



MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on November 17, 2015. Present were Chairman David Asdourian, Commissioner Andrew Tobin, Commissioner Stephen Gibbs, and Commissioner Norman Higgins. Commissioner Robert Majeska was absent. Also present were Chief Information Officer Rob Bulkiewicz, General Counsel Ray Giglio, Finance Manager Connie Fazio, Operations Manager Chuck Adams, Ed Castle with Weiler Engineering, District Clerk Katherine Jackson, and other appropriate District Staff.

Commissioner Stephen Gibbs led the Pledge of Allegiance.

AGENDA ADDITIONS, CORRECTIONS OR DELETIONS

- Chairman David Asdourian added a discussion of the Dale Morgado memorandum under Commissioner's Items.
- Mr. Rob Bulkiewicz added an update of the administration building remodel project under Admin/Customer Service Report.
- Mr. Ed Castle added a discussion of Keys Contracting extension under Engineer's Report.

APPROVAL OF AGENDA

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

PUBLIC COMMENT

Name and Address *Subject*

Sue Heim General Comments on KLWTD
Key Largo

Public Comment: Ms. Sue Heim gave a rundown of events from the Key Largo Fire Rescue & Emergency Medical Services District Board meeting.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Minutes of November 10, 2015

Motion: Commissioner Higgins made a motion to approve the minutes of November 10, 2015, and Commissioner Gibbs seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

Commissioner Tobin requested that a discussion of Margaret Blank's Records Request Fees be added under Commissioner's Items.

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

Vote on Motion

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

Motion passed 4 to 0

CONSTRUCTION REPORT

Overholt Construction Corporation Change Order No. 1

Mr. Ed Castle presented Change Order No. 1 to Overholt Construction Corporation's contract for the Vacuum Station Ventilation Project. Commissioner Gibbs raised a concern about whether this would result in an increase in the contract price. Mr. Castle explained that this change order does not increase the contract price, that it only provides for a 13-day extension of the substantial completion date, and he answered questions from the Board.

Motion: Commissioner Gibbs made a motion to approve Change Order No. 1 for Overholt Construction Corporation, and Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

Recommendation of Award to Wharton-Smith, Inc. for the Blower Upgrade Project

Mr. Ed Castle presented the total price reduction of \$230,702.00 for a final overall price of \$1,681,110.00 for the blower upgrade project, and staff answered questions from the Board.

Motion: Commissioner Higgins made a motion to accept the negotiated price and to approve the Recommendation of Award to Wharton-Smith for the Blower Upgrade Project, and Commissioner Gibbs seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

ENGINEER'S REPORT

Keys Contracting Extension

Mr. Ed Castle reported that Keys Contracting will need an extension of time to complete the installation of the remaining grinder pumps in the Grinder Pump Project. Mr. Castle stated that the District has been aware that Keys Contracting would need additional

time; however, staff determined that it would be best to wait until closer to the substantial completion date to determine the correct amount of time needed. Mr. Castle informed the Board this item will be on for action in the future.

Mr. Castle and staff answered questions from the Board.

ADMIN/CUSTOMER SERVICE REPORT

Monroe County Waiver of Assessments

Mr. Rob Bulkiewicz introduced Resolution Draft No. 29-11-15 and 30-11-15 to waive assessments for 14 parcels for land conservation and answered questions from the Board.

Motion: Commissioner Tobin made a motion to approve the Monroe County Waiver of Assessments Resolution Draft No. 29-11-15, and Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

Motion: Commissioner Tobin made a motion to approve the Monroe County Waiver of Assessments Resolution Draft No. 30-11-15, and Commissioner Higgins seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

Administration Building Remodel Project Update

Mr. Rob Bulkiewicz reported to the Board that staff has a meeting scheduled for Thursday, November 19, 2015 with Chris Vogt from Vogt-Spear Construction. Mr. Bulkiewicz stated that he expects to be able to report a final price to the Board in December 2015, and he answered questions from the Board.

COMMISSIONER'S ITEMS

Dale Morgado Opinion (Chairman Asdourian)

Chairman Asdourian expressed his concerns over the 42-day delay between the creation of the Morgado memorandum and its release to the Board. Commissioner Gibbs agreed that this delay was improper, but suggested that it was time for the Board to move on. Commissioner Higgins stated that if a document is addressed to the Board, then the document should be released right away.

Margaret Blank's Records Request Fees (Commissioner Tobin)

Commissioner Tobin asked Mr. Ray Giglio to state his opinion regarding passing along a consultant's fee in a records request fee. Mr. Giglio stated that according to the law, the District may charge a fee for extensive use of information technology resources or extensive clerical or supervisory assistance, and that any fees charged cannot exceed costs actually incurred. Therefore, costs and fees incurred in fulfilling the request may be passed along. Commissioner Tobin stated that he disagrees with the records request fee, and that the public should not have to pay a consultant's fee because it is an outsourced position. Commissioner Gibbs stated that the District needs to make sure the system is not abused, while being as accommodating as possible.

Commissioner Gibbs stated that the District should set rates in accordance with Florida Statutes 119.07. Commissioner Tobin stated the District should adopt a resolution that would outline fees and exemptions of fees.

Staff answered questions from the Board.

Motion: Commissioner Tobin made a motion to waive the \$46.15 records request fee for Margaret Blank, and Commissioner Gibbs seconded the motion.

Vote on Motion

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

Motion failed 2 to 2

LEGAL REPORT

Monroe Park Sewer Project

Mr. Ray Giglio reintroduced a resolution outlining the conditions under which the District would be willing to give further consideration to extending its wastewater service area to include Monroe Park and the Manatee Bay Club. Mr. Giglio stated that the District has the authority and the discretion to determine which areas within district boundaries will be serviced by the District’s central sewer system. He indicated that as Monroe Park and the Manatee Bay Club are in a cold spot, at this time, it does not appear to be economically feasible to connect this area via central sewer. Mr. Giglio advised the Board that as the District has no plans to service this area—or other isolated cold spots on C-905 and around the Plant—that the District should pass a resolution to that effect. He further indicated that such a resolution would help to eliminate confusion about the District’s intentions and would enable the residents of these areas to plan for how best to comply with the December 31, 2015 deadline. Mr. Giglio explained that such plans might include the installation of on-site systems.

Commissioner Gibbs stated that the Board has to be fair to all parcel owners in the service area. Chairman Asdourian stated that this resolution would make it known to the public that the District has no intentions of providing service at this time, and the residents of the area can then apply for a variance.

Commissioner Tobin expressed his concern that the language of the resolution is confusing, and suggested the District sponsor a joint variance for the residents of this area. Commissioner Tobin also suggested Mr. Ed Castle contact the engineer of record for the wastewater treatment facility in Monroe Park. Commissioner Tobin stated that the residents of Monroe Park need to apply for their variance first, so the District knows what type of resolution to pass. Commissioner Tobin also stated that Mr. Ray Giglio

can be of some assistance during the variance process, and may be able to provide a letter to attach with the variance paperwork.

Motion: Commissioner Tobin made a motion to table to Monroe Park Sewer Project resolution indefinitely unless staff needs to bring it back before the Board, and Commissioner Gibbs seconded the motion.

Vote on Motion

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

Motion passed 4 to 0

5 MIN BREAK: 5:28 PM

BUDGET AND FINANCE REPORT

Monthly Financial Report

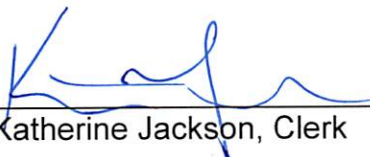
Mrs. Connie Fazio presented the October monthly financial report, and answered questions from the Board.

ADJOURNMENT

The Meeting was adjourned at 5:48 PM.



David Asdourian, Chairman



Katherine Jackson, Clerk