

# MINUTES

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



July 7, 2009  
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting at 4:00 PM. Present were Commissioners Norman Higgins, Andrew Tobin, Charles Brooks, and Chairwoman Susie Hammaker. Also present the General Manager Charles F. Fishburn, District Counsel Thomas Dillon, District Clerk Carol Walker, and other appropriate District Staff.

Commissioner Higgins led the Pledge of Allegiance.

### APPROVAL OF AGENDA

Chairwoman Hammaker asked that Item 14 be taken off of the Bulk Items. Commissioner Brooks requested that Item 2 (Vacuum Station Equipment Purchase Orders), Item 4 (Basin J & K Vacuum Station Site), and Item 21 (Resolution No. 23-07-09) be moved to Bulk Items. He requested that Items 5 (Wade Trim Work Authorization), and Item 16 (Grant Consultant Agreement) be tabled. Commissioner Brooks also add Item 10a (Ocean Cay Homeowners, grinder pumps vs. vacuum pits) under Commissioner Items for Commissioner Higgins. Commissioner Tobin asked that Items 5 and 16 be discussed before being tabled.

**Motion: Commissioner Brooks made a motion to approve the agenda as amended. Commissioner Tobin seconded the motion.**

### Vote on Motion

Member	Yes	No	Other
Chairwoman Hammaker	X		
Commissioner Higgins	X		
Commissioner Tobin	X		
Commissioner Brooks	X		
Commissioner Majeska			Absent

**Motion passed 4 to 0**

### PUBLIC COMMENT

The following persons addressed the Commission: Burke Cannon, Tavernier, thanked Margaret Blank concerning some of the DOT activities. He also spoke to County Inspections. Pauline

Klein, Key Largo, spoke to the conversion of her septic tank to a cistern. John Hammerstrom, Key Largo, spoke to the DOT paving. He also spoke to the Coral Coast neighborhood collection system.

### **GENERAL MANAGER'S REPORT**

The General Manager Charles Fishburn introduced two new employees, Bill Midling who is working with Jim Brush and Ted Beighey, Collection System Inspector. He also introduced Greg Matthews who is been brought back to the District.

#### *Basin E-1, E-2 and F-1 Bid Results*

Mr. Fishburn reviewed the bid results with the Board. Straightline was the low bidder and Redland Company was the second to lowest bidder. The bid packages are being reviewed now.

The Bid will be brought back to the July 21<sup>st</sup> meeting for action.

#### *Basin I Vacuum Station Site*

Commissioner Tobin explained that KLOR has agreed to negotiate with the District for a fair piece of property for \$75,000. He asked that the Board give the Staff direction to now look at the KLOR property and report back to the Board.

The Board directed Staff to take another look and the KLOR property.

#### *Wade Trim Work Authorization*

Tom Berezni, Wade Trim, explained that the request for an increase in payment is for new work, not to fix deficiencies.

This item was tabled.

#### *Arcadis Work Authorization*

Mr. Fishburn would like to bring back a work authorization with a lump sum payment tied to the progress of the Wharton Smith project and they would not be paid 100% until the plant is done.

Commissioner Tobin said that \$300,000 is dis-appropriated and he is not comfortable with the amount.

Mr. Castle, Weiler Engineering, said that there will be a shifting of money and responsibility between Weiler Engineering and Arcadis to be more efficient.

Mr. Fishburn will bring back a work authorization with a detailed scope for action at the July 21<sup>st</sup> meeting.

#### *Wharton Smith Change Order Status*

Mr. Fishburn reviewed current change orders.

*Grant Consultant Agreement*

Mr. Waits, District CFO explained that is will allow the District to see if we should continue with pursuing a grant for the Unique Properties. The agreement can be cancelled at any time.

This item was tabled.

**COMMISSIONER ITEMS**

*Office Help*

Commissioner Higgins would like to see someone hired to answer phones and help walk ins at the District Office.

Commissioner Brooks cannot see increasing the overhead by hiring someone else at the current time, and hiring staff should be directed to Mr. Fishburn.

*County Plumbing Inspectors*

Commissioner Higgins is upset with the time it takes the County to get to the lateral connections currently. He does not think that the County is going to be able to handle the large amount of inspections that will be required in the future; the District should do the inspections.

Pat Mitchell explained that the State law grants the County the authority to do all inspections. Inspectors have to have a State License. The District does not have a method of enforcement. There are private providers that can do the inspections.

Mr. Dillon said that the District may be able to hire the inspectors and lease them to the County to do the lateral connections.

*Assessment Appeal Chris Sante/Coral Sands Trailer Park*

Mr. Sante requested that his trailer park’s assessment be reduced and then looked at again when the leaking water lines have all been replaced. He would like the 2007 water usage to be used for the current assessment.

**Motion: Commissioner Tobin made a motion to grant Mr. Sante a two year extension on his appeal time limit with the opportunity for the property owner to request additional time if necessary based upon the redevelopment of the trailer park. Commissioner Higgins seconded the motion.**

**Vote on Motion**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>
<b>Chairwoman Hammaker</b>	<b>X</b>		
<b>Commissioner Higgins</b>	<b>X</b>		
<b>Commissioner Tobin</b>	<b>X</b>		
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Majeska</b>			<b>Absent</b>

**Motion passed 4 to 0**

*Promotional efforts informing the public of cisterns vs. decommissioning options.*

John Hammerstrom asked that the District makes it clear on the website the option of cisterns and when the public request an Approval to Proceed Letter the option is mentioned.

*Ocean Cay Homeowners, Grinder Pumps vs. Vacuum pits*

Commissioner Higgins said that homeowners in Ocean Cay would like to have a vacuum system instead of grinder pumps and would like an answer soon.

**BULK ITEMS**

*Vacuum Station Equipment Purchase Orders*

*Basin J & K Vacuum Station Site*

*South Transmission Video*

*Minutes of June 2, 2009*

*Pending Payments of July 7, 2009*

*Assessment Appeal TIB Bank*

*Resolution No. 23-07-09*

**Motion:** Commissioner Tobin made a motion to approve the Bulk Items with the Pending Payments of July 7, 2009 contingent upon the availability of funds. Commissioner Brooks seconded the motion.

**Vote on Motion**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>
<b>Chairwoman Hammaker</b>	X		
<b>Commissioner Higgins</b>	X		
<b>Commissioner Tobin</b>	X		
<b>Commissioner Brooks</b>	X		
<b>Commissioner Majeska</b>			<b>Absent</b>

**Motion passed 4 to 0**

**ENGINEER’S REPORT**

*Monthly Status Report*

Ed Castle of Weiler Engineering presented his written report.

**FINANCIAL REPORT**

*FY 2010 Budget Development*

Mr. Waits presented a list of critical assumptions to be used in development of the FY 2010 District budget. He also presented the Staff recommendation of the FY 2010 staffing plan.

*Southern Components Funding*

Mr. Waits explained that the Southern Components Project (Basins E, F, G, H, I J, & K) is currently at \$75 million project. It currently has ACOE and County grant funding commitments in place in the amount of \$13 million, but no other funding commitments of any kind have been identified yet.. A preconstruction loan commitment for the South Components is on the SRF contingency list, but even if it is moved to the fundable list it would be subject to a \$10 million annual funding cap for the District in total (north and south).

*Funding Sufficiency Study Update*

Mr. Waits requested that the Board approve a current Funding Sufficiency Study to be used in securing a \$30 million bank qualified loan for financing the Southern Components Project.

Mr. Waits presented a proposal from PRMG and requested the Board to approve the study in the amount of up to \$24,100.

Commissioner Tobin stated he thinks that it is a ridicules amount of money because the District's rates have not changed, the projections have not changed, the revenue has not changed: the only thing that has changed is that the District is spending a lot of money on construction.

**Motion: Commissioner Brooks made a motion to approve a Funding Sufficiency Study from PRMG in the amount of up to \$24,100. Commissioner Higgins seconded the motion.**

**Vote on Motion**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>
<b>Chairwoman Hammaker</b>	<b>X</b>		
<b>Commissioner Higgins</b>	<b>X</b>		
<b>Commissioner Tobin</b>		<b>X</b>	
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Majeska</b>			<b>Absent</b>

**Motion passed 3 to 1**

**COMMISSIONER'S ROUNDTABLE**

**ADJOURNMENT**

The KLWTD Board adjourned the Board Meeting at 7:40 PM.

The KLWTD meeting minutes of July 7, 2009 were approved on August 4, 2009.



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Chairwoman Hammaker



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Carol Walker, CMC  
District Clerk