

Key Largo Wastewater Treatment District Board of Commissioners Meeting Agenda Item Summary

Meeting Date:
August 4, 2015

Agenda Item Number: **G-1**

Agenda Item Type:
Information / Presentation

Agenda Item Scope:
Review / Discussion

Recommended Action:
Action: Approval

Department:
Legal

Sponsor:
Ray Giglio


Subject:
Minutes of July 21, 2015

Summary of Discussion:

Reviewed / Approved

Financial Impact

Attachments


Operations: _____
Administration: _____
Finance: _____
District Counsel: 
District Clerk: _____
Engineering: _____

\$

Funding Source:

Budgeted:
N/A

Minutes of July 21, 2015

Approved By: 
General Manager

Date: 7/30/2015



MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on July 21st, 2015. Present were Chairman David Asdourian, Commissioners Stephen Gibbs, Robert Majeska, Norman Higgins, and Andrew Tobin. Also present were General Manager Paul Christian, Chief Information Officer Rob Bulkiewicz, General Counsel Ray Giglio, Finance Manager Connie Fazio, Operations Manager Daniel Saus, Ed Castle with Weiler Engineering, acting District Clerk Katherine Jackson, and other appropriate District Staff.

Chairman Asdourian led the pledge of allegiance.

AGENDA ADDITIONS, CORRECTIONS OR DELETIONS

- Commissioner Majeska requested that Commissioner Tobin's letter be split up into four parts under Commissioner's Roundtable.
- Commissioner Gibbs announced that he planned to attend the environmental stewardship legislation and funding meeting with Representative Holly Raschein on Wednesday, August 5, 2015, at 3 PM at the Marathon Government Center.

APPROVAL OF AGENDA

Motion: Commissioner Majeska made a motion to approve the agenda as amended, and Commissioner Higgins seconded the motion. The motion passed without objection.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Minutes of July 14th, 2015

Motion: Commissioner Gibbs made a motion to approve the Minutes of July 14th, 2015, and Commissioner Higgins seconded the motion. The motion passed without objection.

OPERATIONS REPORT

Elevated Walkway Change Order

Mr. Daniel Saus presented to the Board the Elevated Walkway Change Order. Mr. Saus indicated that the total cost Wharton-Smith presented was close to the estimate he was given by Mr. Ed Castle of Weiler Engineering. Mr. Saus reported that there were no substantial changes to the project at this time.

Mr. Saus and Mr. Castle answered questions from the Board.

Motion: Commissioner Tobin made a motion to accept the Elevated Walkway Change Order and Commissioner Gibbs seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

ADMIN / CUSTOMER SERVICE REPORT

Administration Building Progression Timeline

Mr. Rob Bulkiewicz reported that Phase 2 of the Administration Building renovation project — interior column removal—is now underway. He indicated that the column removal is expected to be substantially completed by Friday, July 24th, 2015. Mr. Bulkiewicz also informed the Board that the RFP for the remodel phase is expected to be ready for release in the next couple of weeks.

Commissioner Tobin raised a concern about whether the specifications that are included in, and the paperwork that is required by, the RFP might be too complex for smaller businesses to complete and might discourage them from submitting a proposal. Mr. Ray Giglio informed the Board that there have been many edits made to the RFP document; and that these were made with local small business owners in mind. He also indicated that these documents are fairly standard and that they are familiar to the businesses in the construction field.

Staff answered additional questions from the Board.

Public Meeting Closed: 4:31 PM

Chairman Asdourian closed the public meeting to open the Attorney-Client Closed Session regarding settlement negotiations and strategies related to the pending case of: Douglas N Higgins, Inc. vs. Key Largo Wastewater Treatment District and Wharton-Smith, Inc.

The District's Board of Commissioners, Attorney, General Manager, and the Court Reporter attended the Attorney-Client Closed Session.

Public Meeting Reconvened: 4:52 PM

Architect Contract Change Order

Mr. Paul Christian presented a change order to the contract of Dave Boerner Architect, P.A, to reflect all additional charges from recent invoices until the completion of the administration building remodel project. Commissioner Gibbs expressed great concern that the cost of services were estimated at \$12,000 in Mr. Boerner’s original proposal and contract, but have increased to \$32,000 of actual invoices for the completion of the project. Mr. Christian explained that approximately \$9,500 of the additional charges are easily delineated in Mr. Boerner’s invoices, and are therefore justifiable; but that he would need to discuss the rest with Mr. Boerner.

Mr. Christian and staff addressed questions from the Board.

LEGAL REPORT

*Attorney-Client Closed Session: Douglas N. Higgins, Inc. v. KLWTD
Sixteenth Circuit Court Case No. 14-CA-0110-P, Time Certain 4:30 PM*

A transcript of this meeting shall be available after final disposition of the case.

Easement – Quitclaim Swap

Mr. Ray Giglio presented to the Board a draft resolution authorizing the District to accept an easement from Mr. Chris Sante in exchange for a quitclaim deed for a small piece of property at Vacuum Station J/K.

Mr. Giglio answered questions from the Board.

Motion: Commissioner Higgins made a motion to approve a resolution of the Board of Commissioners of the Key Largo Wastewater Treatment District approving the transfer of a small portion of property located at 92431 Overseas Highway in Tavernier, Florida and more commonly known as Vacuum Station J/K in exchange for an easement covering property upon which certain of the District’s improvements encroach. Commission Gibbs seconded the motion.

Vote on Motion

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

Motion passed 5 to 0

CONSTRUCTION

Update of Digester Construction Project

Mr. Dan Saus gave a presentation on the progress of the digester construction project and answered questions from the Board.

COMMISSIONER'S ROUNDTABLE

Commissioner Tobin's Letter – Part 1: External IT Audit

Commissioner Andrew Tobin stated that he would like the District to conduct an external audit of District IT and computer systems. Commissioner Tobin mentioned that the District has contracted for an external audit at the treatment plant, and that he would like the same kind of audit of the District's IT department.

Commissioned Majeska pointed out that we could check with other utilities and find out what IT companies they are using. Chairman Asdourian expressed his concern that some of the companies that conduct audits might just want to sell the District their products.

Commissioner Tobin indicated that he would like to work with Mr. Rob Bulkiewicz and further investigate some companies that can perform an IT audit.

EXTENSION: 6:00PM

Motion: Commissioner Gibbs made a motion to extend the meeting 30 minutes and Commissioner Majeska seconded the motion. The motion passed without objection.

Commissioner Tobin's Letter – Part 2: Restructure the District's Debt

Commissioner Tobin expressed his opinion that Mr. Peter Rosasco of Bishop, Rosasco & Co. should be given primary responsibility for restructuring the District's debt. Commissioner Tobin pointed out that Mr. Rosasco is a Certified Public Accountant and that he is the current Chief Financial Officer for the District.

Commissioner Gibbs stated that the District has already restructured its debt, and that the Inter-Local Agreement between the District and Monroe County now allows the District to use Mayfield money to pay down debt. Commissioner Gibbs went on to say that he did not feel the District needs to incur additional expenses by giving Mr. Rosasco a task such as this.

Mr. Paul Christian advised the Board that he meets with Ms. Jennifer Johnson, of Bishop, Rosasco & Co. on a weekly basis, that Peter Rosasco is very involved in all aspects of District finance, and that he does not feel that there is a need to give Mr. Rosasco more responsibility with respect to District debt at this time.

Commissioner Majeska suggested that once the District has received the Inter-Local Agreement money from Monroe County, the District should conduct a rate study.

Commissioner Gibbs moved to the lectern and read the Board a portion of the transcript from the May 19, 2015, Board of Commissioners Meeting. Commissioner Gibbs quoted from comments by Commissioner Tobin, in which he praised Mr. Christian and gave Mr. Christian his

Vote of Confidence. Commissioner Gibbs indicated that he wondered how Commissioner Tobin could have gone from a positive Vote of Confidence a couple months ago to his negative letter today.

Commissioner Tobin's Letter – Part 3: Increase of Operation Manager's Salary

Commissioner Tobin stated that he would like to see the Operations Manager's salary increased to \$116,000 to match the salary of the General Manager. Commissioner Tobin indicated that he felt the Operations Manager is the most important position within the District and he should be paid accordingly. Commissioner Tobin expressed his opinion that Mr. Daniel Saus is being punished by not making more money.

Commissioner Gibbs stated that the General Manager is the General Manager because he is in the best position to determine the salaries of District employees.

Commissioner Tobin stated that he tried to have a private discussion with Mr. Paul Christian on the subject of Mr. Saus' salary, but that he felt rejected when he did not get the information he was seeking.

Mr. Paul Christian stated that he understands how valuable Mr. Saus is to the District; and that he knows Mr. Saus is worth, and in an ideal world would be paid, more money than he is currently being paid. Mr. Christian advised the Board that the District paid for a \$400 salary study to ensure that Mr. Saus was receiving a fair salary that was in line with what other Operations Managers are paid. Mr. Christian said that he also wanted to make it clear to the Board that since he has been General Manager, Mr. Saus has received a 5% increase in salary, compared with a 2% increase when the former General Manager last raised his salary.

EXTENSION: 6:30PM

Motion: Commissioner Gibbs made a motion to extend the meeting 30 minutes and Commissioner Majeska seconded the motion. The motion passed without objection.

Commissioner Tobin's Letter – Part 4: Termination of General Manager for Failure to Comply with Contract

Commissioner Tobin stated that he and the other commissioners rely on District staff to give them the information they need to do their jobs. Commissioner Tobin also stated that he cannot imagine a situation that would come up where he could not get a clear answer from the General Manager.

Commissioner Tobin also stated that he feels Mr. Christian has overstepped his boundaries as General Manager, is not forthcoming enough, and needs to be more transparent.

Commissioner Majeska expressed agreement with some of Commissioner Tobin's comments. However, Commissioner Majeska also mentioned that Mr. Christian is a good manager, and suggested that the commissioners need to keep looking at the events at the District to make sure they are getting all of the information that they need.

Commissioner Gibbs expressed the view that it was beneficial for Commissioner Tobin and Commissioner Majeska to ask the questions that they asked; however, Commissioner Gibbs also indicated that he felt these questions should have been asked in a different forum.

EXTENSION: 7:00PM

Motion: Commissioner Gibbs made a motion to extend the meeting. The motion failed to receive a second and therefore failed.

EXTENSION: 7:00PM

Motion: Commissioner Tobin made a motion to extend the meeting and Commissioner Majeska seconded. The motion failed.

ADJOURNMENT

The Meeting was adjourned at 7:01 PM.



David Asdourian, Chairman



Katherine Jackson, Clerk