



MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on January 5, 2016. Present were Chairman David Asdourian, Commissioner Andrew Tobin, Commissioner Robert Majeska, Commissioner Norman Higgins and Commissioner Stephen Gibbs. Also present were General Manager Paul Christian, 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 Norm Higgins led the Pledge of Allegiance.

RECOGNIZE DISTRICT STAFF

Ms. Kim Carpenter, Human Resources Coordinator, was recognized as Employee of the Month for December 2015.

AGENDA ADDITIONS, CORRECTIONS OR DELETIONS

- Commissioner Higgins added a discussion regarding Bob Manley of 563 Palm Drive under Commissioner's Items.
- Commissioner Majeska added a discussion of high rates of flow under Engineer's Report.
- Mr. Chuck Adams added a discussion regarding bringing SBR #3 online under Operations 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

<i>Name and Address</i>	<i>Subject</i>
Sue Heim Key Largo	General Comments on KLWTD
Sue Heim Key Largo	Verbal Update on the Manatee Bay and Monroe Park Sewer Service Study
Ken Larrivee 14 Hibiscus Dr.	Verbal Update on the Manatee Bay and Monroe Park Sewer Service Study

Sue Heim
Key Largo

Legal Report on the Waiver of the Fire and EMS Building Assessments

Bob Thomas
KLFR&EMS
104 Coral Way

Legal Report on the Waiver of the Fire and EMS Building Assessments

Sue Heim
Key Largo

General Counsel Employment Contract

Public Comment: Ms. Sue Heim commented on the District's response to her information request.

Mr. Ray Giglio addressed the records request process, stating that the District has a legal obligation to provide records to the public, but has no obligation to create records that do not exist or to address "inquiries."

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

Minutes of December 15, 2015

Mr. Ray Giglio addressed Commissioner Gibbs' concern regarding Commissioner Tobin abstaining from the vote on the December 8, 2015 Minutes. Mr. Giglio informed the Board that the Florida Attorney General has opined that section 286.012 of the Florida Statutes, which requires certain public officials to vote except in cases of conflict of interest, is not applicable to special districts. Therefore, Commissioner Tobin's abstention was not improper. Mr. Giglio reminded the commissioners that they must abstain from voting when there is a conflict of interest.

Motion: Commissioner Majeska made a motion to approve the agenda as amended and Chairman Asdourian seconded the motion.

Vote on Motion

Commissioner Majeska –	Aye
Chairman Asdourian –	Aye
Commissioner Gibbs –	Aye
Commissioner Higgins –	Aye
Commissioner Tobin –	Aye
Motion Passed: 5 to 0	

CONSTRUCTION REPORT

Monthly Construction Report

Mr. Chuck Adams presented the Monthly Construction Report and answered questions from the Board.

OPERATIONS REPORT

Bringing SBR #3 Online

Mr. Chuck Adams reported to the Board that staff is in the process of bringing SBR #3 online due to the increase in flows and blower insufficiencies. Mr. Adams stated that staff will present a plan of action at a future meeting and answered questions from the Board.

ENGINEER'S REPORT

High Rate of Flow

Mr. Ed Castle addressed Commissioner Majeska's concerns regarding large flows in December. Mr. Castle explained that this flow is expected due to an increase in the number of parcels hooking up in Islamorada. Mr. Castle also explained that there has been an increase in complications due to the larger flows, which are currently being addressed.

The Board requested staff provide an update on this item at a later Board meeting.

ADMIN / CUSTOMER SERVICE REPORT

Reversal of Waiver – AK#1571431

Mr. Rob Bulkiewicz presented Resolution Draft No. 01-01-16 to reverse a waiver of assessments for AK#1571431 for Harold and Sherry Fried.

Motion: Commissioner Tobin made a motion to approve the Reversal of Waiver – AK#1571431 Resolution Draft No. 01-01-16 and Commissioner Higgins seconded the motion.

Vote on Motion:

Commissioner Tobin –	Aye
Commissioner Higgins –	Aye
Commissioner Gibbs –	Aye
Commissioner Majeska –	Aye
Chairman Asdourian –	Aye

Motion Passed: 5 to 0

COMMISSIONER'S ITEMS

Bob Manley of 563 Palm Drive (Commissioner Higgins)

Mr. Rob Bulkiewicz addressed Commissioner Higgins' concerns regarding moving Mr. Bob Manley's connection point and explained that customer service is currently working on this case.

GENERAL MANAGER'S REPORT

Verbal Update on the Manatee Bay and Monroe Park Sewer Service Study

Public Comment: Ms. Sue Heim stated her concerns over the residents of Manatee Bay and Monroe Park not contributing any funds to the District's central sewer system to date.

Public Comment: Mr. Ken Larrivee requested the Board treat this issue with a sense of urgency so parcels owners can weigh their options.

Mr. Paul Christian stated to the Board that additional research has revealed that many of the parcels in the area would be eligible to appeal their EDU assignment by adding irrigation meters, which would significantly reduce the anticipated revenue. For that and other reasons, staff has recommended that the District not sewer the Manatee Bay and Monroe Park area. Mr. Christian and staff answered questions from the Board, and the Board requested a final presentation of this information at a future meeting.

Washington, D.C. Update

Mr. Paul Christian informed the Board that he and Commissioner Majeska will be travelling to Washington, D.C. to meet with government officials and representatives of the U.S. Army Corps of Engineer regarding FY 2016 FKWQIP funding. Mr. Christian answered questions from the Board.

LEGAL REPORT

Legal Report on the Waiver of the Fire and EMS Building Assessments

Public Comment: Ms. Sue Heim requested the Board find a way to reduce the KLFR&EMS building assessments.

Public Comment: Mr. Bob Thomas requested that the Board try and explore different solutions for reducing the KLFR&EMS building assessments.

Mr. Ray Giglio presented his memorandum to the Board and explained that in his legal opinion, the Board does not have the authority to discount or waive the KLFR&EMS assessments. Mr. Paul Christian stated that KLFR&EMS can put in irrigation meters, and can then request an exception to the assessment adjustment timeframe as stated in Section 10.08(d)(ii) of the KLWTD Rules and Regulations.

Staff answered questions from the Board.

5 MIN BREAK: 5:42 PM

General Counsel Employment Contract

Public Comment: Ms. Sue Heim expressed her concern regarding a pay raise for the District's general counsel.

Commissioner Tobin stated that he would like Mr. Ray Giglio to work fewer hours and be compensated the same as his previous contract. Mr. Paul Christian stated that Mr. Giglio is available for any legal questions or advice, and since he has been here the District has not had any legal action with a negative outcome. Mr. Giglio stated that this increase in salary is not based on hours worked, but rather on his worth to the District.

Motion: Commissioner Gibbs made a motion to approve the \$6,000 increase retroactive to January 1, 2016 and Commissioner Higgins seconded the motion.

Vote on Motion:

Commissioner Gibbs –	Aye
Commissioner Higgins –	Aye
Commissioner Majeska –	Aye
Commissioner Tobin –	Nay
Chairman Asdourian –	Aye

Motion Passed: 4 to 1

EXTENSION: 6:00 PM

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

ROUNDTABLE DISCUSSION

Commissioner Tobin addressed Ms. Sue Heim's information request stating that the General Manager should provide information as long as it is not overly bothersome to do so.

Commissioner Majeska requested staff comment on the status of repairs on the road in front of Key Largo Fisheries. Mr. Paul Christian stated that the District is working with Monroe County Public Works to address the erosion of the bedding in the road, which would need to be corrected before the District could repair the sewer pipes in the area.

ADJOURNMENT

The Meeting was adjourned at 6:26 PM.



David Asdourian, Chairman



Katherine Jackson, Clerk