

Sewer Talks Extended

Action lets board have 2 months to reach a deal with contractor

Like most of the people that live in Key Largo, I follow the meetings and talks related to the suggested \$77 million central sewer system. On Tuesday 9/5/2000—the drop-dead date for the contract between the local authority in charge of the central sewer system and Ogden Water System, the company hired to build the system—the Aqueduct Board voted to extend the contract for two more months. The additional period was required to solve the local litigations between the supporters and opponents of this project.

Ogden Water Systems—which will benefit from the contract worth \$59 million—was pleased with the extension, according to company’s representative, Kevin Brandon, who said: “We’re just trying to help a client work through this difficult situation. We hope that they’ll be able to get things back on track so we can move forward with the project” (Lund, sec. 1).

After voting to approve the contract, Mayor Shirley Freeman and Commissioners Wilhelmina Harvey and Nora Williams received death threats from “The Patriots,” a group opposed to the building of the sewer system.

I have to admit that I empathize with both sides involved in this litigation. Supporters are interested in saving the fragile Florida Keys' environment. They are also concerned about the affordable-housing projects. These could suffer on the long-term, due to the fact that "without steps toward improving water quality near the shore, the state could withhold a percentage of the building permits for Monroe County" (Lund, sec. 2). The opposing side is concerned that the locals would have to pay an estimated \$3500 per household—the cost to hook up the new sewer system. The limited-income retirees fear that "the publicly funded sewer project will force them from their tropical island paradise" (Lund, sec. 2). The retirees are invoking the Sunshine Law in their efforts to stop the project. Florida Attorney General explains the Sunshine Law:

Florida's Government-in-the-Sunshine law provides a right of access to governmental proceedings at both the state and local levels. It applies to elected and appointed boards and applies to any gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action. There is also a constitutionally guaranteed right of access. The Sunshine law requires that 1) meetings of boards or commissions must be open to the public; 2) reasonable notice of such meetings must be given, and 3) minutes of the meeting must be taken. (Screen)

It appears that some of the several phone conferences and conversations were not made public as required by the Sunshine Law. According to Attorney Kirk Zuelch and the attorney general's office in Tallahassee, some "infractions occurred" (Lund, sec.3).

The local authority wants to resolve the matter as quickly as possible. Therefore, they will file for a fast ruling from a judge, hoping that in 45 days the problem will be solved. Aqueduct attorney Bob Feldman said: "Usually you have to go through all the steps of

discovery and analyzing evidence, but in this case, we have some excellent work that has been done investigating this process both by County Attorney Jim Hendricks and State Attorney Kirk Zuelch. It should be a relatively quick process to get a rendering from a circuit court judge” (Lund, sec. 3).

On Tuesday, the meeting room was very crowded and “vociferous opponents” cut short the talks about the project, including “where the financing and federal permitting stand for the proposed site” (Lund, sec. 4).

I empathize with retiree P. Morrow, who spends most of her days taking care of older people. She said: “I have heard of lots of people talking about leaving, and a lot have already left. I am afraid that if this passes, I won’t be able to afford it and I’ll have to leave” (Lund, sec.4).

The old, the new and the future met on Tuesday. I can’t help thinking that the future is almost here and, without a healthy environment, we all have to suffer. Who is going to win?

Works Cited

Lund, Ted. "Sewer Talks Extended." *Herald Online*. Wednesday September 6, 2000

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