

**KEY LARGO WASTEWATER TREATMENT DISTRICT
BOARD OF COMMISSIONERS
TRANSITION MEETING AGENDA**



October 9, 2012 4:00 PM
98880 Overseas Hwy
Key Largo, FL 33037

**Robert Majeska
Andrew Tobin
Charles Brooks
Norman Higgins
David Asdourian**

**Chair
Vice Chair
Secretary-Treasurer
Commissioner
Commissioner**

.....
**Margaret Blank
Ray Giglio
Carol Walker**

**General Manager
General Counsel
District Clerk**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the KLWTD Board, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the District Clerk at 305 451-4019 at least 48 hours in advance to request accommodations.

- 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 COMMENT

Individual comments have a 3 minute limit; Organizations have a 5 minute limit. General comment (non-agenda items) will be heard at this time; Specific agenda items will be heard right before the item. Speaker cards must be turned in before the meeting starts.

F. MINUTES

Action

TAB 1

1. Minutes of October 2, 2012

G. COMMISSIONER'S ITEMS

TAB 2

2. "Commissioner's Procedures and Guidelines" (Commissioner Tobin)

H. GENERAL MANAGER'S REPORT

TAB 3

3. Customer Service Presentation

I. COMMISSIONERS ROUNDTABLE

J. ADJOURNMENT

TAB 1

KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: Oct. 9, 2012

Agenda Item No. /

PUBLIC HEARING

RESOLUTION

DISCUSSION

BID/RFP AWARD

ACTION ITEM

CONSENT AGENDA

Other:

SUBJECT: Minutes of Oct. 2, 2012

RECOMMENDED MOTION/ACTION: Approval

Approved by General Manager *MBM*
 Date: 10/5/2012

Originating Department: Clerk	Costs: \$ Funding Source:	Attachments: Minutes
Department Review: <input type="checkbox"/> District Counsel _____ <input checked="" type="checkbox"/> General Manager <u><i>MBM</i></u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	Advertised: Date: Paper: <input checked="" type="checkbox"/> Not Required

Summary Explanation/Background:

MINUTES

Key Largo Wastewater Treatment District (KLWTD) Meeting



October 2, 2012
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a Commission Meeting at 4:00 PM. Present were Chairman Robert Majeska, Commissioners Norman Higgins, Andy Tobin, David Asdourian, and Charles Brooks. Also present were the General Manager Margaret Blank, General Counsel, Ray Giglio, District Clerk Carol Walker, and other appropriate District Staff.

Susie Hammaker led the Pledge of Allegiance.

APPROVAL OF AGENDA

The appointment of a new Commissioner was added to the agenda and the Customer Service Presentation was moved to the Transition Meeting. Ed Castel was requested to give a report on a Emergency Relief Port and the introduction to a new employee was placed first on the agenda.

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

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		
Commissioner Tobin	X		

Motion passed 4 to 0

PUBLIC COMMENT

Name & Address

David Asdourian, Key Largo
Susan Hammaker, Key Largo
Brian Conover, Key Largo

Subject

Back Up Values
Filling Board Vacancy
CR905 Contract Process

COMMISSIONER'S ITEMS

Motion: Commissioner Brooks made a motion to appoint David Asdourian to fill the vacated board member seat vacated by Susie Hammaker's resignation on August 8, 2012. The vacated seat has approximately 2 years of an unexpired term. The appointed position is to fill the unexpired term and will be up for

reelection during the general election in November 2012. Commissioner Higgins seconded the motion.

David Asdourian gave a presentation on why he should be appointed as a commissioner. He then answered commissioner questions.

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska		X	
Commissioner Brooks	X		
Commissioner Tobin	X		

Motion passes 3 to 1

Commissioner Tobin does not like the process of not advertising for the vacancy. Chairman Majeska feels the Commissioner should be voted on by the public.

David Asdourian was sworn in as a KLWTD Commissioner.

BULK ITEMS

Minutes of Sept. 18, 2012

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

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		
Commissioner Tobin	X		
Commissioner Asdourian			

Motion passed 5 to 0

FINANCIAL REPORT

Report of Cash, Revenues, and Expenditures

Motion: Commissioner Brooks made a motion to approve the Report of Cash, Revenues, & Expenditures contingent upon the availability of funds. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		
Commissioner Tobin	X		

Commissioner Asdourian	X		
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Motion passed 5 to 0

Grau & Associates

Auditor's Contractor

Motion: Commissioner Brooks made a motion to approve the Grau & Associates Contract. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		
Commissioner Tobin	X		
Commissioner Asdourian	X		

Motion passed 5 to 0

Insurance Contract

The General Manager and the District Counsel explained the contract.

ENGINEER'S REPORT

Back Up Safety Valve

Ed Castle gave a report on having a safety valve installed on private property so that back up's overflow on the ground instead of in someone home or business.

Motion: Commissioner Brooks made a motion to have Commissioner Asdourian, as the Board Representative, Margaret Blank and Ed Castle to investigate (at minimal cost) the development of the Emergency Relief Port and the process to put it into place. Commissioner Tobin seconded the motion.

Commissioner Brooks would like to see the engineering development under \$10,000.

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		
Commissioner Tobin	X		
Commissioner Asdourian	X		

Motion passed 5 to 0

Islamorada Agreement

Ed Castle explained to the Board that the contract that they have with Islamorada calls for regular reports to be made to the District on the Time Table and What is Happening.

LEGAL COUNSEL REPORT

RESOLUITON NO. 65-10-12 (GRINDER PUMP RESOLUITON)

Motion: Commissioner Brooks made a motion to approve the Resolution No. 65-10-12. Commissioner Tobin seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		
Commissioner Tobin	X		
Commissioner Asdourian	X		

Motion passed 5 to 0

Easement (that goes with Resolution No. 65-10-12).
Ray Giglio explained the Easement.

Commissioner Tobin recommended the margins be wider.

Motion: Commissioner Brooks made a motion to approve the Easement giving the Staff the authority to execute to easements. Commissioner Tobin seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		
Commissioner Tobin	X		
Commissioner Asdourian	X		

Motion passed 5 to 0

GENERAL MANAGER REPORT

Vacuum Station "A" Odor Report

Margaret Blank, General Manager gave a report on what the District is doing to control odor better. There seems to be no more odor problem.

C905 Award

Motion: Commissioner Tobin made a motion to approve the Piggyback Award to Fountain Engineering for C905. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		

Commissioner Tobin	X		
Commissioner Asdourian	X		

Motion passed 5 to 0

Shallow Well Bid

Ed Castle explained why the two received bids did not qualify for the project.

Motion: Commissioner Tobin made a motion to declare the two received bids as non-responsive and authorized the General Manager to negotiate a contract for the Shallow Wells with qualified contracts. Commissioner Asdourian seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		
Commissioner Tobin	X		
Commissioner Asdourian	X		

Motion passed 5 to 0

Cynergy

Commissioner Tobin requested that the following be included in the first paragraph "Consultant will perform specific services as requested and approved by the District including but not limited to lobbying efforts to secure the most funding possible through the Mayfield Grant, and any other funding sources that are available." Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Higgins	X		
Chairman Majeska	X		
Commissioner Brooks	X		
Commissioner Tobin	X		

Motion passed 5 to 0

COMMISSIONER'S ROUNDTABLE

The Board discussed back flow valves.

The Board discussed paying for continuing education.

ADJOURNMENT

The KLWTD Board adjourned the Board Meeting 7:11 PM.

The KLWTD meeting minutes of Oct. 2, 2012 were approved on Oct. 9, 2012.

Chairman Majeska

Carol Walker, CMC District Clerk

TAB 2

**KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form**

Meeting Date: Oct. 9, 2012

Agenda Item No. 2

PUBLIC HEARING

RESOLUTION

DISCUSSION

BID/RFP AWARD

ACTION ITEM

CONSENT AGENDA

Other:

SUBJECT: Commissioner's Procedures and Guidelines

RECOMMENDED MOTION/ACTION:

Approved by General Manager *MBled*
Date: 10/5/2012

Originating Department: Commissioner Tobin	Costs: \$ _____ Funding Source: _____	Attachments: _____
Department Review: <input type="checkbox"/> District Counsel _____ <input checked="" type="checkbox"/> General Manager <u><i>MB</i></u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required

Summary Explanation/Background:

COMMISSIONER'S POLICY HANDBOOK

POLICY 1. COMMUNICATIONS WITH ATTORNEY

A. Commissioners have the right to communicate with the District's attorneys from time to time to answer questions, to research points of law, to conduct investigations, or to assist the Commissioner in the formulation of policy or legislation. Any such communications will remain confidential.

B. If the attorney believes the request for legal assistance will consume an inordinate amount of time (more than 1-2 hours per month), the attorney will seek guidance from the Board on the amount of time and resources to be devoted to a particular item. In that event, the attorney shall use not disclose the names of the commissioner or the particular issue unless the commissioner requesting legal services consents.

POLICY 2. ROBERTS RULES OF ORDER

A. Roberts Rules. The Board shall use the informal rules of Roberts Rules of Order to facilitate full and open discussion on all items. Accordingly, a motion or a second is not necessary to discuss an item.

B. On items of extreme importance, the Board will endeavor to either a) vote twice on an item; or b) announce that it will seek to ratify a prior vote at the next meeting.

C. Calling the Question. The Chairman shall not be obliged to recognize a request to "call the question" unless and until there has been full and fair discussion by each and every commissioner.

POLICY 3. CONDUCT OF MEETINGS

Discussion about the agenda is not intended as an opportunity to enter into a debate an item. However, for purposes of scheduling, or as a courtesy to commissioners, staff the public, the chair may entertain a brief debate/request to table an item. If there is not consensus, the preferred course is to wait until the agenda item is called for a full debate on whether the item should be deferred.

While "back up" is always preferred, Commissioner have the right to add items to the agenda without back up. In that event, the item will be placed at the end of a meeting under Commissioner's Roundtable or Commissioners Discussion..

There is no reason to endeavor to have a short or brief meeting. Rather, because of the Sunshine Laws, the Chairman should encourage full and open discussion on all items regardless of the time spent in discussion or debate.

POLICY 4. COMMUNICATIONS WITH SENIOR STAFF.

Commissioners shall have full and unrestricted access to Senior Staff to pose questions or to require research or documents.

POLICY 5. COMMUNICATIONS WITH EMPLOYEES

Commissioners have the right to communicate and to pose questions to employees. Absent an emergency, commissioner shall not direct an employee to take or refrain from taking any particular action.

POLICY 6. BUILDING THE BUDGET

A. Staff shall begin "building the budget" no later than July 1, of each year in order to provide the Board with a tentative budget no later than August 15 of each year and a final budget by September 1.

B. The Budget is intended to "forecast" expenditures. Except for routine items, the adoption of a budget is not intended to be a *carte blanche* authorization by the Staff to spend money budgeted for any particular purpose.

C. Compensation.

1) Employees. Rather than "automatic" or COLA increase, it is the policy of the Board to provide merit increases in compensation, either periodic or lump sum. To facilitate the policy, and if reasonably justified, the Manager shall recommend an additional lump sum amount be added to the budget for the purpose of providing merit increases for exceptional performance, to retain employees, and for such other matters as the Manager may deem appropriate. The Manager shall from time to time, but no less than quarterly report the expenditures to the Board.

2) Senior Management. The Board shall determine the amount of compensation for Senior Management. If possible, the Board shall make a decision on any increases before the Budget is adopted.

3. Manager's Salary. The Board shall determine the amount of compensation for the Manager. If possible, the Board shall make a decision on any increases before the Budget is adopted.

4. District Attorney. The Board shall determine the amount of compensation for its attorney. If possible, the Board shall make a decision on any increases before the Budget is adopted.

Policy 7. Senior Management Appeals.

Senior Managers shall have the right to appeal the Manager's decision to terminate the manager or to make any other substantial change in the manager's duties, rank, compensation or benefits.

The procedure???

TAB 3

KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: Oct. 9, 2012

Agenda Item No. 3

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> RESOLUTION |
| <input checked="" type="checkbox"/> DISCUSSION | <input type="checkbox"/> BID/RFP AWARD |
| <input type="checkbox"/> ACTION ITEM | <input type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> Other: | |

SUBJECT: Customer Service Presentation

RECOMMENDED MOTION/ACTION:

Approved by General Manager *MB/ent*
 Date: 10/5/2012

Originating Department: GM	Costs: \$ Funding Source:	Attachments:
Department Review: <input type="checkbox"/> District Counsel _____ <input checked="" type="checkbox"/> General Manager <u><i>MB</i></u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required

Summary Explanation/Background: