MINUTES

The Key Largo Wastewater Treatment District Board of Commissioners met for their regular scheduled meeting at 4:00 PM on March 14, 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., Ed Castle with Weiler Engineering, General Counsel Ray Giglio, District Clerk Katherine Jackson, and other appropriate District Staff.

Mr. Ray Giglio led the Pledge of Allegiance.

AGENDA ADDITIONS, CORRECTIONS, OR DELETIONS

- Commissioner Gibbs added 2 items for discussion: 1) monthly/quarterly maintenance report under Operations Report, and 2) General Manager with legal background under Roundtable Discussion.
- Commissioner Heim requested that item L be moved after item F, that Item K-3 be moved to Legal Report, and that item M be moved after item L.
- Chairman Asdourian requested that item H be moved before L.
- Commissioner Majeska added a discussion of the order of the meetings under Roundtable Discussion.
- Commissioner Heim added 2 discussion items under Roundtable Discussion: 1) E-Mail from Mr. Ray Giglio, and 2) Meeting End.

APPROVAL OF AGENDA

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

PUBLIC COMMENT (F)

<table>
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<tr>
<th>Name and Address</th>
<th>Subject</th>
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<tbody>
<tr>
<td>Nicholas Mulick</td>
<td>Key Largo Wastewater Attorney (Commissioner Heim)</td>
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<tr>
<td>Tavernier, FL</td>
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<tr>
<td>Dirk Smits</td>
<td>Key Largo Wastewater Attorney (Commissioner Heim)</td>
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<tr>
<td>81990 Overseas Hwy</td>
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<td>Islamorada, FL</td>
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APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Minutes of March 7, 2017 (F-1)

Commissioner Heim requested the line: “The Board decided to retain the current agenda format as is” on page 3 under Proposed Agenda Format Changes (Commissioner Heim) (P-5) be removed.

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

OPERATIONS REPORT

Monthly/Quarterly Maintenance Report (G-1)

Commissioner Gibbs requested that the maintenance department give a periodic report to the Board. Mr. Peter Rosasco informed the Board that a maintenance department report will be added to the District’s monthly report.

GENERAL MANAGER’S REPORT

Next Meeting Date (H-1)

Mr. Peter Rosasco reminded the Board that the next Board of Commissioners meeting is scheduled for April 4, 2017.

Reference Manual (H-2)

Mr. Peter Rosasco informed the Board that the extra binder on each commissioner’s desk is a reference manual to be used during Board meetings, and he answered questions from the Board.

Florida Keys Water Quality Improvement Program (FKWQIP) Letter (H-3)

Mr. Peter Rosasco informed the Board that Chairman Asdourian will sign the FKWQIP letter on behalf of the District, which letter will be sent to U.S Representative Carlos Curbello, U.S. Senator Bill Nelson, and U.S. Senator Marco Rubio. Mr. Rosasco explained that this letter will request the assistance of the named representatives in seeking appropriations from the fiscal year 2018 Energy and Water Development Appropriations Bill from the U.S. Army Corps of Engineers Environmental Infrastructure program, and he answered questions from the Board.

Monroe County Check Presentation (H-4)

Mr. Peter Rosasco informed the Board that at the Monroe County Board of Commissioner Meeting on March 8, 2017 at approximately 9 AM, Chairman Asdourian will be presented with the next $1 million installment payment from the Inter-Local Agreement with Monroe County, and he answered questions from the Board.
LEGAL REPORT

*Key Largo Wastewater Attorney (Commissioner Heim) (I-1)*

Public Comment: Nicholas Mulick requested that the Board consider him for the vacant District Counsel position, and he presented his background and resume.

Public Comment: Dirk Smits requested that the Board consider his firm, Vernis & Bowling, for the vacant District Counsel position, and he presented his background and qualifications.

Commissioner Heim started the discussion by stating that, in her opinion, a part time attorney with at least 10 years of experience would suffice for the District. Commissioner Gibbs stated that his preference would be for an attorney who would give sound legal advice that could prevent legal consequences and who would be a team leader. Commissioner Majeska suggested that the Board should approve an ad for the vacant District Counsel position, and should start by looking over the ad provided by Mr. Peter Rosasco and Mr. Ray Giglio. Commissioner Tobin recommended that the Board hire a part-time attorney who would handle general business and contract with other specialist attorneys for matters such as construction and labor.

The Board agreed on an ad, which is attached to these minutes as “Attachment A,” and discussed the cut-off date by which all applications must be submitted to the District.

Staff answered questions from the Board. The Board determined that the cut-off date by which applications must be submitted to the District should be April 30, 2017, and the Board directed staff to place the agreed-upon ad in local media sources, as well as in trade publications.

5 MIN BREAK: 5:28 PM

CONSTRUCTION REPORT

*Monthly Construction Report (J-1)*

Mr. Ed Castle presented the monthly construction report and answered questions from the Board.

COMMISSIONER’S ITEMS

*Proposed Amendment to Practices and Policies Manual (Commissioner Gibbs) (M-1)*

Commissioner Gibbs presented Resolution DRAFT No. 11-03-17 to the Board.
Motion: Commissioner Gibbs made a motion to approve Final Resolution No. 07-03-17 and Commissioner Tobin seconded the motion.

Vote on Motion
Commissioner Gibbs – Aye
Commissioner Tobin – Aye
Commissioner Majeska – Aye
Commissioner Heim – Aye
Chairman Asdourian – Aye

Motion Passed: 5 to 0

Proposed Amendment to Practices and Procedures Manual (Commissioner Tobin) (M-2)

Commissioner Tobin presented Resolution DRAFT No. 12-03-17 to the Board. Commissioner Heim requested the title “Director of Operations” be amended to “District Engineer.”

Motion: Commissioner Tobin made a motion to approve Final Resolution No. 08-03-17 as amended and Commissioner Gibbs seconded the motion.

Vote on Motion
Commissioner Tobin – Aye
Commissioner Gibbs – Aye
Commissioner Majeska – Aye
Commissioner Heim – Aye
Chairman Asdourian – Aye

Motion Passed: 5 to 0

ROUNDTABLE DISCUSSION

General Manager with Legal Background (Commissioner Gibbs) (O-1)

Commissioner Gibbs started the roundtable discussion by suggesting that the new General Manager should have some sort of legal background, and he requested that the other Board members think about the idea. Mr. Peter Rosasco informed the Board that this discussion is set for a future meeting.

Order of Meetings (Commissioner Majeska) (P-2)

Commissioner Majeska suggested the Board agree on an order for the meetings, and proposed the following: General Manager’s Report, Budget and Finance Report, Admin and Customer Service Report, Operations Report, Construction Report, Engineer’s Report, Legal Report, Commissioner’s Items and Roundtable Discussion. The Board directed staff to use the new suggested meeting format for future meetings.

The Board discussed the upcoming meetings and directed staff to cancel the April 4, 2017 meeting, to add a meeting on April 24, 2017, and to advertise the change as required.

EXTENSION: 6:05 PM
Motion: Commissioner Heim made a motion to extend the meeting 30 minutes. The motion passed without objection.
E-Mail from Mr. Ray Giglio (Commissioner Helm) (O-3)

Commissioner Helm stated that, in her opinion, Mr. Ray Giglio should request permission from the Board to stop submitting his weekly timesheets. The Board agreed that Mr. Ray Giglio does not need to submit timesheets, as they do not accurately reflect the workload of the District General Counsel at this time.

Meeting End (Commissioner Helm) (O-4)

Commissioner Heim suggested that commissioners should not pack up belongings or leave before the meeting has been formally adjourned.

ADJOURNMENT

The Meeting was adjourned at 6:18 PM.

David Asdourian, Chairman

Katherine Jackson, Clerk
Attorney Position: The Key Largo Wastewater Treatment District ("District") seeks a Florida attorney to provide legal services. The District is an independent special district subject to Ch. 189, F.S., and it is managed by a 5-member elected Board of Commissioners. The successful candidate will be expected to attend two Tuesday afternoon (4pm to approx. 7 pm) District Board meetings each month, as well as conferences with the General Manager as needed. Legal services generally average 5-10 hours/week in addition to Board meetings. Except for staff and Board meetings, legal services are generally not performed on District premises. The District does NOT pay for travel time or expenses to and from District meetings.

The District is open to retaining firms or individual attorneys as outside counsel. A firm proposing to fill this position must identify the individual who will perform the services and must make a commitment that the individual will attend all meetings and will substantially perform the services.

At least 10 years of experience required. Experience with local government organizations and the Sunshine Law is required. Experience with unregulated utilities, general business law, construction law, labor law, contracts, and bidding is desired.

The applicant must be a member in good standing of the Florida Bar, with references. For further information, please submit a resume and references to: Clerk, Key Largo Wastewater Treatment District, Post Office Box 491, Key Largo, FL 33037; or if by email to: clerk@klwtd.com Applications are due no later than 4:00 p.m., April 28, 2017. Compensation depending on experience. Equal Opportunity Employer.
Please note that Florida has a broad public records law and that any communication with the District, including a response to this announcement, could be considered a public record. The District is not able to hold your response in confidence.
RESOLUTION NO. 07-03-17

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE KEY LARGO WASTEWATER TREATMENT
DISTRICT MODIFYING BOARD PRACTICES AND
POLICIES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of Commissioners ("Board") of the Key Largo Wastewater Treatment District ("District"), at a regularly scheduled meeting on January 17, 2017 adopted the Board Practices and Policies by resolution; and

WHEREAS, the Board Practices and Policies is a document that can be amended at any time; and

WHEREAS, The Board has determine that it would be in the best interest of the District to amend subsection (2) of paragraph “1” of the section entitled, “Conduct of Meetings”; and

WHEREAS, the District desires, by this resolution, to modify subsection (2) of paragraph “1” of the section entitled, “Conduct of Meetings” of the Board Practices and Policies to provide that a commissioner may bring back an item that has been voted on only once.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated into this Resolution by reference.

Section 2. Board Practices and Policies Modification. Subsection (2) of paragraph “1” of the section entitled, “Conduct of Meetings” of the Board Practices and Policies, on page 1 of 4, which currently provides that:

1. Commissioners have the right to request reconsideration of any item regardless of whether a commissioner was on the winning or losing side of a prior vote, ...

is hereby amended to read,

1. Commissioners have the right to request reconsideration of any item only once regardless of whether a commissioner was on the winning or losing side of a prior vote or did not vote; ...
Section 3. Effective Date. The Board's Practices and Policies attached hereto, as modified by this resolution, shall go into effect immediately upon the adoption of this resolution by the Board of Commissioners.

Section 4. Ratification. Except for the modification contained in Section (2) above, all of the terms, conditions, provisions, and requirements contained in the Practices and Policies approved and adopted by the Board on January 17, 2017, are hereby ratified and shall remain in full force and effect.

Section 5. Authorization of District Officials. The General Manager and/or his designee(s) and the District General Counsel are authorized to take all actions necessary to implement the terms and conditions of this resolution.

RESOLVED AND ADOPTED THIS 14th DAY OF MARCH, 2017

The foregoing RESOLUTION was offered by Commissioner Gibbs, who moved its approval. The motion was seconded by Commissioner Tobin, and being put to a vote, the result was as follows:

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<td>Chairman Asdourian</td>
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<tr>
<td>Commissioner Gibbs</td>
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<td>Commissioner Heim</td>
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<td>Commissioner Tobin</td>
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The Chairman thereupon declared Resolution No. 07-03-17 duly passed and adopted the 14th day of March, 2017.

KEY LARGO WASTEWATER TREATMENT DISTRICT

Board Practices and Policies Modification
RESOLUTION NO. 08-03-17

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE KEY LARGO WASTEWATER TREATMENT
DISTRICT MODIFYING BOARD PRACTICES AND
POLICIES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of Commissioners ("Board") of the Key Largo Wastewater Treatment District ("District"), at a regularly scheduled meeting on January 17, 2017 adopted the Board Practices and Policies by resolution; and

WHEREAS, the Board Practices and Policies is a document that can be amended at any time; and

WHEREAS, the Board has determined that it would be in the best interest of the District to amend the Board’s Practices and Policies to include a Section entitled, DRAFT AGENDA; and

WHEREAS, the District desires, by this resolution, to modify the Board Practices and Policies to establish procedures governing the preparation of the draft agenda.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated into this Resolution by reference.

Section 2. Board Practices and Policies Modification. The Board’s Practices and Policies, modified to include “DRAFT AGENDA” on page 2 of 4 is hereby amended to read:

DRAFT AGENDA

1. The Clerk shall be responsible for the preparation, content, and form of the draft agenda with the assistance of the General Manager.

2. Commissioners shall have the right to include items and materials in the draft agenda for dissemination to the other commissioners, to staff, and to the general public.

3. In addition to Commissioners, the following persons shall have the right to include items in the draft agenda for dissemination the commissioners, the staff and the general public: 1) the General Manager, 2) the Director of Finance, 3) the District Engineer, and 4) the General Counsel.
Section 3. Effective Date. The Board’s Practices and Policies attached hereto, as modified by this resolution, shall go into effect immediately upon the adoption of this resolution by the Board of Commissioners.

Section 4. Ratification. Except for the modification contained in DRAFT AGENDA above, all of the terms, conditions, provisions, and requirements contained in the Practices and Policies approved and adopted by the Board on January 17, 2017, are hereby ratified and shall remain in full force and effect.

Section 5. Authorization of District Officials. The General Manager and/or his designee(s) and the District General Counsel are authorized to take all actions necessary to implement the terms and conditions of this resolution.

RESOLVED AND ADOPTED THIS 14th DAY OF MARCH, 2017

The foregoing RESOLUTION was offered by Commissioner Tobin, who moved its approval. The motion was seconded by Commissioner Gibbs, and being put to a vote, the result was as follows:

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The Chairman thereupon declared Resolution No. 08-03-17 duly passed and adopted the 14th day of March, 2017.

KEY LARGO WASTEWATER TREATMENT DISTRICT