

# MINUTES

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



January 19, 2010  
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular meeting at 4:02 PM. Present were Chairman Norman Higgins, Commissioners Andrew Tobin, Charles Brooks, Robert Majeska, and Susie Hammaker. Also present the General Manager Charles F. Fishburn, Thomas Dillon, District Counsel, Carol Walker, District Clerk, and other appropriate District Staff.

Chairman Higgins led the Pledge of Allegiance.

### APPROVAL OF AGENDA

General Manager Charles Fishburn added an item, Redland Change Order, for discussion. Chief Financial Officer, Martin Waits pulled the Pending Payments from Bulk.

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

### Vote on Motion

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

**Motion passed 5 to 0**

### GENERAL MANAGER'S REPORT

*Basins G, J, & K Bid Policy*

**Motion: Commissioner Hammaker made a motion to approve the Bid Policy to go out to bid in areas Basins G, J, & K. Commissioner Tobin seconded the motion.**

### DISTRICT COLLECTION SYSTEM CONSTRUCTION PROCUREMENT:

**The intent for future procurement of construction services in Basins G, I, J, and K is as follows:**

1. **In Basin I, three of the five phases have already been awarded by change order. Of the remaining two phases, one is in US 1. These two remaining phases will be awarded by change order.**
2. **In Basins, G, J, and K, at least one phase will be awarded by competitive bidding.**
3. **No contractor has any right to expect that it will be awarded a change order for any phase by virtue of the fact that the contractor has already been given work in the basin in which the phase is situated.**
4. **In support of a proposed award of work in a new phase to a contractor by change order, the General Manager will provide a spreadsheet comparing the proposed change order line item and total pricing with recent bid prices, including the lowest bid prices received in the last two competitive bids.**
5. **The Board will not approve the change order award unless the unit prices and total prices are reasonably close to the recent bid prices shown on the spreadsheet.**

**Vote on Motion**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>
<b>Commissioner Hammaker</b>	<b>X</b>		
<b>Chairman Higgins</b>	<b>X</b>		
<b>Commissioner Tobin</b>	<b>X</b>		
<b>Commissioner Brooks</b>	<b>X</b>		
<b>Commissioner Majeska</b>	<b>X</b>		

**Motion passed 5 to 0**

*Redland Change Order*

The Board discussed the change order to reassign certain transmission main work from Metro to Redland, because the construction main work will be located in areas where Redland is constructing collection system improvements.

**COMMISSIONER'S ITEMS**

*Recording Equipment*

The Board discussed the purchase of new recording equipment.

*Contract Operations Vote*

The Board expressed their views on what should and should not be done at Transition Meetings and how they feel about going out for RFP's and RFFQ's.

**LEGAL COUNSEL REPORT**

*Public Hearing Resolution No. 02-01-10*

Public Hearing Opened

No Speakers

Public Hearing Closed

**Motion: Commissioner Brooks made a motion to approve Resolution No. 02-01-10. Commissioner Hammaker seconded the motion.**

**Vote on Motion**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>
<b>Commissioner Hammaker</b>	X		
<b>Chairman Higgins</b>	X		
<b>Commissioner Tobin</b>	X		
<b>Commissioner Brooks</b>	X		
<b>Commissioner Majeska</b>	X		

**Motion passed 5 to 0**

**BULK ITEMS**

*Minutes of January 5, 2010*

**Motion:** Commissioner Brooks made a motion to approve Bulk Items. Commissioner Majeska seconded the motion. Bulk Items consisted only of the Minutes of the meeting of [date].

**Vote on Motion**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>
<b>Commissioner Hammaker</b>	X		
<b>Chairman Higgins</b>	X		
<b>Commissioner Tobin</b>	X		
<b>Commissioner Brooks</b>	X		
<b>Commissioner Majeska</b>	X		

**Motion passed 5 to 0**

*Pending Payments for January 19, 2010.*

Mr. Waits presented an amended pending payments list.

**Motion:** Commissioner Brooks made a motion to approve Pending Payments. Commissioner Majeska seconded the motion.

**Vote on Motion**

<b>Member</b>	<b>Yes</b>	<b>No</b>	<b>Other</b>
<b>Commissioner Hammaker</b>	X		
<b>Chairman Higgins</b>	X		
<b>Commissioner Tobin</b>	X		
<b>Commissioner Brooks</b>	X		
<b>Commissioner Majeska</b>	X		

**Motion passed 5 to 0**

**ENGINEER'S REPORT**

*Status Report*

Dan Saus from Weiler Engineering presented a verbal report.

**FINANCIAL REPORT**

*Bank Agreement Status Report*

Mr. Waits presented the Board with a draft of the resolution for the BB & T loan.

District Counsel explained that Nabors Giblin & Nickerson is working on the loan agreement.

*Tie In Report*

Mr. Waits reviewed the tie in report.

*Quarterly Financial Report*

Mr. Waits presented the Quarterly Financial Report.

**COMMISSIONER'S ROUNDTABLE**

Commissioner Hammaker reported what she will be presenting at the Steering Committee on January 20, 2010.

The Board talked about the start up of the plant and the hiring of employees.

**ADJOURNMENT**

The KLWTD Board adjourned the Board Meeting to "January 20, 2010 at 1:00 PM" at 6:54 PM.

The KLWTD meeting minutes of Jan. 19, 2010 were approved on Feb. 2, 2010.

  
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Chairman Higgins

  
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Carol Walker, CMC  
District Clerk