MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on February 21, 2017. Present were Chairman David Asdourian and Commissioners Andrew Tobin, Susan Heim, Stephen Gibbs, and Robert Majeska. Also present were General Manager Peter Rosasco with Bishop, Rosasco & Co., General Counsel Ray Giglio, Ed Castle with Weiler Engineering, District Clerk Katherine Jackson, and other appropriate District Staff.

Commissioner Majeska led the Pledge of Allegiance.

AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS

- Commissioner Tobin requested that item H-1: Monthly Operations Report be removed.
- Commissioner Heim requested that 3 items be removed: 1) K-4: Proposed Agenda Format Changes, 2) K-5: Updates on Lobbyist(s) and 3) K-6: Status of Old Records Going Online; and she requested that Commissioner’s Items be moved after Approval of Minutes of Previous Meetings.
- Commissioner Gibbs added a discussion of 2 meetings per month under Roundtable Discussion.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Minutes of February 7, 2017 (F-1)

Commissioner Majeska requested that the typographical error for the motion under 457(b) Amendment on page 3 be corrected.

Motion: Commissioner Majeska made a motion to approve the Minutes of February 7, 2017 as amended and Commissioner Gibbs seconded the motion. The motion passed without objection.

Minutes of February 14, 2017 (F-2)

Motion: Commissioner Gibbs made a motion to approve the Minutes of February 14, 2017 and Commissioner Majeska seconded the motion. The motion passed without objection.
COMMISSIONER'S ITEMS

No Vote (Commissioner Gibbs) (G-1)

Commissioner Gibbs led a discussion regarding his proposed amendment to the Board’s Practices and Policies manual that would limit the number of times a commissioner could bring back an item if (s)he was on the losing side of a vote.

The Board requested this item be brought back at a future meeting with the Board’s Policies and Procedures manual for reference.

Christian Severance (Commissioner Heim) (G-2)

Commissioner Heim led a discussion regarding her request for clarification of Mr. Paul Christian’s contract and severance from the District. General Manager Peter Rosasco informed the Board that a comprehensive document based on the motion not to renew Mr. Christian’s contract will be brought before the Board at a future meeting.

“How To” Search Methods for Wastewater Utility General Manager (Commissioner Heim) (G-3)

Commissioner Heim suggested that the Board establish a search committee and set a timeline for the hiring of a new General Manager for the District. The Board discussed the type of technical background a new general manager should have.

Mr. Peter Rosasco informed the Board that he would bring a plan before the Board at a future meeting so that the commissioners can discuss salary and benefits, along with other criteria for a new general manager.

CONSTRUCTION REPORT

Purchase of Airvac Equipment and Service for Vacuum Station F Upgrade (H-1)

Mr. Ed Castle presented Purchase Order No. 17-499896 for the purchase of a booster pump for Vacuum Station F in the amount of $16,873.61, which does not include installation and integration.

Staff answered questions and Mr. Peter Rosasco informed the Board that a budget amendment will be brought before the Board at a future meeting.

Motion: Commissioner Gibbs made a motion to approve Purchase Order No. 17-499896 in an amount not to exceed $16,873.61 for a booster pump at Vacuum Station F and Commissioner Tobin seconded the motion.

Vote on Motion

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<tr>
<th>Commissioner</th>
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<tr>
<td>Commissioner Gibbs</td>
<td>Aye</td>
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<td>Commissioner Tobin</td>
<td>Aye</td>
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<td>Commissioner Majeska</td>
<td>Aye</td>
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<tr>
<td>Commissioner Heim</td>
<td>Aye</td>
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<tr>
<td>Chairman Asdourian</td>
<td>Aye</td>
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Motion Passed: 5 to 0
Mr. Ed Castle presented a request by Wharton-Smith, Inc. for a reduction of retainage from 5% to 2%, in connection with the WWTP Blower Upgrade Project, effective on Progress Payment Application No. 10. Mr. Castle informed the Board that there are no provisions in the contract or in Florida Statute 218-375 that prohibit the District from reducing the retainage.

Staff answered questions from the Board.

Motion: Commissioner Majeska made a motion to grant Wharton-Smith, Inc. the reduction in retainage from 5% to 2% on the WWTP Blower Upgrade project and Commissioner Gibbs seconded the motion.

Vote on Motion
Commissioner Majeska – Aye
Commissioner Gibbs – Aye
Commissioner Tobin – Aye
Commissioner Heim – Aye
Chairman Asdourian – Aye
Motion Passed: 5 to 0

OPERATIONS REPORT

Gas Monitoring Safety Equipment Demonstration (1-1)

Mr. Ryan Dempsey, Maintenance Supervisor, gave a presentation on the new gas safety monitors the District has purchased, and staff answered questions from the Board.

LEGAL REPORT

General Counsel Employment Contract (M-1)

Commissioner Heim led a discussion regarding the term of the General Counsel’s proposed employment contract. She made suggestions regarding the amount of time that should be required for either party to cancel the contract and how often the General Counsel should turn in timesheets. Commissioner Gibbs suggested the contract be left as written.
Motion: Commissioner Gibbs made a motion to approve the General Counsel's Employment Contract and Commissioner Tobin seconded the motion with two amendments: that timesheets will be delivered at the end of each calendar week and that either party can terminate the contract upon reasonable notice.

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Motion Passed: 5 to 0

Amendment to Grievance Policy Approved 10-18-2016 (M-2)

The Board revisited Resolution No. 23-10-16, which modified the District’s Grievance Policy by replacing the original subsection “1” (Original Subsection “1”) of the “GENERAL PROVISIONS” section on page 4 of 6, which provided that:

“Under no circumstances can the General Manager, the District Counsel, or other members of Senior Staff file a Grievance under the provisions of this policy.”

with a modified subsection “1” (Modified Subsection “1”) of the “GENERAL PROVISIONS” section on page 4 of 6, which provided that:

“Senior Staff shall have the right to file a Grievance against a Commissioner under the provisions of this policy.”

Commissioner Tobin stated that he felt the change to the District’s Grievance Policy had been hastily made, and that he could not support any amendment unless the Grievance Policy received further modification. Chairman Asdourian reminded the Board that they had previously decided to send the Grievance Policy to Mr. Dale Morgado, P.A. for review, and he recommended that this item be held in abeyance until Mr. Morgado has responded. Commissioner Heim suggested that staff should not have the ability to file a grievance against a commissioner and therefore, no policy is needed. Commissioner Gibbs stated that he was in favor of allowing staff to file a grievance against a commissioner.

Motion: Commissioner Tobin made a motion to delete the Modified Subsection “1” (in blue and underlined) and to replace it with, and to reinstate, the Original Subsection “1” (in red and struck through), and Commissioner Majeska seconded the motion.

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Motion Passed: 4 to 1
Mr. Ray Giglio informed the Board that Resolution Draft No. 08-02-17 rescinds Resolution No. 26-11-16, which requested State Representative Holly Raschein’s assistance in amending the District’s Charter to change the District’s formal boundaries, and thanks her for all her efforts.

Motion: Commissioner Majeska made a motion to approve Final Resolution No. 05-02-17, which rescinds Resolution 26-11-16 and thanks State Representative Holly Raschein for all of her efforts and Commissioner Tobin seconded the motion.

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Motion Passed: 5 to 0

ROUNDTABLE DISCUSSION

2 Meetings Per Month (Commissioner Gibbs) (O-1)

Commissioner Gibbs stated that the Board needs to work toward conducting only 2 meetings per month. Commissioner Majeska expressed the view that the Board should not consider a reduction to 2 meetings per month until the Board can complete all District business within 2 to 2½ hours; and that the Board should decide whether to cancel the middle meeting on a month-to-month basis. Commissioner Tobin suggested that staff prepare a “paperless” middle meeting, where no backup attached is to the agenda.

Commissioner Majeska suggested that if a commissioner has an item with no backup, it should be placed under Roundtable Discussion and not under Commissioner’s Items.

Commissioner Majeska mentioned that now is the time to talk with the Florida Keys Aqueduct Authority (FKAA) regarding a pipeline for water reuse. Mr. Peter Rosasco informed the Board that an opportunity could arise; however, he would need to speak with Kirk Zuelch from FKAA and David Ritz from Ocean Reef, and the Board agreed.

Commissioner Gibbs requested that his handout regarding the hiring of a full time or part time general counsel be added to a future Board meeting.
ADJOURNMENT

The Meeting was adjourned at 6:00 PM.

[Signature]
David Asdourian, Chairman

[Signature]
Katherine Jackson, Clerk

KLWTD Minutes
February 21, 2017