

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



June 8, 2005  
 Key Largo Civic Club, 209 Ocean Bay Drive

The KLWTD Board of Commissioners met for a regular meeting on June 8, 2005 at 5:00 PM. Present were Chairman Charles Brooks, Commissioners, Glenn Patton, Gary Bauman, and Claude Bullock. Also present were Board Clerk Carol Simpkins, District Counsel Thomas Dillon, and all other appropriate District staff.

Chairman Brooks led the Pledge of Allegiance.

**ADDITIONS/DELETIONS TO THE AGENDA.**

The following changes were made to the agenda: Commissioner Patton requested that an item concerning a schedule for amending the Rules & Regulations done. District Counsel Thomas Dillon requested that the action items K. 4, L. 8 and L. 10 be made non action items.

**Motion: Commissioner Bullock made a motion to approve the agenda as amended. The motion was seconded by Commissioner Patton.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin			Absent
Chairman Charles Brooks	X		

Motion passed 4 to 0

**APPROVAL OF MINUTES**

**Motion:** Commissioner Bauman made a motion to approve the minutes of the May 26, 2005 minutes. The motion was seconded by Commissioner Bullock.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin			Absent
Chairman Charles Brooks	X		

Motion passed 4 to 0

**PUBLIC COMMENT:** The following persons addressed the Commission: Steve Gibbs, resident of Key Largo commented that he has been getting good feedback from the public on the progress that is being made on the Treatment Plant.

**COMMISSIONER'S ROUNDTABLE**

Commissioner Patton told the Board that there is going to be a hearing to put Staghorn and Elkhorn coral on the endangered species list. He explained that what usually happens it that the areas will be fenced off but he feels that what should be done is that wastewater improvements should be funded to clean up the water since the poor water quality is what is damaging the coral.

Commissioner Bullock told the Board that the State did not fund wastewater projects in the Keys to the expected amount; seven million was funded not 20 million. Chairman Brooks added that the Governor has not signed the bill yet and if he does the money is suppose to go to Marathon.

**COMMISSIONER'S ITEMS**

*Length of Meetings*

Commissioner Bauman stated that he thought that Commissioner Bullock had a good idea when he said that if the meeting is running later than 9:00 PM then another meeting should be scheduled. Commissioner Bauman explained that if the agenda was prioritized with the action items first, discussion items second, and status reports last that it might help to shorten the meetings.

Commissioner Bauman suggested that the Roundtable items should be put on the agenda. He would also like to see discussion of an item before a motion for that item is made. He does not think that items should be added to the agenda after it is approved.

Commissioner Bullock thinks that the meetings should start to wrap up at 8:45 PM and if the business cannot be finished then another meeting should be scheduled. He would also like to see special call meetings for interviews with prospective consultants.

Chairman Brooks brought up the fact that Islamorada, Marathon, and the BOCC have meetings that last up to twelve hours. Chairman Brooks expressed his concern that the peoples business needs to be conducted. He is not sure how staff would be able to handle meeting more often. Commissioner Bauman explained that staff would not have to prepare new items for another meeting but that the items that were not covered at a meeting that broke up at 9:00 PM would just be continued to the extra meeting.

Chairman Brooks also explained that if he as Chairman were to control presentations and cut them off after a short period of time the he may be taking away the Board's opportunity to ask questions and get information. He has to tread carefully if he tries to control time. He will try to trim the meeting time.

Chairman Brooks told the Board the according to Parliamentary Procedure the motion is suppose to be made before any discussion. He stated that when the Board has discussion before the motion they tend to drift into other subjects not related to the item. If, after discussion, the Board would like to change the motion it can always be amended.

*Schedule to review Rules & Regulations.*

Commission Patton reminded the Board that at the May 4 meeting they established a first draft and a starting point for on the Rules & Regulations and accepted a form amendment process. He requested a formal vote to adopt the 1<sup>st</sup> draft of the Rules & Regulations.

Commission Patton went on to explain that the schedule for the review would be that on June 22 articles 1 thru 4 and 11 would be reviewed. On July 6 articles 1 thru 4 and 11 would be voted on and articles 6 and 9 would be discussed. On July 20 articles 6 and 9 would be voted on and article 5 would be discussed with action on article 5 on Aug.3. Also on Aug 3 articles 7 and 10 would be discussed with a vote to be taken on Aug 17. Then on Aug 17 articles 8 and 10 would be discussed with action at the next meeting. In August the District has to firmly approve of the assessment process and then have a public hearing on the assessment role so it can be transmitted to the County.

**Motion: Commissioner Bullock made a motion to accept the first draft of the Rules and Regulations as presented on February 28, 2005. Commissioner Patton seconded the motion.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner			

Glenn Patton	X		
Commissioner Andrew Tobin			Absent
Chairman Charles Brooks	X		

Motion passed 4 to 0

**FINANCIAL OFFICER'S REPORT**

*Pending Payments List*

**Motion:** Commissioner Bullock made a motion to approve the pending payments list for June 8, 2005. The motion was seconded by Commissioner Bauman.

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin			Absent
Chairman Charles Brooks	X		

Motion passed 4 to 0

**LEGAL COUNSEL REPORT**

*Draft Inter-local Agreement (ILA) with Monroe County*

District Counsel Thomas Dillon reviewed his memo of June 7, 2005 concerning his comments on the Draft Inter-local with the Board. (See Exhibit "A")

Mr. Dillon requested consensus of the Board to allow him to take the words from the FEMA Agreement that deals with advances and rewrite them so that they would fit into the ILA and submit it to the County. The Board gave him consensus.

Chairman Brooks asked the Board if they felt that a Special Call meeting should be called to review the Draft Inter-Local before it goes to the BOCC on June 15, 2005 or should the Board rely on the District Counsel's expertise on if the ILA should be accepted.

District Counsel Thomas Dillon recommended that the KLWTD Board have a Special Call meeting for Monday June 13, 2005 to review the updated ILA if the County is able to get a draft to them with sufficient time for it to be reviewed, which would be Friday June 10, 2005. The meeting would be canceled if the ILA has not been received. If the ILA has not been received in time for the Board to review then Chairman Brooks and

District Counsel Thomas Dillon would review it and let the BOCC know if it is not acceptable to the District and needed to be rescheduled. The Board gave a verbal agreement to proceed with this plan of action.

*Financial Advisor*

District Counsel Thomas Dillon recommend RBC Dain Rauscher be selected as the KLWTD Financial Advisor.

**Motion: Commissioner Patton made a motion to approve the selection of RBC Dain Rauscher to serve as the KLWTD Financial Advisor. The motion was seconded by Commissioner Bullock.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin			Absent
Chairman Charles Brooks	X		

Motion passed 4 to 0

*Amendment Number Three to Consulting/Professional Contracts*

**Motion: Commissioner Patton made a motion to approve Amendment Number Three to the CPH and Arcadis Consulting/Professional Contracts. The motion was seconded by Commissioner Bullock.**

Vote on motion:

Board Member	Yes	No	Other
Commissioner Gary Bauman	X		
Commissioner Claude Bullock	X		
Commissioner Glenn Patton	X		
Commissioner Andrew Tobin			Absent
Chairman Charles Brooks	X		

Motion passed 4 to 0

**ENGINEERS REPORT**

*Monthly Report*

Ed Castle stated that concerning Key Largo Park, he has put all of the pressure that he could on Airvac to get the re-profiles done. He has been in contact with Dave Ellis and Denny Moss. They are working as quickly as they can. Mr. Castle has received a voice mail from Mr. Moss saying that he has the calculations done and they are putting them in the AutoCAD. He anticipates that they will be done on Friday and it may be Monday or Tuesday that he will have the drawings in hand.

Chairman Brooks stated that the approved minutes state that Mr. Castle had give him the date of June 8, 2005 as to when Airvac would have the final drawings to the District. And now they are going to have them for the District by the 10<sup>th</sup>. Mr. Castle explained that they would not be in his possession until the beginning of the next week, the 13<sup>th</sup> or 14<sup>th</sup>.

Ed Castle reported that he has received the first set of submittals from ADB. Progress is being made in getting what is needed from ADB. There are no permits pulled as of yet but they have said that they have received the Monroe County ROW permit. Mr. Castle has not seen the permit yet. They are working on the South Florida Water Management dewatering permit. That permit will be in place before any dewatering is done.

Chairman Brooks asked, "When will ADB start digging in the Key Largo Park?" Mr. Castle explained that they could start digging as soon as the survey is done and they need a complete set of drawings to do the survey and they do not have the drawings yet. Mr. Castle does not have a date yet.

Mr. Castle reported that 65% of the pipes and pits placement in the Key Largo Trailer Village have been completed. There has been one pipe placed under US 1. He also reported that the Treatment Plant site is doing vertical construction. The tanks are set in place. They are estimating that at the latest they will be done with all of the Fluidyne equipment work by mid-July and will be ready for water testing.

Negotiations have been going on with CPH for the Sexton Cove/Lake Surprise Project.

Commissioner Bullock would like to have current aerals done of the Island of Key Largo. The Board requested that Mr. Castle obtain a cost estimate to have new set of aerals done of the Island.

*CPH Work Authorization for Sexton Cove Transmission Line, CPH Work Authorization for Sexton Cove Collection System, Work Authorization, Sexton Cove Transmission Line Surveying, Work Authorization for Sexton Cove Collection System Surveying*


These items will be reviewed by District Counsel Thomas Dillon and Ed Castle and be brought back to the Board.

Chairman Brooks reported that he attended the Contractors Progress report meeting. He feels that they have developed into a team and the progress that they have been making is very encouraging.

**ADJOURNMENT**

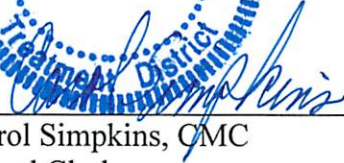
After a motion to adjourn by Commissioner Bullock and a second by Commissioner Patton the Board adjourned the meeting at 7:22 PM.

The KLWTD meeting minutes of June 8, 2005 were approved on July 6, 2005.



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Chairman Charles Brooks



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Carol Simpkins, CMC  
Board Clerk



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