A. CALL TO ORDER - PLEASE MUTE CELL PHONES

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF AGENDA WITH ANY ADDITIONS, DELETIONS, OR CONTINUANCES

E. PUBLIC HEARING
   1. Concerning amendments to the District non-ad valorem assessment resolution, the District General Rules and Regulations, the District resolution providing for monthly rates and charges for wastewater collection, transmission, treatment, and disposal.

F. PUBLIC COMMENT
G. GENERAL MANAGER’S REPORT
   2. Regional Treatment Plant Dedication

H. COMMISSIONER’S ITEMS

I. BULK ITEMS  
   Action  
   3. Pending Payments for September 21, 2010  

J. ENGINEER’S REPORT
   5. Status Report

K. FINANCIAL REPORT

L. LEGAL COUNSEL REPORT

M. COMMISSIONERS ROUNDTABLE

N. ADJOURNMENT
TAB 1
Key Largo Wastewater Treatment District

Agenda Request Form

Meeting Date: Sept. 21, 2010

Agenda Item No.

[ ] PUBLIC HEARING

[ ] RESOLUTION

[ ] DISCUSSION

[ ] BID/RFP AWARD

[X] GENERAL APPROVAL OF ITEM

[ ] CONSENT AGENDA

[ ] Other:

Subject: Resolution No's. 16-09-10, 17-09-10, & 18-09-10

Recommended Motion/Action: Approval

Approved by General Manager

Date: 9-16-10

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<thead>
<tr>
<th>Originating Department:</th>
<th>Costs:</th>
<th>Attachments</th>
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<td>Legal</td>
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<td>Resolutions</td>
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</tbody>
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Department Review:

[X] District Counsel

[X] General Manager

[ ] Finance

[ ] Engineering

[ ] Clerk

Advertised:

Date: 

Paper:

[X] Not Required

Summary Explanation/Background: After the public hearing to consider amendments to the District non-ad valorem assessment resolution, the District General Rules and Regulations, the District resolution providing for monthly rates and charges for wastewater collection, transmission, treatment, and disposal the Board will be asked to vote on the attached resolutions.

Resulting Board Action:

☐ Approved

☐ Tabled

☐ Disapproved

☐ Recommendation Revised
RESOLUTION NUMBER 16-09-10

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING RESOLUTION NO. 18-05-06 REGARDING MONTHLY RATES AND CHARGES FOR WASTEWATER COLLECTION, TRANSMISSION, TREATMENT, AND DISPOSAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 3, 2006, the District adopted Resolution No. 18-05-06 establishing initial monthly rates and charges for wastewater service; and

WHEREAS, since the date of adoption of Resolution No. 18-05-06, the District has made numerous changes to its assessment methodology and rules, but these changes have not been incorporated into a rate resolution; and

WHEREAS, the District desires to amend Resolution 18-05-06 to bring it into conformity with its current assessment resolutions and rules; and

WHEREAS, the District has sought and carefully considered advice from District staff and consultants regarding the anticipated costs of wastewater collection, transmission, treatment, and disposal; and

WHEREAS, the District desires to adopt and implement rates and charges to allocate among its customers the costs of wastewater collection, transmission, treatment, and disposal, including establishment of funds, as appropriate, for repair and replacement of facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, THAT RESOLUTION NO. 18-05-06 IS TO READ AS FOLLOWS:

ARTICLE I

DEFINITIONS AND INTERPRETATION

SECTION 1.01. DEFINITIONS. As used in this Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires.

"Alternative Water Supply Wastewater Service" means Wastewater Service to a property that is used exclusively for residential purposes and that receives potable water by a means other than the customer’s FKAA water meter. An example of Alternative Water Supply Wastewater Service is Wastewater Service to a home that uses a rainwater collection system for its potable water supply.
“Assessed Dwelling Unit” means a single unit designated or intended for one-family occupancy (a household of one or more persons), including, but not limited to, one single-family house, one-half of a duplex, one apartment, one residential condominium unit (whether in a single-unit building or a multiple-unit building), or one mobile home or recreational vehicle space not regulated under Chapter 513, F.S. An Employee Housing Unit that is part of a Commercial Accommodation facility is not a Dwelling Unit.

“Board” means the Board of Commissioners of the Key Largo Wastewater Treatment District.

“District” means the Key Largo Wastewater Treatment District.

“Dwelling Unit” means a single unit designated or intended for one-family occupancy (a household of one or more persons), including, but not limited to, one single-family house, one-half of a duplex, one apartment, one residential condominium unit (whether in a single-unit building or a multiple-unit building), or one mobile home or recreational vehicle space not regulated under Chapter 513, F.S. An Employee Housing Unit that is part of a Commercial Accommodation facility is not a Dwelling Unit.

“Equivalent Dwelling Unit” or “EDU” means a system capacity equivalency unit corresponding to an average of one hundred and sixty-seven (167) gallons per day of potable water usage.

“FKAA” means the Florida Keys Aqueduct Authority.

“Laundromat” means a stand-alone laundry business that provides self-service and non-self-service laundry facilities to the public, consisting of washing machines, dry cleaning machines, and clothing dryers, in any combination. “Laundromat” does not include laundry facilities that are located in or otherwise associated with a Commercial Accommodation.

“Monthly Base Charge” means the charge described in Section 3.01.

“Monthly Volumetric Charge” means the charge described in Section 3.02.

“Rate Resolution” means this resolution.

“Single-Lot Common Interest Property” means one or more parcels of land which:

A. Have been made subject to a declaration of condominium under Chapter 718, Florida Statutes, or which are committed to a co-operative association under Chapter 719, Florida Statutes, or which are located on one or more parcels of land covered by a long-term master lease (99 years or more) and governed by a homeowners’ association under Chapter 720, Florida Statutes; and
B. In which the units of ownership are land lots (as opposed to apartments, townhouses, or other structures) each of which is or can be developed with not more than one Dwelling Unit; and
C. In which the owner of each unit owns an undivided interest in specified common property, such as roads, club houses, marinas, or recreational facilities; and
D. In which each unit is assessed by the Monroe County Property Appraiser based on the value of the unit and a fractional share of the common property.

"State" means the State of Florida.

"Wastewater Management Facilities" means all facilities acquired, designed, constructed, installed, reconstructed, renewed, or replaced by the District for the purpose of collecting, transporting, and treating wastewater and disposing of the byproducts of such treatment. In general, Wastewater Management Facilities may be characterized as one of three types: collection system, transmission main, and treatment plant.

SECTION 1.02. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms “hereof,” “hereby,” “herein,” “hereto,” “hereunder,” and similar terms refer to this Resolution; the term “hereafter” means after the effective date of this Resolution; the term “heretofore” means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise. This resolution addresses only monthly rates and charges for wastewater service. Other charges and fees are found in the various District non-ad valorem assessment resolutions, as amended, and the District rules.

ARTICLE II
FINDINGS

SECTION 2.01. FINDINGS. It is hereby ascertained, determined, and declared that:

A. Pursuant to the Key Largo Wastewater Treatment District Act (Chapter 2002-337, Florida Statutes, as amended), the Key Largo Wastewater Treatment District possesses, among other powers, the powers to:

1. Perform such acts as shall be necessary for the sound development, operation, and maintenance of a wastewater management system within the District, including all business facilities necessary and incidental thereto;

2. Adopt resolutions and policies as necessary for implementation, regulation, and enforcement, consistent with the purposes of the District;
3. Plan, develop, acquire, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate any wastewater management system and facilities within the territorial limits of the District; and

4. Do all acts or things necessary or convenient to carry out the powers expressly granted in the Key Largo Wastewater Treatment District Act.

B. The District has sought the advice of District staff and consultants to provide advice as to the rates necessary and appropriate to the sound operation and management of the District and its Wastewater Management Facilities.

C. The rates established by this Resolution have been the subject of considerable research into the projected revenue requirements of the District funds for operations, including maintenance and repair functions, to establish reserves for operational needs, including replacement of facilities, and to carry on the business functions of the District, including employment of personnel and consultants, insurance, and other functions.

D. Among other things, the Board contracted with Public Resources Management Group, Inc. ("PRMG") to conduct a study and make recommendations as to wastewater rates. On or about May 31, 2005, PRMG delivered to the Board the results of its study in a document entitled "Financial Forecast and Wastewater Rate Analysis." The Board held a public hearing on July 3, 2005 to receive public comments on the proposed wastewater rates.

E. The Board has established a special classification for Laundromats for the purpose of calculating monthly rates. The District has determined that, for that purpose only, a Laundromat is to be counted as having one EDU. This determination was based on the Board’s finding that the vast majority of Laundromat customers are either residents of the District or guests at Commercial Accommodations within the District and that the monthly rates to be paid on account of those residences and Commercial Accommodations will be sufficient to provide for wastewater treatment facility operating costs required for Laundromat wastewater.

F. In July 2005, the District entered into an interlocal agreement with Monroe County under which the District will receive grant funds to assist in expansion of the District’s Wastewater Management Facilities. Among other things, the interlocal agreement prohibits the District, except as may be required by applicable law, from permitting
connections to, or furnishing any services afforded by, the North Components without making a charge therefore based on the District's connection policies.

G. The rates established by this resolution will result in fair and reasonable apportionment of costs among the District’s customers.

H. The rates established by this Rate Resolution are imposed by the District, and not Monroe County.

I. The District intends to review the rates imposed under this Rate Resolution from time to time and will amend, modify, and supplement it as necessary and appropriate.

J. Many District customers will deliver their wastewater to District Wastewater Facilities by gravity. Those customers who cannot deliver their wastewater by gravity will incur additional costs to own, operate, and maintain pumping facilities. The District intends to perform a rate study no later than the year 2013 in order to determine whether these rates should be adjusted.

K. This Rate Resolution is limited to District rates, fees, and charges for monthly wastewater service. This Rate Resolution does not address plan review fees, service charges, pretreatment fees, filing fees, or other types of charges other than the direct charges to be imposed for wastewater service. Such rates, fees, and charges will be addressed in a separate resolution or in District Connection Policies.

ARTICLE III

FEES AND CHARGES FOR WASTEWATER SERVICE

SECTION 3.01. MONTHLY BASE CHARGE FOR CUSTOMERS RECEIVING WATER FROM FKAA.

A. For each customer that is the sole FKAA customer occupying a tax parcel assessed by the District and connected by gravity directly to a collection system operated and maintained by the District, the Monthly Base Charge is $33.60 per Dwelling Unit or Equivalent Dwelling Unit reflected in the most recent assessment of the tax parcel. If the number of Dwelling Units or Equivalent Dwelling Units is fractional (e.g. 3.5), the Monthly Base Charge is equal to $33.60 multiplied by the number of Equivalent Dwelling Units rounded to the nearest tenth (e.g. the Monthly Base Charge for a customer with 3.49 Dwelling Units would be calculated using 3.50 as the number of Dwelling Units).
B. For each customer that is one of several FKAA customers occupying a tax parcel assessed by the District and connected by gravity to a collection system operated and maintained by the District the Monthly Base Charge is $33.60 multiplied by the number of Dwelling Units or Equivalent Dwelling Units attributed to that customer. For example, (1) if the customer occupies one of four dwelling units in a tax parcel that was assessed for four Dwelling Units, the Monthly Base Charge for that customer is $33.60; or (2) if the customer occupies a portion of a non-residential property assessed on the basis of historical water flow, and the historical water flow through that customer’s FKAA water meter indicates a flow of 2.1 Equivalent Dwelling Units, the Monthly Base Charge for that customer is $33.60 multiplied by 2.1, or $70.56.

C. For each customer that occupies a tax parcel that has not yet been assessed by the District, the District will calculate the number of Dwelling Units or Equivalent Dwelling Units attributable to the tax parcel and to the customer in the manner provided in the most recent final District Non-Ad Valorem Assessment Resolution, and will calculate the customer’s Monthly Base Charge on that basis until the District has assessed that tax parcel. After the District has assessed that tax parcel, the monthly base charge for that customer will be calculated in the manner provided in other paragraphs of this section.

D. In addition to the Monthly Base Charges provided herein, the District may impose BOD surcharges as provided in the District Rate Resolution.

E. The preceding Monthly Base Charges do not apply to Laundromats. The monthly base charge for a Laundromat is $33.60.

SECTION 3.02. MONTHLY VOLUMETRIC CHARGE FOR CUSTOMERS RECEIVING WATER FROM FKAA.

A. Monthly Volumetric Charge: $5.27 per 1,000 gallons of water consumed, as reflected on the customer’s FKAA water meter or meters, provided that for a residential customer, the maximum monthly volume for which the Monthly Volumetric Charge will be charged is 12,000 gallons.
SECTION 3.03. ALTERNATIVE WATER SUPPLY WASTEWATER SERVICE MONTHLY CHARGE. The District will charge a flat fee of $44.14 per month for Alternative Water Supply Wastewater Service.

ARTICLE IV
ADJUSTMENT OF FEES AND CHARGES

SECTION 4.01. ADJUSTMENT OF FEES AND CHARGES FOR WASTEWATER SERVICE. It is the policy of the District to permit customers to question and seek adjustments to certain types of charges, as follows:

A. Monthly Base Charges. If a customer occupies a tax parcel for which the non-ad valorem assessment changes due to a change in use or a review of the assessment initiated by the District or the owner of the tax parcel and resulting in recalculation of the number of Dwelling Units or Equivalent Dwelling Units comprising the tax parcel, the monthly base charge for the customer will be adjusted prospectively to reflect that recalculation.

B. Monthly Volumetric Charge. Except for errors in meter readings, there shall be no adjustment of a Monthly Volumetric Charge for a given month.

SECTION 4.02. PROCEDURES FOR DISTRICT REVIEW. The District shall review and adjust charges to accounts using the procedures specified in the District Connection Policies.

A. Time for Request. A customer may request adjustment of monthly charges at any time within sixty days after the date of a bill for wastewater service. The District is not required to make any adjustment of monthly charges unless a written request is received within sixty days of the bill date.

B. Contents of Request. A request for review must contain:

1. A concise statement of the facts upon which the owner bases the request for review, including a statement of all disputed issues of material fact. If there are no disputed issues of material fact, the request must so indicate;

2. The rules, statutes, and other legal authority that the owner contends form the basis for relief;

3. A demand for the relief which the owner believes is appropriate; and

4. Such other information which the owner believes to be material to the request for review.
C. **Filing Request.** The request for review must be delivered or mailed to the District Clerk. Upon receipt, the District Clerk will log in the request for review.

D. **Review by District Staff.** District Staff will review the request for relief, and will exercise due diligence to issue a recommended decision to the Board within seven (7) Business Days after receipt of a complete request for review. Prior to issuing the recommended decision, the General Manager may conduct one or more informal discussions with the owner, and may request additional information and documentation. If requested by the owner, the General Manager may extend the time for issuance of a recommended decision in order to consider additional information and documentation. The District Clerk will mail a copy of the recommended decision to the owner at the same time as the recommended decision is submitted to the Board.

E. **Board Review.** Upon issuance of the recommended decision, the District Clerk will place the recommended decision on the Board agenda for a meeting not less than thirty (30) days after issuance of the recommended decision. Within fifteen (15) days after mailing of the recommended decision, the owner may request that the Board hold a public hearing on the request for review, specifying any disputed facts that the owner considers to be material to the decision. At the meeting at which the Board is scheduled to consider the request for review, the Board may decide to accept or modify the recommended decision, or, if the Board concludes that there are disputed issues of material fact, the Board may schedule a public hearing on the request for review. The Board’s decision to accept or modify the recommended decision, or the Board’s decision on the request for review after a public hearing, shall be the final District action on the request for review.

**ARTICLE V**

**GENERAL PROVISIONS**

**SECTION 6.01. SEVERABILITY.** If any clause, section, or provision of this Rate Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.
SECTION 6.02. CONFLICT. In the event that any portion of this Rate Resolution, or application thereof, conflicts with any State or federal law, such State or federal law shall prevail.

SECTION 6.03. EFFECTIVE DATE. This Rate Resolution shall take effect immediately upon its adoption by the District.
The foregoing RESOLUTION NO. 16-09-10 was offered by Commissioner ____________, who moved its approval. The motion was seconded by Commissioner ________________, and being put to a vote the result was as follows:

<table>
<thead>
<tr>
<th>Commissioner</th>
<th>AYE</th>
<th>NAY</th>
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<tr>
<td>Charles Brooks</td>
<td>___</td>
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<td>Susan Hammaker</td>
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<td>Norman Higgins</td>
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<td>Robby Majeska</td>
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<td>Andrew Tobin</td>
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The Chairman thereupon declared Resolution 16-09-10 duly passed and adopted the ___ day of September 2010.

KEY LARGO WASTEWATER TREATMENT
DISTRICT GOVERNING BOARD

By __________________________________________
Norman Higgins, Chairman

Attest:                               Approved as to form and content:

By __________________________________________
Carol Walker, Board Clerk

By _______________________________________
District Counsel
RESOLUTION NUMBER 17–09–10

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT REGARDING CLASSIFICATION AND NON-AD VALOREM ASSESSMENT OF CERTAIN TAX PARCELS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Key Largo Wastewater Treatment District first adopted a resolution for non-ad valorem assessment of certain properties within the District in 2005, and adopted subsequent resolutions to amend the that resolution and to provide for non-ad valorem assessment of additional properties in 2006, 2007, 2008, and 2009; and

WHEREAS, it appears that the non-ad valorem assessment resolutions described above require further amendment to address various subjects, including non-ad valorem assessment of common-interest properties, sale of undeveloped assessed properties to governmental entities for conservation purposes, other matters shown in this resolution, and such other issues as may come to the attention of the District;

NOW, THEREFORE, the District Board of Commissioners resolves:

1. AMENDMENT OF FINAL NON-AD VALOREM ASSESSMENT RESOLUTIONS. Each of the existing non-ad valorem assessment resolutions, as amended, for the years 2005, 2006, 2007, 2008, and 2009 is amended by inserting these amendments into them.

2. NO CHANGE TO PREVIOUSLY ADOPTED SYSTEM DEVELOPMENT CHARGES. With respect to the amendments to Section 4.03 of each such resolution, the blank spaces shall be completed by using the figures in those subparagraphs, or similar subparagraphs into each of the subparagraphs inserted into the resolutions consistent with the Board’s intent that these amendments will not result in changes of the amounts of the System Development Charges provided in the resolutions.

3. TEXT OF AMENDMENTS. The final non-ad valorem assessment resolutions for the years 2005, 2006, 2007, 2008, and 2009 are amended by inserting the following:

In Section 1.01, Definitions, add the following new definitions and revise existing definitions as follows:

“Common Interest Property” means one or more parcels of land:

A. Which have been made subject to a declaration of condominium under Chapter 718, Florida Statutes, or which are committed to a co-operative association under Chapter 719, Florida Statutes, or which are located on one or more parcels of leased land and governed by a homeowners’ association under Chapter 720, Florida Statutes; and

B. In which the units of ownership are apartments, townhouses, or other structures, as opposed to land lots; and

C. In which the owner of each unit owns an undivided interest in specified common property, such as roads, club houses, marinas, or recreational facilities; and
D. In which each unit is assessed by the Monroe County Property Appraiser based on the value of the unit and a fractional share of the common property; and

E. Which is not a Single-Lot Common Interest Property.

“Conservation Purposes” means the intent of a government entity to conserve, preserve, and protect land in its original or current state, and to refrain from improving the land with structures that may generate, collect, or produce wastewater that will enter the District Wastewater Facilities.

“Gravity Collection System” means a wastewater collection system that utilizes the force of gravity to convey wastewater from a customer’s property to a District-owned and operated vacuum station or lift station which then injects the wastewater, directly or indirectly, into a transmission main.

“Grinder Pump Parcel” means a parcel of land which can deliver wastewater to a District collection system or Transmission Main only under pressure generated by a grinder pump or other apparatus. A parcel may be Grinder Pump Parcel either because the physical characteristics of the parcel (such as lot configuration or elevation) preclude delivery of wastewater to a District collection system by gravity, or because the collection system provided by the District to the parcel is not capable of receiving wastewater by gravity.

“Low-Pressure Collection System” means a wastewater collection system, other than a Transmission Main, which can receive wastewater only if the wastewater is injected into the collection system under pressure generated by a grinder pump or other apparatus that pumps the wastewater into the collection system.

“Residential Tax Parcel” means a Tax Parcel that is or may be improved with a structure or structures that are comprised exclusively of Dwelling Units and their appurtenances, such as garages, sheds, swimming pools, and boat docks. A Residential Tax Parcel may be part of a Common Interest Property, but not a Single-Lot Common Interest Property.

“Single-Lot Common Interest Property” means one or more parcels of land which:

A. Have been made subject to a declaration of condominium under Chapter 718, Florida Statutes, or which are committed to a co-operative association under Chapter 719, Florida Statutes, or which are located on one or more parcels of land covered by a long-term master lease (99 years or more) and governed by a homeowners’ association under Chapter 720, Florida Statutes; and

B. In which the units of ownership are land lots (as opposed to apartments, townhouses, or other structures) each of which is or can be developed with not more than one Dwelling Unit; and

C. In which the owner of each unit owns an undivided interest in specified common property, such as roads, club houses, marinas, or recreational facilities; and
D. In which each unit is assessed by the Monroe County Property Appraiser based on the value of the unit and a fractional share of the common property.

"Single-Lot Common Interest Property Governing Board" means the board of directors of a condominium homeowners' association, the board of directors of a co-operative association, or the board of directors of a homeowners' association for a Single-Lot Common Interest Property on land covered by a long-term master lease.

"Transmission Main" means a pipeline that is designed to transmit wastewater from a vacuum station or lift station to the District wastewater plant under pressure of fifty (50) pounds per square inch or higher.

"Vacuum Collection System" means wastewater collection system that utilizes a vacuum force generated by the District to convey wastewater from a customer's property to a vacuum station or lift station which then injects the wastewater, directly or indirectly, into a Transmission Main.

In Section 2.01, add new findings as follows (subject to re-lettering as appropriate):

A. Since the time of the District’s first non-valorem assessment resolution in 2005, the great majority of Tax Parcels assessed consisted of properties that were typically platted lots improved with homes or businesses. A large number of the Tax Parcels assessed were Common Interest Properties or Single-Lot Common Interest Properties. The District assessed all of the Common Interest Properties and Single-Lot Common Interest Properties in the manner described in Section 4.03.G., below. Under this method of assessment, the District provides a single point of connection in the public right-of-way at the property line, and the owners of the tax parcels within the development are required to install or refurbish wastewater collection systems within the development at their expense.

B. In Single-Lot Common Interest Properties, the configuration of the units is essentially similar to the configuration of lots in a typical subdivision, and the Board has been advised that the cost per unit of constructing internal collection systems in Single-Lot Common Interest Properties is likely to be about the same as the cost per lot of constructing collection systems in subdivisions.

C. The District assessment methodology assists the owners of Tax Parcels that are individual lots by charging a System Development Charge that is less than the District cost to provide the collection system to them.

D. The District assists the owners of Tax Parcels that are, by contrast, Common Interest Properties and Single-Lot Common Interest Properties by assessing System Development Charges that are calculated by including only a portion of the connection component. The reduced System Development Charges assessed against these types of Tax Parcels recognizes that the District did
not intend to provide collection systems within the boundaries of those properties, but intended rather to provide a single connection point within a public right-of-way bordering each of those properties.

E. For a typical TaxParcel in a subdivision consisting of individual lots, the cost of connecting to the District infrastructure includes payment to the District of the System Development Charge, payment to a third party contractor for the cost of installation of a lateral connecting the building(s) to the District infrastructure, and payment of the cost of decommissioning any existing septic system or package plant.

F. For a typical TaxParcel in a Common Interest Property or a Single-Lot Common Interest Property, the cost of connecting to the District infrastructure includes payment of a reduced System Development Charge, payment to a condominium association (or co-operative or homeowners’ association) for a portion of the cost of inspection and possible repair of the existing internal wastewater collection system, a portion of the cost of a lift station to deliver wastewater from the internal wastewater collection system, and a portion of the cost of decommissioning an existing wastewater treatment facility plant. Although typical Tax Parcels in these properties pay similar types of costs, the owners of units in a Common Interest Property or a large Single-Lot Common Interest Property enjoy economies of scale that are not available to the owners of typical Tax Parcels in smaller Single-Lot Common Interest Properties.

G. Therefore, the District has determined that it is in the best interests of the District to provide the option for Single-Lot Common Interest Properties to elect to have the District construct internal collection system infrastructure within those properties, and to assess the Tax Parcels within the properties electing to receive this assistance using the same method applied to Tax Parcels in typical subdivisions.

H. The District finds that when a Common Interest Property or Single-Lot Common Interest Property is redeveloped, the redevelopment usually consists of a reconfiguration of the units, installation of new utilities, and reconstruction of roads, or some combination of those activities. The District finds that it is not in the best interest of the District to participate in the redevelopment of a Common Interest Property or Single-Lot Common Interest Property, because of the complexity of the construction activities, which must be coordinated among a number of different types of contractors. Therefore, the District finds that redevelopment of a Common Interest Property or Single-Lot Common Interest Property should be considered the same as development of a new Common Interest Property or Single-Lot Common Interest
Property, and all utility infrastructure, including wastewater infrastructure must be provided by
the developer or redeveloper of the property. The District has implemented this policy without
formally expressing these findings, and the District hereby ratifies its past implementation of
this policy.

I. The District hereby ratifies the assessment methodology heretofore applied to Tax Parcels in
Common Interest Properties by expressly adopting the assessment calculation method in
Section 4.03.G., below.

J. The District hereby adopts the assessment calculation method in Section 4.03.F., below, in order
to allow Tax Parcels in Single-Lot Common Interest Properties to be assessed for, and receive,
collection systems similar to those provided to Tax Parcels in typical subdivisions.

In Section 4.03, revise existing subsections and add new subsections as follows:

A. Residential Tax Parcels. This classification excludes Common Interest Properties and Single-Lot
Common Interest Properties. For residential wastewater service the SDC is the sum of:

1. $____ per Dwelling Unit for wastewater treatment plant capacity, plus
2. $____ per Dwelling Unit for force main – pipe capacity, plus
3. $____ for connection to the wastewater system.

G. Common Interest Properties. For Common Interest Properties, the SDC for each unit is the sum of:

1. $____ per unit for wastewater treatment plant capacity, plus
2. $____ per unit for force main – pipe capacity, plus
3. $____, or the actual cost of connection of the Common Interest Property to the District
   Transmission Main, whichever is greater, multiplied by a fraction the numerator of which is 1
   and the denominator of which is the number of units, for connection to the wastewater system.

H. Single-Lot Common Interest Properties. Tax Parcels in these properties are assessed by one of two
methods:

1. In the absence of an election under Paragraph 2, below, the assessment method is the
   method provided for Common Interest Properties, above.

2. The following optional method is available for Tax Parcels in Single-Lot Common Interest
   Properties for which the Single Lot Common Interest Property Governing Board has notified the
   District of official action electing this option method of assessment, has requested the District to
   provide a collection system within the boundaries of the Single-Lot Common Interest Property,
   and has provided appropriate construction and permanent easements for construction of the
   collection system:
a. $____ per unit for wastewater treatment plant capacity, plus 
b. $____ per unit for force main – pipe capacity, plus 
c. $____ per unit for connection to the wastewater system.

The election to follow this optional method must be made, if at all, within 180 days after the date that this resolution is adopted. If this method is elected, the District will provide a collection system within the easements provided, including a connection point for each unit. The District will not provide the lateral connection from any unit to the connection point within the property.

This option is not available to new developments or redeveloped Single-Lot Common interest Properties, i.e., Single-Lot Common interest Properties that had not been developed as such at the time of assessment, and Single-Lot Common interest Properties that were, at the time of assessment, planning or undertaking reconfiguration of the properties or installation of new utility infrastructure within the properties.

This option is not available after the time specified in the preceding paragraph has elapsed.

I. Grinder Pump Parcels. For Grinder Pump Parcels, the assessment is to be determined.

In Section 5.04, revise subsection A., to read as follows:

A. The owner of a Tax Parcel subject to the Assessment shall immediately prepay all future unpaid annual Assessment for such Tax Parcel if (1) the Tax Parcel is acquired by a public entity (other than the District) through condemnation, negotiated sale, or otherwise, or (2) a tax certificate has been issued and remains outstanding in respect of the Tax Parcel and the District, at its sole option, elects to accelerate the Assessment. In the case of (1) herein, the owner of the Tax Parcel must notify the District not less than 30 days prior to the proposed acquisition date in order to allow the District sufficient time to determine whether acceleration is desired. Further, if the Tax Parcel has not been improved with structures that will generate wastewater, and the Tax Parcel is acquired for Conservation Purposes, the District will not accelerate the assessment and will waive future installments of the assessment against that Tax Parcel.

4. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption by the District.
The foregoing RESOLUTION was offered by Commissioner ________________________, who moved its approval. The motion was seconded by Commissioner ________________________, and being put to a vote the result was as follows:

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The Chairman thereupon declared Resolution No. 17-09-10 duly passed and adopted the ___ day of September, 2010

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: __________________________

Chairman Norman Higgins

ATTEST: Approved to as to form and legal sufficiency

__________________________       __________________________
Carol Walker, District Clerk       District Counsel, Thomas M. Dillon

SEAL
RESOLUTION NUMBER: 18-09-10

A PRELIMINARY RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING THE DISTRICT GENERAL RULES AND REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District has adopted General Rules and Regulations, and last amended the same on September 16, 2009; and

WHEREAS, the District General Rules and Regulations require further amendment to address various subjects, including, assistance to property owners who qualify for low-income assistance, construction of District wastewater facilities, other matters shown in the attached proposed resolutions, and such other issues as may come to the attention of the District;

NOW, THEREFORE, the District Board of Commissioners resolves:

1. AMENDMENT OF DISTRICT GENERAL RULES AND REGULATIONS. The District General Rules and Regulations are amended to read as shown on the attached draft.

2. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption by the District.
The foregoing RESOLUTION was offered by Commissioner ____________________, who moved its approval. The motion was seconded by Commissioner ____________________, and being put to a vote the result was as follows:

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The Chairman thereupon declared Resolution No. 18-09-10 duly passed and adopted the 21st Day of Sept, 2010.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: ____________________________

Chairman Norman Higgins

ATTEST: Approved to as to form and legal sufficiency

_________________________ __________________________
Carol Walker, District Clerk District Counsel, Thomas M. Dillon

SEAL
KEY LARGO WASTEWATER TREATMENT DISTRICT
GENERAL RULES AND REGULATIONS

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Article I. General

Section 1.01 District Description and Organization.

The Key Largo Wastewater Treatment District is an Independent Special District authorized by the Key Largo Wastewater Treatment District Act (Chapter 2002-337, Florida Statutes, as amended.) The principle function of the District is to perform such acts as necessary for the sound planning, acquisition, development, operation, and maintenance of a wastewater management system to serve the island of Key Largo, an unincorporated portion of Monroe County, Florida. The District complies with the operating and reporting requirements of Chapter 189, Florida Statutes as applicable to Special Districts.

The District is not subject to the Florida Administrative Procedure Act (Chapter 120, Florida Statutes) or the Uniform Rules of Procedure (Title 28, Florida Administrative Code.)

Section 1.02 District Service Area.

The District’s Service area includes the territory consisting of the island of Key Largo, including all lands east of Tavernier Creek, including Tavernier, Key Largo, and Cross Key, with the exception of Ocean Reef, all in Monroe County, Florida.

Section 1.03 District Board of Wastewater Commissioners.

The District is governed by an elected Board of five Wastewater Commissioners.

The District will exercise, through the Board, all powers enumerated in the Key Largo Wastewater Treatment District Act, including but not limited to the power to adopt rules and regulations relating to the exercise of such powers for the regulation of the use and supply of wastewater systems for the District’s service area, and will also exercise such other authority as may exist under general or special law, and all authority implied by or necessary or appropriate to the same.

The Board governs the policymaking and other statutorily prescribed duties and powers of the District pursuant to the Key Largo Wastewater Treatment District Act. The Board may act only adopting a resolution at a publicly noticed meeting.

The Board may, by resolution, delegate the authority to a Commissioner or other person to take any actions reasonably necessary and appropriate to implement a Board resolution. In the absence of such delegation of authority, an individual Commissioner has no authority to take or refrain from taking any action on behalf of the District or to direct any other person to do so.

Notwithstanding the foregoing, an individual Commissioner is authorized to request District Counsel to provide legal services on behalf of the District.

Section 1.04 District General Manager.

The General Manager oversees the day-to-day operation of the District as authorized or directed by the Board.

Section 1.05 District Clerk.

(1) The District Clerk is the person responsible for receiving, recording, filing, and transmitting District documents, recording District business, and acting generally as the initial point of contact for persons seeking to conduct business with the District.
Section 1.06 Office Location.

The main office of the District is located at 98880 Overseas Highway, Key Largo, Florida, 33037. The District’s mailing address is PO Box 491, Key Largo, FL 33037. The telephone number is (305) 453-5804.

Section 1.07 Office Hours.

District office hours are from 8:00 A.M. to 5:00 P.M., Monday through Friday, except on Official Holidays.

Section 1.08 Conducting Business with the District.

Unless otherwise specifically provided in these rules, all comments, correspondence, communications, or requests for information should be directed to the Clerk or General Manager at the District Office.

Section 1.09 District Meetings.

All meetings of the Board are public meetings conducted in accordance with section 286.011, Florida Statutes, including the maintenance and recordation of official minutes. Board decisions are made at District Meetings. In addition, a meeting of the Board may include one or more segments as described below:

(1) Workshops are gatherings of members of the Board or its staff as designated by the Board for the purposes of discussion of District business and projects, at which time rule drafting may occur but no official vote may be taken nor rule or regulation adopted. Such workshops will be open to the public, but it will be within the discretion of the Board whether or not to permit public comment.

(2) Public hearings are public gatherings of the Board for the purpose of obtaining information and receiving public comment on activities proposed by the Board, but at which no official action may be taken nor rule or regulation adopted.

(3) Public forums or community meetings are public gatherings of the District’s Board and/or designated representatives for the sole purpose of exchanging information and receiving public comment on activities relative to the District, but at which no official action may be taken nor rule or regulation adopted.

Section 1.10 Handicap Access to Meetings.

Whenever the District has scheduled a meeting at which official acts are to be taken and has received, at least forty-eight (48) hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, there will be provided a manner by which such person may attend the meeting or the meeting will be rescheduled to a site accessible to such person. If a physically handicapped person objects in writing to the use of human physical assistance in lieu of the construction or use of ramps or other mechanical devices, such human physical assistance will not be used in lieu of ramps or mechanical devices.

Section 1.11 Rules and Regulations Development and Adoption.

The District operates under rules and regulations which are approved by the Board.

(1) Rules and Regulations Development. The adoption, amendment, or repeal of District rules and regulations (including rates) will occur at public meetings.

(2) Drafting of Rules and Regulations. Any person may propose new or amended rules or regulations for Board consideration and possible adoption. Prior to
placing draft rules or regulations on the Board agenda, District staff will prepare a summary overview of the proposed rule, including preliminary text and other information for Board consideration.

(3) Public Notice. Except in cases where the Board determines that immediate adoption of a rule or regulation is appropriate, the District will publish public notice of the proposed rule or regulation in one or more newspapers that are regularly distributed within the District Service Area. The notice will describe the purpose and effect of the proposed rule or regulation, will include information for the public to obtain a copy, and will set forth the time and place of the public meeting at which the proposed rule or regulation will be considered for adoption. The Board may, in its discretion, require that more than one publication of the proposed rule or regulation be made. The publication will be made not less than seven days prior to the meeting at which the proposed rule or regulation will be considered for adoption.

(4) Public Input. The District will receive and maintain all public input relative to rules and regulations as part of the permanent record. The permanent record will include any written comments from the public and comments of speakers made at public meetings. The Board may, in its discretion, hold more than one public meeting to receive input as to any proposed rule or regulation.

(5) Recordkeeping. The District Clerk will maintain records of rules and regulations.

Section 1.12 Access to Public Records.

All District public records, as that term is defined in Chapter 119, Florida Statutes, may be inspected and copied at the District's main office during office hours, unless otherwise restricted by law.

All forms and instructions used by the District in conducting its business are available without cost at the main office. Copies of other public records held by the District may be made at a charge equal to the cost of reproduction, pursuant to section 119.07(1), Florida Statutes.

If more than ten (10) pages are requested to be copied, the District may require that the copies be made at its convenience within a reasonable time to be picked up by the recipient or forwarded to the recipient. In that event, the Person seeking the public records must pay the cost of such copies and the estimated postage fee in advance.

Section 1.13 Limitation of Access to Records.

It is the policy of the District to permit maximum public participation by each and every Person affected by its activities.

Public records requests may be made orally or in writing. When a Person asks to see public records, the request will be referred to the Clerk, who will coordinate the production of such records and, in conjunction with District Counsel, will assert, on behalf of the District, any applicable privilege. All oral requests and responses will be recorded in written form and a copy of the record of the request and production will be maintained on file. The District may charge the fees allowed by law for production and copying, including without limitation, the special fees allowed for the extensive use of information technology, resources, or labor cost. The District will
charge $1.00 per page for certified copies or a greater charge as may be subsequently allowed by law.
Article II.  District Procurement of Goods and Services

The District procures goods and services pursuant to the District Procurement Policy.
Article III. Provision of Wastewater Service in General

Section 3.01 Availability of Wastewater Service.

The existence of a Force Main adjacent to or near the premises of an applicant for Wastewater Service does not necessarily mean that such service is available to that location. Wastewater Service in areas where only Force Mains exist may require the installation of a Wastewater Collection System. The availability of Wastewater Service will be determined by the District. The District will, in its discretion provide gravity collection systems, vacuum collection systems, low pressure collection systems, or force main Points of Service in various areas of the District after consideration of cost, reliability, and other factors, and the recommendations of staff and design professionals.

Section 3.02 Wastewater Connections.

(1) Installations on private property. The District will design and construct wastewater facilities in a manner, and in locations, that the District believes will provide for cost-effective and efficient collection and transmission of wastewater. The Owner of private property is entitled and obligated to provide a lateral connection between any improvements and the Point of Service. Whenever Wastewater Service is required, the Owner must ensure that permitting and construction of laterals, and abandonment of septic tanks, are performed in compliance with applicable law and the District’s then-current Minimum Design and Construction Standards and Specifications for Wastewater Systems.

(2) Cross-Connections. Any physical arrangement or connection of pipes, fixture, or other water facility between a system containing water and a system containing Wastewater or any other substance is prohibited. Should such a connection be determined to exist, the District may terminate Service until such time as the connection or arrangement of systems has been reconnected to the District’s satisfaction.

(3) Contiguous Properties. No Customer may extend Wastewater lines across a public street, alley, or other public or private highway or property not owned by that Customer.

Section 3.03 Duty to Make Payment.

A Customer that receives Wastewater Service from the District is responsible for all fees and charges incurred in connection with the rendering of service. Failure to pay amounts due the District within the time designated for payment may result in the disconnection of Wastewater Service until all amounts due the District have been paid in full.

Section 3.04 District Powers to Collect Amounts Due.

(1) The District is authorized to fix and collect rates, rentals, fees, and charges for the use of any Wastewater System facilities.

(2) The District may provide for reasonable penalties against any User for any charges that are delinquent.

(3) In the event that a delinquency occurs and the delinquent charges are not paid and remain delinquent for 30 days or more, the District may discontinue and shut off services until such delinquent charges, together with interest,
penalties, and fees for shutting off, discontinuing, and restoring such services are fully paid.

(4) The District may recover delinquent charges, together with interest, penalties, and fee for shutting off, discontinuing, and restoring such services, together with reasonable attorneys' fees and other expenses by suit in any court of competent jurisdiction, and by any other lawful method of enforcement.

(5) Any and all power or authority available to the District to enforce the use of its facilities whenever and wherever they are available and enforce, recover or collect any rates, fees or charges imposed by the District are cumulative, supplemental, and alternative. The District is not constrained to select a single approach, nor is it constrained to seek a single remedy in enforcing any power or authority available to it.

(6) The District will use reasonable diligence to provide continuous service, but will not be liable to the customer for any damages or loss caused by system failure or interruption of service.

(7) The District reserves the right to transfer debts owed by an Owner/Customer for Service provided to a given Premises to any other Active Account of the Customer for service, and to take appropriate measures for securing payment of such debt.

Section 3.05 Duty to Protect District Property.

(1) The Customer is under a duty to exercise due care to protect any District Wastewater facilities that are located on the Customer's property.

(2) The Customer may not allow anyone access to such facilities, except the District's agents or Persons otherwise authorized by law, each of whom will first display to the Customer identification and evidence of authorization for entry.

(3) When the District's facilities are damaged by contractors, governmental agencies, or others, the District will repair such damage and charge the total cost thereof to the Persons causing the damage.

(4) In the event of any loss or damage to the District's property or any Wastewater Facilities arising from the negligence or intentional misuse by the Customer, its agents, invitees, or assignees, the total cost of replacing such loss or repairing such damage will be charged to the Owner at cost.

Section 3.06 Tampering.

(1) Tampering with water meters or the District's Wastewater System components or facilities, including but not limited to, collection mains, manholes, Force Mains, pump stations, vacuum valve chambers, vacuum valves, fixtures, appurtenances, security devices, signs, or enclosures is prohibited by section 812.14, Florida Statutes.

(2) Section 812.14, Florida Statutes, provides for civil remedies against Tampering. Any Person found in a civil action to have violated the provisions of section 812.14, Florida Statutes, may be liable to the District in an amount equal to 3 times the amount of services unlawfully obtained or $1000.00, whichever is greater.
(3) The Owner must promptly report any Tampering to the District and is responsible for any Tampering caused by its agents or other Persons using the Premises with or without the Owner's consent.

(4) Upon receipt of notification by either an individual or employee of the District that there is reasonable cause to suspect that Tampering with District's property or facilities has occurred at any premises served by the District, the District will cause an investigation to be made of those premises.

(5) If an on-site inspection verifies that Tampering has occurred, the District will charge a Tampering investigation charge to cover its expenses in conducting said investigation and take measures to deter further Tampering. Any Tampering that results in a substantial reduction in the cost of services received by a person, the District will charge a Tampering Charge.

(6) If it is reasonably established that the person who has tampered with District facilities is the same person who occupied or resided at the site at the time of the Tampering, then that person will be responsible for the Tampering Charge and all other appropriate charges. However, if that Person demonstrates that another party is responsible for the Tampering, the District will use such demonstration as its basis to pursue appropriate and adequate restitution for said Tampering from the other party demonstrated to have been the one doing the Tampering.

(7) Tampering will be presumed to have been caused by the Customer or Owner that receives a monetary or other economic benefit therefrom.

(8) Tampering that results in a substantial reduction in the cost of services received by a Customer will be presumed to have been known to the Customer if not reported to the Authority within one billing period after the reduction in the cost of the Service received becomes evident. In such event it will be presumed that the Tampering was willfully allowed to persist by the Customer.

(9) The District may, without prior written authorization, confiscate any materials or facilities that are connected to the Authority's Wastewater system for use as evidence in further legal proceedings.

(10) For Tampering charges, see Section 9.05.

Section 3.07 Inspection of Customer Installation.

(1) All installations of Wastewater Facilities or changes therein are subject to inspection by the District to ensure that piping, equipment and other facilities have been installed in accordance with the District's Minimum Design and Construction Standards and Specifications.

(2) The District has the right, but not the duty, to inspect the Customer's installation prior to rendering Service and from time to time thereafter to ascertain the Owner's/Customer's compliance with District rules and regulations, but the District assumes no responsibility whatsoever for any defects that are not detected by any such inspection.

Section 3.08 Customer's Duty to Maintain Installation.

(1) The Customer may not utilize any appliance or device which may adversely affect Wastewater Service. The District reserves the right to withhold or to
discontinue Wastewater Service whenever any such apparatus or device is being used.

(2) The Customer's apparatus and equipment must be maintained in sound operating condition in accordance with standard practice, the rules and regulations of the District, and all other governmental regulations applicable thereto.

(3) No changes in the Owner's installation that will materially affect the proper operation of the District's Wastewater Facilities may be made without the prior written consent of the District. The Customer is liable for any damage resulting from a violation of this provision.

(4) Any violation of this subsection may result in termination of service or any other action available to the District by law. Petitions for enforcement may request declaratory relief; temporary or permanent equitable relief; any fine, forfeiture, penalty or other remedy provided by statute; any combination of the foregoing; or, in the absence of any other specific statutory authority, a fine not to exceed $1000.00.

Section 3.09 Customer Compliance with District Rules and Regulations.

(1) The Owner/Customer must comply with the District's rules and regulations as duly adopted or as they may subsequently be revised, or amended.

(2) The District has the right to refuse to provide Service or discontinue Service. Failure to comply with the requirements of this subsection may result in disconnection of service.

Section 3.10 District License to Enter upon Property.

As a condition of connection to District Wastewater Service, the owner and occupant of the property upon which required facilities extensions and connections are located grants a license to the District to enter upon the affected property for the following purposes:

(1) To inspect the installation or connection. The District has the right, but not the duty, to make on-site inspections.

(2) To discontinue and shut off services to delinquent accounts.

(3) To remove the District's property.

(4) For other purposes incidental to performance or termination of Wastewater Service.

The Owner may not impede free access to any District facilities or other infrastructure connected to or served by District facilities.

In the event the District is unable to obtain access, Wastewater Service may be terminated.

Section 3.11 District Right to Refuse to Provide Service.

No payment of costs, submittal of an application or other act to receive, Wastewater Service will guarantee such service. The District has the right to refuse to extend service on the basis of a use detrimental to the system, lack of payment of required fees or charges, or for any other reason which, in the judgment of the District,
applying sound engineering principles, will cause the extension not to be of benefit to the District.

Section 3.12 Discontinuance or Termination of Service.

The District may discontinue or terminate Wastewater Service to any Customer who violates the provisions of these rules, including, but not limited to, Delinquency of any amounts owed the District.
Article IV. Mandatory Connection

Section 4.01 Mandatory Connection Findings.

The District has ascertained, determined, and declared that:

(1) The Florida Legislature has identified the Florida Keys as an area of critical state concern; pollution and questionable water quality resulting from the absence of adequate Wastewater Treatment throughout the Florida Keys is a threat to the environment and the health, safety and welfare of landowners and persons inhabiting the Florida Keys.

(2) The Florida Legislature has charged the District with the responsibility to plan and provide for water and sewer systems within the Florida Keys and to enforce the use of its Wastewater Facilities whenever and wherever they are accessible.

(3) The Florida Legislature has empowered the District to both prohibit the use of and mandate the use of Wastewater Facilities within the Florida Keys.

(4) The Florida Legislature has authorized, and Monroe County has enacted, local legislation that requires connection to a central sewage system within specified time periods, even if the affected Property is receiving treatment from a lawful and adequate Onsite Sewage Treatment and Disposal System.

(5) The District has embarked upon the creation of Wastewater System to manage and treat Wastewater and improve the water quality in the Florida Keys. The presence of the District's Wastewater Facilities is intended to enhance and benefit the environment and the health, safety and general welfare of landowners and persons inhabiting the Florida Keys.

(6) Mandatory connection to the District's Wastewater System is fundamental to the successful financing, creation, and operation of the District's Wastewater System.

(7) Mandatory connections to a governmental utility system and the subsequent charges flowing therefrom have long been held to be a proper exercise of a governmental power to regulate and protect the welfare of the public.

Section 4.02 Duty to Connect.

(1) The Owner of an improved parcel of land must, at the Owner's expense, connect to the District's Wastewater System upon written notification that the District's Wastewater Facilities are available for connection, as that term is defined in applicable law.

(2) Where the District's Wastewater System is available to Premises with an existing wastewater treatment facility or OSTDS, the Owner must decommission, abandon, or otherwise disconnect from the existing wastewater treatment facility or OSTDS in accordance with the requirements of applicable law, and must connect the buildings on the property or premises to the District's Wastewater System.

Section 4.03 Failure to Connect.

(1) An Owner that fails or refuses to connect its Premises to the District Wastewater Facilities within the time specified after receipt of written notification of the availability of Service is responsible for the payment of all
fees and charges imposed by the District in connection with the provision of Wastewater Service, even if the Premises does not actually receive Wastewater Service due to failure of the Owner to connect to the District Wastewater Facilities.

(2) In the event an Owner fails or refuses timely to connect the Premises or a building to the District's Wastewater Facilities within the time prescribed herein, the District will provide support and assistance to the Owner to facilitate connection. However, if the Owner fails or refuses to take reasonable steps to achieve connection, the District will refer the matter to Monroe County Code Enforcement for further action.

(3) Notwithstanding the foregoing, the District reserves the right to compel connection by any lawful means, including judicial process, and will proceed to collect all SDC charges, monthly charges, and other charges to which the District would be entitled if the Owner had connected the Premises to the District Wastewater Facilities. In the event the District is required to seek a writ or order, or otherwise litigate any action compelling connection, all costs of such action experienced by the District including attorney fees and court costs will be assessed to the Owner.

(4) The District will undertake reasonable efforts to assist Owners who qualify for low-income assistance to obtain such assistance. If it reasonably appears to the District that an Owner will qualify for such assistance but the assistance is not yet available, the District will, in its discretion, grant a reasonable extension of the time to connect and the time at which monthly charges and other charges begin to accrue against that Owner.
Article V. Classes of Wastewater Service

The District renders Wastewater Service to various general classes of Customers as described in the District Rate Resolution.
Article VI. Provision of Wastewater Service to Unimproved Parcels

Section 6.01 Unimproved Parcel in an Improved Subdivision.

(1) In a case where the District is constructing Wastewater Facilities within an improved subdivision, the District will, in its discretion, provide Wastewater Facilities to unimproved parcels within the subdivision when the District concludes that the best interests of the District would be served thereby.

Section 6.02 Developer’s Agreement for Future Wastewater Service.

(1) Prior to the commencement of construction of facilities or structures on individual Premises or on an approved development, the District may enter into a Developer's Agreement with an Owner/Developer for the purpose of assuring the availability of Wastewater Service to the development upon completion of construction. Such assurance is conditioned upon fulfillment by the Owner/Developer of the requirements of the Developer’s Agreement for service.

(2) The Owner/Developer must pay in advance all System Development Charges, and other fees and charges required under the Developer’s Agreement.

(3) Failure to comply with the terms of the Developer’s Agreement may result in the District declining to provide Wastewater Service upon completion of the development, until the terms of the Developer’s Agreement are fully satisfied, including payments of applicable assessments and Delinquent Account penalties.

(4) The execution of a Developer’s Agreement does not exempt the Owner/ Developer from compliance with the District’s Minimum Design and Construction Standards and Specifications for Wastewater Systems and the obligation to obtain all requisite federal, state, and local governmental permits, licenses, or approvals.

(5) The Developer’s Agreement is not an agreement for service.

(6) The District will charge a Plan Review Fee. See Section 9.01.

(7) These provisions apply equally to a redevelopment of a previously developed property where the redevelopment consists of changes in parcel configurations, and/or utility infrastructure.

Section 6.03 Construction and Connection of Systems on Private Property.

(1) In general, it is the policy of the District not to construct wastewater collection and transmission systems on private property. However, as provided in the various District Non-Ad valorem Assessment Resolutions, the District may construct collection systems on Single-Lot Common Interest Properties as defined in the various District Non-Ad valorem Assessment Resolutions.
Article VII. Extension of Wastewater Facilities.

Section 7.01 General.

This Section provides information regarding the District specifications, requirements, and procedures for obtaining a commitment for Wastewater Service to new or existing facilities on a property. These general requirements will also be followed by persons desiring to obtain service for an existing or proposed single-family dwelling.

Section 7.02 Planned Extension of Wastewater Facilities.

(1) The District has adopted the Monroe County Sanitary Wastewater Master Plan, as a comprehensive planning document for the implementation of Wastewater Service within the District. Such wastewater master plan outlines recommendations for the District to effectuate the provision of Wastewater Service within the District. The District may also adopt one or more facilities plans showing planned development and implementation of Wastewater Facilities. In case of any inconsistency between the Monroe County Sanitary Wastewater Master Plan and a District facilities plan, the District facilities plan shall control, except that the District will comply with Section 403.086(10)(b), Florida Statutes, as amended by ch. 2010-205, Laws of Florida.

(2) As funding is available, the District will construct Wastewater Collection, Treatment, and Disposal Systems. The District will establish rates, fees, and charges to recover the costs of system development, operation, and maintenance.

Section 7.03 Extension of Wastewater Facilities on Request

(1) An Owner seeking to obtain a commitment for Wastewater Service from the District for new development or re-development of an existing property that may require the installation or extension of Wastewater Facilities must identify system capacity needs for, or must have previously identified the number of EDU's corresponding to the anticipated requirements of the project. The Owner must complete and provide to the District sufficient information for the District to determine whether extension of Wastewater Facilities to the new development or re-development is practicable and in the District's best interest.

(2) Acceptance of Wastewater Facilities located within an Easement available to the District is subject to the exercise of sound engineering judgment taking into consideration the size of the facilities, topography, and maintenance and operating constraints. Generally, right-of-way or easements located along rear or side-lot lines should be avoided.

(3) Prior to acceptance, the Owner must provide a written warranty (in a format approved by the District) on all Wastewater Facilities, wherein the contractor guarantees correction of any defects in the work for a period of three years (or five years in the case of lift station and vacuum station pump and motor assemblies) from the date of final DEP certification. This obligation must be secured by a maintenance bond or irrevocable letter of credit, up to the amount of one hundred and ten percent (110%) of actual construction cost.
Section 7.04 System Design; General Criteria.

(i) The District will adopt Minimum Design and Construction Standards and Specifications for Wastewater Systems.
Article VIII. WASTEWATER PRETREATMENT

Section 8.01 Purpose and Policy.

(1) The District will not accept any Wastewater that does not meet the District's standards for acceptance. Prior to accepting Wastewater from any Customer, other than a residential Customer, the District may require that the Customer demonstrate that the Wastewater meets District standards.

(2) The discharge of pollutants harmful to the District's wastewater system structures and biological processes are prohibited. Industrial users may be subject to monitoring and pretreatment requirements.

(3) The introduction of storm water, ground water, air-conditioning condensate, closed-system cooling water or other uncontaminated water is prohibited. If the introduction of such water is suspected, the District may require the Customer to investigate the cause of the introduction of the water and to make the necessary repairs or modifications to prevent further introduction. The observance of excessive flow or water with elevated conductivity indicating elevated salinity are potential causes to suspect such introduction.

(4) Repealed.

(5) Waste Stream Monitoring. The District may require certain Customers, such as restaurants and others that include food preparation facilities which may produce wastewater containing high levels of Biochemical Oxygen Demand (BOD), to institute a self monitoring program. The Customer may be required, at its own expense, to have samples of the wastewater discharge from its facility collected and analyzed for BOD. The data generated shall be used to determine the Excess Strength Surcharge to be added to the Customer's wastewater bill.

(6) Initial Testing. The initial sampling of waste streams which are suspected to be of excess strength shall consist of four separate sampling events conducted over a period of not more than 28 days. Where possible, flow proportioned 24-hour composite samples shall be collected. Otherwise, single grab samples collected at a period of maximum use of the facility may be substituted with District approval. All sampling shall conform to the requirements of Sections 1060 and 5010 of Standard Methods for the Examination of Water and Wastewater. Sampling shall be performed by qualified personnel trained in sampling of waste streams. The District shall be notified of the sampling schedule and shall be afforded the opportunity to witness the sampling. The District, at its discretion, may collect samples concurrently with sampling by the Owner or may collect samples on an independent schedule.

(7) The samples shall be analyzed for BOD in accordance with Method 5210 B of Standard Methods for the Examination of Water and Wastewater. The 5-Day BOD Test shall be performed by a laboratory currently certified by the Florida Department of Health Office of Laboratory Services to perform this analysis. If any of the testing results fail to meet the Quality Control and Quality

*Subsections 8.01(2) – 8.01(4) added by Rule Change #16 on 8/23/06
Assurance criteria of Sections 1020, 1030 and 5020 of Standard Methods for the Examination of Water and Wastewater, those results shall be discounted and the waste stream re-sampled. When four satisfactory test results are obtained, the average of these four values will be used to establish the initial Extra Strength Surcharge.

(8) **Subsequent Testing.** Each facility found to be discharging wastewater of excess strength shall be placed on a monthly sampling schedule. Once each month, the waste stream will be sampled and analyzed according the criteria established above. Each month, the oldest data point will be discarded and the most recent data point included, resulting in a four sample running average. This running average will be recalculated each month to establish the Extra Strength Surcharge for that billing period.
Article IX. Fees and Charges

The District is authorized to impose fees and charges as appropriate to the construction, operation, and maintenance of its Wastewater System. Rates, fees, and charges will be established by the Board.

Section 9.01 Plan Review Fee.

The District provides typical plans and specifications for connection of single-family residences and single unit non-residential buildings with maximum monthly flows of less than 1,000 gallons per day to the District Wastewater Facilities. The District does not charge a fee to review plans or to inspect installations of typical connections by a licensed plumbing contractor.

For all other connections, the District will charge fees according to the following schedule:

1. Plan review and inspection of multi-family residential connection: $50/dwelling unit with a minimum charge of $250.

2. Plan review and inspection of non-residential connection: $50/EDU with a minimum charge of $250.

Section 9.02 System Development Charge (SDC).

1. System Development Charges are established according to Assessment Resolutions adopted by the District. All Assessment Resolutions are attached hereto in Appendix B.

2. Notwithstanding the provisions of any Assessment resolution, it is the policy of the District to waive SDC's or assessments in certain cases as set forth below:

(i) The owners of all interests in a tax parcel that is assessed under an Assessment resolution may request that the District waive Assessment of a contiguous tax parcel owned by them. The owners must certify that the use of the contiguous tax parcel is subsidiary to the use of the assessed parcel, that the parcel for which waiver is sought will not be improved with structures or facilities that might generate wastewater that will enter the District's wastewater facilities, and that if they later desire wastewater service to the contiguous tax parcel, they agree to pay the full direct and indirect District costs of providing the same. The owners of the assessed tax parcel may apply for waiver under this subsection for more than one tax parcel. For purposes of this subsection, a contiguous tax parcel may be separated by a street or right-of-way from the assessed tax parcel.

(ii) If Monroe County makes a final decision to deny all permits for development of a tax parcel, upon application by the owners of all interests in the tax parcel the District will waive all future assessments of the SDC for that tax parcel.

(iii) If a tax parcel is classified as Tier One, upon application by the owners of all interests in the tax parcel, the District will waive the SDC, or all future assessments of the SDC, for that tax parcel. The owners must certify that if they later desire wastewater service to the contiguous tax parcel, they agree to pay the full direct and indirect District costs of providing the same.

† Subsection 9.02(2)(i) – (iii) added by Rule Change #19 on 6/16/09.
Section 9.03 Monthly Customer Fees.

(1) Monthly Customer Fees are adopted in a Rate Resolution, which is attached hereto as Appendix A.

Section 9.04 Pretreatment Fees.

(1) The wastewater discharge from certain facilities, even when passed through properly sized and maintained grease interceptors, may contain elevated levels of Biochemical Oxygen Demand. A BOD surcharge will be applied to the Customer’s sewer bill for wastewater discharges with a BOD in excess of 500 parts per million. The surcharge will be applied by multiplying the monthly volumetric charge by the ratio of the Customer’s BOD divided by 375.

Section 9.05 Tampering Charge.

The charges for Tampering are as follows:

(1) Investigation Charge $75.00
(2) Tampering Charge $150.00
(3) Repeat Occurrence $300.00
(4) In cases of meter by-pass, or meter reversal, straight connection or other form of Tampering that results in a substantial reduction in the cost of service, the account of the Customer will be back billed based on the estimated amount of wastewater flow not paid for. This estimate will be based upon:

(i) One hundred and fifty percent (150%) of the average water consumption during the previous six (6) Active Account months prior to the time such meter Tampering is estimated to have occurred, or in the event the Customer does not have a history of six (6) Active Account months, one hundred and fifty percent (150%) of the average water consumption for a Customer served by the District with a similar Class of Service during the most recent one (1) year period for which such figures are available;

(ii) When the meter has not been disturbed, the Customer will be back billed for the amount of wastewater flow, as indicated by the water meter, for which payment has not been received by the District.

(5) Any further legal action deemed appropriate will also be pursued, and all costs associated therewith are assessable to and charged to the Customer, including attorney fees.

Section 9.06 Service Charges.

(1) The District will charge a Service Charge for each instance in which Wastewater Service is terminated or in which the District is required to travel to the premises of the Customer to investigate or respond to what is ultimately determined to be a violation of the District rules and regulations.

(2) Service provided between the hours of 8:00 A.M. and 4:00 P.M. during business days will be at the regular Service Charge of $20.00. Service provided at Customer’s request between the hours of 4:00 P.M. and 8:00 A.M., or on weekends and holidays, will be at the Emergency Service Charge of $60.00.

(3) Service orders received after 4:00 P.M. on business days will be deemed received on the following business day and processed at the regular service rate, unless emergency service is specifically requested by the Customer.
Section 9.07 Wastewater Main Extension Reimbursements.

(1) Reserved.
Article X.  Direct Billing and Payment for Service

Section 10.01  FKAA billing.

The District has entered into a billing agreement with the Florida Keys Aqueduct Authority. In that case, the billing and payment procedures of the FKAA will apply to a Customer who receives potable water through an FKAA meter. For the VERY FEW Customers who do not receive potable water through FKAA meters, the following rules apply.

Section 10.02  Billing Period; Due Date.

(1) Customers will be billed on a monthly basis. Billing will commence upon initiation of Service or the mandatory connection date, whichever is earlier.

(2) Payments for services are due upon rendition of the bill. Non-receipt of a bill by the Customer will not release the Customer from the duty to make reasonable inquiry as to the amount of the bill and prompt payment thereof, on or about its due date, in accordance with the Customer's billing cycle.

Section 10.03  Description of Monthly Billing Charge.

(1) The Monthly billing charges is a flat rate, which appears in the Rate Resolution, Appendix A.

Section 10.04  Returned checks

(1) The District will impose a Returned Check Charge for each dishonored check that is returned by the bank. Only cash, cashier's checks, or money orders will be accepted as payment for checks which have been dishonored. The Customer's account will be annotated upon receipt of a dishonored check. Issuance of two (2) dishonored payments within an eighteen (18) month period will preclude the acceptance of another check for a period of 12 months from date of settlement of the first dishonored check, or bank draft. During this time only cash, cashier's checks or money orders will be accepted for payment.

Section 10.05  Delinquent Accounts.

(1) An account will be considered delinquent if payment for service is not received by the District by the due date. If the due date falls on a weekend or Official Holiday, it will be extended to the next business day. In the event partial payment of a bill is made, that portion of the bill not paid within thirty (30) days of billing will be considered delinquent.

(2) Delinquent Accounts will be charged a Delinquent Account Charge in the amount greater of $4.00 or ten percent (10%) of the total amount that is the delinquent outstanding balance.

(3) Service may be discontinued if the total delinquent amount that is past due is not received by the District within 30 days after the due date.

(4) For service to be restored the Customer must request restoration of service and pay all amounts due, including the applicable service charge.

(5) In the event the account has been final billed as a result of account delinquency, service will not be restored until the Customer has paid all applicable fees, outstanding balances due, and service charges.
(6) Notwithstanding any other provision of these rules, when Wastewater Service is subject to discontinuance (disconnection) or has been discontinued due to account delinquency, the District may restore such Service prior to payment of all amounts due, provided the Customer has entered into a negotiated payment agreement.

(7) Failure to pay amounts due the District within the time designated for payment will result in the District exercising all reasonable business efforts to collect such unpaid amount, including delinquent fees, interest, attorney fees and filing charges.

Section 10.06 Billing Disputes; Mistakes.

(1) In the event of a billing dispute, the Customer must contact the District's Customer Service Office and request an investigation of the account. The District will record the relevant account information, nature of the dispute or alleged mistake and date of contact.

(2) The District will investigate the billing and respond by mail within sixty (60) calendar days. If the response is not satisfactory to the Customer, the Customer may within five (5) business days from the date of mailing request further review by the General Manager, who will respond to the Customer by mail within five (5) business days.

(3) The District will not disconnect service for non-payment of the disputed amount during the period commencing with the request for investigation of the account and ending with a response from the District or the General Manager, provided that the Customer has requested an investigation prior to the Account becoming delinquent. In the event the dispute is resolved against the Customer, the Customer will have five (5) business days to pay the disputed amount, and will thereafter be subject to Disconnection of Service and other charges.
Article XI. Definitions and Construction of Terms

Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to these rules; and the term "hereafter" means after, and the term "heretofore" means before the adoption of these rules. Words of one gender include the correlative words of the other gender, unless the sense indicates otherwise. Additionally, the terms set forth below have the following meaning except where the context clearly otherwise requires:

"Act" or "the Act" refers to The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

"Active Account" means that service exists between an Owner/ Customer and the District, under which the District stands ready to serve and Service is rendered or available on demand and payment for said Service is made or due from the recipient on a Monthly basis.

"Assessment" means a charge or special assessment (sometimes characterized as a non-ad valorem assessment) imposed by the District to fund the Capital Cost of Utility Improvements or the Operating Cost of Related Services, as provided for in District Assessment resolutions.

"Biological Oxygen Demand" or "BOD" means the quantity of oxygen used in the biochemical oxidation of organic matter at a specified time, at a specified temperature, and under specified conditions. It also means a standard test for assessing Wastewater strength expressed in the demand for oxygen for a five-day period as specified in Chapter 62-160, F.A.C.‡

"Board" means the Board of Commissioners of the District.

"Building Permit" means an official document or certificate issued by the authority having jurisdiction, authorizing the construction or sitting of any Building. The term "Building Permit" shall also include tie-down permits or other similar authorizations for those structures or Buildings, such as a mobile home or a Boat Slip/Dock/ Berth that does not otherwise require a Building Permit in order to be occupied.

"Business Day" means the period of each day from 8:00 A.M. to 5:00 P.M., Monday through Friday, excluding the District’s Official Holidays.

"CFR." means the Code of Federal Regulations.

"Capital Cost" means all or any portion of the expenses that are properly attributable to the acquisition, design, construction, installation, reconstruction, renewal, or replacement (including demolition, environmental mitigation, and relocation) of Utility Improvements related to a capital project.


"County" means Monroe County, a political subdivision of the State of Florida.

"Cross-Connection" means any physical arrangement whereby a water supply is connected, directly or indirectly, with any other system capable of imparting contamination to the supply as the result of backflow.

‡ Definition added by Rule Change #16 on 8/26/06
“Customer” means any Person that accepts or receives Wastewater Service.

“DEP” means the State of Florida Department of Environmental Protection.

“DOH” means the State of Florida Department of Health.

“DOT” means the State of Florida Department of Transportation.

“Day” means one (1) twenty-four (24) hour period.

“Delinquent Account” or “Delinquency” means that for the Active Account, payments for satisfaction of some or all past and current fees and charges are past due by at least two bill payment cycles of said Active Account, but Service has not yet been discontinued.

“Delinquent Account Charge” means the charge billed customers when all or part of the payment on their account has become delinquent. The Delinquent Account Charge is based on the outstanding balance as shown in Section 10.04.

“Delinquent Account Reactivation Fee” means a charge to be based on the estimated cost of activities associated with such reactivation. See Section 10.05(4).

“Department of Environmental Protection” means the State of Florida Department of Environmental Protection.

“Department of Health” means the State of Florida Department of Health.

“Department of Transportation” means the State of Florida Department of Transportation.

“Developer” means a Person developing property for resale, rental, or lease, to which Wastewater Service may be provided by the District.

“District” means the Key Largo Wastewater Treatment District.

“Discharge” means the introduction of Pollutants into a Wastewater System from any source, directly or indirectly, by means of pipes, conduits, pumping stations, ditches, or tank trucks, and all constructed devices and appliances appurtenant thereto.

“Easement” means any legal right for the specific use of land owned by others.

“Enforcement” means actions taken in response to noncompliance with or violation of these rules or any other applicable rules, regulations, ordinances or laws.

“Environmental Protection Agency” or “EPA” means the United States Environmental Protection Agency.

“Existing Source” means any building, structure, facility, or installation from which there is or may be a Discharge, the construction of which began before promulgation of Pretreatment Standards applicable to such source.

“F.A.C.” means the Florida Administrative Code.

“Fiscal Year” means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed as the Fiscal Year for the District.

“Force Main” means a pipe owned by the District and used to transmit Wastewater from a pump station to a treatment facility.
"General Manager" means the General Manager of the District.

"KLWTD" means the Key Largo Wastewater Treatment District.

"Minimum Design and Construction Standards and Specifications" means the engineering design and construction specification demands of the District related to Wastewater facilities constructed by any Developer, Owner, Customer or User, which are adopted by reference in these rules.

"OSTDS" see Onsite Sewage Treatment and Disposal System.

"Official Holidays" means the following holidays: New Year's Day, Birthday of Martin Luther King, Jr. (third Monday in January), Memorial Day, Independence Day, Labor Day, Veterans' Day (November 11), Thanksgiving Day, Friday after Thanksgiving, Christmas Day. If any holiday falls on a Saturday, the holiday shall be observed on the preceding Friday; if any holiday falls on a Sunday, the holiday shall be observed on the next Monday.

"On-Site Treatment and Disposal System" or "OSTDS" means a Wastewater Treatment System utilizing subsurface effluent disposal (absorption field or Class V injection well) such as a conventional septic tank, aerobic treatment unit, on-site wastewater nutrient reduction system, package sewage treatment facilities.

"Operating Cost" means all or any portion of the expenses that are properly attributable to providing Services under generally accepted accounting principles.

"Owner" means a Person who is the record owner of any Premises.

"Person" means any individual, partnership, firm, organization, corporation, association, or any other legal entity, whether singular or plural, masculine or feminine, private or governmental, as the context may require.

"Point of Service" means: the point where the District's Wastewater Facilities connect to Customer-installed, owned, operated and maintained facilities. The Point of Service shall generally be at the point where the Building gravity Wastewater Service Lateral intersects the right-of-way line or, in the event a utility easement exists adjacent to the right-of-way line, at the point where the Building Wastewater Service Lateral intersects the utility easement line furthest from the main.

"Pollutant" means any dredged spoil, solid waste, incinerator residue, Wastewater, garbage, Wastewater Sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt or industrial, municipal, or agricultural waste discharged into water.

"Premises" means any and all real property and tangible personal property affixed to real property served or capable of being served by the District as a result of the existence of a Service Connection.

"Pretreatment" means reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in Wastewater prior to or in lieu of discharging or otherwise introducing such Pollutants into a Wastewater Collection or Treatment System.

"Related Service" means the operation and maintenance of a Utility Improvement.

"Returned Check" or "Bank Draft" charge is a charge based on the estimated administrative cost of collecting the amount due from the tendered check or bank
draft that was not honored by the payer's bank as provided by Chapter 832.07, Florida Statutes.

"SDC" see System Development Charge.

"Service" means the readiness to accept or the acceptance of Wastewater from a Customer at a Point of Service by the District.

"Service Charge" means the charge assessed customers, per event, when the District travels to the premises or for administrative processing by the District.

"Service Connection" means the physical attachment of the District's facilities to those facilities of any property through which Wastewater Service is deliverable.

"Service Initiation" means the date the customer begins to receive services through a Wastewater connection or the date that service is available in a newly constructed wastewater system.

"Service Installation Fee" shall be based on the estimated cost of activities associated with construction of a Wastewater Service Lateral.

"Service Lateral" means the pipe which connects the District's collection facilities to the Service Connection at the Point of Service. Said pipe is typically situated on private property and is owned, operated and maintained by the Owner.

"Service Line" means that portion of the Sewer System that extends beyond the end of the building drain and conveys Wastewater to a public, private, or individual Wastewater Collection System, or other point of disposal. In cases where the building is served by a Vacuum Sewer, the Building Sewer shall include the gravity line to the vacuum valve collection sump constructed within the public right-of-way or an Easement.

"Service Unit" means Premises, an area, or a module or modules consisting of a delineated space, or an enclosure of one (1) or more spaces or rooms with either appurtenant or common or public bathroom facilities or installations of other Wastewater generating fixtures, and used for a single residential or non-residential use. Service Units fall into the general categories of Permanent, Boat Slip/Dock/Berth, and Mobile.

"Sewer" means any pipe, conduit, or other device used to collect and transport Wastewater and from which storm water, surface water, and groundwater are generally excluded. As the context requires, the term is synonymous with the term Wastewater or other terms incorporating such term therein.

"Sludge" means any solid or semisolid waste generated from a Wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a Wastewater treatment plant.

"State" means the State of Florida.

"System Development Charge" is a charge to new Customers and to existing Customers who modify, add, or construct facilities that impose a potential increased demand on the District's Wastewater Facilities. The SDC is in addition to any amount that may be expended by the Owner/Customer for system improvements and other fees required by the District.

"Tampering" means any willful alteration or interference with a water meter or Wastewater system components and facilities owned by the District, except for
turning the valve associated with the water meter for the purpose of temporary disconnection of service. Tampering includes obtaining unauthorized Service to a Premises or location.

"User" means any Person responsible for the Discharge of Wastewater into a Wastewater System.

"Utility Improvement" means a capital improvement constructed or installed by the District for the special benefit of a neighborhood, district, or other benefited area.

"Wastewater" means liquid and water-carried industrial, domestic, medical, food, superfluous solid, gaseous material, holding tank or other wastes from residences, commercial establishments or manufacturing facilities, whether treated or untreated, which are Discharged into a Wastewater System.

"Wastewater Collection System" means a system for carrying wastewater including but not limited to, domestic, industrial, medical, holding tank or other waste, to which storm, surface, and groundwater are not intentionally admitted.

"Wastewater Facilities" or "Wastewater System" means the system comprised of all structures, equipment, and processes required to collect, carry away, and treat domestic, industrial, medical, holding tank and other wastes and dispose of the effluent.
LIST OF MULTIPLE DWELLING & SINGLE PARCEL CONNECTION ASSESSMENTS
### List of Multiple Dwellings & Single Parcel Connection Assessments

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<td>Silver Shores</td>
<td>280</td>
<td>280</td>
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<tr>
<td>Sunset Acres</td>
<td>75</td>
<td>75</td>
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<tr>
<td><strong>Total</strong></td>
<td>1,278</td>
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<table>
<thead>
<tr>
<th>Condo Complex</th>
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<tr>
<td>Anchor Condo</td>
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<td>36</td>
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<tr>
<td>Buttonwood Bay</td>
<td>280</td>
<td>280</td>
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<tr>
<td>Harbor 92</td>
<td>40</td>
<td>40</td>
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<tr>
<td>Holiday By-The-Sea</td>
<td>16</td>
<td>16</td>
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<tr>
<td>Kawama Yacht Club</td>
<td>195</td>
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<tr>
<td>KL Yacht Club</td>
<td>25</td>
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<tr>
<td>Landings of Largo</td>
<td>126</td>
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<tr>
<td>Mariners Club</td>
<td>118</td>
<td>118</td>
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<tr>
<td>Moon Bay</td>
<td>85</td>
<td>85</td>
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<tr>
<td>Newport Village</td>
<td>52</td>
<td>52</td>
</tr>
<tr>
<td>Ocean Pointe</td>
<td>240</td>
<td>240</td>
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<tr>
<td>Rock Harbor Club</td>
<td>90</td>
<td>90</td>
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<tr>
<td>Sanctuary</td>
<td>38</td>
<td>38</td>
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<tr>
<td>Sunset Hammocks</td>
<td>40</td>
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<tr>
<td>Tamarind Bay</td>
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<tr>
<td>Tradewinds Hammock</td>
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<td><strong>Total</strong></td>
<td>1,497</td>
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<table>
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<tr>
<td>Campers Cove</td>
<td>8</td>
<td>30</td>
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<tr>
<td>Captain Jax (44 EDU's appealed)</td>
<td>22</td>
<td>50</td>
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<tr>
<td>Coral Sands</td>
<td>25</td>
<td>20</td>
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<tr>
<td>Kings Kamp (30 EDU's appealed)</td>
<td>16</td>
<td>60</td>
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<tr>
<td>Largo Park</td>
<td>58</td>
<td>98</td>
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<tr>
<td>Ocean Cove</td>
<td>13</td>
<td>28</td>
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<tr>
<td>Paradise Point</td>
<td>7</td>
<td>16</td>
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<tr>
<td>Rock Harbor Marina</td>
<td>10</td>
<td>27</td>
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<tr>
<td>Travel Trailer Town</td>
<td>10</td>
<td>32</td>
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<td><strong>Total</strong></td>
<td>169</td>
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<table>
<thead>
<tr>
<th>Unique Properties</th>
<th></th>
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<tbody>
<tr>
<td>Keys Twins Duplex Condos</td>
<td>4</td>
<td>4</td>
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<tr>
<td>Port Largo Duplex Condos</td>
<td>30</td>
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<td><strong>Total</strong></td>
<td>34</td>
<td>19</td>
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<table>
<thead>
<tr>
<th>New Developments</th>
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<tbody>
<tr>
<td>Affordable Housing</td>
<td>36</td>
<td>36 ???</td>
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<tr>
<td>KLOOR</td>
<td>285</td>
<td>285 ???</td>
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<tr>
<td>Mandalay</td>
<td>120</td>
<td>120 ???</td>
</tr>
<tr>
<td>Northstar</td>
<td>123</td>
<td>123</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>564</td>
<td>564</td>
</tr>
</tbody>
</table>

**Memo**

- **Assessed as single family residential:**
  - Seven Acres: 19 EDU
  - Wynken Blinken: 79 EDU

- **Not yet assessed - unique property**
  - Coral Coast: 15 EDU

**Maps provided for properties highlighted in red.**

**Total:**

<table>
<thead>
<tr>
<th>EDU's</th>
<th>Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,542</td>
<td>3,719</td>
</tr>
</tbody>
</table>
SINGLE LOT COMMON INTEREST PROPERTIES
SINGLE-LOT COMMON INTEREST PROPERTIES

Blue Harbor Club, Inc.
Coastal Waterway
Key Largo Campground & Marina Condominium Association, Inc.
Lake Surprise II Condominium Association, Inc.
The Harborage
Silver Shores

SINGLE-LOT COMMON INTEREST PROPERTIES (REDEVELOPED)

Calusa
Key Largo Ocean Resort

SUBDIVISIONS: NOT COMMON INTEREST PROPERTIES

Blue Waters Trailer Village Sections 1, 2, 3, and 4
Ocean Cay
Sunset Acres
TAB 2
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: September 21, 2010
Agenda Item No. 

[ ] PUBLIC HEARING
[ ] RESOLUTION
[X] DISCUSSION
[ ] BID/RFP AWARD
[ ] GENERAL APPROVAL OF ITEM
[ ] CONSENT AGENDA

Other:

SUBJECT: Regional Plant Dedication

RECOMMENDED MOTION/ACTION:

Approved by General Manager
Date: 9-16-10

<table>
<thead>
<tr>
<th>Originating Department: General Manager</th>
<th>Costs: Funding Source: Acct.</th>
<th>Attachments: Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department Review:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[ ] District Counsel</td>
<td>[ ] Engineering</td>
<td></td>
</tr>
<tr>
<td>[X] General Manager</td>
<td>[ ] Clerk</td>
<td></td>
</tr>
<tr>
<td>[ ] Finance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advertised:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paper:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[X] Not Required</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Summary Explanation/Background: A formal dedication of the new Regional Wastewater Treatment Plant is scheduled for October 19, 2010. A brief presentation by Staff will be made.

Resulting Board Action:
☐ Approved
☐ Tabled
☐ Disapproved
☐ Recommendation Revised
October 19, 2010 Dedication of the Key Largo Wastewater Treatment Plant

- Lunch between Noon and 1 PM
- 1:15 Flag Ceremony
- Welcome speech
- Unveiling of Plaque
- Presentation of Plaques and Proclamations
- Thank you /Closing
- Tours

INVITEES

The Commissioners/Councilmembers and Administrators of:
  The Florida Department of Environmental Protection
  All municipalities in the County
  Monroe County
  Florida Key Electric Coop
  Florida Keys Aqueduct Authority
  Dept. of Health
  Dept. of Environmental Protection
  FKNMS
  GLEE
  ACOE
  State / Federal Senator
  State /Federal Representative
  Companies that worked on plant
TAB 3
KEY LARGO WASTEWATER TREATMENT DISTRICT  
Agenda Request Form  

Meeting Date: Sept. 21, 2010  
Agenda Item No. 3  

[ ] PUBLIC HEARING  
[ ] RESOLUTION  
[ ] DISCUSSION  
[ ] BID/RFP AWARD  
[X] GENERAL APPROVAL OF ITEM  
[ ] CONSENT AGENDA  

[ ] Other:  

SUBJECT: Pending Payments Schedule  

RECOMMENDED MOTION/ACTION: Approve Pending Payments schedule contingent upon availability of funds.  

Approved by General Manager CF  

Date: 4–16–10  

<table>
<thead>
<tr>
<th>Originating Department: Finance</th>
<th>Costs:</th>
<th>Attachments: Pending Payments Schedule</th>
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<td>[ ] Engineering</td>
<td>[ ] Not Required</td>
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<tr>
<td>[ ] District Counsel</td>
<td>[ ] Clerk</td>
<td></td>
</tr>
<tr>
<td>[X] General Manager</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[X] Finance</td>
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</tbody>
</table>

Advertised:  
Date: ____________  
Paper: ____________  
[X] Not Required  

All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.  

Yes I have notified everyone ____________  
or  
Not applicable in this case ____________.  

Please initial one.  

Summary Explanation/Background:  

Pending Payments schedule for Board review and approval contingent upon availability of funds.  

Resulting Board Action:  
☐ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised
### Key Largo Wastewater Treatment District

**Payments Pending 09/21/2010**  
Prepared by: Connie Fazio  
Date: 9/15/2010

**CONSOLIDATED CASH BALANCE FORWARD**  
[Amount: $ (5,709,978.31)]

#### Administration & Operations

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Cash Balance A&amp;O Account Forward</td>
<td>(123,510.93)</td>
</tr>
<tr>
<td><strong>Plus:</strong> Miscellaneous Service Charges</td>
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</tr>
<tr>
<td>Wastewater Service revenue</td>
<td>5,093.36</td>
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<tr>
<td>Line of Credit</td>
<td></td>
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<tr>
<td><strong>Total Revenue</strong></td>
<td>5,093.36</td>
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<tr>
<td><strong>Less:</strong> Administration</td>
<td></td>
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<tr>
<td>Carol Walker: Reimb for Cash Purchase: Islamorada Mtg. DVDs of 7/7 &amp; 7/8</td>
<td>10.00</td>
</tr>
<tr>
<td>Islamorada Village of Islands: DVD of 8/25 Workshop; 8/26 &amp; 9/9 Mtgs</td>
<td>25.00</td>
</tr>
<tr>
<td>Keys Sanitary Service: Trash</td>
<td>40.56</td>
</tr>
<tr>
<td>The Reporter: Legal Advertisements: Notice of Public Hearing: 9/21</td>
<td>127.80</td>
</tr>
<tr>
<td>Cooke Communications: Legal Advertisement: Free Press</td>
<td>191.34</td>
</tr>
<tr>
<td>Toshiba Financial Services: B&amp;W Copies</td>
<td>338.43</td>
</tr>
<tr>
<td>Hicks-Richardson Associates: Monthly Invoice</td>
<td>3,380.00</td>
</tr>
<tr>
<td>The UPS Store: Balance of 2nd Phoe of 30 Day Notice</td>
<td>9,500.00</td>
</tr>
<tr>
<td><strong>Less:</strong> Shared Expenses</td>
<td></td>
</tr>
<tr>
<td>Postage fees - Paychex</td>
<td>13.02</td>
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<tr>
<td>KLI True Value: Supplies</td>
<td>88.83</td>
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<tr>
<td>FedEx: Shipping</td>
<td>108.98</td>
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<tr>
<td>Comcast: High Speed Internet - District Office and Plant</td>
<td>294.68</td>
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<tr>
<td>Unifirst: Employee Clothing</td>
<td>316.15</td>
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<tr>
<td>TerraNovaNet: Internet</td>
<td>478.00</td>
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<td>Sprint Nextel: Wireless, LD and Data</td>
<td>594.87</td>
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<tr>
<td>Office Depot: Office Chairs, Supplies</td>
<td>1,386.52</td>
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<tr>
<td>Group Health administration fees</td>
<td>3,629.01</td>
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<tr>
<td>Group Health fees</td>
<td>6,929.64</td>
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<tr>
<td>Staff salaries and benefits for month</td>
<td>45,557.61</td>
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<tr>
<td><strong>Less:</strong> Operations</td>
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<tr>
<td>Jered Primiceric: Exp. Report - Mileage Reimbursement</td>
<td>51.00</td>
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<tr>
<td>Bryant Answering Service: Plant</td>
<td>83.00</td>
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<tr>
<td>Richard Sante: Maintenance - Vec Station A</td>
<td>100.00</td>
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<tr>
<td>Danise Henriquez, CFC: Truck Tills and Registration</td>
<td>129.10</td>
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<tr>
<td>FDEP - Environmental Permitting Tanks</td>
<td>150.00</td>
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<td>Eye Catcher Signs: Graphics/Sticker and Installation on Vehicle</td>
<td>200.00</td>
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<td>Sunshine State One Call of FL: Monthly Assessment Billing</td>
<td>328.98</td>
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<td>Sun Communications: Installation Antennas for Mobile Radio</td>
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<td>Sanders Laboratories: Lab Testing Svcs</td>
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<td>615.43</td>
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<td>All Aboard Signs: Decals for tombstones</td>
<td>937.50</td>
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<tr>
<td>Sweetwater Environmental: Pump Digester Sludge Hauling</td>
<td>1,200.00</td>
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<td>Florida Keys Aqueduct Authority - Billing Services</td>
<td>1,262.50</td>
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<td>Keys Karts - Utility Cart</td>
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<td>Environmental Performance Systems: Cleaning of Tanks, Sludge Removal</td>
<td>6,380.00</td>
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<tr>
<td>Dumont Co: Chemicals</td>
<td>15,565.00</td>
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<tr>
<td><strong>Sub-total Invoices</strong></td>
<td>103,509.05</td>
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</tbody>
</table>

| Cash Balance A&O Account If All Paid                                      | (221,926.62) |
South Components

Cash Balance KLSC Account Forward  $ (9,749,730.18)

Plus:
- BB&T Loan - RR #3 and #3-A  2,329,933.14
  Sub-total Receipts  2,329,933.14

Less:
- Keys Sanitary Service: Trash  40.50
- Napa Auto Parts: Supplies  57.14
- TerraNovaNet: Internet  100.00
- Mark Weis: Expense Report: Mileage Reimbursement  111.25
- Richard Sante: Maintenance - Vac Station K  150.00
- Dolphin Software: Review and Meetings - Pearock  156.25
- Rick Floyd: Meetings/Evaluations/Photography - Arborist  171.00
- David Molinerio: Per Diem Advance: AirVac School: 9/26-10/1  216.00
- Mike Dempsey: Expense Reprot: Mileage Reimbursement: 8/24-9/13  385.50
- Ted Beighley - Expense Report: Mileage Reimbursement: 8/16-9/10  489.50
- Sprint Nextel: Wireless, LD and Data  765.34
- Eckler Engineering: Design Basins E & F  1,802.75
- Bentley Systems: Sewer CAD Software and Licenses  3,720.00
- Weiler Engineering: Design Basins I,J,K  4,553.64
- Staff salaries and benefits for month  44,275.75
- AirVac: Pit Packs, Valve Pit Flex Hose, Grommets  51,779.84

Sub-total Invoices  109,026.02  $ 2,220,907.12

Cash Balance KLSC if All Paid  $ (7,528,823.06)

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<td>MC $20M Grant</td>
<td>#21</td>
<td>08/11/10</td>
<td>182,020</td>
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<tr>
<td>ACOE Grant</td>
<td>#13</td>
<td>09/01/10</td>
<td>1,030,033</td>
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<tr>
<td>ACOE Grant</td>
<td>#14</td>
<td>09/01/10</td>
<td>1,218,127</td>
</tr>
<tr>
<td>ACOE Grant</td>
<td>#15</td>
<td>09/01/10</td>
<td>1,018,534</td>
</tr>
<tr>
<td>ACOE Grant</td>
<td>#15</td>
<td>09/14/10</td>
<td>2,091,685.11</td>
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</tbody>
</table>

North Components

Cash Balance KLNC Account Forward  $ 1,163,282.80

Plus:
- Sub-total Receipts

Less:
- Mark Weis: Expense Report: Mileage Reimbursement  18.00
- FKAA: Vac Station A Water  21.59
- American Rose Flag and Pole Co: State Flag for Plant Flagpole  64.23
- Richard Sante: Maintenance - Vac Stations A  100.00
- Sprint Nextel: Wireless, LD and Data  141.30
- KLI True Value: Supplies  396.41
- Sunbelt Rentals: Pumping out lines in Basin A, B & Vac Station A  864.00
- CPH Engineers: Application #2, NTM Extension  4,081.55
- TigerDirect: Network Hardware-RTP Expansion, Routers, Firewall & MSI  5,551.45
- Environmental Performance Systems: Flush Vac pits Basin A  7,125.00
- PGIT - Property Insurance RTP (thru 10/1/2010)  12,629.00
- FKAA: Water, Tank Filling and Hydrant Usage, Plant Start-up  18,268.85
- Staff salaries and benefits for month  60,220.90

Sub-total Invoices  109,532.23  (109,532.28)

Cash Balance KLNC Account If All Paid  $ 1,053,730.52

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<thead>
<tr>
<th>Grant</th>
<th>Draw #</th>
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<tbody>
<tr>
<td>MC $20M Grant</td>
<td>#21</td>
<td>08/11/10</td>
<td>441,234</td>
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</tbody>
</table>

CONSOLIDATED CASH BALANCE IF ALL PAID  $ (6,597,019.16)

NOTE: A TOTAL OF $5,981,633 REQUESTED FOR REIMBURSEMENT IS OUTSTANDING

Approved for payment:

Norman Higgins, Chair  Date  Susan Hammaker Secretary/Treasurer  Date
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: September 21, 2010

Agenda Item No. [ ]

[ ] PUBLIC HEARING [ ] RESOLUTION

[ ] DISCUSSION [ ] BID/RFP AWARD

[X] GENERAL APPROVAL OF ITEM [ ] CONSENT AGENDA

[ ] Other:

SUBJECT: Minutes of Aug. 3, 9, 17, Sept. 7, & 13, 2010

RECOMMENDED MOTION/ACTION: Approval

Approved by General Manager
Date: 9-16-10

<table>
<thead>
<tr>
<th>Originating Department:</th>
<th>Costs:</th>
<th>Attachments:</th>
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<tr>
<td>District Clerk</td>
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<td>Minutes</td>
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<table>
<thead>
<tr>
<th>Department Review:</th>
<th>[ ] Engineering</th>
<th>Advertised:</th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] District Counsel</td>
<td>[ ] Clerk</td>
<td>Date:</td>
</tr>
<tr>
<td>[ ] General Manager</td>
<td></td>
<td>Paper:</td>
</tr>
<tr>
<td>[ ] Finance</td>
<td></td>
<td>[X] Not Required</td>
</tr>
</tbody>
</table>

Summary Explanation/Background:

Resulting Board Action:

☐ Approved ☐ Tabled ☐ Disapproved ☐ Recommendation Revised
MINUTES
Key Largo Wastewater Treatment District (KLWTD) Meeting

August 3, 2010
98880 OVERSEAS HWY, KEY LARGO, FL 33037

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

Chairman Higgins led Pledge of Allegiance.

APPROVAL OF AGENDA
Commissioner Brooks would like to put a hold on items 1, Trash Pump, 2, Weiler Work Authorization Amendment, 3, Additional Vehicle & 4, Vacuum Station Change Orders and bring them back to the August 9th meeting. He would like a hold on item 16, Grant Letter. Commissioner Brooks would like to pull all items out of Bulk Items. Commissioner Tobin moved item 15, Unique Properties, to the front of the agenda. He would like items 1, 2, 3, & 4 to stay on the agenda. Martin Waits, CFO, added, an item 14A for an Insurance Issue, and item 14B the ACOE Amendment No. 3.

Motion: Commissioner Majeska made a motion to approve the agenda with the following amendments; Item 15, Unique Properties to the front of the agenda with the addition of the Insurance issue and the ACOE Amendment No. 3. Commissioner Hammaker seconded the motion.

Vote on Motion

<table>
<thead>
<tr>
<th>Member</th>
<th>Yes</th>
<th>No</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chairman Higgins</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commissioner Majeska</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commissioner Tobin</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commissioner Brooks</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commissioner Hammaker</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Motion passed 5 to 0

PUBLIC COMMENT
The following persons addressed the Commission:
Subject: Waste to Energy, Speaker: Kirk Raper, 1038 Gibraltar Rd, Key Largo.
Subject: Way District does Minutes. Speaker: Sue Heim, Key Largo, Kay Thacker, 9 Snipe Rd, Key Largo.

Subject: Islamorada as a customer. Speaker: Pauline Klein, 22 South Drive, Key Largo. Fred Nickerson, 138 Marina Ave, Key Largo.

Subject: Unique Properties. Speaker: George Nyman, 113 Coastal Drive, Key Largo. William Belz, 30 Ocean Dr. Key Largo. Steve Pristas, 96 Coral Way, Key Largo.

Subject: Placement of Political Signs. Speaker: Kay Thacker, 9 Snipe Rd, Key Largo.

LEGAL REPORT

Unique Properties

Mr. Dillon, District Counsel, presented the report. The Board directed Mr. Dillon to continue working on the District non-ad valorem assessment resolution, District Rules and District Rate Resolution.

Commissioner Brooks would like a meeting on Unique Properties with all of the information available at the meeting to review and see that all of the properties will be serviced.

GENERAL MANAGER'S REPORT

Trash Pump

Mr. Fishburn explained the use of the Trash Pump.

Motion: Commissioner Brooks made a motion to approve the purchase of a Trash Pump. Commissioner Tobin seconded the motion.

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Motion passed 5 to 0

Weiler Work Authorization Amendment

Mr. Fishburn and Mr. Castle explained the Weiler Work Authorization No. 6 Amendment 06-02.

Motion: Commissioner Majeska made a motion to approve the Weiler Work Authorization No. 6 Amendment No. 06-02. Commissioner Tobin seconded the motion.

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Commissioner Hammaker    X

Motion passed 4 to 1

Commissioner Brooks is bothered by the 15% mark up that Weiler Engineering places on subcontractors.

Additional Vehicle
Mr. Fishburn reviewed the necessity of having another vehicle.

Motion: Commissioner Majeska made a motion to authorize the General Manager to purchase another vehicle spending up to $15,000. Commissioner Tobin seconded the motion.

Vote on Motion

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Motion passed 5 to 0

Vacuum Station Change Order
Mr. Fishburn explained the change orders.

Motion: Commissioner Hammaker made a motion to approve Overholt Construction Company Change Order No. 11, No. 12, and 13. Commissioner Tobin seconded the motion.

Vote on Motion

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Motion passed 4 to 1

COMMISSIONER'S ITEMS
Minutes Review Procedure
The Board discussed different ways of doing the minutes of the meetings.

The District Clerk was directed to continue to do the minutes without the summary of public comments.
BULK ITEMS (All items pulled from Bulk)
Pending Payments for August 3, 2010

Motion: Commissioner Hammaker made a motion to approve the corrected Pending Payments of August 3, 2010 contingent upon the availability of funds. Commissioner Majeska seconded the motion.

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Motion passed 4 to 1

Commissioner Brooks requested that the signature page of all contracts and the pending payments have a date line filled in when signed.

Minutes of July 6, 2010

Motion: Commissioner Tobin made a motion to approve the District Counsel Approved Minutes of July 6, 2010. Commissioner Brooks seconded the motion.

Vote on Motion

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Motion passed 4 to 1

Minutes of July 12 & 20, 2010

Motion: Commissioner Brooks made a motion to approve the Minutes of July 12, & 20, 2010. Commissioner Hammaker seconded the motion.

Vote on Motion

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Motion passed 4 to 1
STATUS REPORTS

Package Plant Status Report
Greg Mathews presented his report.

IT Status Report
Paul Christian, IT Manager, presented his report.

Customer Service Status Report
Synthia Lankford presented her report.

Operations Status Report
Margaret Blank presented her report.

Tie In Status Report
Carol Walker presented her report.

ENGINEER'S REPORT
Ed Castle presented his status report.

FINANCIAL REPORT

FY 11 Preliminary Operations Budget / 4 Year Plan
Synthia Lankford, Senior Finance Manager reviewed the Administrative Budget report.

Endorsement on Building/Contents Vacuum Station I

Motion: Commissioner Brooks made a motion to approve expanding coverage on Vacuum Station I to include peril of Windstorm. Commissioner Tobin seconded the motion.

Vote on Motion

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Motion passed 5 to 0

ACOE Agreement Amendment No. 3

Motion: Commissioner Hammaker made a motion to authorize the District to execute the ACOE Agreement Amendment No. 3. Commissioner Brooks seconded the motion.

Vote on Motion

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Commissioner Brooks | X |
Commissioner Hammaker | X |

Motion passed 5 to 0

LEGAL COUNSEL REPORT
Grant Letter
Thomas Dillon will bring back a letter at the next meeting.

COMMISSIONER'S ROUNDTABLE
Commissioner Hammaker discussed placement of campaign material.

Commissioner Tobin proposed that the District hire Gary Bauman as Assistant Manager.

Commissioner Tobin discussed the Good Faith negotiation and timing issue with Islamorada.

Chairman Higgins suggested that the Masons place a corner stone at the plant dedication ceremony.

ADJOURNMENT
The KLWTD Board adjourned the Board Meeting at 8:25 PM.

The KLWTD meeting minutes of August 3, 2010 were approved on August 9, 2010.

__________________________________________
Chairman Higgins

__________________________________________
Carol Walker, CMC
District Clerk
MINUTES
Key Largo Wastewater Treatment District (KLWTD) Transition Meeting

August 9, 2010
98880 OVERSEAS HWY, KEY LARGO, FL 33037

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

Commissioner Higgins led the Pledge of Allegiance.

APPROVAL OF AGENDA
Commissioner Brooks pulled the minutes from the agenda. Commissioner Tobin added a discussion on the road by the Key Largo Fisheries. District Manager Charles Fishburn added an item about the summer interns.

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

Vote on Motion

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Motion passed 5 to 0

KLWTD INTERNS
Sydney Pomenti, Malley Burmaster, Stellar Levy gave a brief report on the summer with the District.

WWTP PROCESS DEWATERING SYSTEMS
Tom Evans of Tom Evans Environmental, Inc. gave a presentation on dewatering.
Commissioner Brooks requested a cost benefit analysis of purchasing/sharing a centrifuge done by the District staff.

Commissioner Tobin requested that Ed Castle officially open the conversation between the District and Marathon on the centrifuge issue.

Commissioner Majeska suggested that a letter be written to Marathon letting them know the District’s plans.

**WWTP PROCESS MONITORING**
Chris Bunch, Regional Sales Manager for Hach, gave a presentation on Hach WIMS; bringing all of the data to one location.

**30 DAY NOTICE**
District Counsel, Thomas Dillon presented the 30 Day Notice.

Commissioner Tobin presented his version of the 30 Day Notice.

Commissioner Brooks presented his version of the 30 Day Notice.

Commissioner Brooks was designated to review the 30 Day Notice when it is rewritten.

Mr. Dillon will write a new notice with the first paragraph (from Commissioner Tobin’s letter) mentioning the year notice, 90 day reminder and then the 30 day notice. He will use the 3, 4, and 5th paragraph of Commissioner Brok’s letter, the 1st and 2nd paragraph from his letter and the last paragraph of Commissioner Tobin’s letter without the grant fund reference.

**GRANT LETTER**
Commissioner Brooks reviewed the Application for Interim Financial Assistance explaining what he objected to. A revised letter will be brought back to the Board. See Exhibit “A”.

**MASONIC CORNERSTONE LAYING CEREMONY**
Paul Christian explained the Cornerstone Laying Ceremony to the Board.

**Motion:** Commissioner Majeska made a motion to request the Masons to perform a Cornerstone Laying Ceremony at the Regional Plant. Commissioner Brooks seconded the motion.

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Motion Passes 5 to 0
LEGAL REPORT
Mr. Dillon recommended that the Board does not make an offer to an ex-employee to settle a discrimination case.

Motion: Commissioner Brooks made a motion to take Mr. Dillon's recommendation and not make an offer to the ex-employee. Commissioner Tobin seconded the motion.

Vote on Motion

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Motion Passes 5 to 0

COMMISSIONER'S ROUNDTABLE
Commissioner Tobin discussed the road by the Key Largo Fisheries.

PUBLIC COMMENT
The following persons addressed the Board:
Subject: Meeting time Speaker: David Asdourian, 156 So. Bay Harbor Drive, Key Largo
See Exhibit “B”

ADJOURNMENT
The KLWTD Board adjourned the Board Meeting at 7:32 PM.

The KLWTD meeting minutes of August 9, 2010 were approved on August 17, 2010.

______________________________
Chairman Higgins

______________________________
Carol Walker, CMC
District Clerk
MINUTES
Key Largo Wastewater Treatment District (KLWTD) Transition Meeting

August 9, 2010
98880 OVERSEAS HWY, KEY LARGO, FL 33037

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

Commissioner Higgins led the Pledge of Allegiance.

APPROVAL OF AGENDA
Commissioner Brooks pulled the minutes from the agenda. Commissioner Tobin added a discussion on the road by the Key Largo Fisheries. District Manager Charles Fishburn added an item about the summer interns.

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

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Motion passed 5 to 0

KLWTD INTERNS
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Commissioner Tobin presented his version of the 30 Day Notice.

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Mr. Dillon will write a new notice with the first paragraph (from Commissioner Tobin’s letter) mentioning the year notice, 90 day reminder and then the 30 day notice. He will use the 3, 4, and 5th paragraph of Commissioner Brook’s letter, the 1st and 2nd paragraph from his letter and the last paragraph of Commissioner Tobin’s letter without the grant fund reference.

**GRANT LETTER**
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**MASONIC CORNERSTONE LAYING CEREMONY**
Paul Christian explained the Cornerstone Laying Ceremony to the Board.

**Motion:** Commissioner Majeska made a motion to request the Masons to perform a Cornerstone Laying Ceremony at the Regional Plant. Commissioner Brooks seconded the motion.

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**Vote on Motion**
Motion Passes 5 to 0
CRITIQUE ON LETTER REFERRED TO AS "GRANT LETTER"

KLWTD Agenda 8/9/10

- Is it the intent to send this application out with a 30 day notice,
- if so the district will be soliciting extensions/delays
- since no funds are available the only thing this application does is to solicit connection delays
- at best the application should be only by a overt action by the customer as a result of the thirty-day letter = "call Carol Walker for assistance" that is the customer calls the office requesting the application.

- **Interim**-the term *interim financial assistance* implies the financial assistance would be provided for something in between something. Does this mean the district would provide grants for laterals to be ultimately refunded by the customer's eventual application for community grants?
- What would personnel and accounting requirements be like for this type of arrangement.
- What about double jeopardy. What if the customer applies for both grant sources, which comes first, which prevails? Can get more or less, shopping grants?

- **The title** "application for interim financial assistance" implies applying for financial assistance, but later in the application, only requires future application for community grants, so what is the application for financial assistance or extension of time.

- **You're going to send out a letter saying you have 30 days to connect and a second page called an application which tells you how to delay the process.**

- **First paragraph** states the district intends to establish a financial assistance program, to my knowledge to date the board has not established a financial program, nor to this date and to my knowledge the board has not officially establish the intent to establish a financial assistance program
- board does not have allocated funds for such a program,
- to send out 7000 letters before you get your ducks/funds/program procedures in a row is irresponsible,

- **Two blocks of bullets--one requires evidence of qualifications, the other apparently only requires a statement of believed qualifications without evidence, which one prevails?**
- this will only confuse the customer

- Will we be issuing extensions based on believed commitments only, to only find out later perhaps years the evidence (when is the verified evidence to be provided) does not support that believed commitment.
CRITIQUE ON LETTER REFERRED TO AS "GRANT LETTER"

KLWTD Agenda 8/9/10

- Further incomes change radically over time a person could apply for extension, have a escalation in income which disqualifies him or her for any financial assistance.
- The extension could languish for long periods of time until such funds were available to meet all the applications for extensions to qualify for financial assistance.
- In order to control the extension the district would have to set up a verification program to check the continued qualifications for each extension applicant. (Periodic proof of income annually or less
- the property could change ownership during a period of extension, the new owner does not qualify for the extension or the grant funding. How does the district control that?

The only time to consider financial assistance is when the funds are available, a standard for qualification based on funds available are defined, percentages of grant versus owner share. The economical climate at the time of application reference current standards of income.

Who is writing these letters:
who is the I in the agenda coversheet
MINUTES
Key Largo Wastewater Treatment District (KLWTD) Meeting

August 17, 2010
98880 OVERSEAS HWY, KEY LARGO, FL 33037

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

Chairman Higgins led Pledge of Allegiance.

APPROVAL OF AGENDA
Commissioner Hammaker requested that The Low Income Assistance item be made a discussion instead of action. Commissioner Tobin requested that Unique Properties be moved to item two. Commissioner Brooks pulled the minutes from the agenda. Legal Counsel Thomas Dillon placed a Letter to the Editor under Legal. Finance pulled Pending Payments from Bulk.

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

Vote on Motion

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Motion passed 5 to 0

PUBLIC COMMENT
The following persons addressed the Commission:
Subject: 30 Day Notice Speaker: Florentino Fernandez, 11 Center Lane, Key Largo.
Subject: Pea Rock Speaker: Bruce Yanda, 117 Lorelane Place, Key Largo
Subject: General Speaker: Andy Sirica, Lorelane Place, Key Largo.
Subject: Low Income Assistance Speaker: Burke Cannon, Hammer Point.
Subject: Pea Rock Speaker: Fred Nickerson, Key Largo.
GENERAL MANAGER'S REPORT

Low Income Assistance
Ray Rhash, FKWW Assistance Foundation and Scott Newberry, FKEC Operation Roundup, spoke about the grant funding they have in place. Liz Woods, Monroe County, spoke about the CDBG. She explained that a cash match from the District would help with obtaining grants.

30 Day Notice
Mr. Fishburn presented the notice.

Motion: Commissioner Hammaker made a motion to accept the 30 Day Notice. Commissioner Majeska seconded the motion.

Vote on Motion

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Motion passed 3 to 2

Collection System Contracts
Mr. Fishburn explained the areas that are left to be awarded.

LEGAL COUNSEL REPORT

Preliminary Resolution for Unique Properties

Thomas Dillon explained the proposed process.

Motion: Commissioner Brooks made a motion to set a public hearing for Sept. 21, 2010 for the Resolution for Unique Properties. Commissioner Tobin seconded the motion.

Vote on Motion

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Motion passed 5 to 0

BULK ITEMS

Pending Payments for August 17, 2010

Mr. Waits presented an amended list.
Motion: Commissioner Hammaker made a motion to approve the amended Pending Payments of August 17, 2010 contingent upon the availability of funds. Commissioner Brooks seconded the motion.

Vote on Motion

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Motion passed 5 to 0

ENGINEER'S REPORT
Ed Castle presented his status report.

FINANCIAL REPORT

SRF Loan Amendment

Motion: Commissioner Brooks made a motion to approve the SRF Loan Amendment. Commissioner Hammaker seconded the motion.

Vote on Motion

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Motion passed 5 to 0

FY 11 Preliminary Capital Budget / 4 Year Plan
Mr. Waits presented the budget.

LEGAL REPORT

Letter to Editor Response
Mr. Dillon presented the response.

Motion: Commissioner Tobin made a motion to have a Letter To The Editor similar to the letter presented that addresses the affluent issue sent. Commissioner Hammaker seconded the motion.

Vote on Motion

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Commissioner Brooks | X
Commissioner Hammaker | X

Motion passed 4 to 1

COMMISSIONER'S ROUNDTABLE
Pea Rock
Pictures of the construction site where shown.

Motion: Commissioner Majeska made a motion to give each homeowner $350 to replace the rock in front of their properties. Commissioner Hammaker seconded the motion but then retracted it.

Motion dies due to a lack of a second.

Commissioner Tobin requested that the time frame for hookup be extended in the 30 Day notice.

ADJOURNMENT
The K LWTD Board adjourned the Board Meeting at 8:45 PM.

The KLWTD meeting minutes of August 17, 2010 were approved on Sept, 21, 2010.

Chairman Higgins

Carol Walker, CMC
District Clerk
MINUTES
Key Largo Wastewater Treatment District (KLWTD) Meeting

Sept. 7, 2010
98880 OVERSEAS HWY, KEY LARGO, FL 33037

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

Chairman Higgins led Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Hammaker requested that the three minute time limit be enforced on Public Comment and that Public Comment not be Public Discussion. Commissioner Majeska added an item on Resident Information. Finance pulled Pending Payments from Bulk and moved FY 11 Insurance Program to the front of the agenda.

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

Vote on Motion

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Motion passed 4 to 1

PUBLIC COMMENT
The following persons addressed the Commission:

Subject: Who's Doing The Work  David Asdourion, 156 S. Bay Harbor Drive, Key Largo, FL  See Exhibit “A”.

Subject: CFO Contract  David Asdourion, 156 S. Bay Harbor Drive, Key Largo, FL  See Exhibit “B”.
GENERAL MANAGER'S REPORT
Collection System Restoration Update
The Board discussed the different size of stones that are used in the right of way. The Board decided to offer either 89 rock or 57 rock.

Collection System Contracts
Motion: Commissioner Tobin made a motion to approve the Staff recommendation (working with District Counsel Thomas Dillon) to work with the Contractors to insure that the low bid unit prices are met and to include safeguards in the Contracts to encourage minimal disruption to the neighborhoods in regards to the time trenches are open; to establishing more perimeters, milestones, and schedules, and to bring back the contracts for Board approval before they are signed. Commissioner Majeska seconded the motion.

Vote on Motion

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Motion passed 5 to 0

FINANCIAL REPORT
FY11 Insurance Program
CFO Martin Waits reviewed the options the District has on their Insurance Programs.

Motion: Commissioner Brooks made a motion to accept Option No. 3 of the Insurance Options for FY2011. Commissioner Hammaker seconded the motion.

Vote on Motion

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Commissioner Majeska  X
Commissioner Tobin  X
Commissioner Brooks  X
Commissioner Hammaker  X

Motion passed 5 to 0

Low Income Assistance
Motion: Commissioner Hammaker made a motion to commit $100,000 in the FY11 Budget for Low Income Assistance. Commissioner Tobin seconded the motion.

Vote on Motion

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Motion passed 3 to 2

Commissioner Tobin left the meeting at 8:07 PM.

The Board gave the Staff a head nod to leave the Lobbyist projected expense at $85,000 for next year.

COMMISSIONER'S ITEMS

CFO Contract
Chairman Higgins stated that he would like to terminate Mr. Waits' contract. He feels that his emails were insulting to the Board.

Commissioner Brooks presented an attachment showing emails from Mr. Waits over the last few years. He requested Mr. Waits' resignation. Commissioner Brooks does not expect Mr. Waits' attitude to change but at some point he needs to go. The Board is due respect.

Commissioner Majeska feels that Mr. Waits should not be terminated.

Commissioner Tobin stated that Mr. Waits is responsible for a cultural of disrespect and has influence on other people and that is what the problem is

Commissioner Hammaker feels that it is not prudent to terminate Mr. Waits. She feels that the District needs a plan for transition.

Motion: Commissioner Brooks made a motion to terminate Mr. Waits. Chairman Higgins seconded the motion.
### Vote on Motion

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Motion failed 2 to 3

**Motion:** Commissioner Tobin made a motion to have Mr. Waits head up a search for a new CFO whether it is someone internal, external, or part time. Commissioner Brooks seconded the motion.

### Vote on Motion

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Motion passed 5 to 0

**Residential Extension of Billing**

**Motion:** Commissioner Tobin made a motion to give the residents that have been taken advantage of and contact the District an extra 30 days before their bill starts. Chairman Higgins seconded the motion.

### Vote on Motion

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Motion passed 3 to 2

**Residential Information**

Staff was tasked with reviewing the information that the Contractors provide for the neighborhoods.

### BULK ITEMS

**Pending Payments for September 7, 2010**

**Motion:** Commissioner Hammaker made a motion to approve Pending Payments of September 7, 2010 contingent upon the availability of funds. Commissioner Tobin seconded the motion.
Vote on Motion

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Motion passed 4 to 1

Motion: Commissioner Hammaker made a motion to move item #19, the TIB Assessment, to Bulk Items and take off the Grau Contract. Commissioner Brooks seconded the motion.

Vote on Motion

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Motion passed 5 to 0

Resolution No. 12-09-10
Resolution No. 13-09-10
Resolution No. 14-09-10
TIB Assessment Appeal

Motion: Commissioner Hammaker made a motion to approve the Bulk Items. Commissioner Brooks seconded the motion.

Vote on Motion

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Motion passed 5 to 0

Grau Contract Extension for FY 2010 Audit
Commissioner Tobin discussed having a detailed audit done. He would like to have a work order generated and brought to the Board.

Motion: Commissioner Hammaker made a motion to approve the Grau Audit Contract. Commissioner Brooks seconded the motion.
Vote on Motion

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Motion passed 5 to 0

STATUS REPORTS

Package Plant Status Report
Greg Mathews presented his report.

IT Status Report
Paul Christian, IT Manager, presented his report.

Customer Service Status Report
Synthia Lankford presented her report.

Tie In Status Report
Carol Walker presented her report.

Operations Status Report
Margaret Blank presented her report.

ENGINEER’S REPORT
Ed Castle presented his status report.

FINANCIAL REPORT
FY 11 Operating Budget & Capital Budget
Mr. Waits reviewed the FY11 Operating Budget & Capital Budget.

COMMISSIONER’S ROUNDTABLE

ADJOURNMENT
The K LWTD Board adjourned the Board Meeting at 8:10 PM.
The KLWTD meeting minutes of September 7, 2010 were approved on September 21, 2010.

Chairman Higgins

Carol Walker, CMC
District Clerk
MINUTES
Key Largo Wastewater Treatment District (KLWTD) Transition Meeting

Sept. 13, 2010
98880 OVERSEAS HWY, KEY LARGO, FL 33037

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

Commissioner Higgins led the Pledge of Allegiance.

APPROVAL OF AGENDA
Motion: Commissioner Brooks made a motion to have public speaking at the beginning of the meeting.
Motion dies due to a lack of a second.

Motion: Commissioner Hammaker made a motion to approve the agenda.
Commissioner Tobin seconded the motion.

Vote on Motion

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Motion passed 4 to 1

BUDGET RESOLUTION NUMBER 15-09-10

Motion: Commissioner Brooks made a motion to approve Resolution No. 15-09-10 with the assumption that there can be changes made by resolutions at a later date. Commissioner Hammaker seconded the motion.
Vote on Motion

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Motion passed 5 to 0

CFO SEARCH
General Manager Charles Fishburn announced that CFO Martin Waits has turned in his resignation. Mr. Waits last day will be November 12, 2010.

Motion: Commissioner Brooks made a motion to have the General Manager Charles Fishburn write up an ad for the District CFO. Commissioner Hammaker seconded the motion.

Vote on Motion

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Motion passed 5 to 0

UTILITY ORGANIZATION DEVELOPMENT PLAN
Commissioner Hammaker presented a power point concerning how the utility will be staffed and what the priorities are going to be. Exhibit “A”.

STAFF JOB DESCRIPTIONS
Chairman Higgins stated that he would like to make sure that the job descriptions are updated. District Counsel Thomas Dillon explained how the descriptions are developed and updated.

PUBLIC COMMENT
The following persons addressed the Board:
Subject: Budget and Mission Statement Speaker: Tommy Thompson, Key Largo.
Subject: Customer Service Speaker: Ray Giglio, Key Largo

COMMISSIONER’S ROUNDTABLE
Commissioner Majeska explained that the Board has reviewed the Budget several times.

Commissioner Brooks showed a power point presentation of the Marathon plant and centrifuge.

ADJOURNMENT
The KLWTD Board adjourned the Board Meeting at 5:55 PM.
The KLWTD meeting minutes of September 13, 2010 were approved on September 21, 2010.

____________________________________
Chairman Higgins

____________________________________
Carol Walker, CMC
District Clerk
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: September 21, 2010

[ ] PUBLIC HEARING  [ ] RESOLUTION
[x] DISCUSSION  [ ] BID/RFP AWARD
[ ] GENERAL APPROVAL OF ITEM  [ ] CONSENT AGENDA
[ ] Other:

SUBJECT: Monthly Projects Status Report

RECOMMENDED MOTION/ACTION: Discussion

Approved by General Manager  
Date: 9-16-10

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<th>Originating Department: Weiler Engineering</th>
<th>Costs: $</th>
<th>Attachments:</th>
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<td>Department Review:</td>
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<td>[ ] District Counsel</td>
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<td>[x] General Manager</td>
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<td>[ ] Finance</td>
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Advertised:
Date: 
Paper: 
[X] Not Required

Summary Explanation/Background: A representative from Weiler Engineering will give a verbal monthly status report.

Resulting Board Action:
☐ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised