August 4th
2004
Key Largo Wastewater Treatment District
Board of Commissioner's Meeting Agenda
5:00 PM Wednesday, August 4, 2004
Key Largo Civic Club, 209 Ocean Bay Drive
Key Largo, Monroe County, Florida

I - Call to Order

II - Pledge of Allegiance

III - Additions, Deletions or Corrections to the Regular Meeting Agenda


V - Public Comment

VI - Legal Counsel's Report

VII - Action Items

   AC 1 – Approval of the Haskell Company's Notice to Proceed

VIII – Chief Financial Officers Report

   CFO 1 - Approval of the Pending Payments List for August 4, 2004
   CFO 2 – Presentation of the Draft FY2005 Operations and Capital Improvement Budgets
   CFO 3 - Presentation of the Quarterly Financial Reports
   CFO 4 - Status of FEMA Phase II Funds
   CFO 5 - Status of Transition of the CFO Function

IX - General Manager's Report

   GM 1 - Status of the Kings Kamp Letter
   GM 2 - Status of the Site Mitigation
   GM 3 - Report on the Community Meeting
   GM 4 – Meeting Schedule for September, October and November
   GM 5 – Status of the New Building
   GM 6 – Army Corp Update
   GM 7 – FKAA Cooperation on Billing and Collecting for the District
X - Engineer's Report

PE 1 - Monthly Status Report
   - Report on the Design Review
   - Status of Sexton Cove RFP
PE 2 - Discussion of Establishing a Rate Resolution for Sewer Plan Review and Inspection Fees
PE 3 - Report from Haskell Project Manager
   - Key Largo Park Change Order

XI - Public Comment

XII - Commissioner's Item

CI 1 - Update on past agenda items:
   A. FEMA FONSI Status
   B. Water Quality Testing
   C. Resolution of $100K Loan repayment issue
   D. Site mitigation
   E. KLP vacant lot resolution
   F. Project request for FEMA deadline extension
   G. CDBG Grants and/or funds for private connections
   H. Procedures
   I. Web Site Development
   J. Elections at Large versus Seats

XIII - Meeting Adjournment
I. Call to Order
Chairman Gary Bauman, Commissioners, Cris Beaty, Charles Brooks, Andrew Tobin and Jerry Wilkinson were present.

II. The Pledge of Allegiance was given.

III. The following was added to the agenda:

\[\text{Secretary:} \quad \text{Program Plan \#2 - yes non-already} \]
\[\text{Charlie:} \quad \text{Move to EMI with 10 million} \]
\[\text{ACI:} \quad \text{Haskell notice of delay} \]

Motion:

Motion made by:

Seconded by:

Vote:

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IV. The minutes of July 7 and July 21 and July 22, 2004 were approved.

Motion: 

July 7 1 7/22

Motion made by: Jerry

Seconded by: Gary

Vote:

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July 21 helld
V. Public Comment: The following persons addressed the Board of Commissioners:
VI. Legal Counsel’s Report

 Notice of Delay from Haskel
 1005 Access no Geotec
 Work
 No action needed by Commission
 No Notice to Proceed.
 Have Exotic Permit
 Will hold up completion date
 Weed schedule updated in next status report

 Andy wrote need to pore
 Will - next retention pond

 Charlie -
 Gary - Haskel do not want notice to proceed until 8-98
 Not happy

 Tom D - will be responding to Haskel, will take
 into account at latter time when damages
 are discussed.
VII. Action items:
AC1-Haskell Company's Notice to Proceed

Wait basic at CPA - Swayer Peter at last meeting in saying not wanting notice to proceed. Letter not appropriate though issue was settled.

Motion: Staff send notice to proceed after review form

Motion made by: Any

Seconded by: Jerry

Vote:

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VIII. Chief Financial Officers Report: 
CFO1-Pending payments list for August 14, 2004

Motion: **Cris** to approve

2nd: **Andy**

Motion made by: **Andy**

Seconded by: 

Vote:

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CFO2-Draft FY2005 Operation & Capital Improvements Budgets

Discussed analysis of revenues & expenditures at 1st meeting

Dave approved budget resolution at 2nd meeting in Sept - 1st meeting

Andy should think about setting up reserve accounts (operating reserve)

By consensus both of direction to setup

CFO3-Quarterly Financial Reports

Renames & replacement reserve (RPP-Fore)
CFO4-FEMA Phase II Funds

CFO5-Transition of CFO function
IX. General Manager’s Report:
GM1-Kings Kamp Letter

GM2-Site Mitigation
George Garrett
9/29/50 letter would like 9/30
2.6 Acres Off-Site

GM3-Community Meeting
Gary
1, 3rd Wed
4/5
Sept 15
2nd Wed
Oct 6/2
Nov 3, 19
Consensus
GM4-Meeting schedule for Sept, Oct. & Nov.

**Sept 15, 29 workshop**

**Oct 6, 20**

**Nov 3, 17**

**Motion:**

**Motion made by:**

**Seconded by:**

**Vote:**

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GM5-New Building
Charlie - need whole Bldg for meeting
Andy - NOT need whole Bldg, do critical analysis first

Amended Motion: Whole Bldg Option 2

Motion made by: Charlie
Seconded by: CKIS

Vote:

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GM6-Army Corp

GM7-Billing & collection for District by FKAA
Motion made by:

Seconded by:

Vote:

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X. Engineer’s Report
PE1-Mo. Status report

**Working on RFA, will have excess of 3000 EDU**

Design Review

Sexton Cove RFP
PE2-Rate Resolution for Sewer Plan Review & Inspection Fee

Motion: Table PE2 + PE3

Motion made by:

Seconded by:

Vote:

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Key Largo Park change order

Motion:

Motion made by:

Seconded by:

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XII. Commissioner’s Items:

CI1-Update on past items:
   A. FEMA FONSI Status

   B. Water Quality Testing
C. Resolution of $100 Loan repayment issue

D. Site mitigation
E. KLP vacant lot resolution
F. Project request for FEMA deadline extension

G. CDBG Gants and/or funds for private connections
H. Procedures

I. Web site development
J. Elections at Large versus Seats

XIII. Board of Commissioners adjourned meeting at pm.
Motion:
Motion made by:

Seconded by:

Vote:

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Seconded by:

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Ensure all grants carry fair share of Staff starting with Chuck to the extent of the law.

5/0

CF02
I - Call to Order

II - Pledge of Allegiance

III - Additions, Deletions or Corrections to the Regular Meeting Agenda


V - Public Comment

VI - Legal Counsel's Report

VII - Action Items

   AC 1 – Approval of the Haskell Company's Notice to Proceed

VIII - Chief Financial Officers Report

   CFO 1 - Approval of the Pending Payments List for August 4, 2004
   CFO 2 – Presentation of the Draft FY2005 Operations and Capital Improvement Budgets
   CFO 3 - Presentation of the Quarterly Financial Reports
   CFO 4 - Status of FEMA Phase II Funds
   CFO 5 - Status of Transition of the CFO Function

IX - General Manager's Report

   GM 1 - Status of the Kings Kamp Letter
   GM 2 - Status of the Site Mitigation
   GM 3 - Report on the Community Meeting
   GM 4 - Meeting Schedule for September, October and November
   GM 5 - Status of the New Building
   GM 6 - Army Corp Update
   GM 7 - FKAA Cooperation on Billing and Collecting for the District

   Letter to Jim Reynolds

   Send out

KLWTD August 4, 2004 Agenda – Page 1 of 2
X - Engineer's Report

PE 1 - Monthly Status Report
  - Report on the Design Review
  - Status of Sexton Cove RFP
PE 2 - Discussion of Establishing a Rate Resolution for Sewer Plan Review and Inspection Fees
PE 3 - Report from Haskell Project Manager
  - Key Largo Park Change Order

XI - Public Comment

XII - Commissioner's Item

CI 1 - Update on past agenda items:
  A. FEMA FONSI Status
  B. Water Quality Testing
  C. Resolution of $100K Loan repayment issue
  D. Site mitigation
  E. KLP vacant lot resolution
  F. Project request for FEMA deadline extension
  G. CDBG Grants and/or funds for private connections
  H. Procedures
  I. Web Site Development
  J. Elections at Large versus Seats
  K. Agency Coordination

XIII - Meeting Adjournment
KLWTD Board Meeting
August 4, 2004

DRAFT

July 7, 2004 Meeting Minutes
Key Largo Wastewater Treatment District
Board of Commissioner’s Meeting Minutes
5:00 PM Wednesday, July 7, 2004
Key Largo Civic Club, 209 Ocean Bay Drive
Key Largo, Monroe County, Florida

Board Members Present
Gary Bauman, Chair
Cris Beaty
Charles Brooks
Andrew Tobin
Jerry Wilkinson

Staff Members Present
Charles Fishburn, General Manager
David Miles, CFO (via telephone)
Thomas Dillon, Board Attorney
Ed Castle, Board Engineer
Faith Doyle, Board Clerk

Guests Present
Mayor Murray Nelson, Monroe County BOCC
Will English, Project Manager, The Haskell Company
Lissette Lopez, Key Largo resident
Martin Waits, Key Largo resident
Steve Gibbs, reporter for the Free Press
Howard Gelbman, Key Largo resident
Burke Cannon, Key Largo resident
Laura Norman, Key Largo resident

I - Call to Order
Chairman Bauman called the meeting to order at 5:01 p.m.

II - Pledge of Allegiance
The pledge was recited.

III - Additions, Deletions or Corrections to the Regular Meeting Agenda
Commissioner Tobin requested the following items to be added as discussion items: the letter from Dr. Straw of FEMA, the letter on the hammock rule, the correspondence received on the main registry for the web site and the letter from Gino Angella of Calusa Camp Resort.
Commissioner Wilkinson moved to approve the June 16, 2004 Meeting Minutes. Commissioner Beatty seconded the motion. Mr. Dillon stated that concerning his previous comments on the meeting recordings being the best evidence of the action taken at meetings, it is the official minutes that are the records for the organization. Commissioner Tobin moved that the Board Clerk should sign the minutes after approval. All were in favor of the motion and it passed unanimously.

V - Public Comment

Mayor Nelson distributed copies of the latest DCA rule and commented that the revisions to the 2820 rule will result in the K LWTD plant site be exempt because it will be 'grand-fathered' under the express terms of the rule.

VI - Legal Counsel’s Report

LC 1 - Haskell Notice of Delay

Mr. Dillon suggested granting the 162-day extension. If the Board agrees the general manager will work with Haskell to resolve the issue by drafting and presenting Change Order No. 2. Categories of damages were discussed.

LC 2 – Prompt Pay Act Am. No. 1 to the Haskell Contract

Mr. Dillon stated that this amendment had been proposed because the clause was inadvertently omitted from the original contract. Haskell has not responded to repeated requests to resolve the issue. Mr. English stated that Mr. Kinsley would provide a response by next week.

LC 3 – Status of Lease for Bank of America

Mr. Dillon informed the Board that the Bank of America does not have ADA compliant restrooms and would not negotiate on any of the terms. It was the consensus of the Board to not pursue leasing from Bank of America.

LC 4 – Letter to the Supervisor of Elections, Monroe County

The letter that was drafted and forwarded by Mr. Dillon at the request of the Office of Election was presented and reviewed. Mr. Sawyer was pleased with the approach and the letter resolves the issue. Under the terms of the Key Largo Wastewater Treatment District Act, Board elections are “at large” elections and legislation would be necessary in order to change that status.

LC 5 – Direct Purchase Procedures

The procedure outline was presented. The suggested resolution for board action was reviewed. Mr. Dillon stated that Paragraph 3 was required in order to utilize the provision of the Special District law that allows a district to waive competitive procurement in certain cases. In this case, Haskell is using its own processes for competitive procurement, and the public interest in competition is protected. Mr. Dillon recommended adoption of the resolution.
Mr. Dillon reviewed the letter that had been received from FEMA’s Dr. Straw. Mr. Dillon stated that most issues were addressed sufficiently. However, it seems the letter states that FEMA wants a great deal more site restoration anywhere from the original 2.6 acres to upwards of 40 plus acres. However, Mr. Fishburn corrected this statement in the General Manager’s report.

Mr. Dillon stated that the FEMA/DCA agreements were available for execution and should be acted on as soon as possible.

Commissioner Tobin requested further discussion on the letter from FEMA. Discussion ensued on the future deed holder. Commissioner Tobin asked if there would be modifications to the agreement on this point. Mr. Dillon stated that although it was discussed the letter does not modify the agreement concerning the issue.

Mayor Nelson distributed additional information on Monroe County Rule 20, which indicated that the KLWTD would be grandfathered. Mr. Dillon stated that he would review the information and would provide his input to Mayor’s office if required. Mayor Nelson explained that Rule 20 is the Monroe County rule that limits development in the County. He stated that the BOCC and State are changing some rules making them more stringent. The District projects can continue as planned. Mayor Nelson suggested the changes that would exempt the District so that the rule would not keep the District from using the land for the plant. Discussion ensued. Mayor Nelson stated that additional revisions were made to cover all future treatment facility expansion up to 4.2 acres.

VII - Action Items

AI 1 -- Approval of Resolution 2004-01 of the KLWTD Approving Direct Equipment Purchases

Commissioner Tobin moved Resolution 2004-01. Commissioner Beaty seconded the motion for discussion. Commissioner Wilkinson stated again that he was opposed to the concept of direct purchases. Commissioner Brooks questioned the inclusion of the list of what is to be purchased directly. Mr. Dillon stated that no list had been specified because of the Board’s wish to have the most benefit by direct purchases. It was Mr. Dillon’s understanding that at the last meeting the general manager was directed to manage the issue. Discussion ensued on the list. Mr. Fishburn stated that he had been provided a list from Haskell. A roll call vote was requested.

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The motion carried.

AI 2 – Approval of Work Authorization WEC 04-01 with Weiler Engineering Corporation for Development of an RFP for the Next KLWTD Project
Mr. Castle presented the Work Authorization and answered the Board’s questions concerning the scope and deliverables. **Commissioner Brooks moved to approve Work Authorization WEC 04-01. Commissioner Beaty seconded the motion.** Commissioner Brooks requested a copy of the approved document so that he could hand carry it to the Project Development Team meeting to demonstrate that KLWTD has a project being prepared that would be eligible for federal funds. Discussion ensued the number of residential EDU’s that would result from the project, the estimated cost for the project. Mayor Nelson stated that it is prudent to have this project ready to bid, especially because it has the ability to expand and add more customers. Mr. Castle noted that using the FKAA’s abandoned lines could reduce the cost of a force main. Discussion ensued on the County paying the cost of work authorization WEC 04-02 and the need for clarification in the body of the work authorization outlining the funding sources. Mayor Nelson stated that the Board would need to be willing to sign a bond document stating that the $2,700 connection fees would be used for future expansion. Mayor Nelson suggested using the FKAA resolution and process as an example. **A roll call vote was requested:**

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The motion was unanimously approved.

Discussion continued on the issue of bonding. Mr. Miles was directed to discuss the future budget implications of the proposed project with Mr. Castle.

**AI 3 – Approval of Amendment No. 1 to the Weiler Engineering Corporation Contract for Consulting/Professional Services**

**Commissioner Beaty moved to approve Am. No. 1 to the Weiler Engineering Corporation Contract. Commissioner Tobin seconded the motion.** With no further discussion all voted in favor of the motion.

**VIII – Chief Financial Officers Report**

**CFO 1 -- Approval of the Pending Payments List for July 7, 2004 including status of the MSTU Funds**

Mr. Miles presented the item. He informed the Board that a $55,000 check had been received from the County.

Mr. Miles stated a correction to the memo presented. Draw 3 should be $55,923.03 and the net available to draw down should be $350,043.58.

Discussion ensued concerning the $129,000 advance on the KLP project from FKAA that had not been received. Mr. Miles stated that of the approximately $495,000 in FEMA Phase I funds KLWTD had asked for $450,000 to be forwarded, FKAA declines further advances at the direction of Miles Anderson to KLWTD at this time. Mr. Miles contacted Mr. Anderson concerning the issue. He was informed that the FEMA Phase II contract needs to be approved and forwarded to FEMA prior to setting up a reimbursement schedule. Discussion ensued on
the FKAA actions and Mr. Anderson's decision to hold reimbursement. Mr. Miles stated that he would be meeting with Mr. Anderson concerning the issue next week in Orlando. Chairman Bauman requested that he be notified on the outcome of the meeting as soon as possible.

**Commissioner Wilkinson moved to approve the payments lists in its entirety.** Commissioner Beaty seconded the motion. Commissioner Beaty noted that he was not in attendance at one of the June meetings so his payroll should be reduced. Mr. Miles stated that he would correct the error during the next payroll period. With no further discussion the motion was unanimously approved.

**CFO 2 - Status of the Annual Budget Process**

Mr. Miles stated that the FY2005 operations budget would be presented in draft form at the July 21 meeting. The FY 2005 capital program would be presented after the details are reviewed with Mr. Castle.

Commissioner Beaty questioned how long the current MSTU in force. Monroe County Ordinance 018-2003 stated that it would apply through 2007. The amount of the revenues received during FY2004 was approximately $700,000.

Chairman Bauman recessed the meeting at 6:50 p.m.
Chairman Bauman reconvened the meeting at 7:05 p.m.

**IX - General Manager's Report**

**GM 1 - Status of the Clerk Position**

Mr. Fishburn stated that he had interviewed all applicants. Ms. Jeanette Bates has withdrawn her application. Ms. Lisette Lopez and Ms. Laura Norman were present at the meeting. Ms. Norman would be available immediately. Ms. Carol Simpkins was determined to be the most qualified but negotiations would be needed to come to terms with the salary. Mr. Fishburn stated concern that Ms. Simpkins would not be amicable to accepting the position at the current rate stated in the Board’s advertisement.

Discussion ensued. Commissioner Brooks entertained a motion to hire Ms. Simpkins at an all-inclusive salary of $57,000 annually as an exempt employee. Ms. Simpkins experience with grant applications and disbursement of funds. Discussion ensued on the salary, qualifications, title and if the manager’s recommendation should prevail or if the Board should decide on the clerk.

**Commissioner Brooks moved to approve the General Manager having the authority to hire a clerk for an all-inclusive annual salary of $57,000.00 as an exempt full-time employee. Chairman Tobin seconded the motion and requested the title be amended to be “clerk/assistant manager”. Commissioner Brooks amended his motion. A roll call vote was requested.**

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KLWTD Draft 7-7-04 Meeting Minutes
Page 5 of 8
The motion was unanimously approved.

Mr. Fishburn stated that he would begin negotiations with Ms. Simpkins and present an employment agreement to the Board for approval.

GM 2 - Status of the CFO Position

Mr. Fishburn stated that he recommends Mr. Martin D. Waits be hired to fill the CFO Position. Commissioner Beaty stated that after reviewing Mr. Waits qualifications and resume he agrees that he posses the skills to perform the duties and functions of the position.

Mr. Waits stated the first issue he would address is the software for the accounting system and the transition plan for the CFO Functions from GSG to the District. Mr. Waits stated that he would provide a transition plan for the Board's consideration at the next meeting.

Mr. Fishburn requested that he start immediately on an hourly basis and that an employment agreement be negotiated immediately and presented to the Board at the next meeting for approval.

GM 3 - Report on the Calusa Camp Resort Meeting

Mr. Fishburn stated that he had met with the camp resort manager to discuss options. The cost is a major issue. The letter from Gino Angella letter was presented and discussed.

Mr. Castle reviewed his summary of the options that had been provided with the agenda. Commissioner Tobin requested discussion on the options outlined in the memo. Discussion ensued on the five options presented. Commissioner Wilkinson requested that Mr. Dillon review the condominium law to verify access by third parties. Mr. Dillon stated that in the future many condo associations would be involved and policy decisions should be made soon so that policy would be applied consistently to all establishments.

GM 4 - Status of the Site Mitigation

It was suggested this agenda item be combined with GM 6. Mr. Fishburn stated that since the last meeting a teleconference that included FEMA (Dr. Straw), the Governor's office and Mayor Nelson was conducted. Discussions included the need for more land (4.2 acres) for future expansion and site mitigation. Mr. Fishburn explained that the mitigation outlined in Dr. Straw's letter actually required restoration of about 3.5 acres, not the 40-plus acres obtained by adding up the gross numbers in the letter.

Chairman Bauman stated that he was ready to sign the DCA agreement. Commissioner Brooks believes the letter received does not agree with what he heard in the meeting. He is concerned with the mitigation issue of replacement of two for one. He is also concerned with saying we may do Lake Surprise but not have the plant capacity to support it.

Commissioner Wilkinson moved to approve the DCA FEMA Phase II Agreement. Commissioner Tobin seconded the motion. All were in favor and the motion was unanimously approved.

GM 5 - Status of the System Development Charge / Rate Study
Mr. Fishburn reviewed the information provided. Mr. Fishburn recommended that PRMG conduct the rate study for the $15,000 that was provided in the FY2004 budget. Commissioners Tobin and Brooks were opposed to having a rate study done. Commissioner Tobin requested copies of all the rate studies Mr. Fishburn has referred to and a workshop for feedback prior to conducting a rate study.

Discussion on rate consulting firms ensued.

Chairman Bauman suggested having PRMG at the July 21, 2004 meeting to make a presentation to the Board.

GM 6 - Status of the FEMA Project 1249-25 Funding Agreement

Please see above.

X - Engineer’s Report

PE 1 - Report on the Design Review

Mr. Castle reviewed the information presented.

PE 2 - Engineering Status Report

Mr. Castle reviewed the report.

PE 3 – Status of Change Order to add a second floor to the treatment plant for use as office space

Mr. Castle stated that Brown and Caldwell quoted $62,000 for the design of a second floor. It was the consensus of the Board to not pursue the option any further.

PE 4 – Discussion Items from the Haskell Company (presented by Will English)

Mr. English reported that the County Planning Commission signed off on the minor conditional use. Geotechnical work could start after they can have access to the property. The permit for the collection system should be in hand by the end of the month. The County right-of-way and FDOT permits are in hand. The WWTP permit is being commented on and the County is reviewing the building permit.

XI - Public Comment

Mr. Gelbman comments that the 18 acres that is to go back to the County should be considered for a passive municipal park.

XII - Commissioner’s Items

CI 1 - Status of the CFO’s Position -- Chairman Bauman

The issue was discussed and resolved earlier in the meeting.
No action was taken on the item.

CI 3 - Update on past agenda items:
A. FEMA FONSI Status
B. Water Quality Testing
C. Resolution of $100K Loan repayment issue
D. Site mitigation
E. KLP vacant lot resolution
F. Project request for FEMA deadline extension
G. CDBG Grants and/or funds for private connections
H. Procedures
I. Web Site Development

No action was taken on the item.

XIII - Meeting Adjournment

Chairman Bauman adjourned the meeting at 9:24 p.m.
KLWTD Board Meeting
August 4, 2004

DRAFT

July 21, 2004 Meeting Minutes
Board Members Present

Gary Bauman, Chairman
Cris Beaty (joined the meeting at 5:05 pm)
Charles Brooks
Andrew Tobin
Jerry Wilkinson

Staff Present

Charles Fishburn, General Manager
Thomas Dillon, Board Attorney
Martin Waits, Finance Officer
Ed Castle, P.E., Board Engineer
Carol Simpkins, Board Clerk
David Miles, GSG (via telephone)
Faith Doyle, GSG (Acting Clerk)

Guest Present

Steve Gibbs, reporter
Walt Messer, DN Higgins
Stu Oppenheim, Brown and Caldwell
Peter Kinsley, the Haskell Company
Rob Ori, PRMG
Freddie Fountain, DN Higgins
John Darmody, MWH
Mark Weis, Key Largo Resident
Robert E. Burt, KLT
Glenn Patton, Key Largo Resident

I - Call to Order

Chairman Bauman called the meeting to order at 5:00 p.m.

II - Pledge of Allegiance

The pledge was recited.
Commissioner Wilkinson requested adding the emailing of action minutes the day after the meeting.

Mr. Fishburn requested Item AC 6 – be added as action on the Sante building. The Board requested it be a discussion item only under the General Manager’s section.

Mr. Fishburn requested adding Item GM 6 – concerning the meetings in September, October and November and having meetings video taped.

IV - Approval of the Draft July 7, 2004 Meeting Minutes

No action was taken on this item.

V - Public Comment

There was no public comment.

VI – PRMG Presentation on Rate Study

Mr. Rob Ori was introduced from PRMG to address the issue of conducting a rate study for KLWTD. Mr. Ori gave details on what PRMG would do for the KLWTD. Different rates were described. Mr. Ori noted that PRMG has a good working relationship with the FKAA on sharing data. PRMG has done summary data for KLWTD and the model previously provided would be updated. Mr. Ori stated that he prefers to bill hourly as a rate consultant.

Discussion ensued on the initial study being a financial overview and not a rate design. Discussion ensued on FKAA’s rate per EDU. Rate design alternatives were described (flat, consumption or a combination of the two). Mr. Brooks questioned the consumption method in relation to commercial users. It was discussed. Mr. Brooks questioned the relation of operations costs to setting rates. It was discussed.

Mr. Ori noted that operating costs and the capital costs are critical and they must include growth. Mr. Ori suggested a five-year forecast and cash flow because expansion is difficult to plan for and would help to identify the additional costs.

Discussion ensued on the $35 dollar rate that the community is anticipating and the $2,700 connection fee and whether they could be applied for this project and then changed in the future. Discussion ensued on the current project costs and the operating costs. Some commissioners believe that the $35/month rate is a “target” and it is not clear whether that target will be achieved. Commissioner Brooks doesn’t believe that a full-blown rate study is necessary at present. A bond feasibility study may assist with the business plan or a financial plan to be submitted for future funding.

Mr. Ori stated that a five-year forecast, a rate recommendation for sewers and a policy description on an hourly basis would fit the KLWTD budget. PRMG’s fees and a contract were discussed. A not-to-exceed amount of $5,000 was discussed for a consulting contract.
Discussion ensued on the assistance of FKAA. Mr. Ori believes there will be a cooperative effort with FKAA when gathering data. Discussion ensued on consumption dated and flow rates. Chairman Bauman wants things as simple as possible but has a problem with the electronic data and the future billing difficulties. Mr. Ori believes the FKAA will need to be approached about billing for the district and collecting for the district. The Board directed Mr. Fishburn to contact the FKAA on the billing issue.

Discussion ensued regarding the issues of changing rate structures. The Board directed Mr. Dillon to speak with Mr. Ori concerning the issue. Mr. Ori cautioned that with commercial entities involved rates should be applied consistently, therefore PRMG should be engaged as soon as possible to protect District. Mr. Fishburn agreed that these are critical issues that need to be addressed as soon as possible.

It was the consensus of the Board for Mr. Ori to submit a draft contract to Mr. Fishburn that is to be reviewed by Mr. Dillon in an amount of $5,000 for consideration at the August 4, 2004 meeting.

Bridge financing was described and discussed at the request of Commissioner Brooks.

VII - Legal Counsel’s Report

LC 1 - Haskell Notice of Delay – Draft Change Order No. 2

Mr. Dillon introduced the action item and recommended it to be approved. Commissioner Tobin questioned the defining of costs. Mr. Dillon stated that he used the standard terms for defining the costs and believes there is no misunderstanding with Haskell as to what they are.

LC 2 – Prompt Pay Act Am. No. 1 to the Haskell Contract

Mr. Dillon introduced the action item and stated that it was the product of negotiations with Haskell. He addressed concerns on the prompt pay act and the need for the notice to proceed to be issued once funds are secured. It also gave notice that Mr. Fishburn would be the District contact as general manager. Mr. Dillon recommended the Amendment be approved.

LC 3 – Status of Calusa Condo Document Review

Mr. Dillon reviewed the document that had been distributed by email and was not included in the agenda package. The clerk distributed copies.

LC 4 - D.N. Higgins letter dated 7-14-04

Mr. Dillon distributed the response made by Mr. Fishburn on behalf of the District to assertions by Douglas N. Higgins, Inc. ("Higgins"), that it was entitled to additional compensation on account of alleged delays. Mr. Dillon stated that the contract expressly does not entitle Higgins to additional compensation on account of delays; Higgins is entitled to additional time, only. Mr. Fishburn noted that he had discussed the issue with Mr. Daniel Higgins, the vice President of Higgins, and Mr. Fishburn believes that this issue will be resolved amicably.

Mr. Fishburn stated that Haskell intends to get numbers from Higgins on consolidating the park and to amend the contract so that Haskell would assume responsibility for installation of the
collection system. Mr. Fishburn noted that Roevac and Fluidyne have asked for price increases. Mr. Fishburn noted that the KLP and KLTV collection systems need to be completed at the same time and the issue should be resolved by Friday. Mr. Fishburn stated that he would update the Board by email on the issue.

VIII - Action Items

AC 1 – Approval of the Clerk’s Employment Agreement

Commissioner Wilkinson moved to approve item AC 1. Commissioner Tobin seconded the motion. Commissioner Brooks stated that he had received an email this week that disturbed him concerning a vacation for a new employee. He was concerned that the vacation policy is not defined properly in the contract, and that a vacation should be at the convenience of the Board and it should be accrued. Commissioner Tobin also expressed concern. Ms. Simpkins asked if it was a paid vacation or unpaid leave and asked if when the request was received if it was set against the policy. Chairman Bauman stated that the District must protect itself from employees taking twelve days of paid vacation and then quitting.

Mr. Waits commented that the District has its first employees without policies in place. The policies need to be done soon and that personnel policies in most instances have vacation time earned on an accrual basis. However, if there were prior commitments that should have been considered prior to employment, this could be handled as a non-paid leave of absence. Chairman Bauman agreed and asked Mr. Dillon if this issue should be in a policy statement or in the contract. Mr. Dillon stated it should be addressed in a policy statement that is part of the contract. Chairman Bauman asked if it would be acceptable to change the contract to include vacation is to be accrued one day for each month up to 12 days annually, and Mr. Dillon agreed to revise the contract form. Commissioner Beaty questioned the listing of the Clerk’s minimum duties. Mr. Dillon stated the list was drafted and reviewed by the transition committee and that Mr. Fishburn also reviewed them. Commissioner Brooks asked about the title change to administrative officer. Mr. Dillon stated that he understood the consensus of the Board to be that the title would not change, but that assignment of administrative duties should be included in the contract as expressed at the last meeting.

With no further discussion the question was called. All were in favor and the item was unanimously approved.

AC 2 – Approval of the CFO’s Employment Agreement

Mr. Dillon noted that the title of CFO had been changed to Finance Officer.

Commissioner Wilkinson moved to approve item AC 2. Commissioner Beaty seconded the motion. All were in favor and the item was unanimously approved.

Commissioner Brooks requested discussion on the vacation request made by the general manager. Chairman Bauman stated that it would be addressed under the General Manager’s report.

AC 3 – Approval of Resolution 2004-02 Authorized Signatories on KLWTD Bank Accounts
Mr. Martin Waits stated that a final revised copy was distributed to the Board members and described the changes made. Mr. Fishburn stated the document was to transfer the authority from GSG to local staff, however the resolution should be refined to include more detail in the future.

**Commissioner Brooks move the item and asked if these were to sign checks only after Board approval.** Mr. Waits answered in the affirmative. It was noted that GSG staff would not sign checks after July 31, 2004. **The motion was seconded by Commissioner Wilkinson.** Chairman Bauman asked why Commissioner Tobin was included as a signatory. Mr. Waits stated he had considered taking him off but with the potential difficulties in locating a Board member when necessary he was left on. A scrivener’s item was noted that financial officer should be changed to Board Clerk. With no further discussion all were in favor and the motion was unanimously approved.

**AC 4 - Approval of Change Order No. 2 to the Haskell Contract (162 day extension)**

**Commissioner Brooks moved to approve the item. Commissioner Beaty seconded the motion. All were in favor and the item was unanimously approved.**

**AC 5 – Approval of Amendment No. 1 to the Haskell Contract**

**Commissioner Tobin moved to approve the item. Commissioner Wilkinson seconded the motion. All were in favor and the item was unanimously approved.**

**IX – Finance Officers Report**

**CFO 1 - Approval of the Pending Payments List for July 21, 2004**

Mr. Miles reviewed the memorandum that was provided. Commissioner Wilkinson questioned the FKAA funds being held. Mr. Miles stated that he had requested a written response on May 28th and had received no response to date. Mr. Miles has been trying to find a resolution to the issue for four months.

Mr. Miles noted that Mr. Miles Anderson of the DCA had acknowledged receipt of the FEMA Phase II Documents. Mr. Miles stated that he had asked Mr. Anderson about the $495,000 of FEMA Phase I funds. It was not determined if the funds were being held until the FEMA Phase II documents were signed or until the FKAA closed out the grant.

**Commissioner Wilkinson moved to approve the item. Commissioner Beaty seconded the motion. All were in favor and the item was unanimously approved.**

**CFO 2 – Presentation of the Draft FY2005 Operations Budget**

Mr. Waits presented the draft operating budget. Mr. Waits stated that the capital budget would be presented at a future meeting. Chairman Bauman requested the excel spread sheet be forwarded to him by Mr. Miles. The Board requested time to review and comment on the Budget for incorporation prior to the August 4, 2004 meeting. Mr. Miles brought attention to the list of assumptions used in preparing the budget. He noted the $2,700 connection fee and the $35/mo/EDU used in preparation of the FY 2005 Operations Budget.
CFO 3 – Status of FEMA Phase I Funds

Please see above.

CFO 4 - Status of Transition of the CFO Function

Mr. Waits presented the summary table. All dates for transition of functions will conclude by August 31, 2004. Commissioner Tobin stated concern with not completing the fiscal year. Mr. Miles stated that the disbursement function should go with the other functions for a clean transition. Commissioner Tobin questioned the closing of the books and the need for reporting to various agencies. Mr. Miles stated that the closing function could be done with and Excel spreadsheet or by hand. Mr. Miles suggested that the KLWTD would eventually need government software. Chairman Bauman and Commissioner Beaty also expressed great concern with not ending at the fiscal year. Chairman Bauman stated that he would contact Mr. Robert Sheets concerning the matter. The Board requested Commissioner Beaty speak with Mr. Sheets and Mr. Miles on the concept of continuing the CFO Function until the fiscal year end.

Chairman Bauman recessed the meeting at 7:15 p.m.
Chairman Bauman reconvened the meeting at 7:30 p.m.

X - General Manager’s Report

Mr. John Darmody was introduced by Mr. Fishburn to address the sewer strategy issue. Mr. Darmody has worked with the City of Marco Island and believes gravity can be considered in the future. He offered his assistance to the Board and invited questions.

GM 1 - Status of the Kings Kamp Letter

Mr. Fishburn informed the Board that he had further conversations with Kings Kamp and they are under a health department warning. Mr. Fishburn stated that Kings Kamp had requested help in determining a compatible system for future hook up to the KLWTD system.

Mr. Fishburn stated that in the future he would like to review all plans submitted to the County. Mr. Fishburn stated that there is a need to look at plan review and inspection fees for the District.

Commissioner Tobin requested a discussion item for the next agenda concerning requesting cooperation with the County and FDEP on being notified of plans that would affect the KLWTD system.

Commissioner Tobin requested a discussion item for the next agenda concerning a resolution to set rates for plan review and inspection fees for the District.

GM 2 - Status of the Site Mitigation

Mr. Fishburn noted that the exotic permit is in hand and once a notice to proceed is issued to Haskell they would start the removal of exotics and do the geotechnical studies. Mr. Fishburn talked with Mr. Garrett concerning the mitigation plan costs and they will be presented to the County at the next BOCC meeting held in Key Largo.
GM 3 - Status of the System Development Charge

Mr. Fishburn stated this issue would be addressed after the rates are reviewed.

GM 4 – Plan for Community Meeting

The agenda was distributed for review. Video taping the meeting was suggested and discussed. Mr. Fishburn noted that there would be a manhole demonstration and that Mr. Mark Bell would be present to describe the low-income program.

GM 5 – NOTICE TO PROCEED

Mr. Fishburn stated that once the FEMA Phase II agreement is in place the Notice to Proceed should be issued. Mr. Dillon asked the Board for direction on who should sign it. Commissioner Tobin stated that he had talked with Jeb Bush and invited him to be present at the groundbreaking. Mr. Bush expressed interest if it were held on a Friday or a Monday. Mr. Kinsley stated that a groundbreaking ceremony could be scheduled. Mr. Kinsley noted that they would be mobilized within 30 days of receiving the notice to proceed. A tentative date for a ceremony was stated as September 15, 2004.

Mr. Dillon stated that once the FEMA Phase II agreement is signed the District would have reasonable assurance of the availability of federal funds, and should issue the notice to proceed at that time. The Design-Build Agreement provides that the General Manager is the District’s representative, and Mr. Fishburn is therefore authorized to issue the notice to proceed. It was the consensus of the Board to consider the issuance of the notice to proceed at the August 4, 2004 meeting.

GM 6 – Discussion of the Sante Building

Mr. Fishburn noted that there is flexibility on the layout of the building. KLWTD has been requested to pays for floor coverings. The cost per square foot would include utilities other than electric and telephone. Mr. Fishburn asked for direction from the Board and requested authority to negotiate with Mr. Sante. Discussion ensued on the layout, the need for ADA compliant restrooms and the lease terms. It was suggested that Mr. Fishburn present a recommendation at the next meeting. Mr. Dillon stated that he had reviewed the lease and that it is very basic but needs work to protect the District. The lease is for a 10-year term with nine annual options to renew. Discussion continued. Chairman Bauman suggested the Board would consider a contract at $12 dollars per square foot per year with a one-year cancellation option after three years.

Mr. Fishburn stated that the September, October, and November meeting schedule would be presented at the next meeting.

Commissioner Beaty excused himself from the meeting at 8:00 pm.

Mr. Fishburn noted that five boxes of records had been received from GSG in Tallahassee.

Televised meetings were discussed and it was suggested that the schools be approached to do it for donations or if the County wants to televise the meetings they would need to provide the services.
Mr. Fishburn stated that his vacation was scheduled between the August 4 and August 18 Board meetings and that he would accept the time off to be considered unpaid leave if it was the pleasure of the Board.

Mr. Dillon informed the Board that he would be on vacation from August 19 until August 30, 2004, but would be available by telephone.

XI - Engineer's Report

PE 1 - Report on the Design Review

Mr. Castle stated that the meeting went well and the odor control issue was favorably resolved, with Haskell agreeing to install biological odor control. No other major issues are outstanding. All information is being received as requested. All comments from staff were received and are awaiting a written response. There is one more set of drawings to be received on the collection system.

Mr. Kinsley stated that the information on the redesign of the treatment plant to include a second floor was premature and the costs are being worked out and the re-submittal will be more comprehensive.

PE 2 - Status of Sexton Cove RFP

Mr. Castle stated that the information from appraisers office is being gathered and CAD work is being done that will superimpose the information on the aerial maps that were previously presented. All costs and estimates would be updated. Mr. Castle stated that FKAA would be contacted concerning using abandoned lines to reduce costs. Information is being gathering on the layout of the forcemain. Commissioner Brooks asked how many EDUs would result form the RFP. Mr. Castle estimates 3,000 EDU's or more if commercials are considered. Mr. Castle noted that the layout would include stubs for future expansion.

Mr. Castle informed the Board that he would be attending training on August 2, 3 and 4 and that either Jeff Weiler or Mike Hatfield would be in attendance at the August 4, 2004 meeting.

PE 3 – Report from Haskell Project Manager

Mr. Kinsley informed the Board that all collection system permits were in hand except for the FDEP, which should be in hand shortly. The Plant permits have more work to be done because Monroe County and the FDEP permits are being held because geotechnical information is required to be reviewed. The geotechnical work cannot commence until the site is cleared.

Mr. Kinsley stated that the design review meeting went well and the written response would follow, the odor control issue is being resolved and mobilization would take approximately 30 days from the notice to proceed.

XII - Public Comment

Mr. Robert Burt, President of the KLTV homeowners association addressed the Board. Mr. Burt hopes that Mark Bell would have low-income forms available at the July 22 community meeting.
Commissioner Brooks presented the information provided. Chairman Bauman suggested it be reviewed for discussion at the next meeting.

Commissioner Brooks stated that the July 9 meeting was for liaisons and was to discuss the potential $100 million to be allocated by Congress via SWFWMD. The KLWTD is eligible for $368,000 less overhead or a net amount of $330,000 that is ready to be disbursed this coming fiscal year. If the KLWTD is not ready this year with a project plan the KLWTD could lose the $330,000 grant money. An additional $4.5 million in the next fiscal year that is in Congressional Committee to be appropriated. The criteria were included for review. Commissioner Brooks invited Mr. Fishburn as manager because he will need to put the submittal documents together for funding. Commissioner Brooks stated that the KLWTD should amend the PMP to update the sewer system needs for Key Largo. There may only be a few weeks to prepare the information for the next PMP, which is the guideline for appropriating the money. KLWTD must have a project ready to proceed for the $330,000. Discussion ensued on the documentations necessary to submit a project for consideration. It was noted that the Sexton Cove project is too far out for the $330,000 and that the KLP build out project should be considered except for the Key Largo Trailer Village project.

It was suggested for the update of the PMP and that the next KLWTD project be an action item on the August 4, 2004 agenda. Commissioner Brooks will work with staff on the PMP update and it will be submitted no later than mid-September.

It was recommended the KLWTD ASA make amendments to the PMP that more accurately portrays the economical engineering factors involved and necessary to provide a sanitary sewer system for Key Largo. Consensus was expressed that Commissioner Brooks would prepare the amendments and submit to the Army Corps in time for August 2004 printing schedule.

It was also discussed and recommended KLWTD staff prepare documents regarding the Key Largo Park Project build out is ready to proceed and may require Federal funding. Staff was given direction to prepare the necessary required documents to apply for the Federal funding using the Key Largo Park build out project. Emphasis was given...
to staff to make timely preparations in order to capture these Federal funds. Staff projected documents and app lication would be done by mid-September 2004.
Mr. Burt expressed concern with the consumption/edu issue. He expressed concern about KLTV residents being guinea pigs for the $2,700 start up costs being used for future expansions. He believes residents don't want to subsidize future expansion and that grant money should be sought in addition to hook up fees for future expansion. He also is concerned with the demolition of septic tanks prior to knowing if the sewer system works. He questioned the hook up dates and the process required and suggested plumbers. Mr. Burt questioned if someone would be visiting the property owners to determine where lines will run.

Discussion ensued on staff stating $35/mo and $2700 fees. Chairman Bauman suggests not stating certainties only that the Board hopes to adhere to a $35/mo rate. Mr. Fishburn stated that he doesn't believe the rate can be supported with the information he has seen.

Chairman Bauman stated that if the Board has made no policy decision it should be stated as such by the general manager.

Mr. Dillon suggested keeping track of the questions asked and the responses given so that the information could be distributed to those unable to attend.

The screening of plumbing contractors was discussed. Ms. Simpkins stated that CDBG might have plumbers pre-approved that must be used.

The decommissioning of septic tanks was discussed.

XIII - Commissioner's Item

CI 1 – Report on the Florida Keys Water Quality Improvement Program Meeting – Commissioner Brooks

Commissioner Brooks presented the information provided. Chairman Bauman suggested it be reviewed for discussion at the next meeting.

Commissioner Brooks stated that the July 9 meeting was for liaisons and was to discuss the potential $100 million to be allocated by Congress via SWFWMD. The KLWTD is eligible for $368,000 less overhead or a net amount of $330,000 that is ready to be disbursed this coming fiscal year. If the KLWTD is not ready this year with a project plan the KLWTD could lose the $330,000 grant money. An additional $4.5 million in the next fiscal year that is in Congressional Committee to be appropriated. The criteria were included for review. Commissioner Brooks invited Mr. Fishburn as manager because he will need to put the submittal documents together for funding. Commissioner Brooks stated that the KLWTD should amend the PMP to update the sewer system needs for Key Largo. There may only be a few weeks to prepare the information for the next PMP, which is the guideline for appropriating the money. KLWTD must have a project ready to proceed for the $330,000. Discussion ensued on the documentation necessary to submit a project for consideration. It was noted that the Sexton Cove project is too far out for the $330,000 and that the KLP build out project should be considered.

It was suggested that the project be defined for the update of the PMP and that the next KLWTD project be an action item on the August 4, 2004 agenda. Commissioner Brooks will work with staff on the PMP update and it will be submitted no later than mid-September.
CI 2 - Update on past agenda items:
   A. FEMA FONSI Status
   B. Water Quality Testing
   C. Resolution of $100K Loan repayment issue
   D. Site mitigation
   E. KLP vacant lot resolution
   F. Project request for FEMA deadline extension
   G. CDBG Grants and/or funds for private connections
   H. Procedures
   I. Web Site Development
   J. Elections at Large versus Seats

There was no action or discussion on this item.

XIV – Meeting Adjournment
KLWTD Board Meeting
August 4, 2004

DRAFT

July 22, 2004 Meeting Minutes
Board Members Present
Gary Bauman, Chairman
Charles Brooks
Andrew Tobin

Staff Present
Charles Fishburn, General Manager
Thomas Dillon, Board Attorney
Martin Waits, Finance Officer
Ed Castle, P.E., Board Engineer

I - Call to Order

Chairman Bauman called the meeting to order at 7:10 p.m.

I. Introduction by Gary Bauman, Chairman KLWTD
II. Collection System Description
   - Vacuum System by Tom Evens of Roevac
   - Construction Process by Walt Messer of DN Higgins and Will English of The Haskell Company
III. Connection to the Collection System and Permitting by Ed Castle, P.E., Weiler Engineering
IV. Abandonment of Existing Septic Systems and Permitting by Ed Castle, P.E., Weiler Engineering
V. Treatment Plant Description
   - Process by Ed Castle, P.E., Weiler Engineering
   - Construction by Will English, The Haskell Company
VI. System Development Fee by Chuck Fishburn, KLWTD
VII. Financing Options by Chuck Fishburn, KLWTD
VIII. Monthly Costs by Chuck Fishburn, KLWTD
IX. Low Income Assistance by Mark Bell, Monroe County Housing Authority
X. Construction Schedule
   - KLTV First 90 Days by Walt Messner, DN Higgins
XI. Conclusion by Gary Bauman, KLWTD Chairman

Chairman Bauman adjourned the meeting at 8:40 P.M.

Respectfully submitted by,

Charles F. Fishburn, General Manager
KLWTD Board Meeting
August 4, 2004

AC 1

Approval of the Haskell Company's Notice to Proceed
July 28, 2004

Mr. Peter M. Kinsley
The Haskell Company
111 Riverside Avenue
Jacksonville, Florida 32231

By Facsimile (904)357-4282 and First Class Mail

Dear Mr. Kinsley:

Pursuant to that certain Design-Build Agreement dated June 25, 2003, between the Key Largo Wastewater Treatment District ("District") and The Haskell Company, Inc. ("Haskell"), the District hereby gives to the Haskell notice to proceed with the construction of the project, also known as Phase II.

Haskell is directed to commence Phase II work within thirty days from the date of receipt of this notice to proceed in accordance with plans and specifications approved, and to be approved, by the District, all other contract provisions, and the requirements of applicable law. Further, please provide a revised project schedule at your earliest opportunity.

Yours,

Charles F. Fishburn
General Manager

CC: Mayor Murray Nelson, Monroe County
Miles Anderson, DCA
Thomas M. Dillon
KLWTD Board Meeting
August 4, 2004

CFO 1

Approval of the Pending Payments List for August 4, 2004
TO: Key Largo Wastewater Treatment District Board Members

CC: Charles Fishburn, General Manager
Faith Doyle, Clerk to the Board
Thomas Dillon, Board Attorney

FROM: David R. Miles, Director of Finance

DATE: July 28, 2004

RE: Pending Payments Key Largo Wastewater Treatment District

Dear Commissioners:

This agenda item is designed to provide an update on the financial status of the Key Largo Wastewater Treatment District. As of July 28, 2004 the District had $38,888.94 in its bank account. We have $25,921.63 in invoices and July payroll amounts in-hand for payment by August 5, 2004, which will leave a cash balance of $12,967.31 when all invoices are paid. Exhibit A is the list of currently outstanding invoices pending payment. As requested by the Board at the January 14, 2004 meeting, separate accounting of cash balances are shown as follows as of July 28, 2004:

<table>
<thead>
<tr>
<th>Administration &amp; Operations</th>
<th>$191,508.95</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Largo Park</td>
<td>(51,109.58)</td>
</tr>
<tr>
<td>Key Largo Trailer Village</td>
<td>(101,510.43)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$38,888.94</strong></td>
</tr>
</tbody>
</table>

A request for $129,607.00 for Monroe County matching funds for use in the Key Largo Park project, submitted March 23, 2004 is still pending. A follow-up letter was sent May 27, 2004. As the amounts paid and not reimbursed have now grown to $51,109.58, the District Finance staff will now bill the actual amounts to FDEP and Monroe County as provided in the February 2003 interlocal agreement.

Negotiations are pending with Miles Anderson of DCA concerning drawing down of FEMA Phase II funding. Mr. Anderson contacted Mr. Miles on July 27, 2004 and informed him that he was awaiting the signed document back from the DCA executive offices. Once the signed document is received by Mr. Anderson, he will contact us to arrange the transfer of the advance requested.

Board of Commissioners: Chairman Gary Bauman, Andrew Tobin, Cris Beaty, Charles Brooks, Jerry Wilkinson
### Key Largo Wastewater Treatment District
### Payments Pending, August 4, 2004
### Prepared July 28, 2004

<table>
<thead>
<tr>
<th>Date of Invoice</th>
<th>Vendor</th>
<th>Invoice #</th>
<th>Description</th>
<th>Payment Category</th>
<th>Invoice Amount</th>
<th>Date Due</th>
<th>Date Paid</th>
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<tbody>
<tr>
<td>06/25/04</td>
<td>Bell South</td>
<td>305852-24770010444</td>
<td>New Phone Hook-up &amp; Service For 6/25 to 7/24/04</td>
<td>1</td>
<td>$ 248.26</td>
<td>Upon Receipt</td>
<td>7/15/04</td>
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<tr>
<td>07/10/04</td>
<td>Bell South</td>
<td>305451-51058040446</td>
<td>Telephone Bill July 10-August 9</td>
<td>1</td>
<td>$ 43.58</td>
<td>Upon Receipt</td>
<td>7/22/04</td>
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<tr>
<td>08/01/04</td>
<td>George Scott</td>
<td>090104</td>
<td>Rent for KLWTD Office for 8/04</td>
<td>1</td>
<td>$ 700.00</td>
<td>Upon Receipt</td>
<td>7/22/04</td>
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<tr>
<td>07/19/04</td>
<td>Martin Waits</td>
<td>071904</td>
<td>Travel Expense for July 2004</td>
<td>1</td>
<td>$ 420.00</td>
<td>Upon Receipt</td>
<td>7/22/04</td>
</tr>
<tr>
<td>07/30/04</td>
<td>Andrew Tobin</td>
<td>Payroll</td>
<td>July 2004</td>
<td>1</td>
<td>$ 900.00</td>
<td>08/08/04</td>
<td>08/08/04</td>
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<tr>
<td>07/30/04</td>
<td>Gary Bauman, Chairman</td>
<td>Payroll</td>
<td>July 2004</td>
<td>1</td>
<td>$ 900.00</td>
<td>08/06/04</td>
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<td>$ 2,520.00</td>
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<td>08/06/04</td>
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<td>07/30/04</td>
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<td>FICA &amp; Medicare</td>
<td>Employer Share, Payroll Taxes</td>
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<td>$ 1,054.71</td>
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<td>08/06/04</td>
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**Total Invoices for Administration & Operations**: $16,253.55

**Balance Forward if All Admin & Operations Invoices Paid**: $175,255.40

**Cash Balance Forward for Key Largo Park**: $(51,109.58)

<table>
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<tr>
<th>Date of Invoice</th>
<th>Vendor</th>
<th>Invoice #</th>
<th>Description</th>
<th>Payment Category</th>
<th>Invoice Amount</th>
<th>Date Due</th>
<th>Date Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/26/04</td>
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<td>35495</td>
<td>K LWTD - Park Professional Service for 6/23-7/21/04</td>
<td>2</td>
<td>$ 4,014.43</td>
<td>Upon Receipt</td>
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</table>

**Total Invoices for Key Largo Trailer Park**: $4,014.43

**Balance Forward if All Key Largo Park Invoices Paid**: $(55,124.01)

**Cash Balance Forward for Key Largo Trailer Village**: $(101,510.43)

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<tr>
<th>Date of Invoice</th>
<th>Vendor</th>
<th>Invoice #</th>
<th>Description</th>
<th>Payment Category</th>
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<th>Date Due</th>
<th>Date Paid</th>
</tr>
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<tbody>
<tr>
<td>07/26/04</td>
<td>The Weiler Engineering Corporation</td>
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<td>KLWTD - Trailer Village Professional Svc for 6/23-7/21/04</td>
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**Total Invoices for Key Largo Trailer Village**: $5,653.65

**Balance Forward if All Key Largo Trailer Village Invoices Paid**: $(107,164.08)

**Total All Invoices**: $25,921.63

Approved for Payment:

Gary Bauman, KLWTD Chair

Cris Beaty, KLWTD Secretary

Payment Category Key:
1. District Administration
2. Key Largo Park Construction
3. Key Largo Trailer Village Construction
KLWTD Board Meeting
August 4, 2004

CFO 2

Presentation of the Draft
FY2005 Operations and
Capital Improvement Budgets
TO: Key Largo Wastewater Treatment District Board Members

CC: Charles Fishburn, General Manager
Martin Waits, Chief Financial Officer
Faith Doyle, Clerk to the Board
Thomas Dillon, Board Attorney

FROM: David R. Miles, Director of Finance

DATE: July 29, 2004

RE: FY 2005 Budget- Draft #2

Dear Commissioners:

Attached is the second draft of the operating budget and first draft of the capital budget for the Key Largo Wastewater Treatment District for FY 2005. We have also made preliminary projections for the period FY 2006-2009. The operating budget projections in large measure are dependent upon the progress the District makes towards obtaining its goal of providing sewer service to all real property parcels on Key Largo.

The operating budget is significantly different in FY 2005 compared to the two prior years, in both format and operational philosophy. This budget provides for the employment of two full time and one part time employee positions, in addition to the Board member salaries. It provides for the phasing out of the contractual managerial support provided to the Board in the last two years. Small, but declining amounts are budgeted for consultation in the early years to support the transition to an in-house staff.

It will be necessary to obtain computer support, particularly for the accounting function and subsequently for the customer billing function. The need for an Internet web site has also been discussed for the district. We have therefore included $10,000 per year for the lease of necessary software and other contractual arrangements for these services.

A series of assumptions have been made concerning the progress in completing the construction of the capital assets of the district. These assumptions have a bearing on the cost of delivering services and the revenue streams that can be expected, particularly in FY 2006 and thereafter. The assumptions are as follows:

[List of assumptions]

[Signature]

[Signature of Commissioners: Chairman Gary Bauman, Andrew Tobin, Cris Beaty, Charles Brooks, Jerry Wilkinson]
• The Monroe County Property Appraiser has provided staff a projection of the Key Largo MSTU assessed values for 2004 of $2,642,564,644. These values represent a 17.29 percent increase over the 2003 values of $2,253,097,004. Assuming the millage rate remains the same at 0.35 mills, this will generate $827,685 in FY 2005 revenue. It is expected that this revenue source will expire at the end of FY 2007 and the Monroe County agreement will not be renewed after the initial term.

• The first of the 850 EDU’s in Key Largo Trailer Village and Key Largo Park will begin to be served by the newly constructed plant in early FY 2006 (October 2005). About two thirds of the ultimate monthly fee revenue for these two projects is projected to be received in FY 2006, with the full amount being received in FY 2007. These numbers were based on a monthly flat fee of $35.00 per EDU.

• It is estimated that five (5) percent of the Key Largo Park and Key Largo Trailer Village connection fees will be received in FY 2005 with the remainder received in FY 2006. A connection fee of $2,700.00 per EDU was used.

• The Lake Surprise Force Main and related projects in neighborhood communities is projected to have construction completed by the end of FY 2007 and to begin providing services in FY 2008. An estimate of 3,000 EDU’s has been assigned for budgetary purposes to this project. This number will be refined based on the recently approved Weiler Engineering work order and future grant approval of funding amounts.

• Estimates of receipt of monthly fee revenue from the Lake Surprise project are based on two-thirds being received in FY 2008 and all customers paying in FY 2009. Likewise, collection of connection fees is based on five percent in FY 2007 with the balance received in FY 2008 and FY 2009.

• The district will begin sending monthly invoices to customers in FY 2006, with a significant increase beginning in FY 2008 for the Lake Surprise project.

• The budget funds a full time General Manager and Board Clerk and a part time CFO in FY 2005. No additional positions are funded in FY 2006 or thereafter, but funding for contractual operation, maintenance, customer service and billing functions are included for FY 2006 and thereafter. These functions can be brought in-house based on Board direction in a future budget year as requirements are better defined.

• We have increased the insurance premium line beginning in FY 2006 and further in FY 2008 to reflect the need to add property and casualty coverage for the newly completed wastewater plant.

• We have included $120,000 for special projects and $15,000 for a contractual rate review in the FY 2005 budget.
The capital budget for FY 2005 – FY 2009 includes four (4) projects. The Key Largo Park and Key Largo Trailer Village are scheduled for completion in FY 2005. A total of $2.12 million is budgeted for FY 2005. A capital project for Lake Surprise has been added for the FY 2005 budget. This project consists of the installation of a force main system of approximately 5.5 linear miles at a cost of approximately $35 million. A capital project for the Calusa Campground has been added to the FY 2006 budget. An internal vacuum system will be installed at a cost of approximately $1.15 million funded mostly by wastewater capacity fees. This last project was placed in FY 2006 rather than FY 2005, based on the timing of receipt of wastewater capacity fees.

This draft budget is a planning tool for the Board and management. Your comments and improvements are always welcome.
KLWTD Board Meeting
August 4, 2004

CFO 3

Presentation of the Quarterly Financial Reports
Dear Commissioners:

Attached are five quarterly financial reports from the Key Largo Wastewater Treatment District accounting records as of June 30, 2004. The first is a Statement of Revenues and Expenses and Changes in Fund Net Assets for the Key Largo. Year to date it shows operating expenses has exceeded revenue by $17,099.47. Total net assets are $733,145.44.

The second report shows a balance sheet (Statement of Net Assets in Governmental Accounting). Our assets are cash of $37,270.28 and fixed assets of $826,234.31, with liabilities of $130,359.15. Net assets again equal $733,145.44.

The third report is a Statement of Revenues and Expenditures, with a budget to actual comparison. It shows for the operating account our total revenues in the first nine months of FY 2004 were $1,123,696, comprised mostly of the first MSTU draft from Monroe County and the receipt of the deed from Monroe County for the parcel of land at MM100.5. Our expenses were $193,433, leaving an operating surplus of $930,263. Please note the acquisition of the land from Monroe County increases the operating surplus on the Statement of Revenues and Expenditures, but does not affect our cash flows.

The fourth report is a pair of charts showing budget to actual revenues and expenses for the two capital projects. For Key Largo Park, there was $70,775 in revenue and $116,532 in expenditures. For Key Largo Trailer Village, there was $1,408,342 in revenue and $1,481,703 in expenditures, for a net deficit of $73,361 in the first nine months. Please note the expenditure for the land of $826,234 was on Monroe County's books, not the KLWTD books, but is shown as a budgetary convenience.
KLWTD Board Meeting  
August 4, 2004  

GM 4  

Meeting Schedule for  
September, October & November  
2004
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<th>Mon</th>
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* Civic club available
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* civic club available

2004 October
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KLWTD Board Meeting
August 4, 2004

GM 5

Status of New Building
# Sante Building Options

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<tr>
<th>Options</th>
<th>Advantages</th>
<th>Disadvantages</th>
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| 1. Rent half of building 1,225 sq ft $1,225/month | - Double current floor space  
- Three offices  
- Public access  
- $14,700/year rent | - Limited records storage  
- Limited meeting space  
- Tennant next door  
- Parking |
| 2. Rent 1,500 sq ft $1,500/month | - Three offices  
- Records storage  
- Public access  
- Meeting space | - Tennant next door |
| 3. Rent whole building 2,450 sq ft $2,450/month | - Four offices +  
- Two bathrooms  
- Records storage +  
- Public access  
- Meeting space +  
- Room for growth | - $29,400/year rent |
OPT. 3
2450 FT²
WHOLE BLDG,
$2450/MT,
$92/FT²
29,400 FT²
+ ELEC,
+ WATER
+ FLOOR COVERING

$12/FT², INCLUDES TAXES, WASTE AND INS.

OPT. 2
1500 FT²
$9/12/FT²
$500/MT
$8,000/YR.+++ 

OPT. 1
1/2 BLDG
1225 FT²
$9/12/FT²
$1225/MT
$4,700/YR

+ ELEC,
+ WATER,
+ FLOOR COVERING

SANTE BLDG. 98.8 MM
KLWTD Board Meeting
August 4, 2004

GM 6

Army Corp Update
TO: Key Largo Wastewater Treatment District Board Members

FROM: Charles Fishburn, General Manager

DATE: July 29, 2004

RE: Army Corp Update

Commissioner Brooks, the General Manager and the District Engineer are revising the Table 3-3 and Program Components working to more accurately reflect current plans.

Charlie \$30,000 FROM GRANT
Present changes to the BMP to give the KLWTD a representation in the plan.
Program Management Plan

Florida Keys Water Quality Improvements Program

U.S. Army Corps of Engineers
Jacksonville District

South Florida Water Management District
<table>
<thead>
<tr>
<th>Entity</th>
<th>Project Priority</th>
<th>Project Name</th>
<th>Project Type SW/WW</th>
<th>Hot Spot Area?</th>
<th>Readiness (Out of 10)</th>
<th>Projected Cost of Top Priority Projects</th>
<th>Potential Allowance from Federal Funding</th>
<th>Local Match to Federal Funds</th>
<th>Total in FKWQIP</th>
<th>Other Local Match Required</th>
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<td>Long Key Estates, City of Layton, area adjacent to US1</td>
<td>WW</td>
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<td>11</td>
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PMP FKWQIP

March, 2004
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<td>WW</td>
<td>Y</td>
<td>10</td>
<td>$41,599,546</td>
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<td>Key Largo</td>
<td>1</td>
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<td>WW</td>
<td>Y</td>
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<td>20</td>
<td>$8,400,000</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
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<td>3</td>
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<td>Y</td>
<td>4</td>
<td>$10,369,553</td>
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<td>WW</td>
<td>Y</td>
<td>4</td>
<td>$1,881,052</td>
<td>$1,222,684</td>
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<td>$0</td>
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<td>5</td>
<td>PAED 15 - Harris Ocean Park</td>
<td>WW</td>
<td>Y</td>
<td>4</td>
<td>$9,686,853</td>
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<td>$0</td>
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<td>PAED 19/20 - Remainder of PAED 19/20</td>
<td>WW</td>
<td>Y</td>
<td>4</td>
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<td>$15,916,923</td>
<td>$45,476,923</td>
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</table>
3.0 Program Components

Phase 7: Crawl and Grassy Key.
Phase 7 would include these lower prioritized areas (due to numbers of connections) to complete the program.

Village of Islamorada

Plantation Key Colony Phase IIA.
This project generally consists of expansion of an AWT plant built in Phase I of this project, and connection of Plantation Key Elementary School and Coral Shores High School to the expanded plant. Additionally, the project will include decommissioning existing package treatment plants.

Plantation Key Colony Phase IIB.
This project generally consist of expansion of the AWT plant built in Phase I to 0.23 mgd, and construction of a vacuum sewer system for the remainder of North Plantation Key Colony from Tavernier to the northeast, High Street to the southeast and Plantation Key Elementary to the southwest.

Remainder of Plantation Key.
This project consists of providing a wastewater collection and treatment system to serve the remainder of Plantation Key. It is anticipated that the required AWT wastewater treatment plant would have an average daily flow of approximately 0.35 mgd.

Key Largo Wastewater Board

PAED 18 Cross Key Waterway Estates.
The service area for this project generally consists of the Cross Key Waterway Estates, Largo Sound Park, Anglers Park Shores, and South Creek Village area along U.S. Highway 1. This project will provide community wastewater collection system with an interim 0.14 mgd wastewater treatment plant meeting AWT standards.

PAED 16 Area A.
The service area for this project generally consists of what is known as Area A, and Winken, Blyken & Nod. This project will provide wastewater collection systems to “Hot Spot” areas, and the system will connect to one of two adjacent existing wastewater treatment plants, each of which appears to have adequate excess capacity to serve this “Hot Spot.”

PAED 15 Harris Ocean Park.
This project will provide the community with a wastewater collection system and a wastewater treatment plant with a capacity of 0.12 mgd.

Monroe County

Boca Chica - Big Coppitt.
The service area for this project generally consists of Coppitt, Johnsonville, Gulfview Porpoise Point, and Gulfrest Park subdivisions, and adjacent area along U.S. Highway 1.
that the Sexton Cove project is too far out for the $330,000 and that the KLP build out project should be considered.

It was suggested that the project be defined for the update of the PMP and that the next KLWTD project be an action item on the August 4, 2004 agenda. Commissioner Brooks will work with staff on the PMP update and it will be submitted no later than mid-September.

A) Cl 2 - Update on past agenda items:
   A. FEMA FONSI Status
   B. Water Quality Testing
   C. Resolution of $100K Loan repayment issue
   D. Site mitigation
   E. KLP vacant lot resolution
   F. Project request for FEMA deadline extension
   G. CDBG Grants and/or funds for private connections
   H. Procedures
   I. Web Site Development
   J. Elections at Large versus Seats

There was no action or discussion on this item.

XIV – Meeting Adjournment
### EXHIBIT 6-3
Hot Spot Areas and Rankings - Upper Keys

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Wastewater Service Area</th>
<th>Hot Spot Area Name</th>
<th>Area Rank by Region</th>
<th>Rank for Entire Keys</th>
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<tr>
<td>24</td>
<td>PAED 19/20</td>
<td>Tavernier/Key Largo Regional</td>
<td>Lake Surprise/Seminole Cove, Ocean Isle Estates, and area adjacent to U.S. 1</td>
<td>1</td>
<td>2</td>
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<tr>
<td>23</td>
<td>PAED 18</td>
<td>Tavernier/Key Largo Regional</td>
<td>Key Largo Trailer Village, Largo Gardens, Hibiscus Park, and area adjacent to U.S. 1</td>
<td>2</td>
<td>4</td>
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<tr>
<td>23</td>
<td>PAED 18</td>
<td>Tavernier/Key Largo Regional</td>
<td>Cross Key Waterway Estates &amp; Largo Sound Park/Anglers Park Shores/South Creek</td>
<td>3</td>
<td>7</td>
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<tr>
<td>21</td>
<td>PAED 16</td>
<td>Tavernier/Key Largo Regional</td>
<td>Village and area along U.S. 1</td>
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<td>9</td>
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<tr>
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<td>Tavernier/Key Largo Regional</td>
<td>Harris Ocean Park, Palma Sola, Sherrill Park, Harmer Point Park, and area along U.S. 1</td>
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<tr>
<td>19</td>
<td>Plantation Key</td>
<td>Islamorada Regional</td>
<td>Area A - Eastern end of Plantation Key Colony/Kahiki Harbor</td>
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<tr>
<td>24</td>
<td>PAED 19/20</td>
<td>Tavernier/Key Largo Regional</td>
<td>Remainder of P.A.E.D. 19/20: Silver Point/Paradise Point Cove, Flamingo Village,</td>
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<td>22</td>
<td>PAED 17</td>
<td>Tavernier/Key Largo Regional</td>
<td>Key Largo Mobile Home Sites, Largo City</td>
<td>8</td>
<td>17</td>
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<tr>
<td>21</td>
<td>PAED 16</td>
<td>Tavernier/Key Largo Regional</td>
<td>Port Largo, Key Largo Beach, Key Largo Ocean/Beaches, Silver Lake Park, Holiday</td>
<td>9</td>
<td>19</td>
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<tr>
<td>16</td>
<td>Lower Matecumbe</td>
<td>Lower Matecumbe</td>
<td>Salty Harbor, Tall Gate Shores, Port Antigua, Whitehaven Beach, Matecumbe Sandy</td>
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<td>PAED 18</td>
<td>Tavernier/Key Largo Regional</td>
<td>Salty Key Estates/Palace Ville/Winston Waterway</td>
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<td>Porters Cove, Rock Harbor Estates, Marlin Park, Rock Harbor Minor, Harbor</td>
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<td>Bayside, El Dorado, Ellis Estates, Sunrise Point, Abaco House Cove, Seven Acres,</td>
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<td>Upper Matecumbe</td>
<td>Islamorada Regional</td>
<td>Sunset Estates, Key West, Maguey Acres</td>
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<td>Tavernier/Key Largo Regional</td>
<td>Buck Island Ranch, Twin Lakes</td>
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<td>Islamorada Regional</td>
<td>Venetian Shores</td>
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<td>Windley Key</td>
<td>Islamorada Regional</td>
<td>Entire Study Area</td>
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<td>Islamorada Regional</td>
<td>Tree Tops Harbor, Islamorada</td>
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<td>Islamorada Regional</td>
<td>Indian Key Estates, Hues Harbor, Plantation Key Key West</td>
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<td>30</td>
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<td>Islamorada Regional</td>
<td>Yellow Key Estates, Key West, Yacht Harbor, Plantation Key Key West</td>
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<td>31</td>
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<td>19</td>
<td>Plantation Key</td>
<td>Islamorada Regional</td>
<td>Remainder of Plantation Key</td>
<td>23</td>
<td>32</td>
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</table>
Discussion of
Establishing a Rate Resolution for
Sewer Plan Review and Inspection
Fees
Discussion of Haskell Change Order for Key Largo Park
I. Call to Order
Chairman Gary Bauman, Commissioners, Cris Beaty, Charles Brooks, Andrew Tobin and Jerry Wilkinson were present.

II. The Pledge of Allegiance was given.

III. The following was added to the agenda:

IV. The minutes of July 7 and July 21 and July 22, 2004 were approved.

V. Public Comment: The following persons addressed the Board of Commissioners: ONE

VI. Legal Counsel's Report

VII. Action items:
AC1-Haskell Company’s Notice to Proceed Affirmative

VIII. Chief Financial Officers Report:
CFO1-Pending payments list for August 14, 2004
CFO2-Draft FY2005 Operation & Capital Improvements Budgets
CFO3-Quarterly Financial Reports
CFO4-FEMA Phase II Funds
CFO5-Transition of CFO function

IX. General Manager’s Report:
GM1-Kings Kamp Letter
GM2-Site Mitigation
GM3-Community Meeting
GM4-Meeting schedule for Sept, Oct. & Nov.
GM5-New Building
GM6-Army Corp
GM7-Billing & collection for District by FKAA

X. Engineer’s Report
PE1-Mo. Status report
   Design Review
   Sexton Cove RFP
PE2-Rate Resolution for Sewer Plan Review & Inspection Fee
PE3-Haskel Project Manager
   Key Largo Park change order
XI. Public Comment: The following persons addressed the Board of Commissioners:

XII. Commissioner's Items:

CI1-Update on past items:
   A. FEMA FONSI Status
   B. Water Quality Testing
   C. Resolution of $100 Loan repayment issue
   D. Site mitigation
   E. KLP vacant lot resolution
   F. Project request for FEMA deadline extension
   G. CDBG Gants and/or funds for private connections
   H. Procedures
   I. Web site development
   J. Elections at Large versus Seats

XIII. Board of Commissioners adjourned meeting at pm.
Facsimile
TRANSMITTAL

to: Steve Gibbs
fax #: 1-305-664-8411
re: The Reporter article "Bill payment exceeds purchasing law"
date: 5/5/03
pages: 5, including cover sheet.

Dear Steve:

Attached please find a copy of my response to the article published last Friday May 2, 2003 in the Reporter entitled "Bill payment exceeds purchasing law".

It is obvious to me that they are trying to tarnish my reputation by having the newspapers publish their own twisted side that only represents the "Central Florida politicians" side and a minority of the Board members that have been influenced by their twisted words. The politicians only desire is to gain complete control of the Key Largo Waste Water Board in their hope to not only "manage" but also operate and maintain the Central Sewer systems for Key Largo (and all the millions associated with it). This is only the beginning it is up to us to relinquish control of the Key Largo Sewer Systems and all the millions of tax payers dollars attached to them to a group of Central Florida people that only have their best interest in mind.

I hope the Free Press will let the people of Key Largo know the true side of the editorial published by the Reporter.

From:

Robert L. Betancourt, P.E.
President

Gartek Engineering Corporation
7210 S.W. 39th Terrace / Miami, Florida 33155 / (305) 266-8997 / Fax (305) 264-9496 / www.gartek-engineering.com
Facsimile

TRANSMITTAL

to: Ann Henson
fax #: 305-852-8249
re: Gartek's Additional Services-KLWWTD
date: 5-02-03
pages: 13

Dear Ms. Henson:
As you know there are two (2) sides to every story. The people of Key Largo heard one side in the Reporter article published by your editor and written by you today, entitled "Bill payment exceeds state purchasing law". I hope they are also given a chance to hear my side. I know you called me several times and that it is my fault for not taking the time to respond to your calls. There are several reasons why I did not get back to you including: available time on my side, professional courtesy to other consultants working for the KLWWTD, etc.
As you know Gartek Engineering Corp. was put in a very controversial position from day one by having to perform a peer review on Boyle Engineering's (FKAA Engineers); work product. I thought that, ethically, it was the right thing to do, by not making news paper head lines of the problems we discovered during our review, however we have written comments on the KLT and KLP projects that are available for public review and the Reporter review at your request.

Let's start from the beginning: Gartek Engineering Corp. was selected based on a competitive selection process. This project was advertised in local newspapers. We did presentations and competed against two other firms, complying as far as we are concerned, with the Consultants' Competitive Negotiations Act (CCNA) except for maybe the way it was advertised by the Board, which did not follow all the CCNA requirements according the General Manager and KLWWTD legal counsel's interpretation.

As pointed out in your article during our presentation, "after some prodding by the Board" I came up with a figure of $23,000 for our fee based on one (1) set of documents review that was estimated to be performed on a two (2) weeks period. The reason as to why I was so hesitant to give an estimate was because I had not seen the documents prepared by FKAA Engineers, neither one Board member nor the Manager had seen these documents that we were supposed to review and were getting ready to sign a Contract on it. How could they ask me to put a "not to exceed" Lump Sum price on a scope of work that...
nobody knew? To make things worst the new appointed Manager immediately reduced my number to $20,000 again without having any knowledge on Engineering or the scope of work involved.

Attached please find a copy of our proposal for additional services to the General Manager Mr. Robert Sheets. If you please refer to the date when this request was sent (Feb. 12, 2003), you will find that it was 3 days before we had to send out our first invoice. As you know we officially started working on this project on Jan. 15, 2003 (unofficially we had been working on these projects free of charge long before the Contract was signed); and by Contract we were supposed to submit invoices on a monthly basis. As soon as I realized we had exceeded our agreed lump sum amount in our first monthly billing preparation, I informed the Manager and the Board. In addition I did a projection on the estimated hours necessary to complete these projects for their consideration and approval (please refer to attached projected time-table as of 2/10/03).

The reasons why we exceeded the original lump sum amount are explained in the attached letter dated Feb. 12, 2003. Our request for additional services was ignored until recently by the Manager and the Board. However they both continue to request our services and continue to receive the benefit of our input on these two projects. Our comments have originated the savings of over $1,000,000 from Boyle Engineering original KLP design. For example our idea to combine Gravity and Vacuum sewer distribution into the KLP and KLTU projects which resulted in the reduction of the number of valve pits originally designed by Boyle Engineering at +/- 500 pits to +/- 250 pits and associated savings. Also we have contributed to the savings of $500,000 from the KLTU Haskell proposal (see attached April 15, 2003 Value Engineering items proposed by Gartek Engineering Corp.); out of which the savings of $500,000 were already achieved for the KLTU project alone, during the negotiations with the Haskell Team. This led to the recommendation to proceed with the negotiations to award the KLTU project and begin the negotiations with the KLP Contractor (Higgins). We believe that if the Park is re-designed, additional savings could also be achieved in order to connect the entire KLP to the proposed Sewer System. Up to now only 1/3 of the Park is connected. This will equate to very high operating and maintenance cost for those people that will be connected since they (33%) will have to pay for all the expenses of the entire Sewer System which was originally intended to serve all the 100% of the KLP residents.
The actual cost submitted by Gartek for services rendered are as follows:
Original estimated and approved lump sum amount: $20,000.00
Amount requested on Feb.12, 2003: $27,980.00
(including $11,640 exceeded on 2/12/03 + $16,340 estimated to complete Evaluation Phase)
Total requested (original + additional) $47,980.00

Attached is also a copy of our final invoice up to the end of the evaluation Phase. As you can see the actual time expended was $5,150.00 over the estimated lump sum of $16,340. We had agreed to write off the additional $5,150.00 (which included not charging for our attendance to the Board Meetings which however was required by our contract and charged or invoiced by all other consultants and paid by the Board to all others except Gartek Engineering Corp.).

I believe the minority's opinion of the Board, regarding Gartek Engineering Corp. invoices are due to their lack of involvement and knowledge on our work and achievements for the benefit of these two projects. The Board members that approved a motion to consider our additional services had been working with us in the Design review phase, the KLTVC Contractor's evaluation committee phase and the KLP negotiations committee phase. They are well aware of the time expended on our part that has led to the savings of over $1,500,000 for these two projects. All the work rendered by Gartek Engineering Corp., is not included in the billing amount that we have invoiced. We did not charged for the time that I personally, as well as, other members of my organization have expended in the interest of these projects. We have donated to this Board and the Key Largo Community a lot of our time even though we are not elected officials and do not work for free. The Bill could have been a lot larger if I was going to be invoicing for all the time we actually worked on these projects.

Gartek Engineering Corp. accounting books are open for any one that will like to check and review our invoices. I strongly recommend that not only Gartek's invoices are reviewed but also the invoices and Contracts from Boyle Engineering, Legal Counsel, and GSG are reviewed and made public (you'll find that they exceed by far our charges and they were not selected through competitive selection process either). This way the people of Key Largo could have a chance to compare their charges vs. their contributions and/or savings that they have provided to the Key Largo community on these two projects.

We have been trying very hard to keep the Board informed on all the issues regarding these projects. We have refused from the beginning to comply with the
General Manager's request to send all comments, correspondence, etc. only to him. I think the Board should be copied on all correspondence so they can review it and then decide what the Board should know and what they should not. We have been copying all the Board members on all Engineering's issues, which after all are what these two projects are all about and will continue to do so as long as we are the KLWWTD Engineers. This has created a lot friction between GSG and Gartek. In my opinion the Manager has the control of the Board Bank's account and now wants to have complete control, which means getting rid of the local Engineers and bringing new Engineers that could be molded to their political ways.

I would not be surprised if Gartek Engineering Corp. will be disqualified, before we are even given a chance to again compete for the KLWWTD Engineer position that we already had achieved through a competitive selection process.

If you have any questions, please call me.

Sincerely
Gartek Engineering Corp.

Robert L. Betancourt, P.E.
President

Robert L. Betancourt, P.E.
President

Gartek Engineering Corporation
7210 S.W. 39th Terrace / Miami, Florida 33155 / (305) 266-9997 / Fax (305) 264-8986 / www.gartek-engineering.com
August 2, 2004

Charles Sweat, Vice-President
280 Wekiva Spring Road
Suite 203
Longwood, FL 32779

RE: KLWTD Transition

Dear Charles,

As we have discussed, the District has now employed a Finance Director, Martin Waits, to assume the duties of the CFO which have been performed by GSG for the District by David Miles. Mr. Waits will formally assume this responsibility from Mr. Miles effective August 1, 2004.

The District would like GSG to continue its participation in the transition process by maintaining the district’s financial records in its accounting system for the District through September 30, 2004. GSG will be providing the District with accounting services based upon bookkeeping information provided to Mr. Miles by Mr. Waits, thereby permitting the submission of financial records from a single accounting system to the District’s auditors at year end. This letter acknowledges that GSG and its employees have no responsibility for disbursing any amounts after August 1, 2004.

Of course, we will also be relying upon David Miles for accounting advice and general guidance through September 30th, as well as assistance in transitioning all of his other CFO duties and responsibilities smoothly.

Thank you,

[Signature]

Charles F. Fishburn
General Manager

cc: Robert Sheets, Government Services Group
    David Miles, Government Services Group
    Martin Waits, KLWTD
    Thomas M. Dillon, Counsel

Board of Commissioners: Chairman Gary Bauman, Cris Beaty, Charles Brooks, Andrew Tobin, Jerry Wilkinson
This message is not flagged. [ Flag Message - Mark as Unread ]

Date: Wed, 11 Aug 2004 08:49:01 -0500 (CDT)

From: "FedEx" <donotreply@fedex.com> Add to Address Book

To: cj_simpkins@yahoo.com

Subject: FedEx shipment 791311585024

Our records indicate that the shipment sent from Carol Simpkins to Karen Krejci/FL Dept. Emergency Management has been delivered. The package was delivered on 08/11/2004 at 9:28 AM and signed or released by J.MCCAIN.

The ship date of the shipment was 08/10/2004.

The tracking number of this shipment was 791311585024.

FedEx appreciates your business. For more information about F services, please visit our website at http://www.fedex.com

To track the status of this shipment online please visit the following:[http://www.fedex.com/cgi-bin/tracking?tracknumbers=7913115850]

Disclaimer
FedEx has not validated the authenticity of any email address.
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<th></th>
<th>Description</th>
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<th>Unit</th>
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<td><strong>RESTORATION</strong></td>
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<td>Trench &amp; Paving Restoration in US1 R.O.W.</td>
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<td>Main Line Trench &amp; Paving Restoration on streets Outside of US1 Right of Way</td>
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<td>$220,500.00</td>
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<td>Lateral Trench &amp; Paving Restoration on streets Outside of US1 Right of Way</td>
<td>350</td>
<td>SY</td>
<td>$20.00</td>
<td>$7,000.00</td>
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<td></td>
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<td><strong>$2,361,815.00</strong></td>
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KEY LARGO WASTEWATER TREATMENT DISTRICT
AGENDA REQUEST FORM

Meeting Date: _____________ Agenda Item No. _____________

[  ] Resolution  [  ] Public Hearing
[  ] Bid/RFP Award  [  ] General Approval Item
[  ] Discussion Item  [  ] Consent Agenda Item

SUBJECT:

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

RECOMMENDED MOTION/ACTION:

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

Originating Department:

[  ] General Manager  [  ] Engineering Dept
[  ] Commissioner  [  ] Board Clerk
[  ] Finance Officer  [  ] Other
[  ] Board Attorney

Cost:

Funding Source

Account No.

Advertisement:  [  ] Not required

Date:

Paper:

Attachments:

SUMMARY EXPLANATION/BACKGROUND:
TO:      Karen Krejci
        FL. Dept. Emergency Management
        2555 Shumard Oak Blvd.
        Tallahassee, FL 32399

Date: August 10, 2004
Attention: Karen Krejci
RE: Key Largo Wastewater Treatment District

We are sending you:

☐ ATTACHED    ☐ UNDER SEPARATE COVER VIA: __________________________

<table>
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<tr>
<th>COPIES</th>
<th>DATE</th>
<th>DESCRIPTION</th>
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<tbody>
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<td>2</td>
<td>8.10.04</td>
<td>Attachment E to Request for Advance or Reimbursement of Funds Declaration No. FEMA-1249DR#-DR-FL. Agreement No. 04UN-6P-11-54-15. Payment 1</td>
</tr>
</tbody>
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☐ For Approval ☐ Approved as Note ☐ Resubmit ___ Copies for Approval
☐ For your Use  ☐ Returned as Corrected   ☐ Submit ___ Copies for Distribution
☐ As Requested  ☐ For Your Records       ☐ Return ___ Corrected Prints

REMARKS    If you need anything else please contact Carol Simpkins at 305-852-2477
From: Origin ID: (305)852-2477
Carol Simpkins
KLIHD
91831 Oversee Hwy
Tavernier, FL 33070

SHIP TO: (850)922-9915
Karen Krejci
FL Dept. Emergency Management
2555 Shumard Oak Blvd.
Tallahassee, FL 323992100

FedEx Express

Ship Date: 10AUG04
Actual Wgt: 1 LB
System#: 422/241/INET1850
Account#: S ********

PRIORITY OVERNIGHT

TRK# 7913 1158 5024
32399 -FL-US
XH TLHA

Shipping Label: Your shipment is complete
1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

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https://www.fedex.com/cgi-bin/ship_it/unity/5HcVq3EcWr1CeVs5DaZu5BfXr1DdRt7Db... 8/10/2004
Attachment E

FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF EMERGENCY MANAGEMENT

Request for Advance or Reimbursement of Funds
Under the Unmet Needs Program

SUBGRANTEE NAME: Key Largo Wastewater Treatment District
DECLARATION NO: FEMA-1249 DR#-DR-FL

ADDRESS: P.O. Box 491
CITY, STATE, ZIP CODE: Key Largo, FL 33037
PAYMENT No: 1
DCA Agreement No: 04UN-6P-11-54-15-
FEMA Tracking Number: 1249

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<tr>
<th>Eligible Amount 100%</th>
<th>Obligated FEMA 75%</th>
<th>Obligated State Match 12.5%</th>
<th>Obligated Local Match 12.5%</th>
<th>Previous Payments</th>
<th>Current Request</th>
<th>DCA Use Only</th>
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<tbody>
<tr>
<td>$1,901,750</td>
<td>$1,426,314</td>
<td>$277,719</td>
<td>$277,719</td>
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<td>$1,901,752</td>
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TOTAL CURRENT REQUEST $ __________

I certify that to the best of my knowledge and belief the above accounts are correct, and that all disbursements were made in accordance with all conditions of the DCA agreement and payment is due and has not been previously requested for these amounts.

SUBGRANTEE SIGNATURE __________________________
NAME AND TITLE: GARY BAUMAN, CHAIR DATE: 8/4/04

TO BE COMPLETED BY DEPARTMENT OF COMMUNITY AFFAIRS

APPROVED PROJECT TOTAL $ _________

ADMINISTRATIVE COST $ _________ GOVERNOR'S AUTHORIZED REPRESENTATIVE

APPROVED FOR PAYMENT $ _________ DATE
# Attachment E

**FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS**  
**DIVISION OF EMERGENCY MANAGEMENT**

Request for Advance or Reimbursement of Funds  
Under the Unmet Needs Program

**SUBGRANTEE NAME:** Key Largo Wastewater Treatment District  
**DECLARATION NO.: FEMA-1249 DRE-DE-FL**  
c/o Government Services Group, Inc.  
**ADDRESS:** 280 Wakiva Springs Rd, #203, Longwood, FL 32779

**CITY, STATE, ZIP CODE:** Longwood, FL 32779

**PAYMENT No.:** 1  
**DCA Agreement No.:** Gh-11-54-15-021

**FEMA Tracking Number:** 1249

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<th>Obligated FEMA 75%</th>
<th>Obligated State Match 12.5%</th>
<th>Obligated Local Match 12.5%</th>
<th>Previous Payments</th>
<th>Current Request</th>
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<tr>
<td>1,901,752</td>
<td>1,426,314</td>
<td>237,719</td>
<td>237,719</td>
<td>1,901,752</td>
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<td></td>
</tr>
</tbody>
</table>

**TOTAL CURRENT REQUEST $1,901,752**

I certify that to the best of my knowledge and belief the above amounts are correct, and that all disbursements were made in accordance with all conditions of the DCA agreement and payment criteria and have not been previously requested for these amounts.

**SUBGRANTEE SIGNATURE**

**NAME AND TITLE:** Gary Bauman, Chairman

**DATE:**

---

**TO BE COMPLETED BY DEPARTMENT OF COMMUNITY AFFAIRS**

**APPROVED PROJECT TOTAL $**

**ADMINISTRATIVE COST $**  
**GOVERNOR'S AUTHORIZED REPRESENTATIVE**

**APPROVED FOR PAYMENT $**  
**DATE**

---

TOTAL P. 01