



## MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on February 2, 2016. Present were Chairman David Asdourian and Commissioners Andrew Tobin, Robert Majeska and Stephen Gibbs. Also present were General Manager Paul Christian, General Counsel Ray Giglio, Ed Castle with Weiler Engineering, District Clerk Katherine Jackson, and other appropriate District Staff.

Chairman Asdourian led the Pledge of Allegiance.

### AGENDA ADDITIONS, CORRECTIONS OR DELETIONS

- Commissioner Gibbs added two discussion items: 1) update on Islamorada under Operations Report, and 2) hiring full-time engineer under Commissioner's Roundtable.
- Commissioner Tobin asked Mr. Ray Giglio to update the Board on his findings regarding the US Post Office assessment under Legal Report.
- Commissioner Majeska added a discussion of odor complaints under Customer Service.
- Mr. Chuck Adams added a purchase order for Aerzen USA Corp for action under Construction Report.

### APPROVAL OF AGENDA

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

### APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

*Minutes of January 19, 2016*

Staff addressed Commissioner Gibbs' request for clarification regarding the donation amount for Florida Keys Day 2015.

**Motion:** Commissioner Higgins made a motion to approve the Minutes of January 19, 2016 and Commissioner Tobin seconded the motion. The motion passed without objection.

Commissioner Norman Higgins arrived at 4:05 PM.

## CONSTRUCTION REPORT

### *Monthly Construction Update*

Operations Manager Chuck Adams presented the Monthly Construction Update and answered questions from the Board. In response to questions from the Board about the status of the Grinder Pump Program, Mr. Paul Christian stated that staff will complete an audit of the Grinder Pump Program upon completion and will present the findings to the Board at a future meeting.

### *Wharton-Smith, Inc. Change Order No. 7 for Biosolids Digester*

Mr. Chuck Adams presented the final closeout change order for the biosolids digester. Mr. Paul Christian informed the Board that the final change order included \$1,055 for legal expenses, but did not impact the final cost of the project.

**Motion: Commissioner Tobin made a motion to approve the Wharton-Smith, Inc. Change Order No. 7 and Commissioner Majeska seconded the motion.**

#### **Vote on Motion**

Commissioner Tobin –	Aye
Commissioner Majeska –	Aye
Commissioner Gibbs –	Aye
Commissioner Higgins –	Aye
Chairman Asdourian –	Aye
<b>Motion Passed: 5 to 0</b>	

### *Purchase Order for Aerzen USA Corp*

Mr. Chuck Adams presented the purchase order for Aerzen USA Corp to the Board. Mr. Adams informed the Board that this purchase order is for the direct purchase of the blowers for the Blower Upgrade Project, and that the Wharton-Smith, Inc. purchase order would decrease as a result of this direct purchase. Mr. Paul Christian clarified that the new purchase order was simply “housekeeping” and that there will be no change to the total project cost.

**Motion: Commissioner Majeska made a motion to approve a Change Order to Purchase Order No. 15-499622 and Purchase Order No. 16-499680 and Commissioner Higgins seconded the motion.**

#### **Vote on Motion**

Commissioner Majeska –	Aye
Commissioner Higgins –	Aye
Commissioner Gibbs –	Aye
Commissioner Tobin –	Aye
Chairman Asdourian –	Aye
<b>Motion Passed: 5 to 0</b>	

## **OPERATIONS REPORT**

### *Update on Islamorada*

Mr. Chuck Adams informed the Board that the flows and salinity from Islamorada are currently within the normal range. In response to questions from the Board, staff reviewed Islamorada's tie-in process and protocols.

## **ADMIN / CUSTOMER SERVICE REPORT**

### *Administration Building Update*

Mr. Rob Bulkiewicz gave a presentation on the status of construction at the administration building and answered questions from the Board.

### *Odor Complaints*

Commissioner Majeska stated that he was concerned about complaints of an odor coming from Vacuum Station A. He indicated that he visited Vacuum Station A and did notice a faint odor. Staff addressed Commissioner Majeska's concerns and answered questions. Commissioner Majeska also stated that he was concerned about the sound level at the vacuum station. Staff informed the Board that they are looking into different ways to better control sound.

Commissioner Majeska suggested that staff install better signage at the vacuum stations to notify people where to call in case of odors. The Board requested that staff investigate the odor issue and update them at a future meeting.

## **LEGAL REPORT**

### *US Post Office Assessment*

Mr. Ray Giglio informed the Board that the District had sent the US Postal Service ("USPS") a notice of assessment in 2008, but has not yet received payment. Mr. Giglio stated that absent a waiver, sovereign immunity shields the Federal Government and its agencies from suit; however, the Clean Water Act ("CWA") appears to waive that immunity and to require the USPS to tie in to the KLWTD system and to pay its assessment. He further explained that notwithstanding the CWA, the long-standing constitutional principle that neither the states nor local governmental entities may impose taxes on the Federal Government or its agencies makes it extremely unlikely that the District would be able to collect the assessment.

**Motion:** Chairman Asdourian made a motion to send a letter to the US Postal Service, as a last ditch effort to see if they will comply with the Clean Water Act and Commissioner Gibbs seconded the motion.

**Vote on Motion**

Chairman Asdourian – Aye  
Commissioner Gibbs – Aye  
Commissioner Higgins – Aye  
Commissioner Majeska – Nay  
Commissioner Tobin – Nay  
**Motion Passed: 3 to 2**

Commissioner Tobin suggested that Mr. Ray Giglio draft the letter to the US Post Office.

**BUDGET AND FINANCE REPORT**

*KLWTD FY2015 Financial Audit Schedule*

Mrs. Connie Fazio presented the FY2015 Financial Audit Schedule, requested that the Board appoint a representative of the Board to meet with Grau & Associates, and answered questions from the Board.

**Motion:** Commissioner Tobin made a motion to appoint Commissioner Majeska as the District’s representative for the audit with Grau and Associates and Commissioner Gibbs seconded the motion.

**Vote on Motion**

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


**COMMISSIONER’S ROUNDTABLE**

*Hiring a Full Time Engineer*

Commissioner Gibbs led a discussion regarding the advisability of hiring a full-time engineer to replace Weiler Engineering, pointing out that construction is nearing completion. Mr. Ed Castle addressed Commissioner Tobin’s question that engineering costs are scheduled to decrease in the future because Weiler Engineering will not be performing as many tasks for the District.


**ADJOURNMENT**

The Meeting was adjourned at 5:52 PM.



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David Asdourian, Chairman



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Katherine Jackson, Clerk