

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



March 15, 2006
 98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on March 15, 2006 at 5:00 PM. Present were Chairman Glenn Patton, Commissioners Gary Bauman, Andrew Tobin, and Charles Brooks. Commissioner Clause Bullock arrived at 6:04 PM. Also present were General Manager Charles F. Fishburn, District Counsel Thomas Dillon, District Clerk Carol Walker and all other appropriate District Staff.

The Pledge of Allegiance was led by Commissioner Bauman.

Approval of Agenda

Charles F. Fishburn, General Manager, requested that the following items be added: SRF Loan Approval, Update on Islamorada, and an item on Lobbying. District Counsel, Thomas Dillon requested an item on Keys Kritters be moved to the front of the agenda. Commissioner Brooks requested that an item on Bill 749 be added.

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

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Bullock			Absent
Commissioner Tobin	X		
Chairman Patton	X		

Motion passed 4 to 0

Public Comment: The following persons addressed the Commission; None.

Public Hearing Request

Key Kritters Appeal

District Counsel Thomas Dillon presented the request from Mr. Majeska for a Public Hearing and explained that the Board needs to determine if there is a material issue in fact, and if so, set a public hearing date. The Key Largo Wastewater Treatment District has set the EDU's for Key Kritters at 2.8 and Mr. Majeska has supplied information that he believes supports a position that it should be a lower amount. Mr. Dillon explained that the issue of material fact is where there is evidence that the Board would accept that the sewage generated by the property would be less than 2.8 EDU's which is indicated by the water meter records.

Motion: Commissioner Tobin made a motion to schedule a public hearing for Key Kritters. Commissioner Brooks made a motion to amend Commissioner Tobin's motion to set a hearing on April 5, 2006. Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Bullock			Absent
Commissioner Tobin	X		
Chairman Patton	X		

Motion passed 4 to 0

Presentation

US Water

General Manager Charles F. Fishburn introduced Gary Deremer, President and Scott Lewis, Regional Manager from U.S. Water and explained that the District will be using their services at start up and to fill in for our operator when he is unavailable. Mr. Deremer gave a short presentation on the services that U.S. Water offers; he told the Board that they will help the District meet the operating conditions for the plant.

Commissioner Items

Nothing at the current meeting.

Bulk Items

Minutes of March 1, 2006

Commissioner Brooks requested that minutes be pulled because there is some dialog he would like included in the minutes.

RESOLUTION NO. 11-03-06

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF DOUGLAS FOX FOR DESIGNATION OF TWO TAX PARCELS AS PARCELS EXCLUDED FROM THE 2005 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

RESOLUTION NO. 12-03-06

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF JOYCE ANN AND HOWARD P ARMEL FOR DESIGNATION OF ONE TAX PARCEL AS PARCEL EXCLUDED FROM THE 2005 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

RESOLUTION NO. 14-03-06

A RESOLUTION OF THE BOARD OF COMMISSIONERS APPROVING THE REQUEST OF CAROL & ROBERT WALSH FOR DESIGNATION OF TWO TAX PARCELS AS PARCELS EXCLUDED FROM THE 2005 NON-AD VALOREM ASSESSMENT; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE

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

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Bullock			Absent
Commissioner Tobin	X		
Chairman Patton	X		

Motion passed 4 to 0

Financial Officer's Report

Pending Payments List

Martin Waits, Finance Officer presented the pending payments list.

Motion: Commissioner Brooks made a motion to approve the Pending Payments List of March 15, 2006 contingent upon the availability of funds. Commissioner Tobin seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Bullock			Absent
Commissioner Tobin	X		
Chairman Patton	X		

Motion passed 4 to 0

Property and Causality Insurance

Mr. Martin Waits reported that the premium from the Florida League of Cities for property insurance excluding wind storm coverage will be \$1,800. He does not have the flood insurance premium yet. Mr. Waits told the Board that he has requested District Counsel Thomas Dillon review the requirements in the District contracts as to the requirements for wind coverage.

Mr. Dillon told the Board that there are agreements that require the District to have the insurance or be self insured. He recommended that the Board obtain some expert advice on what type of likely risk and likely damage that might occur in the event of a wind storm and the cost of repairs. Then the Board could review the costs that would have to be set aside to cover the damage. Mr. Dillon recommended to the Board that they set aside R & R on a percentage of the value of assets and likely expenses that might be accrued rather than a percentage of revenues.

The Board directed Weiler Engineering do an engineering study on a damage analysis

Project Sources and Use of Funds Update

Mr. Waits presented the report in the agenda package on the funding sources and the use of the funds.

Commissioner Brooks requested that Mr. Waits place a footer on his reports as to who did and when the report was done and he would also like the District logo on the reports.

RESOLUTION NO. 13-03-06

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING THE DISTRICT OPERATING BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 2006; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

Commissioner Bullock suggested that the temporary help be placed in a separated category in the budget.

Commission Brooks requested that Resolution No. 13-03-06 be tabled.

SRF Loan

Motion: Commissioner Brooks made a motion to authorize Chairman Patton to sign the application for the SRF Loan. Commissioner Tobin seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Bullock	X		
Commissioner Tobin	X		
Chairman Patton	X		

Motion passed 5 to 0

Legal Report

House Bill 749

District Counsel Thomas Dillon reported that his understanding is that the Bill is not going anywhere.

Commissioner Brooks made a motion to send a letter with attachments of the Districts dialog to Representative Sorensen with a copy to the Bill's sponsor, the Governor and the Committee members reviewing the bill. The motion died for the lack of a second.

Engineers Report

Facilities Report Phase I

Mr. Castle reported that the report will be updated and brought back to the next meeting.

Phase II SRF Facilities Plan

Commissioner Brooks stated that the geography and the number of EDU's in Key Largo make it the best wastewater sewer project in Monroe: that is not controlled by anyone in the room it is just a matter of economy of scale. Commission Brooks stated that he is not interested in looking good to the rest of the County: he is more interested in putting in sewers in Key Largo and to heck with the rest of the County. Commissioner Brooks said that the does not want to spend dollars today to look so far ahead. The District could have facility plans and not have the money to do them.

General Manager Charles F. Fishburn said that the plant that is coming on line in 2008 is going to need collections systems to feed it. It is the Staff's job to continue to go forward with the effort to get the funding for the project.

Commissioner Tobin shares Commissioner Brooks' concerns. Commissioner Tobin stated that he feels that the District is moving in the right direction.

Commissioner Bullock explained that planning is the most important thing that the District can do at this time. It is the proper thing to do to go forward with planning for the entire Island whether it sits on the shelf or not. The primary reason for doing the planning is to show the people that the District is going to go for grants or loans, that the District has a master plan that says what the District is going to do. If there are no plans the District will not have the opportunity for the funds.

Chairman Patton agreed with Commissioner Bullock. Chairman Patton said the planning would show the justification for the Regional Treatment Plant. Chairman Patton has no problems with going ahead with the facilities plan. He believes that the facility plan could be updated in the future if needed for a small price. The facility plan fine tunes the Master Plan.

Commissioner Brooks stated that the cost of the work order is about \$100 an hour.

Motion: Commissioner Tobin made a motion to approve the Weiler Engineering Work Order 06-01 Phase Two of SRF Facilities Plan Production of Planning Document. Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks*	X		
Commissioner Bullock	X		
Commissioner Tobin	X		
Chairman Patton	X		

Motion passed 5 to 0

*Commissioner Brooks stated that he was voting for the motion with high reservations.

Monthly Status Report

Mr. Castle reported that the Treatment Plant is nearing completion but there are a number of issues that need to be resolved first. Substantial Completion has to be signed off before the plant startup. Mr. Castle does not believe startup will occur before March 29.

Commissioner Bullock reported that he has been getting complaints about the dust on Lakeshore Drive.

Commissioner Brooks asked if the District is going to have to require the annual average. Mr. Castle said that is a DEP issue not necessarily a performance issue. It allows for an occasional excursion, a single sample is the highest that would be allowed to be put out but there is a weekly and a monthly average to allow room for a mistake.

Lateral Connection Status

Margaret Blank, Staff Engineer reviewed the updated report on the number of letters issued, permits issued and inspections.

General Manager's Report

List of Invitees to the Opening of the Treatment Plant

Commissioner Tobin suggested that the Manager email the Commissioners and they would email him their recommendations to the list.

Commissioner Brooks and Commissioner Tobin suggested sending out formal invitations. The Board would like to have a large opening.

Commissioner Tobin requested some awards to be handed out.

Written Policy concerning employees medical insurance benefits

General Manager Charles F. Fishburn presented the policy. (See exhibit "A")

Motion: Commissioner Tobin made a motion to approve the medical insurance policy. Commissioner Bauman seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman	X		
Commissioner Brooks	X		
Commissioner Bullock	X		
Commissioner Tobin	X		
Chairman Patton	X		

Motion passed 5 to 0

Update Letter to KLTV

General Manager Charles F. Fishburn reviewed the information letter that had been sent out to the Key Largo Trailer Village residents.

Commissioner Bauman stated that he liked the letter.

Islamorada Update

General Manager Charles F. Fishburn reported that he had been contacted by Chris Sante and Islamorada may be interested in having the District process their sewage.

Commissioner Bauman stated that he feels that Islamorada has a long way to go.

Commissioner Tobin stated that it is the right thing to do.

Commissioner Brooks stated that he is totally against considering processing Islamorada at this time. He feels that the Island of Key Largo should be completed first.

Commissioner Bullock stated that he is not totally against it but it has to be in the District's economic interest.

Chairman Patton needs a lot more information.

Commissioner Brooks asked for clarification on the Facility Plans will not be held up. He was assured that it will not be.

Lobbyist

General Manager Charles F. Fishburn reported to the Board about the work that Lobbyist David Whitestone, with Holland and Knight, has done for the City of Key West. He would like to bring a proposal to the Board for the Lobbyist. The Board instructed Mr. Fishburn to bring back a proposal including what Mr. Whitestone can do for the District.

Commissioner's New Items and Roundtable

Nothing at this time.

Adjournment

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

The KLWTD meeting minutes of March 15, 2006 were approved on April 5, 2006.



Chairman Glenn Patton



Carol Walker, CMC
Board Clerk

Exhibit "A"

Here's my suggestion

"It is the policy of the District to offer an employee the opportunity to enroll in a group health insurance program at the sole expense of the employee. An employee may elect to have the District pay all or part of the health insurance premiums for the employee and/or the employee's dependents and family in return for a reduction in monthly monetary compensation equal to the District's actual cost of the premiums."

Tom

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