

MINUTES
 Key Largo Wastewater Treatment District (KLWTD)
 Board of Commissioners Meeting



July 26, 2006
 98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on July 26, 2006 at 5:00 PM. Present were Commissioners Gary Bauman, Charles Brooks, Andrew Tobin, Norman Higgins and Chairman Claude Bullock. Also present were General Manager Charles F. Fishburn, District Counsel Thomas Dillon, District Clerk Carol Walker and all other appropriate District Staff.

The Pledge of Allegiance was led by Commissioner Tobin.

Approval of Agenda

The agenda was approved with the following changes: Chairman Bullock added the minutes of July 12, 2006 to the agenda and a discussion on the MSTU funding was added by General Manager Charles F. Fishburn.

The agenda was approved by consensus.

Public Comment: The following persons addressed the Commission: None

Commissioner's Items

Leadership Monroe County

Commissioner Bauman requested that the KLWTD sponsor his application for the current session of Leadership Monroe County.

After discussion the Board concluded that it would be of benefit to the District for Commissioner Bauman to attend Leadership Monroe County.

Motion: Commissioner Brooks made a motion to sponsor Commissioner Bauman's application to Monroe County (in the amount of \$1,000). Commissioner Tobin seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Tobin	X		

Commissioner Higgins	X		
Chairman Bullock	X		

Motion passed 5 to 0

Government Legislative Consultant

The Board requested that this item be deferred until a later meeting date.

FL Keys National Marine Sanctuary Water Quality Protection Program Steering Committee Meeting

Commissioner Brooks explained that the Committee is centered more on the science of monitoring the Reef. Commissioner Brooks reported that he had a conversation with BOCC Commissioner Neugent and explained that the District's policy is that the District would not move forward, with additional wastewater projects until the District receives assistance from the State and Federal governments.

The Steering Committee has committed to writing a letter to the Army Corp of Engineers encouraging them to release the funding that has been promised to the Keys over the last six years but has not been seen.

District Counsel Thomas Dillon added that Commissioner Neugent not only thinks that the District should move forward, even if the District does not get outside monies, but that the District must move forward, regardless of funding. The Steering Committee is going to have a working group that will try to figure out how to get the most bang for the buck concerning both wastewater and stormwater.

Update on the BOCC Workshop for Wastewater

There will be a workshop for wastewater on August 2, 2006. Commissioner Brooks expressed concern over the workshop format and if it is going to be the BOCC bringing in staff and having a discussion about the monies distribution. Commissioner Brooks feels that the County Commissioners should be discussing the issue with the District Commissioners. Commissioner Brooks would like to argue against Marathon getting a million dollars of the grant money. He would like to attend the workshop and approach the BOCC with an offer of giving the District \$13 million.

Commissioner Bauman would like the District to attend the workshop and present the District's business plan, acknowledge that other areas of Monroe County are working on wastewater and that the District would like \$13 million and then ask about the \$20 million for the Lower Keys.

Commissioner Tobin requested that staff inform the County in writing that the District intends on making a presentation at the workshop.

District Board Members will be present at the workshop in support of the presentation by staff.

Bulk Items

Minutes of July 21, 2006

Motion: Commissioner Brooks made a motion to approve the minutes for June 21, 2006. Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 5 to 0

Minutes of July 12, 2006

Chairman Bullock pointed out that the corrected minutes with all the votes marked on the tables were provided on the side of their tables.

Commissioner Higgins requested a correction on the vote for Resolution No. 21-06-06. He had voted no making it at 3 to 2 vote on page 7 of the July 12 minutes.

Motion: Commissioner Brooks made a motion to approve the minutes for July 12, 2006 as corrected. Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 5 to 0

Pending Payments List of July 26, 2006

Motion: Commissioner Tobin made a motion to approve the Pending Payments List for July 26, 2006. Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 5 to 0

Engineers Report

Monthly Status Report

Ed Castle reported that the treatment plant punch list is almost finished and the District is now working on bringing the "Process" into compliance. He also reported that the preconstruction meeting for the Northern Transmission Line Phase I was held.

General Manager Charles F. Fishburn reported that staff will be bringing a presentation on using SBR at the Regional Treatment Plant to the next meeting.

Lateral Connection Report

Mr. Fishburn reviewed the lateral connection report.

Commissioner Tobin was excused from the meeting at 7:26 PM.

Financial Officer's Report

Preliminary Operating Budget / 5 year Projection

Martin Waits, Financial Officer, reviewed the preliminary budget with the Board. Commissioner Bauman requested that \$60,000 be put in the FY 2007 budget for lobbying.

The Board requested an increase in the travel budget for FY 2007. They also requested that Mr. Waits consolidate the sheets that show all the District employees.

RESOLUTION NO. 27-07-06

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING THE DISTRICT OPERATING BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 2006; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

Motion: Commissioner Bauman made a motion to approve Resolution No. 27-07-06. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin			Absent
Chairman Bullock	X		

Motion passed 4 to 0

MSTU Funding

The Board discussed the impact for reducing the MSTU rate below .3185.

Motion: Commissioner Brooks made a motion to authorize the Staff to send a letter to the County requesting that the MSTU rate for 2007 be .3185. Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin			Absent
Chairman Bullock	X		

Motion passed 4 to 0

Legal Report

RESOLUTION NO. 25-07-06

RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT TO WAIVE THE WASTEWATER SYSTEM DEVELOPMENT CHARGE FOR JOHN PENNEKAMP CORAL REEF STATE PARK AND TO ACCEPT A VACUUM STATION EASEMENT ON PARK PROPERTY

District Counsel Thomas Dillon explained that the District would be giving up \$350,000 in connection fees, although Mr. Waits said the number was higher.

The Board requested that the resolution be brought back to the next meeting with an explanation of the cost benefit to the District of putting the vacuum system on the Pennekamp site.

RESOLUTION NO. 26-07-06 ACTION

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, KEY LARGO, FLORIDA REGARDING TELEPHONIC PARTICIPATION BY COMMISSIONERS AT MEETINGS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT BOARD OF COMMISSIONERS; AND PROVIDING FOR AN EFFECTIVE DATE.

District Counsel Thomas Dillon explained what was in the resolution.

Motion: Commissioner Brooks made a motion to approve Resolution No 26-07-06. Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Higgins	X		
Commissioner Tobin			Absent
Chairman Bullock	X		

Motion passed 4 to 0

Assessment Process

District Counsel Thomas Dillon gave a summary of the procedure used when making an assessment. He explained that when someone has an issue about their assessment that they should be directed to Syndi Trakul first, not the Manager or Commissioners.

Assessment corrections that would be brought to the Board as Bulk Items will be the assessments for which (1) assessment letters have gone out, (2) the property owners have made showings that staff believe to be sufficient to support an adjustment, and (3) the property owner agrees with the new proposed assessment. If a property owner does not agree with the new recommendation then the property owner will be required to pursue an appeal, using the appeals process established in the assessment resolution.

General Manager's Report

N/A

Commissioner's New Items and Roundtable

N/A

Adjournment

The KLWTD Board adjourned the Board Meeting at 9:05 PM.

The KLWTD meeting minutes of July 26, 2006 were approved on August 9, 2006.



Chairman Claude Bullock



Carol Walker, CMC
Board Clerk