

MINUTES

Key Largo Wastewater Treatment District (KLWTD) Meeting



January 4, 2011
98880 OVERSEAS HWY, KEY LARGO, FL 33037

The Key Largo Wastewater Treatment District Board of Commissioners met for a regular Meeting at 4:00 PM. Present were Chairman Robert Majeska, Commissioners Norman Higgins, Charles Brooks, Andrew Tobin, and Susie Hammaker. Also present were the General Manager Charles F. Fishburn, District Counsel Thomas Dillon, District Clerk Carol Walker, and other appropriate District Staff.

Commissioner Hammaker led the Pledge of Allegiance

APPROVAL OF AGENDA

Commissioner Tobin requested that F2, Pollution Legal Liability, be moved to discussion and he would like two items, Customer Service, and Perfect Construction under Commissioner's Round Table. Commissioner Hammaker pulled the minutes off of the agenda. Commissioner Brooks would like Items G3, Appoint Deputy General Manager, and H5, General Manager's Contract to be combined into one and made a discussion item. He will also talk about minutes under Commissioner's Round Table. Chairman Majeska moved Item L16 to after the General Manager's Report. He added an item on Non Interference under Commissioner's Round Table. Chairman Majeska also pulled Items I9, Assessment Appeal Nelson Government Center, and I 10, Assessment Appeal Marr 100 be pulled from the Bulk Items. District Counsel, Thomas Dillon requested that Item L16, Resolution No. 25-12-10 be changed to discussion.

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

Vote on Motion

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

Motion passed 5 to 0

PUBLIC COMMENT

The following persons addressed the Commission:
Speaker; Sue Heim, Key Largo

Subject; Comments in newspaper about contractors and what should be in the minutes.

FINANCIAL REPORT

Pending Payments

An amended Pending Payments list was presented.

Motion: Commissioner Brooks made a motion to approve the Pending Payments of January 4, 2011 contingent upon the availability of funds. Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

Pollution Legal Liability (Operations)

Debbie McAfee, of TR Jones, explained the need for the policy. Commissioner Tobin asked Ms. McAfee to find out if the policy covers State fines and penalties. He also would like to know the coverage available for homeowner damage.

The Board requested that Mr. Dillon look into the optional coverage available.

GENERAL MANAGER’S REPORT

47 Dolphin

Mr. Fishburn talked about the options for moving the pit on to the property line. The District will pay the owner \$2,000 to help cover the connection cost.

LEGAL COUNSEL REPORT

RESOLUTION NUMBER 25-12-10

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT REGARDING MAINTENANCE OF THE COLLECTION SYSTEM AT CALUSA CAMPGROUND; AND PROVIDING AN EFFECTIVE DATE.

Mr. Dillon will talk to the attorneys for Calusa to determine a structure for a contract to do the maintenance for their collection system.

The following persons addressed the Commission:

Speaker; Jacob Gonzales, Key Largo

Speaker; Patricia Beskos

Subject: Calusa Campground financing

Subject: Calusa Campground's cost to put system in.

COMMISSIONER'S ITEMS

General Manager's Contract & Appoint Deputy General Manager

Commissioner Higgins stated that if Mr. Fishburn is not going to renew his contract at the end of April the Board should start considering who will be brought in to replace him.

Chairman Majeska asked if Mr. Fishburn is working for Islamorada and the District would it be a conflict of interest.

Mr. Dillon, District Counsel stated that there would be a conflict of interest if Mr. Fishburn works for Islamorada and continues to play a pivotal role in negotiation of the interlocal agreement or if his work for Islamorada interferes with his ability to perform services for the District.

Commissioner Tobin does not think that the District needs to replace Mr. Fishburn with a General Manager. He would like Mr. Fishburn to work until construction is completed.

Commission Brooks would like to put Ms. Blank in as Interim Manager with no plans to make the position permanent. He pointed out that she is currently Operations Manager.

Commissioner Hammaker feels it would be appropriate to have Ms. Blank as Deputy Manager.

Commissioner Higgins would like to know what hours Mr. Fishburn is planning on working.

Mr. Fishburn stated he is planning on supporting the Board Meetings and overseeing construction, working only three days a week.

Commissioner Brooks suggested that Mr. Fishburn work as General Manager for the next 30 days and that Mr. Fishburn prepare a list of what Margaret Blank can take over and what she is doing now. Commissioner Brooks would also like the process of how a construction contract is handled from start to finish. Commissioner Brooks then asked if there is Board consensus. Commissioner Higgins said yes. Commissioner Hammaker stated that Margaret Blank has two areas of expertise, Engineering and Construction and that she feels that Mr. Fishburn should shepherd Ms. Blank in that capacity. Chairman Majeska stated that the item should be talked about at the next transition meeting. Commissioner Brooks stated that he thought that there was a Board consensus to keep the status quo for the next 30 days until the end of January and Ms. Blank and Mr. Fishburn are going to work together on the issue and construction. Does anybody disagree on that? Commissioner Tobin stated it should be revisited in 30 days and maybe the solution is that Mr. Fishburn should be doing less construction and just be General Manager since Ms. Blank is doing 50% construction. He would like to see things sit for 30 days and bring back the item to the next transition meeting in February. Commissioner Brooks stated so we all

agree and Commissioner Tobin said yes and that it was deferred to the February 7 meeting. Commissioner Brooks again stated that they all agree and Commissioner Tobin said yes.

Grant Ad

Chairman Majeska passed out an ad. (See exhibit “A”)

Motion: Commissioner Brooks made a motion to place the ad in the next 4 editions of the Free Press and the Reporter. Commissioner Tobin seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

Thirty Day Notice

Commissioner Tobin requested that the line that says you will be billed in 30 days be changed to 60 days.

Commissioner Brooks would like to see numbers from the Chief Financial Officer, Sal Zappulla on how delaying the 30 Day Notice would affect the budget.

The Board left it to staff to determine when the 30 Day Notices should be set out.

Commissioner Brooks expressed concern over passing the Resolution No. 26-12-10 for refunds for Grant Applicants. He would like to establish a procedure with FKAA for processing refunds.

Synthia Lankford, Senior Finance Manager explained that the District has an Inter-Local Agreement with the FKAA that has an established procedure for processing credits within it.

BULK ITEMS

Assessment Appeal Nelson Government Center

Motion: Commissioner Tobin made a motion to approve Nelson Government Center Assessment Appeal. Commissioner Brooks seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

Assessment Appeal Marr 100

Motion: Commissioner Brooks made a motion to approve Marr 100 Assessment Appeal. Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

STATUS REPORTS

Package Plant Status Report

Greg Mathews presented his report.

Customer Service Status Report

Synthia Lankford presented her report.

Tie In Status Report

Carol Walker presented her report.

Operations Status Report

Margaret Blank presented her report.

ENGINEER'S REPORT

Ed Castle presented his status report.

COMMISSIONER'S ROUNDTABLE

Non Interference Ordinance (See Exhibit B)

Chairman Majeska passed out a Non Interference Ordinance.

Customer Service

Commissioner Tobin would like follow up by sending out an email asking about their service or have phone follow up by someone other than customer service.


Perfect Construction

Commissioner Tobin would like the next 6 months of construction to be perfect.

ADJOURNMENT

The KLWTD Board adjourned the Board Meeting at 7:23 PM.

The KLWTD meeting minutes of January 4, 2011 were approved on January 18, 2011.



Chairman Majeska



Carol Walker, CMC
District Clerk

EXHIBIT "A"

Key Thacker, Key Largo
I have had 3 different
People have complained

about KLRD plant and

the smell..it is emitting. Last

Tuesday evening around 9:30 PM

ish there was a definite smell

attested by Pauline Klein

and myself. Also I was

just told that the phone company

is saying it really stinks and

smells at the plant