

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



September 6, 2006
 98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on September 6, 2006 at 5:00 PM. Present were Commissioners Andy Tobin, Charles Brooks, Norman Higgins and Chairman Claude Bullock. Also present were District Counsel Thomas Dillon, General Manager Charles F. Fishburn, District Clerk Carol Walker and all other appropriate District Staff.

The Pledge of Allegiance was led by Commissioner Tobin.

Commissioner Tobin suggested that Item 2, Manager's Contract, be moved to the end of the agenda.

Commissioner Brooks stated that he would like to see the stay where it was.

Commissioner Higgins requested that it be discussed when all of the Commissioners are present.

Chairman Bullock would like to see the item tabled.

Commissioner Brooks then stated that the budget resolution should be postponed until the next meeting if he is not going to be able to discuss his agenda items. He does not like the items, which he had put a lot of work into, being dumped around. Commissioner Brooks then stated that it sounds like the Board does not want to discuss the issues and he has serious concerns about that.

Motion: Commissioner Higgins made a motion to table the Commissioner's items 2 through 5 and delay the vote on Resolution No. 40-09-06 until the September 20, 2006 meeting. Commissioner Tobin seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman			Absent
Commissioner Brooks		X	

Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 3 to 1

Commissioner Brooks was excused from the meeting at 5:15 PM

Martin Waits requested that the Pending Payments be removed from the Bulk Items, and Charles F. Fishburn requested that item 17 be made an action item.

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

Vote on Motion

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

Motion passed 3 to 0

Public Comment

The following persons addressed the Commission:

Howard Gelbman, Key Largo, talked about alternate ways to calculate the District's assessment. Meredith Cline, 33 South Exuma Road talked about standing water in the neighborhoods. Burke Cannon, 149 Westminster stated that he thought the District was doing a good job and he really likes the idea of the District doing the storm water and road paving along with putting in the sewer.

Commissioner's Items

\$6 million Grant Funding

By consensus the Board moved this item to the September 20, 2006 meeting.

Bulk Items

Minutes of KLWTD Meeting on August 23, 2006

Motion: Commissioner Higgins made a motion to approve the minutes of August 23, 2006. Chairman Bullock seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman			Absent
Commissioner Brooks			Absent
Commissioner Higgins	X		
Commissioner Tobin	X		

Chairman Bullock	X		
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Motion passed 3 to 0

Pending Payments List

Martin Waits explained that he had added an invoice from Haskell for \$15,879.87.

Motion: Commissioner Tobin made a motion to approve the pending payments list of September 6, 2006 as amended contingent upon availability of funds. Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 3 to 0

Exemption Resolutions Resolution No's 30-09-06 thru 39-09-06

Motion: Commissioner Tobin made a motion to approve Resolution No.'s 30-09-06 through 39-09-06. Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 3 to 0

Assessment Review for Sievers Marine

Chairman Bullock asked if the District has addressed the marine pump out situation. Staff explained that the District will not be set up to handle the pump outs until after the regional treatment plant goes on line.

Motion: Commissioner Tobin made a motion to approve the recommend revised assessment for Sievers Marine. Commissioner Higgins seconded the motion.

Vote on Motion

Member	Yes	No	Other
Commissioner Bauman			Absent
Commissioner Brooks			Absent

Commissioner Higgins	X		
Commissioner Tobin	X		
Chairman Bullock	X		

Motion passed 3 to 0

Assessment Review for Choice Home Center

Motion: **Commissioner Higgins made a motion to approve the recommended revised assessment. Commissioner Tobin seconded the motion.**

Vote on Motion

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

Motion passed 3 to 0

Engineers Report

Monthly Status Report

Ed Castle explained to the Board that the District has the ability to take over the punch list from Haskell and complete it and take the monies from the Haskell retainage amount. There are no plans for the District to take over the performance specs and when Haskell completes them it will be the Board's decision on final acceptance.

Lateral Connection Status

The report was presented to the Board.

Finance Officer's Report

Grau & Associates Contract

Mr. Waits introduced the contract from the District's auditor, Grau & Associates.

Motion: **Commissioner Higgins made a motion approve contract with Grau & Associates as presented. Commissioner Tobin seconded the motion.**

Vote on Motion

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

Motion passed 3 to 0

Public Hearing Opened for FY 2007 Budget

Kay Thacker said that she would like the hearing continued to the next meeting.

Motion: Commissioner Tobin made a motion to continue the Public Hearing to the September 20, 2006 meeting. Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 3 to 0

Chairman Bullock asked Mr. Waits to explain the transfer items listed in the budget. Mr. Waits explained that transfers go into the capital budget to be used for paying off the SRF loans as required.

Chairman Bullock asked District Counsel Thomas Dillon if there is a fund to cover legal fees for court cases in the FY 2007 budget. Mr. Dillon state that there is \$25,000 in the budget.

Legal Report

N/A

General Manager’s Report

Assessment Policy Review

Charles F. Fishburn told the Board that he has requested that PRMG give him a report on the methods that other areas are using for their commercial wastewater assessment process. Mr. Fishburn informed the Board that there will be a rate review report done in the spring. He also suggested that commercial properties put in a second irrigation water meter now so that when they are assessed the figures would reflect more of what their true water consumption is.

Mr. Waits reviewed his report that reflects expanding out the system development charge payment to 30 or 40 years and using 5 peak months instead of 3 peak months to calculate assessments with.

Sexton Cove, Lake Surprise, Ocean Isle Estates Public Meeting

Mr. Fishburn informed the Board that the District has reserved the Key Largo Public Library meeting room for the town hall meeting on December 20, 2006. The District is planning on sending out information in homeowner’s associations newsletters.

Treatment Plant 1.6 Acres

Commissioner Tobin stated that he does not want to give the land up, but would rather put a restrictive covenant on it or he would like to see the District donate other land instead of donating the property at the treatment plant site. If the land has to be the

property at the treatment plant site then he would like to see a 25 foot buffer zone taken from the amount of property to be donated.

Motion: Commissioner Higgins made a motion to approve the letter as presented, to Winston Hobgood agreeing to pay for the mitigation if the County does not. Chairman Bullock seconded the motion.

Vote on Motion

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

Motion failed 1 to 2

Staff will bring back the item to the September 20, 2006 meeting.

Adjournment

The KLWTD Board adjourned the Board Meeting at 7:13 PM.

The KLWTD meeting minutes of September 6, 2006 were approved on September 20, 2006.



Chairman Claude Bullock



Carol Walker, CMC
District Clerk