

MINUTES

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



October 9, 2007
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting on October 9, 2007 at 4:00 PM. Present were Commissioners Susan Hammaker, Norman Higgins, Claude Bullock, Andrew Tobin. Also present were the General Manager Charles F. Fishburn, District Counsel Thomas M. Dillon, and all other appropriate District Staff.

The Pledge of Allegiance was led by Commissioner Higgins.

APPROVAL OF AGENDA

Item 8, Resolution No. 18-10-07, Item 9, Resolution No. 19-10-07, and Item 15, Airvac Purchase Order were moved to the front of the agenda. Item 11A Newport Village, and Item 19, Employee Medical Insurance were added to the agenda.

Motion: Commissioner Higgins made a motion to approve the Agenda with the requested changes. Motion seconded by Commissioner Hammaker.

Vote on Motion

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

Motion passed 3 to 0

Public Comment: The following persons addressed the Commission: Steve Gibbs, Key Largo, D.A. Aldridge, Kay Thacker, Key Largo, Burke Cannon, Tavernier.

COMMISSIONER ITEMS

N/A

BULK ITEMS

Minutes of September 25, 2007

Pending Payments List

Motion: Commissioner Hammaker made a motion to approve the Bulk Items with the Pending Payments List contingent upon the availability of funds. Motion seconded by Commissioner Higgins.

Vote on Motion

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

Motion passed 3 to 0

ENGINEER'S REPORT

Monthly Report

Ed Castle presented his written monthly report.

Commissioner Tobin arrived at 5:55 PM being delayed in heavy traffic.

Later Connections

The latest connections report was presented.

ChemScan

Representatives of ChemScan gave a presentation of the system for process control for the current treatment plant and the Regional Plant.

FINANCIAL REPORT

DEP Declaration of Official Intent

RESOLUTION 21-10-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, AUTHORIZING DECLARATIONS OF OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF TEMPORARY ADVANCES MADE FOR PAYMENTS PRIOR TO ISSUANCE, AND RELATED MATTERS, AND PROVIDING FOR AN EFFECTIVE DATE

Motion: Commissioner Tobin made a motion to approve Resolution No. 21-10-07.

Motion seconded by Commissioner Hammaker.

Vote on Motion

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

Motion passed 4 to 0

LEGAL REPORT

RESOLUTION 17-10-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, REQUESTING THE ASSISTANCE OF REPRESENTATIVE RON SAUNDERS TO AMEND THE KEY LARGO WASTEWATER TREATMENT DISTRICT ACT TO PROVIDE EXEMPTION FROM LOCAL PERMITTING REQUIREMENTS

Motion: Commissioner Higgins made a motion to approve Resolution No. 17-10-07. Motion seconded by Commissioner Tobin.

Vote on Motion

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

Motion passed 4 to 0

RESOLUTION 18-10-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, AMENDING THE DISTRICT GENERAL RULES AND REGULATIONS TO PROVIDE FOR A CHARGE TO BE IMPOSED ON PERSONS WHO FAIL TO CONNECT TO THE DISTRICT WASTEWATER SYSTEM AFTER PROPER NOTICE, AND PROVIDING FOR AN EFFECTIVE DATE

This item was tabled.

RESOLUTION 19-10-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, AMENDING THE DISTRICT GENERAL RULES AND REGULATIONS TO PROVIDE FOR INSTANCES WHERE CONSTRUCTION OF WASTEWATER FACILITIES CAUSES DAMAGE TO PROPERTY IN PUBLIC RIGHTS-OF-WAY, AND PROVIDING FOR AN EFFECTIVE DATE

This item was tabled.

RESOLUTION 20-10-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, ESTABLISHING A POLICY REGARDING COMPENSATION OF COMMISSIONERS, AND PROVIDING FOR AN EFFECTIVE DATE

Motion: Commissioner Higgins made a motion to approve Resolution No. 20-10-07 excluding Sections Two and Three. Motion seconded by Commissioner Bullock.

MEMORANDUM

RESOLUTION 17-10-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT REQUESTING THE ASSISTANCE OF REPRESENTATIVE WOOD TO OBTAIN FROM THE KEY LARGO WASTEWATER TREATMENT DISTRICT TO PROVIDE EXEMPTION FROM LOCAL PERMITTING REQUIREMENTS.

Commissioner Higgins made a motion to approve Resolution No. 17-10-07. Motion seconded by Commissioner Tobin.

Vote on Motion

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

Motion passed 4 to 0

RESOLUTION 18-10-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT REQUESTING THE ASSISTANCE OF REPRESENTATIVE WOOD TO OBTAIN FROM THE KEY LARGO WASTEWATER TREATMENT DISTRICT TO PROVIDE EXEMPTION FROM LOCAL PERMITTING REQUIREMENTS. AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-10-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT REQUESTING THE ASSISTANCE OF REPRESENTATIVE WOOD TO OBTAIN FROM THE KEY LARGO WASTEWATER TREATMENT DISTRICT TO PROVIDE EXEMPTION FROM LOCAL PERMITTING REQUIREMENTS. AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 20-10-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT REQUESTING THE ASSISTANCE OF REPRESENTATIVE WOOD TO OBTAIN FROM THE KEY LARGO WASTEWATER TREATMENT DISTRICT TO PROVIDE EXEMPTION FROM LOCAL PERMITTING REQUIREMENTS. AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Higgins made a motion to approve Resolution No. 20-10-07. Motion seconded by Commissioner Bauman.

Vote on Motion

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

Motion passed 4 to 0

Calusa Campground

Motion: Commissioner Higgins made a motion to have Commissioner Tobin, representing the Board, work with District Counsel Thomas Dillon on the response to the Calusa Campground lawsuit. Motion seconded by Commissioner Tobin.

Vote on Motion

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

Motion passed 4 to 0

Newport Village

District Counsel Thomas Dillon reviewed a letter that was sent to the Monroe County Housing Authority on July 24, 2007 concerning their assessment. He then presented a letter that he prepared again addressing their outstanding assessment payment of \$11,591.90 that is over due. The letter addresses the overdue amount saying that it will be added to the water bill for collection.

The Board directed Mr. Dillon to send the letter.

GENERAL MANAGER

Charles F. Fishburn, General Manager presented a request from two property owners asking for additional connections on their property. Staff recommended that the property owners pay the full cost of the extra connections.

Commissioner Tobin said that the recommendation was unfair to owners of multiple lots.

Motion: Commissioner Higgins made a motion that a property owner with two or more adjoining lots in a single tax parcel may obtain a connection for each lot at the same system development charge rate as if the lots were in separate tax parcels. Motion seconded by Commissioner Tobin.

Vote on Motion

Member	Yes	No	Other
Chairman Bauman			Absent
Commissioner Hamner	Y		
Commissioner Higgins	Y		
Commissioner Tobin	Y		
Commissioner Ballou	Y		

Motion passed 4 to 0

Oliver Cunningham

Motion: Commissioner Higgins made a motion to have Commissioner Tobin representing the Board work with District Council Thomas Dillon on the response to the Oliver Cunningham lawsuit. Motion seconded by Commissioner Tobin.

Vote on Motion

Member	Yes	No	Other
Chairman Bauman			Absent
Commissioner Hamner	Y		
Commissioner Higgins	Y		
Commissioner Tobin	Y		
Commissioner Ballou	Y		

Motion passed 4 to 0

Andrew Winger

District Council Thomas Dillon reviewed a letter that was sent to the Monroe County Planning Authority on July 24, 2007 concerning their assessment. He then presented a letter that he prepared again addressing their outstanding assessment payment of \$11,501.00 that is over due. The letter addresses the overdue amount saying that it will be added to the water bill for collection.

The Board directed Mr. Dillon to send the letter.

OFFICIAL MATTERS

Charles F. Elshorn, General Manager presented a request from two property owners asking for additional connections on their property. Staff recommended that the property owners pay the full cost of the extra connections.

Commissioner Tobin said that the recommendation was in line with the recommendations of multiple lots.

Motion:

Commissioner Higgins made a motion that a property owner with two or more adjoining lots in a single tax parcel may obtain a connection for each lot at the same system development charge rate as if the lots were in separate tax parcels. Motion seconded by Commissioner Tobin.

Vote on Motion

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

Motion passed 4 to 0

Town Hall Meeting

Mr. Fishburn reported on the September 29th Town Hall Meeting for Basin D property owners. He reported that it was received well and there were 110 participants.

Notice to Proceed Basin D Phase II

Motion: Commissioner Higgins made a motion to award the construction contract for Basin D Phase II to LaRocco Inc. and authorize sending them the Notice to Proceed. Motion seconded by Commissioner Hammaker.

Vote on Motion

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

Motion passed 4 to 0

Airvac Purchase

Motion: Commissioner Higgins made a motion approve the Airvac Purchase Order for 1,000 pits in the amount of \$2,812,000. Motion seconded by Commissioner Hammaker.

Vote on Motion

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

Motion passed 3 to 0

Washington DC Trip

Charles F. Fishburn gave a report on the trip to Washington D.C.

Vote on Motion

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

Motion passed 4 to 0

Town Hall Meeting

Mr. Fishburn reported on the September 20th Town Hall Meeting for Basin D property owners. He reported that it was received well and there were 110 participants.

Motion to Amend Basin D Phase II

Commissioner Higgins made a motion to award the construction contract for Basin D Phase II to Lakeside Inc. and authorize sending them the notice to proceed. Motion seconded by Commissioner Hammers.

Vote on Motion

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

Motion passed 4 to 0

Vote on Motion

Commissioner Higgins made a motion approve the price purchase order for 1,000 bits in the amount of \$2,812,000. Motion seconded by Commissioner Hammers.

Vote on Motion

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

Motion passed 3 to 0

Washington DC Trip

Charles E. Fishburn gave a report on the trip to Washington D.C.

Federal Representation

Motion: Commissioner Tobin made a motion approving Hicks-Richardson Associates contract for another year at the same rate. Motion seconded by Commissioner Hammaker.

Vote on Motion

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

Motion passed 4 to 0

Bobcat/Forklift Purchase

Motion: Commissioner Higgins made a motion authorizing the expenditure of up to \$10,000 for the purchase of either a forklift or a bobcat at the equipment auction in Orlando. Motion seconded by Commissioner Bullock.

Vote on Motion

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

Motion passed 4 to 0

Medical Insurance

This item was tabled.

COMMISSIONER'S ROUND TABLE

N/A

Adjournment

The KLWTD Board adjourned the Board Meeting at 6:45 PM.

Commissioner Higgins made a motion approving the bid-letting process for the purchase of either a forklift or a pallet in the amount of \$10,000. Motion seconded by Commissioner Blalock. Motion passed 4 to 0.

Member	Yes	No	Other
Commissioner Blalock	X		
Commissioner Johnson	X		
Commissioner Higgins	X		
Commissioner Johnson	X		
Commissioner Blalock	X		

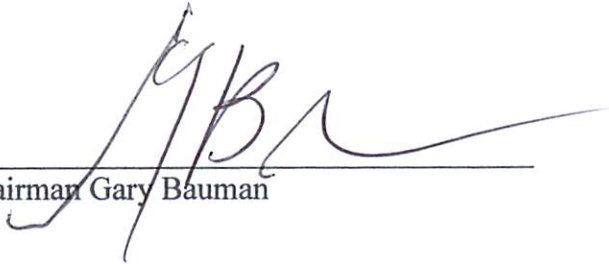
Commissioner Higgins made a motion authorizing the expenditure of up to \$10,000 for the purchase of either a forklift or a pallet in the amount of \$10,000. Motion seconded by Commissioner Blalock. Motion passed 4 to 0.

Member	Yes	No	Other
Commissioner Blalock	X		
Commissioner Johnson	X		
Commissioner Higgins	X		
Commissioner Johnson	X		
Commissioner Blalock	X		

COMMISSIONER'S ROLES TABLE
 This item was tabled.
 Medical business

Adjournment
 The Board adjourned the Board Meeting at 6:45 PM.

The KLWTD meeting minutes of October 9, 2007 were approved on October 23, 2007



Chairman Gary Bauman



Carol Walker, CMC
District Clerk

