panel that handled the RFQ's for District engineers that decided which eight firms to put under contract and he very strongly feels that the District should go through the complete process again. Commissioner Tobin agreed with him. Commissioner Bauman stated that firms like MWH should be included in the process the second time around.

Ed Castle recommended that if the Board in planning on using the Design-Bid-Build process then they should have a specific scope of work to go out in the RFQ.

District Counsel Thomas Dillon explained that if the District advertises an RFQ based on design-bid-build the same RFQ can not be used to select a construction management at risk type firm because the scope of the work is different. The District would be requesting qualifications for one thing but awarding on different criteria. Commissioner Bauman stated that the District could ask "What other skills does your firm bring to bear to make construction to be less risky for the District". Mr. Dillon said that if the District is going to use that for a decision point on who is the most qualified then there has to be a structure set up first before the RFQ is sent out.

Commissioner Bullock stated that he had made the trip to Cape Coral to see the project that MWH has been managing. He feels that they are an outstanding firm. He also said that what he sees in the Staff that the District has hired a lot of what MWH is doing for Cape Coral. He feels that staff is doing a good job. The Public Works Director of Cape Coral explained that they hired MWH because they did not have the City Staff to do the job and meet the deadlines.

Commissioner Patton requested that there be an agenda item that would debate the Design-Bid-Build vs. the Construction Management at Risk type of project delivery and an RFQ should be made for one or the other type.

Mr. Castle explained that there is always a possibility of the Contractor not agreeing with the design. No matter what type of project delivery method is used there needs to be a good team with good people responding. He agrees with Commissioner Bullock that the District does already have a good team in place. Mr. Castle stated that he has a lot of hands on experience in the wastewater field and he will do his best to make sure that the design that comes out no matter what delivery method is used is the right design and the best system for the District. He thinks that the risk is pretty low that the District will get a system that is not constructible, which is the biggest cause for change orders. If the District chooses a good, qualified firm and they already have a good staff to watch over the design development like Key Largo Trailer Village then the District will end up with a good product.

Commissioner Bauman stated that he is willing to accept Mr. Castle's explanation without going any further. But he would like to know if there is going to be four designers and four contractors for the four projects and who is going to be responsible.

Mr. Castle answered that he suggest only two design components and the rest depends on the wishes of the District. If the Board wants to move quickly they can award a contract for the installation of the force main while the design development is going forward on the other portions. He can see three contractors doing the work. There is enough staff to handle the design portion but during the contraction portion there may be a need for more staff.

General Manager Charles Fishburn stated that he would like to hire the Treatment Plant Operator in March and then he will be able to oversee the construction of the Treatment Plant and future projects.

The Board requested that Mr. Castle bring the RFQ back to them at the January 19, 2005 meeting.

Ed Castle gave a power point presentation on the Sexton Cove Project (the same one that was given in September 2004)

**LEGAL COUNSEL REPORT**

District Counsel Thomas Dillon reviewed the email that he had sent to the Board concerning participation in a Board meeting by phone. He stated that a Board Member can participate in the meeting by phone as long as a quorum is present. He suggested that the Board may want to set a policy adopting rules for the procedure.

Commissioner Bauman asked if the Board could also adopt rules that would require prior Board approval on notices before they go into the paper. Mr. Dillon said that they can.

**CHIEF FINANCIAL OFFICERS REPORT**

*Pending Payments*

Financial Officer Martin Waits presented the pending payments schedule for January 5, 2004.

**Motion: Commissioner Bauman made a motion to approve the pending payments list subject to the availability of the funds for December 15, 2004. Commissioner Patton made the second.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman			

Charles Brooks	X		
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Motion passed 5 to 0

*Resolution for designating bank account signatories.*

RESOLUTION NO. 01-01-05  
 ANNUAL RESOLUTION OF THE KEY LARGO  
 WASTEWATER TREATMENT DISTRICT  
 DESIGNATING SPECIFIC COMMISSIONERS AS  
 AUTHORIZED SIGNATORIES OF THE KEY LARGO  
 WASTEWATER TREATMENT BOARD'S BANK  
 ACCOUNT: AND PROVIDING FOR AN EFFECTIVE  
 DATE.

**Motion: Commissioner Patton made a motion to approve Resolution No. 07-12-04. The motion was seconded by Commissioner Tobin.**

Chairman Brooks requested that an amendment be made to reduce the approval amount of the General Manager from \$10,000 to \$5,000. There was no motion made.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

*Operating Budget Report*

Financial Officer Martin Waits presented the current operating budget report and reviewed how to read it.

George Garrett is working on changing the language in the Inter-Local Agreement with Monroe County to make the cesspits credits more readily available. The Board asked that the provision on the cesspit credits be brought back to the Board for review.

**GENERAL MANAGER'S REPORT**

*Key Largo Park Status*

General Manager Charles Fishburn reported that staff is still talking with contractors about the Park.

Mr. Fishburn asked the Board for permission to attend a Design Build Institute of America meeting in Orlando that he would like to go to that is specifically about water and wastewater. The cost would be around \$1,000.

**Motion: Commissioner Tobin made a motion to send the General Manager to the Design Build Institute of America meeting in Orlando that concerns water and wastewater. The motion was seconded by Commissioner Bauman.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin	X		
Chairman Charles Brooks	X		

Motion passed 5 to 0

**COMMISSIONER COMMENTS**

The Board decided that Commissioners expenses should be covered by the District.

**ADJOURNMENT**

After a motion by Commissioner Glenn Patton and seconded by Commissioner Claude Bullock to adjourn the meeting adjourned at 9:00 PM.

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he KLWTD meeting minutes of January 5, 2005 were approved on January 19, 2005.

*C Brooks*

Chairman Charles Brooks

*Carol Simpkins*

Carol Simpkins, CMC  
Board Clerk



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