TOWN OF REDINGTON BEACH, FLORIDA
WORKSHOP & REGULAR MEETING MINUTES
February 07, 2006

Having been duly advertised as required by law, the **WORKSHOP MEETING** and the **REGULAR COMMISSION MEETING** of the Board of Commissioners of the Town of Redington Beach, Florida, was held on Tuesday, February 07, 2006, at 7:00 PM, in the Redington Beach Town Hall at 105 – 164TH Avenue, Redington Beach, Florida.

Call to Order – Mayor Wilson called the Workshop Meeting to Order at 7:00 p.m.

Roll Call:	Commissioner Bradbeer	-	Present
	Commissioner Maniotes	-	Present
	Commissioner Baraybar	-	Present
	Vice Mayor Peck-Epstein	-	Present
	Mayor Wilson	-	Present

Also present were Town Attorney Dominic Amadio, Public Works Director, Mark Davis, and Town Clerk Beverly M. Brown.

Mayor Wilson asked the audience members to use the microphone when speaking from the podium, and explained the need to fill out a speaker sign-up sheet and limit comments to three minutes in order to allow everyone a chance to speak.

1. Approval of Agenda (Workshop Meeting)

There were several changes to the order of items on the Agenda. Vice Mayor Peck-Epstein requested that the interview with Marie Hamilton for the position of Deputy Clerk be moved to the number fours position on the Agenda. She also requested discussions of the Audit be held until the Finance Commissioner was present, and requested another meeting with Mr. Houser to discuss changes to the Audit. Vice Mayor Peck-Epstein stated she has requested supporting documentation and asked the Town Clerk to provide a history of invoices dealing with the changes to her.

Mayor Wilson suggested that the interview with Ms. Hamilton be moved until after the Audit presentation since Mr. Houser was present to give the Audit presentation. A short discussion followed on the audit, changes, and whether the report should be given or delayed until another meeting. The Mayor reported that since the audit was ready and had been distributed that the audit report should be given, and if there was a need for changes Mr. Houser could return at a later meeting to give a revised report. Commissioner Maniotes arrived and suggested that Mr. Houser be allowed to give his report or a summary of the Financial Audit and if necessary he could come back later with any changes. It was decided to move the interview with Ms. Hamilton to the position following the Audit presentation.

The Infolution documentation and payment was also discussed. The item will remain on the Agenda, and any other issues can be discussed at a future meeting. There were several other Agenda items discussed, clarified, and a few minor changes made. Commissioner Bradbeer suggested that the Minimum Lot Size item be deferred to the next meeting, due to the large agenda and the number of people wishing to speak.

Commissioner Maniotes stated that under the Financial Reports he would have Mr. Houser give the Financial Audit report in order to move his report forward without changing the format of the meeting.

The Mayor reminded people wishing to speak of the need to make their statements using the microphone at the podium and of the three minute time limit. Since there were no other changes to the Agenda it was approved.

2. Public Forum:

Bob Fontaine – 16440 Redington Drive
Mr. Fontaine voiced his support for Town Clerk, Beverly Brown. He briefly outlined her qualifications of 33 years as a Municipal Clerk and her status as one of only four Master Municipal Clerks in Pinellas County. He also stressed her dedication to the Town during her transition from City Clerk of Seminole to Town Clerk of Redington Beach. Mr. Fontaine mentioned changes to the format of the Budget made by the Finance Commissioner Sam Maniotes. He reported the 2005 Audit's documentation that was organized by Ms. Brown, and the Auditor's report that stated it was the best organized audit in recent years, due to her efforts. He went over the Budget changes and stated the turmoil over finances was nonexistent and the Commission should concentrate their efforts on other issues for the Town and let the people do their jobs since they are all good people.

Nick Simmons – 16046 Redington Drive
Spoke to the Commission about his disappointment with the Commission as a whole and individually. He mentioned all the negative articles recently written abut the city. Mr. Simmons questioned the "Power Vote" statement reported in the paper, he pointed out the help given by finance committee members and the Town Clerk to help the Finance Commissioner learn about the Town's finances, the lack of leadership on the Commission from long term and activist Commissioners, and the Town Attorney for not advising the Commission against pathways to litigation. He went on to ask the Commissioners to support the Mayor in her efforts to run the Town.

Gladys Rock – 15630 Gulf Boulevard
Reported that as a family the Town of Redington Beach would be classified as dysfunctional. The town has the least residents along the beaches, the highest millage rate, and the highest paid Town Clerk at $61,000.00 per year. She stated that the Town Clerk does not do the agendas or minutes properly and does not get information to the Commissioners in a timely manner, and that this is not quality work. She also pointed out that when the Assistant position was advertised only eight people responded due to the publication it was announced in, when a neighboring town got over 100 responses when they advertised in a local newspaper, and after this she hired her former assistant who had no bookkeeping experience. Ms. Rock also reported that the former Town Clerk, Larry Bittner resigned after pornography was found on his system, but that it was known to be there for over three years, and he was paid a severance package. She commented that the Commission avoids cost limits by drawing multiple checks for the same expenditure and that spending is out of control. She also complained that the Town's Director of Public Works is overpaid and has the use of a new truck when there are no emergencies in town; and that his training is minimal, and that neither maintenance employees mow the grass.
She questioned the way the voting is done in the Town and how candidates could win by only seven votes. She also stated that an investigation is needed from Tallahassee.

Maureen O'Connor – 15800 Gulf Boulevard
Spoke to the Commission about the splitting of a lot along Gulf Boulevard, to 35 feet frontage on Gulf Boulevard. This is making lots too small for normal sized homes, and could cause overcrowding in the future along the boulevard. Even with the limits on the total square footage of the lots, the frontage size issue is not addressed. She asked the Commission to look into this issue as soon as possible and urged them to set a minimum street frontage size along Gulf Boulevard, or issue a moratorium on lot splitting in the Town.

Mark Deighton – 10592 Redington Drive
Spoke about the Town Clerk and the value of the employees in Town, and the continuity in the Town affairs that they provided. He suggested the problems were a problem of personality conflicts, and that if people could not get along with the people they worked with, the problem might be solved by switching responsibilities and changing the people who worked together, rather than having people resign. He stressed that the Town had a marvelous Town Clerk and the Town should do all they could to keep her with the Town. He also suggested that if bookkeeping was an issue, that an accountant could be hired to do it. Mr. Deighton stated that if data and records requests were becoming a too much, that a temporary or part-time employee could be hired to handle these types of requests. He expressed that he was confident that the Commission had the Town's best interests at heart, and that they should strive to get along and keep the Town Clerk.

Fred Steiermann – 16227 Redington Drive
Mr. Steiermann questioned the Commission's recent mean spirited personal agenda using a "power vote" to terrorize the Town's employees. He stated the Commissioners have failed to address resident's concerns, public works projects are stalled, and they have lost the public trust. He asked each Commissioner to tell the residents what changes they intend to make to right the wrongs and move the city forward.

Charles Wilson – 16109 5th Street East
Gave a brief background history of his family and their involvement in the Town since moving to Redington Beach, and pointed out how not only Town residents but people from surrounding communities are viewing the current problems in the Town. He pointed out that by changing responsibilities will not change people's personalities, and that the Commission is not an effective team. He suggested that the team needed to be replaced, but no one in Town would stand up when there is an opening or run for an office. Most of the Commission was appointed, not elected. He also questioned whether or not the Town could effectively govern itself, and asked that each member of the Commission evaluate to themselves if they are effective in their current position or if they need to change the team members.

Paul Madsen – 16108 Gulf Boulevard
Spoke to the Commission about undergrounding the utilities in the Town. He pointed out that this project should be done in conjunction with the project to underground along Gulf Boulevard and the Stormwater projects before any repaving is done on the streets. He also stated that the project could be funded with a loan from a bank like several other towns along the beach have done recently. He pointed out how beautiful it looked in the neighboring town, and said it should be done in Redington Beach within the next couple of years.

Anna Wiggers – 16309 2nd Street East

Agrees that the Beverly Brown and Mark Davis should be kept as employees, she said it was rumored that the Mark was to be the next one to go. She pointed out that dysfunctional families work things out all the time. She spoke about a conversation with a newspaper reporter that with the skills on the Commission it should be possible to function as a Town. She went on to describe a warning from a resident of the Town in the April 15, 2003 Commission minutes that stated there could be held legal issues for the Town for failure to give employee evaluations as stated in the personnel handbook and went on to discuss the overtime and comp-time issues in the Town. The meeting minutes went on to state that an employer should foster a relationship of flexibility and team playing with the employees and staff. The resident that made that statement is Leslie Peck-Epstein. Ms. Wiggers stated that when actions do not match words, it creates the vision that you are not trustworthy. She asked where the Commission would go from here with the "power vote."

Anna Yadevia – 302 162nd Avenue East

Stated she is an incoming Commissioner, and that while she agreed that everyone is innocent until proven guilty, she was uncomfortable as a resident with someone on the Board who is in the process of suing the Town. She stated that the issue needed to be addressed tonight by the Commission. The Mayor told her the issue was on the Agenda.

Richard Russell – 15645 Redington Drive

Complained that he is unable to get services in Town. He had a problem with clogged drains during the storm last week, and was told the drains had been cleared that morning and would be looked at again on Saturday morning. He stated they were not done at all over the weekend, and his street is the lowest point in town. He also stated that the Town finances were never explained to his satisfaction, he was just given a budget which does not tell him how the day to day money is spent in Town.

Paul Warren – 16007 Gulf Boulevard

Read a letter from former Chairman of Parks & Recreation and Commissioner/Vice Mayor Tim Gregson. The letter expressed concern about the direction the Town is going praised the job done by Town Clerk Beverly Brown. He spoke about a recent newspaper article and asked what is meant by the phrase "Power Vote"? He also reminded the Commissioners that they were elected to make decisions in the best interest of the Town and that the real power vote was the ability of the residents to remove someone from office. He pointed out that the article reported both Commissioners Vice-Mayor Peck-Epstein and Commissioner Maniotes, had called for Beverly Brown to be fired and stated they were dissatisfied with her job performance particularly in maintaining the Town's financial books, while later in the same article the Auditor, John Houser, reported that the Town was in overall good financial shape and that this was the best year he could recall. He asked if the Commissioners knew what they were doing, when they are trying to fire a Master Municipal Clerk for not keeping the books properly while a Certified Auditor is stating the books are in the best shape in years. The letter went on to ask for a formal personal apology from the Commissioners involved once there is no wrongdoing found on the part of the Town Clerk. Mr. Gregson's letter praised Beverly's past performance in furnishing him with answers to his inquires as well as any documentation he has requested from her.

Dorthy Conley – 16315 Redington Drive

Stated she has been an owner/resident of Town since 1970. She spoke about a visit when she was offended by the Town Clerk, and received a bad copy of an agenda from the Town Clerk.
An email was sent from Mel and Barbara at 15607 Redington Drive and read into the record.

The letter expressed concerns that the Commission would hire an experienced Assistant Town Clerk and then express dissatisfaction with her qualifications. It seemed to be a problem with the Commissioners decision making rather than the employee. Since 1999 the Town has gone through ten clerks and now the Town Clerk is once again under fire, it is evident from this that the Town does not provide a supportive or pleasant workplace for employees. The Town's personnel are the backbone of the Town and they provide the continuity for the Town's business through the temporary tenures of the elected officials. The government rules keep getting more and more complicated and experienced employees are needed. He was unsure why the Commissioners are focusing on last year's budget and holding up projects that need to be dealt with now. The letter went on to describe the parks maintenance background and how the Commission is questioning the need for the maintenance personnel for these parks now. He stated that while we have a sign that says "We support our Troops"; we should start supporting our Town Staff and each other.

3. Reports

A. **Public Safety** – Vice Mayor Peck-Epstein

Reported on a very successful meeting with the Public Safety Workshop with Debra Kennaugh of FDOT on January 18th. Following the workshop it was identified that the Gulf Boulevard signage is incomplete, and should include arrows and other identifiers on cross-walks. Ms. Kennaugh had a DOT team out the following day to access what is needed and will put in a work order, with the completion time of nearly six weeks.

Vice Mayor Peck-Epstein has received two proposals from the Sheriff's office for dedicated traffic officers, and has contacted Mayor Queen to see if North Redington Beach would be interested in sharing the costs of the officers. She has also contacted the Sheriff's office about the cancellation clause and their proposal.

She has received most of the Public Safety data from the Town Clerk and will be scheduling a workshop to review the data in order to make goals and proposals for public safety along Gulf Boulevard. She also contacted the Sheriff's Office and had an LED sign placed at the North end of town warning that the speed limit would be strictly enforced. She reported the income from the Special Detail Officer was $2, 948.43 as of 31 January.

B. **Building Commissioner** – Commissioner Bradbeer

Commissioner Bradbeer, Commissioner Baraybar, Mayor Wilson, and representatives from Pinellas County held a transitional meeting and plan to move forward. She expressed concern about the frontage size issue which was proposed to be a part of the original Ordinance which increased the lot size in September 2005. After review by the Planning Board it was recommended it was not necessary.

The Town Attorney Amadio stated that the Town has no control over lot splitting as long as the lots meet the increased minimum size requirements. The frontage size was not included as a part of the final Ordinance which was passed. A short discussion followed with the Commissioners and several residents expressing concern over the frontage size for lots along Gulf Boulevard. A member of the audience asked for a moratorium to be placed preventing further lot splitting until something could be passed to limit the frontage sizes. The Town Attorney advised the Commission that any moratorium would have to be across the board like a building moratorium or something of that nature, since there is nothing in the Town Ordinances concerning lot splitting.

The Mayor expressed concern about the issue and stated it will be placed on the next Workshop Agenda. She invited any concerned parties to contact her with their concerns, since the Commission plans to move forward on this issue. Presently the Town does not have any legal authority to prevent lot splitting as long as the minimum lot size is met. A member of the audience expressed concern that the new minimum lot size has devalued many properties on the East side of Town, since they do not meet the new limits. This will affect any future storm repairs or renovations to these properties, since they are out of code and would have to go to the Board of Adjustment for hearings. She stated the requirements should include a frontage size and a depth size and not just a total square footage limit.

ACTION: The Mayor will include this item on the next Workshop Agenda.

C. Public Works/Parks & Recreation – Commissioner Baraybar

Commissioner Baraybar reported he has contacted several Parks about the specifications for the pergolas. He is still waiting for call backs, but he will schedule a field meeting to go over the footer placement with the existing concrete slab, without damages.

ACTION: Commissioner Baraybar will advise the Park Board of the results after the field meeting.

D. Finance – Commissioner Maniotes

Commissioner Maniotes introduced John Houser of Wells, Houser, & Schatzel, P.A. and asked him to present the Audit Report for fiscal year 2005.

Mr. Houser stated the Audit is for the fiscal year that ended on September 30, 2005. The first page is the Independent Auditor's Report and represents an unqualified or clean opinion of the financial position of the Town as of that date. The Management Discussion and Analysis with some tabular summary information on the Town and is followed by the Statement of Assets or Balance Sheet for the Town. This has with two columns representing Governmental Activities and Business Activities. The Town maintains three funds; General Fund with day to day operations, Capital Projects Fund to account for large scale projects, and a Stormwater Fund that received stormwater fees and maintains a stormwater system. The total assets of the Town at $4.3 million just a little over $3 million in the Governmental Activities and about $1.1 in the Stormwater Fund.

The bulk of the assets in the Governmental Activities consist of cash, checking accounts, and State Board of Administration savings accounts; whereas the bulk of the assets of the Stormwater Fund are composed of the Stormwater system itself. The only significant liability the Town has is and existing debt issue. The long term debt which was originally used to finance the building of the Town Hall then was used for Phase 1 of the Sewer Improvement Project, and after the sewer was turned over to the County, the Town is still maintaining that debt service. That debt is being serviced by Pennies of Pinellas at this time. The total net assets for the unrestricted portion for the Town in the Governmental Activities is $1.5 million and equates to approximately 18 months of expenditures to cover the operations of the Town, which is an improvement over last year's reserve of about 17 months.

The Statement of Activities lists the expenses, programs, and general revenues for the Town by department. Under the Governmental Activities there is General Government, Parks & Recreation, Physical Environment, Refuse Collection, Public Safety, Public Works, Transportation, and Interest on Long Term Debt as well as the Stormwater Utility Fund. The overall total expenses was $980,000.00, those expenses were covered by Program Revenues; Charges for Services of $223,000.00 consisting of refuse fees, stormwater fees, and grants received or contributions, some Federal Disaster relief and contributions, as well as a DOT lighting grant.

Departmentally the cost was $728,000.00 for the fiscal year. That cost was covered by the General Revenues, taxes, sales and use taxes, franchise fees, utility taxes, State Revenue Sharing, and investment income; resulting in an increase of Net Assets of the General Fund the Governmental Activities of $365,000.00 and the Stormwater Fund of $124,000.00. There was a transfer during the year by a Budget amendment to move money from the Capital Projects Fund to the Stormwater Fund, shown as support in the Stormwater Fund, resulting in an increase in assets of $124,000.00.

The next few pages of the report show the old style statements which split the funds between the General, Special Revenue, and Capital Projects funds. This Balance sheet does not include any of the Debt, Fixed Assets, or Capital Assets of the Town. Without the debt the Capital Assets the Undesignated fund balance was $737,000.00. There have been a number of designations; Stormwater Project for $600,000.00, the equipment replacement of $27,000.00, Infrastructure and Debt Service of $195,000.00, and a Contingency Reserve of $86,000.00. The Undesignated portion of $737,000.00 is what is available for the day to day operations, and these designations can be changed by Budget Amendments.

Next is the Statement of Revenues and Expenditures with Total Revenues of $1.4 million compared to Expenditures of $1.2 million. The difference in the presentation is it reflects Capital Outlay; ongoing Seawall Project showing $75,000.00 spent with approximately 50% completed and it also includes the Principal on the Debt Service of $92,000.00. Overall the Excess Revenues were $304,000.00 for the year. There was also the transfer out of the Capital Projects fund into the Stormwater Fund for a net increase of $106,000.00 in assets.

Following those statements is the Stormwater Fund, each year is noted the inability of the fund to generate the charges to cover the costs of operations. The report shows an Operating Loss of $8,600.00. A decision needs to be made of how this program can be funded and how the fees can be structures.

Following the statements are the Notes to the Financial Statements which show a Summary of Significant Accounting Policies, the Pooled Cash and Cash Equivalents, as well as the Amounts Due from other governments, changes in the Capital Assets, details on Long Term Debt, information on Receivables and Payables, the Employee Retirement Plans; as well as commitments for Public Library, Law Enforcement, Fire Suppression, Refuse Service, commitments for the Watershed Management Plan, and completion of the Seawall Project.

Commissioner Maniotes asked about any changes in the Audit made since the meeting last week and was told by Mr. Houser that there were no changes. Mr. Houser went on to explain that during the public Draft Meeting with the Commissioners the Audit was reviewed in detail, and questions about departments being over-budget were raised and there was also an overdraft reflected in the Stormwater fund. After he had completed his review and tied it out to the Original Budget and Approved Budget Amendments, the intent to transfer funds from the Capital Projects Fund into the Stormwater Fund and Watershed Master Plan became clear, also to account for the Seawall Project from the Capital Projects fund instead of the General Fund where it originally was listed. The Budget Amendments were effectively the changes made to the Audit. They changed the Budgets Amounts, the Amounts Due to and from the funds, and reflected the Transfer of funds from the Capital Projects Fund to the Stormwater Fund. It also became clear of the intent to account for the Seawall Project from the Capital Projects Fund which was originally in the General Fund, also the change for the designation of the $600,000.00 Stormwater Project. These were the significant changes made.

Commissioner Maniotes explained that he had reviewed these changes with Mr. Houser, and decided he could present the Audit Report at the Workshop Meeting. The Mayor asked how long his firm has been with the Town. Mr. Houser has worked with the Town since 1994, and before that it was a partner from the firm, although he was not sure for how long. She asked about making changes to the Audit, since a transmittal letter has been sent to the State. Mr. Houser said this Audit would not change; the changes were made previously during the meeting with Commissioner Maniotes, Commissioner Bradbeer, and Vice Mayor Peck-Epstein.

Vice Mayor Peck-Epstein had more questions but was not prepared to go through them now and decided to have a meeting later on with Mr. Houser to go over them for clarification. Mr. Houser indicated he would be willing to answer questions later if anyone needed more information of clarification. Commissioner Bradbeer asked if the Capital Improvement Fund was a part of the Original Budget. Mr. Houser stated that the amount budged for Infrastructure Improvement Stormwater for $1 million and the Budget Transfer on the Budget Amendment 2005-07 for $97,900.00 reduced that Capital outlay and increased the outlay in the Stormwater Fund; so it was in the Original Budget at $1 million in the Capital Improvements Fund. He also explained some details of budget amendments and what was required to display both the expenditures and the revenue to show the intent of the change.

Commissioner Baraybar asked a question of the Stormwater Project funding and if it was necessary to set aside reserves to pay for it, or if the money was put aside for it in the budget. Mr. Houser stated that the project would be partly funded by SWFWMD, and after the project was started they would start providing their share of the funding. He explained how the funding works and how the Town should proceed to qualify for the funds and how they should look at the long term plan and decide how to fund the Town’s share of the project. He gave several examples of type of funding for this type of project.

Mr. Houser also explained the deadlines and the reports due on the Audit, and stated he would like to review them before the go to the State. The Commission agreed that he should perform this review for the final report.

E. Mayor's Report – Mayor Wilson

Mayor Wilson reported that the Office of Insurance had come out recently for their site visit, which was coordinated through Mark Davis, Public Works Director. She also attended the Big-C Meeting for updates on beach renourishment and how well that project is going. She also learned of a proposal to support the "Save our Homes" cap, which will be on a future agenda at the Big-C. There was discussion on possible caps for non-homesteaded properties. She also reported the fish mile markers along Gulf Boulevard will be installed at the half mile, instead of the present mile intervals, this will place two additional markers in Town. She received a letter recently from the County Administrator asking for support to extend the Pennies for Pinellas surtax which will expire in 2010 and additional ten years until 2020. This will be done with a Referendum in March of 2007. There will be more information coming on this in the near future. The permit for the Phase 1 of the Stormwater construction plan was received and is currently out to bid. The project is on schedule and construction should begin within the next couple of months. Due to the length of the Agenda, the discussion to change the meeting formats will be postponed until the next Workshop.

ACTION: Discussion to change meeting formats is postponed until next Workshop.

F. Town Attorney – Dominic Aimado

Attorney Aimado reported that Ms. Sakenhaus has filed another appeal on January 24, 2006. The first two appeals have been ruled in favor of the Town, and there is nothing further needed to prepare for this appeal.

The consulting contract for Mahnke that was presented for his review after the last meeting is straight forward and can be terminated by either party as willed. He also explained the hourly rates in the contract.

Vice Mayor Peck-Epstein asked if in the communications portion of the contract the types of communications could be limited to written or electronically transmitted. After a brief discussion it was decided to delete oral communications from that portion of the contract. Additionally she questioned if all third parties would meet the Town's confidentiality requirements. Mr. Aimado stated that Mahnke would be responsible for the third parties. The Town Clerk, Beverly Brown, assured that the requested payment schedule could be met by the Town for this contract. It was also decided that the contact person for the Town on this contract be Commissioner Maniotes, the Finance Commissioner.

ACTION: This item will be on the meeting Agenda under Other business.

G. DPW Director / Code Enforcement Officer – Mark Davis

Mark Davis reported that on Monday Seminole Septic began the process of cleaning all the storm drains, and should be completed within the month. This is a tide dependant process and is an ongoing project. Friday, February 3, 2006 was an extremely bad weather day, with flooding throughout the area due to extremely heavy rainfall. The storm drains were cleaned throughout the day; he also displayed a photo of the refuse that was removed from the drain system. This was done throughout the storm and over the weekend. Over two truckloads of waste was removed from the drains.

H. <u>Town Clerk</u> – Beverly Brown

Town Clerk Beverly Brown reported the Bids for the Stormwater Project will be opened at Town Hall on Tuesday, February 14, 2006 at 10:00 am.

I. <u>Boards & Committees</u> – Nothing to report.

4. Temporary Deputy Town Clerk: – Vice Mayor Peck-Epstein

Vice Mayor Peck-Epstein reported that at the Special Meeting where the Commission decided to retain the Services of Linda Mahnke with the Town's finances, it was also decided that the Vice Mayor would assist with the search for an Assistant Town Clerk to replace Raya Sue Hallman who has resigned. During the search for support staff the Vice Mayor spoke with the Town Clerk at Redington Shores, Mary Palmer, who mentioned that her former Deputy Town Clerk, Marie Hamilton, had just returned from an overseas stay in the Marshall Islands. She spoke with Marie Hamilton who faxed a resume, which she copied to all the Commissioners. The Vice-Mayor checked references and they were all very good, so she invited Marie to the Workshop to interview for the position of Deputy Town Clerk.

Vice Mayor Peck-Epstein briefly outlined Marie Hamilton's qualifications to include her Municipal Clerk's Certification, her background with the Town of Redington Shores for three years as a Deputy Town Clerk, her other various job experience, her strong technical background, as well as holding a Florida Real Estate License. The references checked were Mary Palmer, the Town Clerk for Redington Shores, Commissioner Armstrong, and Donna Draper the former Town Clerk of Redington Shores and current Secretary at St. Pete Beach, and another personal reference, and all her references highly recommended her.

She introduced Marie Hamilton, who answered several questions from the Commission about her qualifications and background. She has just returned form working on Kwajalein in the Marshall Islands for the past year, and is willing to start working whenever the Commission decides they want her to start. Vice Mayor Peck-Epstein pointed out that this position is a temporary Assistant Town Clerk, she is in the process of working with the consultant to define the duties and requirements of the Assistant Town Clerk position including the job description and financial requirements that the Town is looking for. This is a temporary opening and once the position is defined and properly advertised Marie Hamilton can apply for the permanent position if she desires it.

Mayor Wilson thanked Vice Mayor Peck-Epstein for the work put into this effort and asked about any salary discussions with Marie Hamilton. The Vice Mayor asked Marie what she would require for a salary for the temporary position and she answered $18.00 per hour, the Vice Mayor pointed out that there are no benefits or sick pay, etc. for the position. When asked about any other commitments that would interfere with her working during the hours from 8am to 4pm on weekdays, she stated that there were not any. The Mayor also asked if she would work for less, and Marie said she would not, due to there being no benefits attached to the job and the nature of a temporary position. When asked about the number of jobs on the resume, Marie stated that the resume covered over 35 years and due to her husband's career in IT and computers, they had moved several times. Currently he is retiring and they are planning to stay in this area where they own a home in Redington Shores.

ACTION: This item will be carried over to the Regular meeting under Other Business.

5. **Town Clerk:** – Town Attorney Amadio

Attorney Amadio stated he has been served a summons that the Town Clerk, Beverly Brown, is suing the Town of Redington Beach concerning the actions of last meeting. He stated he did not want to discuss or have anyone on the Commission discuss the actual merits of the lawsuit and that it would be detrimental to discuss it at this time. If any of the Commissioners wish to discuss it he can call for a settlement or strategy negotiation meeting. Pursuant to the law he must be the one to call the meeting, and a very strict format for the meeting must be followed. This is a private meeting in which the only attendees can be the Town Attorney, the Commissioners, and a certified Court Recorder. The Court Recorder would take down everything that was said, and after the litigation is settled, the meeting report would become public record. A short discussion followed about the requirements of any meeting and the procedures for it. Vice Mayor Peck-Epstein asked for permission to contact an employment lawyer for a discussion on general employment law information and procedures.

ACTION: Vice Mayor Peck-Epstein will move this item over for a Motion and Vote at the Regular Meeting.

Attorney Amadio discussed the previous motion and discussion at the last meeting, which is the essence of the lawsuit. He stated that the Town should furnish Ms. Brown with a written copy of the allegations against her to give her time to respond, afterwards she or the Town could request a third party could take down the information and determine it the allegations were true or not and make a recommendation on how to proceed. He has discussed this issue extensively with the Florida League, and they have sent information on the procedures for this mediation. He has also discussed this matter on two occasions with her attorney. The Town needs to make the allegations in writing of any wrongdoing. Ms. Brown would have the right to respond to the allegations, with a hearing and recommendation to follow. This is called a pre-termination hearing, where it gives the employee the right to respond to the allegations and allows negotiation for a settlement. Without the allegations presented in writing from Commissioner Maniotes, this can not go forward. The written allegations would be given to the Commission, and then sent to Beverly Brown's attorney to arrange for a hearing to take place. The Commission need to decide how to go forward, the lawsuit has been filed and the Town has 20 days to respond to it. Each Commissioner has a copy of the lawsuit, but the Attorney stated he did not want any discussion of the allegations.

Mayor Wilson made a request of Commissioner Maniotes for the documents he has supporting his allegations, but has not gotten a response. Commissioner Maniotes replied that he believed this would violate the Sunshine Law, so he did not respond to the request. There was a brief discussion about the Sunshine Law and Public Records. Mayor Wilson stated that at the last meeting Commissioner Maniotes stated he had documentation of the alleged forgery, of the alleged doctoring of the books, and of the alleged pornography. Commissioner Maniotes stated that at this time he is not at liberty to discuss the allegations due to the current litigation. Attorney Amadio agreed that until any package has been put together of documentation supporting the allegation it does not become a Public Document, and he should not discuss it until it becomes a public document. Mayor Wilson asked if nothing is presented to the Commission supporting the allegations before the twenty day deadline, how the Commission should proceed. The Town Attorney advised that the Commission would have to respond to the complaint at that time, but until the documentation was received or until the twenty day time limit expired, there should be no response.

The Mayor asked the Commission how they want to proceed with this issue. Commissioner Maniotes pointed out that no motions can be made during the Workshop. Attorney Amadio pointed out the question should be how to proceed with Beverly, and since he can not talk about this to Beverly and must go through her attorney of record, how does the commission want him to proceed with the negotiations. Commissioner Baraybar suggested it would be in the Town's best interest to put Ms. Brown on administrative leave with full benefits and pay until the litigation is resolved, as he felt uncomfortable having someone who was suing the Town working at Town Hall. A short discussion followed about the type of leave that would be necessary and when it should take effect, Commissioner Baraybar also asked what her employment status was, a probationary or permanent employee. Attorney Amadio has discussed this issue with the Florida League of Cities and it was decided that once her six months of probationary employment ran out, she did become a permanent employee, but regardless of her status she has the same rights to litigation. The big issue is what is going to happen within the next 30 days.

Vice Mayor Wilson noted that she had a meeting with the Town Attorney regarding Ms. Brown's review, and she was advised by him not to complete the six month review at this time due to the present litigation. A discussion followed about the extending her probationary period of employment to give her time to respond to the allegations, and Attorney Amadio stated that regardless of her employment status, which is not the main issue; she would still have the same rights to answer the allegations. Vice Mayor Peck-Epstein stated she will make a motion during the regular meeting to speak with an employment attorney.

Mayor Wilson stressed the need for the Commission to decide how they are going to proceed, since the twenty day deadline started on the date she was served with the complaint on February 3rd. The Town Attorney advised the Commission, that if they decide to hire an expert in the field of employment, they would still be responsible to answer the complaint within the same time period, and would need to have the meeting "in the shade" as previously discussed. Mayor Wilson asked if Mr. Yacavone and his firm, that also represents the Town on two other legal issues would be to appropriate ones to represent the Town on this issue. Attorney Amadio stated that any conflicts of interest should be determined by that firm, since they have dealt with Ms. Brown on the other two cases. The Mayor stated that it was not her intent to engage another attorney, since she feels that the Town Attorney is very competent to do so. The Town Attorney recommended to the Commission that he be given the authority to speak with Ms. Brown's attorney and report back to the Commission. Vice Mayor Peck-Epstein stated she would like access to a Florida Employment Law attorney to get answers to several questions for any of the Commissioners who might also have questions. Attorney Amadio stated that the Commission would need to vote to give the Vice Mayor the authority to incur a bill for the Town. The Mayor asked Town Attorney if he was comfortable that he could follow up on this and meet the deadlines, and he indicated he was.

RECESS: The Commission took a ten minute recess.

The meeting was called back to order. Attorney Amadio asked the Commission to give him the authority to negotiate with Ms. Brown's attorney for an amicable solution to this matter. He stated that this would be beneficial to both parties and in the best interest of the Town. When he was asked about having the "meeting in the shade" he stated that it would not be necessary since the lawsuit was not a matter of Ms. Brown's chastising the Town but she was asking for a declaratory action to determine whether or not a contract existed between her and the Town. He went on to state that there was an attorney present who represented one of the Commissioners who wanted to speak to the Commission about this matter. Commissioner Maniotes said it would be okay with him if his counsel spoke with the Commission. Mayor Wilson invited the attorney to come up to the podium.

Anthony T. Ekonomides, Counselor for Commissioner Maniotes, spoke to the Commission and stated there seemed to be a mischaracterization about what the lawsuit was really about. He stated that if anyone wanted a copy of the complaint, it was a public record and is available at the Clerk's Office at the County Court.
He reported that this lawsuit is not about allegations that have been requested to be substantiated, by the Mayor, through a public records request of his client. The lawsuit is about whether an employee handbook constitutes being a contract, it is about why and should a probationary period have been given and evaluations given during that probationary period. That is what the lawsuit is about.

Mr Ekonomides went on to say that the lawsuit was not about allegations his client had made. He said at the last Commission meeting there were materials Commissioner Maniotes was concerned about and he offered to make those materials available but that none of the Commissioners or Mayor wanted them at that time. Now there is a public records request for those materials. The Commissioner Maniotes has answered questions according to the advice his attorney has given him. He spoke about being united and not chastising each other for trying to do their jobs when they find something that is wrong with or that they think is wrong, others should not make this a political popularity contest, but they should let the facts speak for themselves. They should let the truth come out. The people elected the Commissioners to do a job, and if they see to it in a way that offends you, exercise your franchise and vote someone else into office. He went on to explain, with all due respect to the Town Clerk, that she has become an adversary to the Town and the complaint says so. He could not understand what she is doing still up there, she is conflicted now. So, without violating her rights, since she does have the right to file the complaint, remember that she is suing the Town. He went on to explain that at the end of the day the Commissioners need to unite and support one another, since here is always a solution to problems, and all that is achieved by lawsuits is that it makes money for the attorneys.

Mayor Wilson replied that the Commission took action that resulted in the lawsuit being filed based on allegations made at a public meeting by Commissioner Maniotes that have not been substantiated. Mr. Ekonomides answered that was not what the lawsuit stated.

Mayor Wilson asked that Commission how they would like to proceed with the issue. Town Attorney Amadio advised the Commissioners should continue the discussion. Commissioner Baraybar stated that they should stick with the facts and not argue about it. He also said when the original allegations were brought before the Board; he did not want to hear them. The Commissioner felt the matter needed to be resolved quickly and the Town Attorney should be instructed to see if he could reach a settlement or resolution with Ms. Brown's attorney.

Commissioner Bradbeer asked if Commissioner Maniotes planned to go forward with his charges. A short discussion by the Town Attorney followed about what the lawsuit stated, what needed to be done concerning responding to the complaint, and what should be done concerning the Town Clerks present position. He also stated that he thought it would be in the best interest of the Town to put the Town Clerk on fully paid administrative leave with all benefits until the matter is resolved, and that Commissioner Maniotes could proceed however he wanted to with any other charges or issues. Mr. Amadio introduced the Town Clerk's attorney and asked her if she would like to speak with the Commission about this issue.

Attorney Lynn Brower, the attorney for Town Clerk Beverly Brown, explained that she would prefer not to comment on the issue, but would like to meet to speak in private about Beverly's position to the Town Attorney. Attorney Amadio asked if she felt that the Town Clerk would be amicable to being placed on administrative leave with full benefits and pay until the matter is resolved. She stated that would be agreeable, since it would be more of a problem for Beverly to continue acting as the Town Clerk while this issue is pending. Mayor Wilson asked if she would also agree that if the Town Attorney was authorized to negotiate with her, if it could be done within the twenty day limit. She explained that the time limit could be extended during active negotiations. The Town Attorney would then report back to the Commission at the meeting "in the shade" for discussion on any negotiated settlement, after that meeting an open meeting would be called, where any motions or action would be done during a public meeting.

The Commission decided to put the Town Clerk's position on the regular meetings agenda, for immediate action. The Mayor also noted that the Assistant Town Clerk, RayaSue Hallman, would not be coming in to open Town Hall this week, if Beverly was put on administrative leave, since she was only staying as a favor to Beverly to allow a day off for her on Friday. Her two week notice was up. Attorney also asked about the key to the Town Hall that is in Beverly's position, and it was agreed that she would turn it over to her attorney for safekeeping during the negotiations.

ACTION: This item will be placed on the Regular meeting Agenda.

6. Seawall Sidewalk Discussion: – Mayor Wilson & Director Mark Davis

Mayor Wilson reported that at the prior meeting the Commission had discussed going back to the contractor with a revised punch list asking the contractor to replace the sidewalks. After the meeting there was some additional discussion, and now the direction needs to be clarified to Mr. Davis. There will be some penalty money which can be used to hire Mr. C Concrete to do the work, since the original work was not satisfactory. The Commission also wanted some aprons done across the street, and just wanted to clear up any questions for Mr. Davis.

The Mayor asked the Commission if it was okay to take the money from the penalty and hire Mr. C Concrete to replace the sidewalks for $2638. She explained the penalty was for $1800, but that the $2638 included some additional work and two more aprons. A short discussion followed on the construction and the funding for it. Mark reported on the progress and negotiations with the original contractor.

ACTION: This will be moved to the regular meeting for a motion.

7. Infolution and Payment History: – Mayor Wilson

Mayor Wilson reported this discussion was about a $6,000 payment to Infolution and issues with email. Commissioner Maniotes explained the payment history and the total that was estimated at approximately $5,000; with the latest payment making the total over $6,000. He explained his questions were about email and other services setup. Vice Mayor Peck-Epstein asked for time to review the documentation.

Mr. Fontaine, of Infolution, addressed the Board on the status of the contract, the contract has expired and the Town is currently being billed at $100 per hour for network service and $75 per hour for desktop applications. He went over the billing costs in detail with the Board, and the email and support issues. He explained that the email was being hosted on the Town's server which was implemented recently, and answered the questions of the Commissioners. He also explained security measures on the new server and remote technical support. He asked the Commission to address technical questions to the technicians at the company.

Action: Commissioner Maniotes will review the billing, and report back to the Commission.

8. Computer Service Provider Discussion: – Commissioner Maniotes

Commissioner Maniotes reported that he has been writing the proposal for the Town's computer needs and has given half of it to the Town Attorney for review. He went over the possibility to use Comp-Serv, a company from Clearwater as an interim computer service provider on a trial basis. There was a brief discussion on what other cities in the area are using for computer services.

Action: Commissioner Maniotes will get information on costs and report back to the Commission on the proposal for both Comp-Serv and Infolution, and will also look at the computer policy for any necessary changes.

9. Website Status: – Commissioner Maniotes

Commissioner Maniotes reported the new website is complete and operational, the designing company is Netwise, and they will supply training on the website.

Mayor Wilson reported several cities in the area use Digital-eel a company that updates websites; this would avoid problems of too many people accessing the site. Digital-eel charges by the minute for downloads of information emailed to them from the cities and boards.

ACTON: Commissioner Maniotes will look into this service and report back to the Commission.

10. Public Safety Workshop Date – Discussion: – Vice Mayor Peck-Epstein

This item was done in Report.

11. Gulf Boulevard Special Detail Deputy Status: – Vice Mayor Peck-Epstein

ACTION: Moved to Regular meeting Agenda, for Motion.

12. "Minimum Lot Size"- Minimum Frontage Requirements – Discussion: – Commissioner Bradbeer

ACTION: This item was moved to the next meeting.

13. Application(s) to Finance Committee and Planning Committee – Discussion: – Mayor Wilson

Mayor Wilson reported that the Town has and application for the Finance Committee and an application for the Planning Committee. The Town has two openings on the Finance Committee and does not have any openings on the Planning Committee. The Mayor suggested that the Town keep applications on file for boards where there are currently no openings. She reported that Gladys Rock had applied for one of the openings on the Finance Committee and that each Commissioner should have a copy of her application. Mrs. Rock answered questions on her application and her background in bookkeeping.

Commissioner Bradbeer asked about board member, Mr. Burt Cormier that has been absent repeatedly and if this continued should a new member be appointed. Commissioner Maniotes said he would check into the absences and report back to the Commission. This will be moved to Other Business for a vote on the Finance Committee member.

The Mayor announced three upcoming Board of Adjustment Committee openings, members whose terms expire in April.

ACTION: The openings will be posted approximately March 1, 2006, for two weeks, to allow time for applications to be processed. The current members whose terms are expiring would need to reapply.

14. Agreement of Division of Fines and Forfeitures – North Redington Beach discussion:– Mayor Wilson

Mayor Wilson explained how the Town currently divides the fines and forfeitures with the Town of North Redington Beach. The Town of North Redington Beach has drawn up a written agreement, since there was not one in the past, and all Commissioners have a copy. The Town Attorney explained the split is 50/50 between the Towns.

Vice Mayor Peck-Epstein reported that since we share the law enforcement with North Redington Beach and it makes sense to split the fines and forfeitures with them. She said she has several questions for The Town of North Redington Beach and the County Clerk.

ACTION: Vice Mayor Peck-Epstein will get back to the Commission with her findings after clarification.

15. Gas Permit Process – Discussion: – Mayor Wilson

ACTION: This item was carried over to the next meeting; the information has not been received.

16. Auth. for Mayor to sign TBE Agreement for Resident FEMA Grant Application: – Mayor Wilson

Mayor Wilson explained the FEMA Application process, that when a resident applies for a grant, the Town actually is the Applicant to FEMA and the funds would then come to the Town and we would distribute them to the resident. The application process is very complicated and lengthy, and several municipalities in the area rely on Tampa Bay Engineering, who was recommended by DCA, to provide this service for their residents, the cost of the service is paid by the resident to Tampa Bay Engineering, however they require the Town to sign an agreement for these services. Several Commissioners had questions and reservations about the process, and the printout in the packet had print too small to read.

Anna Yadevia, who has gone through this process, addressed the Commission and explained the process. She said the Town was responsible to help the residents with the applications as well as administer the Grant. There is a class available from FEMA on the grants, she suggested that a member of the Commission or staff take the class in order to offer assistant to the residents.

There was a discussion with the Commission, the audience, and the Attorney on the issue.

ACTION: **T**he item was postponed until Mayor Wilson could check with the homeowner and TBE on what costs the Town could be liable for if we signed this agreement, and the process we should follow with these grant applications.

17. Clarification of Agreement with Mahnke Consultan: – Vice Mayor Peck-Epstein

Vice Mayor Peck-Epstein reported on the agreement with Linda Mahnke for consulting services to the Town, and her request for job descriptions and a list of desired skills for the position of Assistant Town Clerk. She is planning to invite Ms. Mahnke for a meeting with the Commission to determine what skills are desired, etc.

Commissioner Maniotes described the process and the costs of her services per hour. The total costs will depend on what the Town uses and not a set amount. The Attorney explained how the billing works each month. Mayor Wilson suggested that the Commission review the progress of this issue after 100 billable hours. Commissioner Bradbeer asked where this cost would be covered under the budget.

ACTION: Commissioner Maniotes responded that he will check the budget and report back, and he will handle the financial direction on this project.

ACTION: Vice Mayor Peck-Epstein will provide status updates to the Commission on the progress of the work.

18. Assistant Town Clerk's Position – Discussion: – Mayor Wilson

This item was covered under the Reports.

19. Other Business:

There was no other business.

20. Adjournment (Workshop Meeting) and Recess:

The Workshop was adjourned at 9:45 p.m., no recess was taken.

REGULAR MEETING – FEBRUARY 07, 2006

Call to Order – Mayor Wilson called the Regular Meeting to Order at 9:45 p.m.

Roll Call:

Commissioner Maniotes	-	Present
Commissioner Bradbeer	-	Present
Commissioner Baraybar	-	Present
Vice Mayor Peck-Epstein	-	Present
Mayor Wilson	-	Present

Also present was Town Attorney Dominic Amadio, and Town Clerk Beverly M. Brown.

1. Approval of Agenda (Regular Meeting):

After several changes and additions, the Agenda was approved.

2. Public Forum:

Mayor Wilson reminded the audience of the need to fill out a request to speak, and about the time limit of three minutes.

Anna Yadevia – 302 162nd Avenue
Ms. Yadevia asked if the Attorney was going to negotiate a settlement in the matter of the Town Clerk. He stated he would bring the matter before the Board after negotiations, since there can not be a settlement without Commission approval. She then asked about the Town's keys that the Town Clerk has, and commented that many keys are out to the Town Hall, including one checked out to the La Contessa condos. Mayor Wilson stated that the condo people hold meetings at the Town Hall, and since they are residents they are allowed to use the Town Hall for their meetings. Town Clerk, Beverly Brown explained that the keys that are checked out to residents only allows entry to the Community Room, and the rest of the building is locked. Mayor Wilson explained there are three different sets of keys; one opens only the Community room, another key opens the Community Room and the Main door to Town Hall, and the Master key opens the Community room, the Main door, and all the offices. A brief discussion followed on who should be allowed to have keys to the building and possible liability for the Town. The Mayor stated that this is a public facility and residents should be allowed to use it as needed.

ACTION: This will be an agenda item for the next meeting, for a key policy discussion.

James Hoffman – 15910 Redington Drive
Concerned about recent articles, and expressed discomfort with someone that it suing the Town having keys to the building. He was not sure if this put the Town under any liability but expressed that this would put the person in a very awkward position. He praised Attorney Amadio for his help in the matter. He sated that according to the employee handbook, only the Mayor could have a one on one meeting with an employee concerning job performance, otherwise it must be done in a public forum due to the Sunshine Law. He sated that the motion to terminate took a lot of courage. This makes it very difficult for employees as well as members of the Commission. He went on to speak of other issues, including

computer security for logons and passwords, and employee performance appraisals that should be done in a timely manner, then he expressed hope this matter will be settled soon.

Todd Smith – 16307 Redington Drive
Expressed confusion about the computer support provider issue going out to bid, and hoped this would be handled on an interim basis with a motion and vote tonight.

Dorthy Conley – 16315 Redington Drive
Stated that people living in condominiums should use the condo's clubrooms for their meetings, instead of the Town Hall facilities.

3. Approval of Minutes:

A. Workshop – Regular Meeting – 10/18/05; The Mayor requested a Motion to approve the Minutes. No Motion to approve the Minutes was made.

B. Workshop – Regular Meeting – 11/22/05; The Mayor requested a Motion to approve the Minutes. Commissioner Maniotes made a **Motion** to approve the Minutes of the Workshop – Regular Meeting of 11/22/05. The Motion died for lack of a Second.

C. Workshop – Regular Meeting – 01/03/06; The Mayor requested a Motion to approve the Minutes. Commissioner Maniotes mad a **Motion** to approve the Minutes of the Workshop – Regular Meeting of 01/03/06. Commissioner Bradbeer **Seconded** the Motion.

Vote:
Commissioner Bradbeer – Yes
Commissioner Baraybar – No
Commissioner Maniotes – Yes
Vice Mayor Peck Epstein – No
Mayor Wilson - Yes
Vote: 3-Yes / 2-No; The Minutes for Workshop/Regular Meeting – 01/03/06 were approved.

D. Workshop – Regular Meeting – 01/17/06; The Mayor requested a Motion to approve the Minutes. No motion to approve the Minutes was made.

Mayor Wilson Stated the items not approved will be put back on the agenda for the next meeting; she asked the Commissioners why they will not approve the Minutes after they have been on the agenda several times. Commissioner Maniotes stated he was not present at the 10/18/05 meeting and had lost the Minutes from another meeting and Commissioner Baraybar was also absent from a couple of meetings. Town Attorney Amadio stated that even if they are not approved, the Minutes are still the Minutes of the meeting, they are just are not the Official Minutes. Commissioner Bradbeer asked if changes could be made by taking them to the Town Clerk, who will amend the Minutes then bring the amended Minutes back to the Commission for approval.

The Mayor asked the Town Attorney what happens if the Minutes can not be approved. Attorney Amadio stated that if the Commissioner can not approve the Minutes, they should state their reasons, and if the Minutes are wrong the corrections should be made to them to allow their approval. He said the tapes of the meetings in question are available, except for half of the October 18, 2005 meeting which was not taped due to a technical failure. The Commissioners should listen to them, since being absent is not a valid reason to not approve the minutes. Vice Mayor Peck-Epstein stated she had spoken with the Town Clerk, but the changes were not made, and she does not feel that the Minutes accurately reflect the meeting. The Town Attorney suggested obtaining a transcript of the meetings in question for Commission review. There was a brief discussion of the type of Minutes needed, verbatim, brief summary type, or a detailed summary type. The Commission suggested having the temporary Assistant Town Clerk, review the tapes and rewrite a detailed summary type of minutes for review by the Commission. If the Commission can not then agree to approve the Minutes they should be sent out for a verbatim transcription. A member of the audience suggested finding voice activated software to provide the transcription of the Minutes. Commissioner Maniotes will look into finding such software, and the cost of regular transcription. A discussion followed on the types of Minutes desired, with several styles and solutions discussed.

ACTION: The Commissioners agreed that they will all listen to the tapes of the meetings in questions and submit any changes they have to the Minutes to the Town Clerk in writing. Any small changes will be made by the Town Clerk as amendments to the Minutes, to be brought to the Commission for approval.

4. Approval of 2004-2005 Audit – Motion & Vote:

Commissioner Maniotes made a **Motion** to approve the 2004-2005 Audit as written and presented by Mr. Houser. Commissioner Bradbeer **Seconded** the Motion.

Vote:
Commissioner Bradbeer – Yes
Commissioner Baraybar – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck Epstein – No
Mayor Wilson - Yes

Vote: 4-Yes / 1-No; the 2004-2005 Audit was approved as written and presented by Mr. Houser.

5. Resolution No. 2006 – 02 Underground Utilities on Gulf Boulevard – Motion & Vote:

Attorney Amadio read Resolution 2006-02, requesting Pinellas County fully fund the cost of undergrounding utilities along Gulf Boulevard from St. Pete Beach to Clearwater Beach.

Commissioner Maniotes made a **Motion** to support the Resolution 2006-02, requesting Pinellas County fully fund the cost of undergrounding utilities along Gulf Boulevard from St. Pete Beach to Clearwater Beach. Commissioner Baraybar **Seconded** the Motion.

There was a brief discussion about the Resolution details, with Pinellas County funding the engineering and the undergrounding costs and the Town would pay the balance. Also, there were several questions about the balance that the Town would pay. This will depend on the engineering, landscaping, streetscaping, the decorative lighting, bus benches, etc. no estimates are available, yet. These costs can be paid or beautification projects be done at a later time.

Vote:
Commissioner Bradbeer – Yes
Commissioner Baraybar – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck Epstein – Yes
Mayor Wilson – Yes

Vote: 5-Yes / 0-No; Resolution 2006-02, requesting Pinellas County to fully fund the cost of undergrounding utilities along Gulf Boulevard from St. Pete Beach to Clearwater Beach was approved.

6. Big-C Alternate Voting Member – Motion & Vote:

Mayor Wilson explained the Big-C requested the member municipalities provide an alternate voting member to attend their meetings to attend in the absence of the regular member, Mayor Wilson.
Commissioner Maniotes made a **Motion** to appoint Vice Mayor Peck-Epstein to act as the Big-C Alternate Voting Member. Commissioner Baraybar **Seconded** the Motion.

Vote:
Commissioner Bradbeer – Yes
Commissioner Baraybar – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck Epstein – Yes
Mayor Wilson – Yes

Vote: 5-Yes / 0-No; Vice Mayor Peck-Epstein was appointed to act as the Big-C Alternate Voting Member.

7. Town Clerk Status:

Attorney Amadio asked for a Motion to place Town Clerk Beverly Brown on temporary administrative leave with full pay and benefits pending the litigation, and giving him the authority to negotiate an amicable solution for the Commission approval to end the dispute between her and the Town, including that the keys to the Town Hall be given to her attorney while this matter is pending.

Commissioner Baraybar made a Motion that the Town Clerk, Beverly Brown, be put on a paid administrative leave of absence with all benefits while the lawsuit is pending, and that Mr. Amadio be authorized to negotiate an amicable settlement, and that the Town keys and passwords be given to her attorney. Commissioner Maniotes Seconded the Motion for discussion.

A brief discussion followed on what keys would be turned over and the location of other keys, also on passwords for computer access. Commissioner Bradbeer stated that she did not think that janitorial service should have keys to Town Hall. Attorney Amadio stated that the janitorial service was bonded. The Town Clerk read the Motion to the Commission, and the Attorney clarified that any settlement would be subject to the Board of Commission approval and he would also report on the status at least every two weeks to the Commission. Commissioner Bradbeer wanted the matter expedited and that the attorney report the status or notify the Commission if a Special Meeting is needed. The Town Clerk read the motion to the Board. The discussion continued about the time frames that negotiations should be allowed before the Board takes other actions. The attorney assured the Board that the lawsuit will not continue over a long term. The attorney for Beverly Brown discussed other issues of employment that might arise over a long term, she did not feel it would continue a long term, but agreed that the Board could review the status every two weeks if needed.

Commissioner Bradbeer amended the **Motion** to read: To place the Town Clerk, Beverly Brown, on a paid administrative leave with all benefits to be revisited in two weeks, giving the authority to Mr. Amadio to negotiate an amicable settlement with all Town keys and passwords given to her attorney. Commissioner Maniotes **Seconded** the Motion.

There was a short discussion about the Town's options for other legal council and expenses incurred if the lawsuit should drag on for an extended period. Commissioner Bradbeer asked that the Motion be reread. Town Clerk, Beverly Brown reread the Motion.

Vote:
Commissioner Bradbeer – Yes
Commissioner Baraybar – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck Epstein – Yes
Mayor Wilson – Yes

Vote: 5-Yes / 0-No; The Town Clerk, Beverly Brown, will be placed on a paid administrative leave with all benefits to be revisited in two weeks, giving the authority to Mr. Amadio to negotiate an amicable settlement, and with all Town keys and passwords given to her attorney.

ACTION: Town Clerk paid leave to be revisited at next Workshop/Regular meeting after a report from Attorney Amadio on progress of negotiations.

8. Mahnke Contract:

Vice Mayor Peck-Epstein made a **Motion** to authorize Mayor Wilson to sign on behalf of the Town the Mahnke Consulting contract effective 1/30/06 amending to deleting orally. Commissioner Maniotes **Seconded** the Motion.

Vote:
Commissioner Bradbeer – Yes
Commissioner Baraybar – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck Epstein – Yes
Mayor Wilson - Yes

Vote: 5-Yes / 0-No; Mayor Wilson will be authorized to sign on behalf of the Town the Mahnke Consulting contract effective 1/30/06 amending to deleting orally.

9. Assistant Town Clerk:

Vice Mayor Peck-Epstein made a **Motion** to hire Marie Hamilton at the rate of $18.00 per hour as a temporary Assistant Town Clerk, effective February 8, 2006. Commissioner Bradbeer **Seconded** the Motion.

Mayor Wilson asked Marie if she was busy tomorrow, and Marie indicated she would be available to work. The Mayor will meet her at Town Hall at 08:00 in the morning.

There was a brief discussion about the emergency issue and on what the handbook defined as a temporary position. Mayor Wilson stated she would check with the handbook for anything else that needs to be done for this position.

Vote:
Commissioner Bradbeer – Yes
Commissioner Baraybar – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck Epstein – Yes
Mayor Wilson - Yes

Vote: 5-Yes / 0-No; Marie Hamilton was hired at the rate of $18.00 per hour as a temporary Assistant Town Clerk, effective February 8, 2006.

10. Appointment of Finance Committee Member:

Commissioner Maniotes made a **Motion** to appoint Gladys Rock to the Finance Committee. Commissioner Bradbeer **Seconded** the Motion.

Vote:
Commissioner Bradbeer – Yes
Commissioner Baraybar – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck Epstein – Yes
Mayor Wilson - Yes

Vote: 5-Yes / 0-No; Gladys Rock was appointed to the Finance Committee.

11. Gulf Boulevard Special Detail Deputy Status:

Vice Mayor Peck-Epstein made a **Motion** to extend the Special Detail Deputy for four weeks at the rate of $31.00 per hour, for 20 hours per week. Commissioner Maniotes **Seconded** the Motion for discussion.

There was a short discussion on where the money would come from in the Budget, and what revenues the Town gets from this. Vice Mayor Peck-Epstein will research the revenue figures and report them.

Vote:
Commissioner Bradbeer – Yes
Commissioner Baraybar – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck Epstein – Yes
Mayor Wilson - Yes

Vote: 5-Yes / 0-No; to extend the Special Detail Deputy for four weeks at the rate of $31.00 per hour, for 20 hours per week

ACTION: Vice Mayor Peck-Epstein will research the revenue figures and report to the Commission.

12. Other Business:

Mayor Wilson asked if the Employee Handbook item could be postponed until the next meeting. There was also a short discussion with the Town Clerk and the status of various issues, the finances will be turned over to Jane Lytle, Commissioner Maniotes will contact her to have her come into Town Hall, and other personnel issues.

ACTION: Employee handbook issue postponed until next meeting.

13. Adjournment:

A **Motion** to adjourn was made by Commissioner Maniotes. The meeting was adjourned at 11:00 p.m.

____
Mayor Linda J. Wilson

ATTEST:

____
Marie L. Hamilton, CMC
Temporary Deputy Town Clerk