

MINUTES

Key Largo Wastewater Treatment District (KLWTD) Meeting



February 1, 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.

John Hammerstrom led the Pledge of Allegiance.

APPROVAL OF AGENDA

Chairman Majeska requested that items General Manager & Operations Manager Scope of Work and Organizational Chart to be moved to the Transition Meeting. Commissioner Tobin requested that the item Policy against assessment waivers be moved to after public comment. Commissioner Brooks requested that WWTP Change Order #6 be changed to discussion with possible action from action and Pollution Legal Liability be changed to discussion with possible action from action and Town Hall Meeting to action and Unique Properties to discussion only. The Board moved Basin JK 4 Redesign and Unique Properties to the front of the agenda.

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

PUBLIC COMMENT

The following persons addressed the Commission:

Speaker; Richard Brandon, 94100 O/s Hwy	Subject; Unique Properties
Speaker; John Hammerstrom, 115 Coastal Dr.	Subject; Unique Properties
Speaker; Dave Boerner, 136 Plantation Dr	Subject; Placement of connection box

Speaker; Jack Ley, 389 Laguna Ave
 Speaker; Joseph Pensar, 1530 Ocean Bay Dr
 Speaker; Mark Rosch, Mo. Co. Land Authority
 Speaker; Sylvia Murphy, 150 JoJean
 Speaker; Anne Dunn, 183 Harbor View Dr
 Speaker; Kay Thacker, 9 Snipe Rd

Subject; Sink hole by connection box
 Subject; Completion a to Ocean Bay Dr
 Subject; Purchase of conservation property
 Subject; Basin JK Redesign
 Subject; Basin JK Redesign
 Subject; Pending Payments (Exhibit "A")

GENERAL MANAGER

Basin JK Redesign

General Manager Charles Fishburn gave a report on the redesign. He stated the cost would be \$67,000 instead of \$20,000.

Motion: Commissioner Brooks made a motion to table the item for two weeks while more information is gathered and the Board can see what kind of consensus staff comes to. 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

LEGAL COUNSEL REPORT

Unique Properties

Mr. Dillon reviewed the report on Unique Properties and what can be done for them.

Motion: Commissioner Tobin made a motion to bring back Remote Properties and Gilberts/Anchorage to the next regular meeting for action and to notify owners of the meeting. 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

Motion: Commissioner Tobin made a motion to send a letter to Manatee Bay/Cross Key of notice of intent of a public hearing. Commissioner Hammaker 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

Staff was directed to bring back Unique properties within the area served or to be served by central sewers, extending from Tavernier Creek to approximately MM 106, Properties for which the District will not provide a gravity connection, but will provide a low pressure connection point, properties not abutting a public right of way, and nearby properties on CR905 to a public hearing on March 15 and to notify the property owners.

FINANCIAL REPORT

Pending Payments

Weiler Engineering invoices were pulled from the pending payments list. .

An amended Pending Payments list was presented.

Motion: **Commissioner Brooks made a motion to approve the Pending Payments of February 1, 2011 contingent upon the availability of funds and with the removal of the Weiler Invoices. Commissioner Hammaker 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

Motion: **Commissioner Tobin made a motion to have staff bring back a written policy on paying for employee's books and education. Commissioner Hammaker 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

GENERAL MANAGER'S REPORT

Pollution Legal Liability (Operations)

Debbie McAfee, of TR Jones, explained the policy.

Motion: Commissioner Higgins made a motion to approve the Pollution Legal Liability Policy with the \$3 million limit for three years. Commissioner Hammaker 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 4 to 1

BULK ITEMS

Minutes of Jan. 10, 2011

Minutes of Jan. 18, 2011

Resolution 01-02-11

Assessment Appeal Schooner Seafood

Assessment Appeal Northstar Resort Property

Motion: Commissioner Hammaker made a motion to approve Bulk Items. 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

GENERAL MANGER'S REPORT

WWTP Change Order #6

Commissioner Brooks stated that he is not happy with the way these change orders happen and the time frame the District had to get the change order before the Board. We are in a situation where we have to pay it because the work has been done. The work was authorized through staff although the Board did not approve it. It started at \$200,000 and now it is \$800,000 to finish the plant. He is going to vote yes but he wants a cap on the Change Order 7: Between Change Order 6 and Change Order 7 it is a million dollars. Todd Helt from Weiler Engineering stated that it looks like it will be around \$837,000.

Commissioner Tobin stated that he supports Commission Brooks. Commissioner Hammaker concurs with Commissioner Brooks that the timing and the process is not up to par. She does see the rational for it though.

Motion: Commissioner Higgins made a motion to approve the WWTP Change Order #6. 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

Motion: Commissioner Tobin made a motion to have District Counsel Thomas Dillon come back to the Board in 90 days with a report of whether or not it is appropriate for the District to take action against Arcadis. 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

Motion: Commissioner Tobin made a motion to limit the General Manager's authority for approval to change orders to \$10,000. 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 3 to 2

French Drains for Narragansett

Mr. Fishburn explained the plan to restore the French drains on Narragansett.

Motion: Commissioner Brooks made a motion to approve the restoration of the French Drains on Narragansett. Commissioner Hammkaer 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

Town Hall Meeting

Motion: Commissioner Brooks made a motion to approve the next Town Hall Meeting/Workshop for March 5, 2011. Commissioner Hammaker 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

FKWQIP Presentation

Mr. Fishburn stated there will be a meeting Wednesday Feb. 2 in Marathon and he will be presenting updated information on the KLWTD Project.

COMMISSIONER'S ITEMS

FL Keys Days

Motion: Commissioner Tobin made a motion to approve a contribution of \$500 to Leadership Monroe for FL Keys Days. 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.

IT Status Report

Paul Christian gave a report. The Board directed Mr. Christian to bring back a job description with a salary range for an IT helper to the next meeting.

ENGINEER’S REPORT

Ed Castle presented his status report.

CFO Sal Zappulla was directed to look into the process of how invoices are put on Pending Payments and report back to the Board with any recommendations if required.

LEGAL COUNSEL REPORT

Lateral Policy

Motion: Commissioner Brooks made a motion to adopt the lateral policy. Commissioner Hammaker seconded the motion.

Vote on Motion

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

Motion passed 4 to 1

Motion: Commissioner Tobin made a motion to amend the lateral policy to \$35 a foot with a \$250 minimum. Commissioner Higgins seconded the motion.

Vote on Motion

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

Commissioner Brooks		X	
Commissioner Hammaker		X	

Motion failed 2 to 3

County Road Paving Response

District Counsel Thomas Dillon will present a report after getting a report from Weiler Engineering.

COMMISSIONER'S ROUNDTABLE

Commission Tobin would like Mr. Dillon to review the Paychex Handbook revision.


Chairman Majeska talked about the property owner that said he had a sink hole in front of his house. He also asked where Mr. Boerner's property is located.

Commissioner Brooks would like to know why we cannot get Ms. Lankford a new desk.

ADJOURNMENT

The KLWTD Board adjourned the Board Meeting at 8:41 PM.

The KLWTD meeting minutes of Feb. 1, 2011 were approved on Feb. 7, 2011.



 Chairman Majeska



 Carol Walker, CMC
 District Clerk

EXHIBIT "A"

Paying for education
of staff - No^d district

Have any time period for
staff to work for the district
after the education was paid
for by districts?

Ray Thacker -

paying for education

of staff - the school

have any one of them for

help to work for the school

after the education was paid

for by school?

Yes, thank