MINUTES OF A SPECIAL MEETING OF THE FORT PIERCE UTILITIES AUTHORITY, THURSDAY, JULY 13, 2017, 8:30 A.M., CITY COMMISSION CHAMBERS.

Members Present: Chairman Glynda Cavalcanti; Vice Chairman Daniel M. DeIulio; Secretary Darryl Thomas-Bey; Deputy Secretary Michael A. Perri, Jr.; Mayor Linda Hudson; and Jack Andrews, Acting Ex-Officio Member/City Manager.

Others present: Clayton W. Lindstrom, Director of Utilities; Rupert N. Koblegard, III, FPUA Attorney; Nina B. Penick, Director of Financial Services; Paul Jakubczak, Director of Electric & Gas Systems; Bowdoin G. Hutchinson, Director of Water/Wastewater Systems; and Jason Hoffman, Manager of Customer Solutions

The beginning eleven minutes and fifteen seconds of this meeting is without audio.

The meeting was called to order by Chairman Cavalcanti.

Opening Prayer by Donna Benton.

The Pledge of Allegiance was recited.

The roll was called and a quorum declared.

Mayor Hudson read protocol for public comments that is used during the City Commission meetings **- audio was not working**.

Tom Jones of 9612 Crook Stick Lane, Fort Pierce spoke – **audio was not working**.

Pete Tesch of 1124 Verdi Street, Fort Pierce of Environmental Development County of St. Lucie County spoke – **audio was not working**.

Alice Ladomirak of 2052 SW Mc 2152 SW Madruga Street, Port St Lucie, FL 34953 – **part of audio was not working**. …… Mrs. Ladomirak said her position in the company and even her community activities. She said many FPUA employees as well as the community were affected by recent economic recession and all had to tighten their belts to get through it. Mr. Thiess was director during those difficult times and getting things steady. When Mr. Clay Lindstrom came on Board, in her opinion, he took the helm and has continued to keep the company on the steady course to recover. Of all the directors, he has demonstrated his commitment to the employees and rate payers by being open, listening, encouraged team efforts, and assisted where he could. During certain holidays, he opened his home to all the employees to celebrate that particular holiday to get together as a big family. Mrs. Ladomirak said Mr. Lindstrom visits the TCEC or the Treasure Coast Energy Center occasionally to speak with the employees there asking if there are any

questions and provided information to them the employees should know. She said she has sat in safety meetings with Clay, he was very passionate about employee safety. She believes Clay is a very caring director not only for the employees, but also for the community as well as the accountability and improving services in the City of Fort Pierce. She believes Clay has the heart to serve this Board and this City.

Val Sirmons of 1545 Pine Burk Lane, Fort Pierce, said she is a 21-year employee for FPUA and from going forward from the meeting last night, they had no idea how to handle this situation. She said four meetings later from this situation we had two for the Commissioners, two for FPUA Board and never in the history of this company since 1970, this says something. You all said due process and that word was mentioned so many times last night. Where is the due process for Mr. Lindstrom? There was a letter that was sent out to all commissioners, only certain commissioners wanted the opportunity to retain legal advice, no one knows why, we can all speculate. Just like four meetings later, no one knows why we are here. The City and FPUA work together as she stated in her last meeting and in 22 years, last year was the first time we had Thanksgiving dinner together as the City and FPUA, which works together in the community for the better of the community, for the citizens of the community. You said you wear two hats and we are asking you to put on the hat today for FPUA, see that the good that this director has done for this community in the short time he has been here. The things that are going on have nothing to do with him mam and commissioners, has nothing to do with him. He picked up the phone and tried to call each and every one of you to find out why we are in this situation. Only certain individuals will even pick up his phone, they would not even talk to him. Where is the due process in that as the Board of $100 million successfully run company? Mrs. Sirmons said the predicament that you are putting 270 plus employees in, look around this room, this is our fourth meeting, why? Can anyone in this room tell her why four meetings later of a body that is for the community, people are looking at this. These employees have to take vacation time to come for this foolishness, which is exactly what it is, it is foolishness. Do the right thing people, it is enough time spent on this, it is enough time. Board Members hear me, it is enough time spent on this. Why are we here, if you could give a legitimate reason? Mr. Dan gave you guys an opportunity to table this, get with the director, come to some conclusion, you are going to uproot $100 million company that is successfully run, snatch out a director, snatch out this and leave us in an uproar. What are the employees supposed to do? It is not right ladies and gentlemen. Put on your hat, the one that determines you to do the right thing. People in this community have said you are doing a great job as the Mayor, continue to do the right thing here today. We are asking you in the name of God to do the right thing.

Van Sowerby of 1300 Seaway Drive, Fort Pierce said he met Clay and Abigayle about one year ago at a charity event and they were the most gracious people you would have ever met. He said one of the first things Clay did was invite him to his house for a party he was throwing for all the employees of FPUA. He wanted to get us in to meet the family and understand who he was. Since that time, Mr. Sowerby said he has come to understand he is a man of integrity. He said

he is a local CPA, pastor, and he stayed up through the night praying this Board would come to a great decision and if it takes tabling it, then table it. Mr. Sowerby said they went out to dinner one night and he told them there was a really good pizza place he wanted to take the Lindstrom's to. Clay said he only had one question, is it in Fort Pierce because we are all here to do one thing and that is to promote Fort Pierce and promote everything here. He wife looked over after a while and started kidding him and said you do not have your phone with you and that Clay said because he takes one night a week off. He asked him if he was trying to catch up with a ballgame or what is it. Mr. Sowerby said Abigayle said if there is something that happens in the evening like a power outage or a water break, Clay gets in his car and goes down there to be with the employees to walk them through no matter how late it is, to help them understand the boss is here and wants to be sure they get everything they need. Mr. Sowerby implored the Board to rethink this, and that he is not sure what is going on. He said if it is just deposits, seriously is that all we have. As a Board you need to take the time and find out what the issues are and what corrections need to be made. If not, this will all happen a year from now if we do not stand and make the corrections. The man he sees before him is a man of integrity that he would like to work for. He actually put in an application because he thought oh my gosh this is a man he would like to work for because he enjoys his honesty and integrity. As a citizen of Fort Pierce, please Mayor, he said he knew her from a board he served on with her. He said he knows Glynda and knew all about Dan, a mighty man. He implored all to take a step back and say this is too much too quick and we really need to bring it back to light. Mr. Sowerby said one thing he thought in the middle of the night was if they ever heard, shoot first and then ask questions later, sounds like what is happening here. He said if that happened over at the police, what would happen there if they shot first and ask questions later. Let's not shoot first and ask questions later, please. Let's understand exactly what is going on and do the right thing for this honorable man that has brought the FPUA together as a family and when have you seen that. Have you all come to his house and said he was sure they were all invited. Please pick up the phone and get this out in public and fix it. If you were to fire an employee the way you are trying to do this, Human Resources would have a cow, have a lot of cows. Put it under consideration to fix this and he thanked the Board.

Larry Lammers of 5334 NW Conley Drive, Fort Pierce said he grew up at 305 South 20th Street right in the heart of Fort Pierce. He said there he experienced mineral deposits staining his brand new school clothes ones he only got once a year. At the time he had no idea what was going on, only later after working in the water department did he realize they had mineral buildups inside our cast iron water mains that were causing this to happen. Fort Pierce has done a great job of replacing those mains. He experienced storm related power outages that caused his family and friends to gather around a table at candle light and play cards together and to have Fort Pierce Utility personnel come and restore that power as quickly as possible. He also experienced utility personnel coming out at all hours of the night to fix sewer drain clogs so they could flush their toilets. Mr. Lammers said he went to elementary school at C.A. Moore Elementary, Lawnwood Elementary, Middle School at Forest Grove and High School at Westwood High School. He said he grew up here and was convinced he would never live here after leaving, absolutely convinced.

He had his first child while he was in Orlando and realized something, that family and community are hugely important. They are the foundation of who we are. He said he mentioned some of his background because he wanted to help solidify what he believes is a critical factor in determining whether or not somebody should be an employee with FPUA. That factor is do you have a deep rooted care and concern for the community that you serve. A recent compensation study has determined that if you are here just for a paycheck, there are greener pastures elsewhere. If you are here, there has to be something driving you more than just the paycheck and the money you receive. You have to care about what you are doing and believe this utility is a benefit to our community. This Board has found someone like that in Mr. Lindstrom, it does not take long to figure that out. He genuinely cares for this community and he wants to see us do the best we possibly can and whatever influence he has over that he will use, using all of his energy and he is going to finish empty. He is not going to leave anything on the table. Mr. Lammers said his only guess as to why we are even here is that there is going to be some additional information that comes out during the course of this meeting that we have not heard yet. He said if there is not and Mr. Lindstrom is still terminated, it leaves someone like him in his position thinking that his position with FPUA is insecure. If they can get rid of our leader so easily over something that seems in his eyes relatively insignificant, a problem that needs to get fixed yes, but terminating the leader of the company over does not add up. It leaves him feeling insecure, like the Board does not value its employees or its leadership. A decision made by the Board today is going to resonate into the future. It is going to have a long lasting impact on FPUA and our community. His hope is that as you cast your vote, you will be solely focuses on the better meant of our community and not on any personal feelings or any hidden agendas. May God's wisdom be with you.

Rick Kulcheski of 1901 Rio Vista Drive, Fort Pierce and 10855 Westwood Lake Drive, Miami, Florida said he pays out to five different utilities in three different counties with his business and other things. He said every single one of them required a deposit. His question would be why hasn't the Board required deposits because if a company turns around and closed their doors tomorrow, who is going to pay the electric bill. That is why the deposit is there. He came up here from Miami just for this and said he knows Mr. Lindstrom and has had dinner with him and his wife. His pager and cell phone goes off because there was a small problem, taking care of it was the first priority for Mr. Lindstrom. Mr. Kulcheski said he has also been to his house for a party and has not seen too many of you all there, but has seen a lot of his employees there and the bonding they have had. He has dealt with a lot of people in his company and kind of wish he went way back when he had some of that bonding he had with his employees that he could have done with his. He does not why we are here and why you are using the thing of deposits as an excuse to try and terminate him, he does not even think that is correct. One question he has is if you have a deposit then your bill can partially pay, but if you do not have the deposit every customer of FPUA has to take and pick up that tab. What happened when Kmart closed down, did they pay their bill or when a couple of the other stores closed down. Maybe the larger ones did, but not the smaller companies if they close down. They will say to try and get it from them and that adds up to a lot of money. Mr. Kulcheski said he has been through three or four major

storms here and the last hurricane the power was off for ever and ever because they turned it off and had to go around to physically look at every line to make sure it was safe to turn on. The last storm his house was off for approximately 10 hours and his neighbors lost power for maybe 15 minutes or 20 seconds mainly because Mr. Lindstrom says FPUA has a trouble board and see what the trouble is when it happens and sends out crews as long as it is safe to bring the power back on. Mr. Kulcheski said he was up at 6:00 a.m. after the storm and Harbor Isle had power and the Coast Guard base had power. Within a couple of hours most of the island had power except for his power where they did not get it back until late. He has Mrs. Lindstrom's email and he sent her a text and asked what the deal is and that Rio Vista should be number one on the priority list. She replied said that is the last one, there are more important things to do. He does not understand what this deal is over deposits, they should have been going on for a long time.

Margaret Cook of 1711 South Indian River Drive, Fort Pierce said she is new to Fort Pierce being here eight months. She said she is an accountant by education and a retired corporate executive so even though she is new to the community, she is here as a business person and a friend and neighbor of Clay Lindstrom. In generally acceptance accounting principles, deposits are highly recommended and encouraged. If you do due diligence on a corporate client, you may deem it necessary to require a deposit and that is good business practice. It is actually a shame if we have not been doing that the reasons the prior citizen mentioned. If that is what this is about, she hopes you get on board and do it the right way. If that is not what this is about, then please come forth with all the information for us. Something does not seem right and she encourages the Board to tell them more details. Mrs. Cook said Clay is a good person and he is an honest person that loves Fort Pierce. She said that is the first thing he made clear to them when they got here on how wonderful this community is. Please do the right thing and take time. She does not know what is going on, but she hopes they will find out today.

Bill Goodwin of 5811 Northwest Beckham Court, Port St. Lucie, Florida said he is an employee of the FPUA water department. He said he has worked for four or five different municipalities. He left Vero Beach and came back here just to work for FPUA and has had several directors in charge. He has never had a director like Clay that comes to you when he gets here and introduces himself to you and opens his house to you so he can build teamwork. You are talking that you want FPUA to be a good company well you have to have good leaders and that is your man.

Karissa Ware of 2655 Niagara Avenue, Fort Pierce said she has been an employee of FPUA for three years and is still a baby and is still learning. She knows right and wrong and good and bad and someone that has been at his house for these parties, she has been there with him and his wife. She cannot just sit by and with her experience he has always been open and honest and loving for his employees. Ms. Ware said she was there for the gas outage and through the hurricane and he was there, sleep deprived with black coffee through all of it and encouraging the employees to get the business and customers on, work diligently as possible. They had

chocolate, snacks, and were taken care of. His wife makes those cupcakes every holiday for the whole company, it speaks volumes the care that he has for the community and for the city. We should all be on the same page, we all want the same thing, and we are all here for the people. If the people are speaking and saying what a good job he is doing, we have our State Representative and commissioners coming forward, shouldn't that mean something. It means everything to her and if someone spoke that highly of her, she would appreciate it and would hope the Board would take that into consideration when making your decisions today.

Karyl Bertram of 1726 Point West Way, Vero Beach, Florida said she is a 12-year employee of FPUA and works in the Water Resources Department as the laboratory coordinator. She tests the water for so many things you probably cannot even pronounce to make sure it is safe for you to drink. She said in the 12 years she has been here, Mr. Lindstrom is the first director to public acknowledge to this Board the job she does and to invite her to explain to the Board what she does. As she goes out to test the water in the distribution system, she has gone from having ratepayers ask her why their rates are so high to asking how they can treat their water for their fish tank. Lately it has been a more positive experience and she attributes that to Clay. She would also like to reiterate what Mr. Lammers said that if you can summarily remove a director without cause, what does that say about the security of her job. Ms. Bertram said she enjoys the relationship she has with her supervisors that allow her to have a two way conversation, evaluate her, let her know what she is doing well, and where she needs improvement. She hopes the Board would extend that curtesy to our director.

Kathy Townsend of 474 Peninsular Drive, Fort Pierce said she too is really shocked as to why we are even here having this conversation. She said as a leader in the community she would like to mimic and ditto every single conversation she has heard here today. She herself is questioning why and if you all go back and look at the history of FPUA from Bud's administration to the administration past that, it really moved the City backwards. They struggled, there were not relationships, there were employees that were not real comfortable with their jobs, and we are falling into a place in the City, the County, and FPUA that we are a family and a team. That is what we do best in the community is come together for the cause of the non-profits and we support our families in need. For the first time in the last year, she has not heard anybody say anything negative about FPUA and that to her is remarkable. Ms. Townsend said she has hear nothing but complaints over the past ten or fifteen years. She said she does not personally know Clay, but she has had a conversation with him and when she found out about this two days ago, she is a little upset she has not had an invitation to his house or had cupcakes, but she was lead to come here because she is a leader in this community and just like Mr. Tesch spoke about the EDC, Clay came out with Mega Yachts and took care of business when he did not have to. He allowed that company and business to move forward and do what they had to do. If you are going to sit here and look at somebody that the employees are speaking loud and clear about the comfort and the love that this man shares for them, they can leave their home and go to work and love what they do and go home to their families happy, that is her goal as a commissioner.

She wants her staff happy and she does not think there is any more things that can be said here today except you all need to dig deep like you opened in prayer that you will go to prayer before you reach a decision and understand that this man has moved forward in the short time he has been here because he had a lot to clean up. Not only as a homeowner that has Fort Pierce utilities, but as a leader in this community, she would hope you would do what is right today, keep him, and give him the opportunity because the things in the businesses and the deposits we are referring to was prior to his administration. The businesses that were found after he has been in are all in agreement that they should have paid their deposit. In her opinion she sees he has done nothing wrong, but been a blessing in this community and hope you can open your eyes to see that as well.

Doretha Tosdale of 2804 Dunbar Street, Fort Pierce said she is confused with the meeting last night and is here today. She said normally if someone has done something that is not totally correct whether they knew about it or should have known about it, there are other ways to discipline someone other than termination if that is the case here. This entire proceeding is totally confusing. She does not know Mr. Lindstrom, but she does know his wife. She is a beautiful women and if she supports him, he must be okay in her book. What she has heard is the employees speaking about how much they love and respect their director. She was totally neutral when she walked in here and was not going to say one word either way because as she said earlier, she is confused about this whole situation. If the employees are speaking in such a manner about their director and she does know she is a ratepayer here and FPUA really has been a great asset to her community. She has seen her rate drop because she heard someone say they moved into the community and the first thing they ask her how safe her community is and what you pay for electricity. They do not live in the City because it is too expensive with utilities. She has told them the rates have been dropping and it has been since Mr. Lindstrom has been here. Ms. Tosdale said if it is something he has done they do not like, correct it with him. There are other options to do other than termination and she asked the Board to think about what they are going to do if this is on their calendar to terminate him. Give him a chance.

Bill Nunn of 1807 South Indian River Drive, said he comes here as a resident and a friend of Clay Lindstrom. He has known him as long as he has lived here. He is the Chairman of the Board of the Housing Authority for the City of Fort Pierce. He believes they are FPUA's largest customer and since Bill left and Clay came in everything has been seamless. He talked to his executive director last night and she said there has not been any issues with FPUA since Clay took over. He is a little confused by this himself and also surprised that he did not hear about this meeting until yesterday. This is an important decision for the Board just to kick a director out and bring somebody else in so he would like them to think long and hard about it also

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Charlie Frank Mathews of 435 North 11th, Fort Pierce said he sits still and tries to be last for a reason. He said in 1972 a gentleman approached him by the name of Hudson C. Miller and at

that time he owned the radio station. He requested a meeting with Mr. Mathews and at the meeting there was another gentleman by the name of Barry Reed, Sr., another gentleman by the name of H. B. Moore, and another gentleman named Thomas Sloan. Mr. Mathews said he is the only living source from 1972 to now and he says that for some reason. He said you have what most citizens are trying to get, you have a man that has great integrity, man who is honest, and a man who builds morality within the employment and he does not know what else this Board wants. Politically, he is wondering because he serves on some City boards and is chairman of one, looks like to him somewhere the violation of the Sunshine Law creeped in for three people to say by the grapevine you are going to fire a person and two don't, somebody got together. That is not fair. Lastly he wanted to say to Madame Chair and Members of the Board, he went to the school called Lincoln Park Academy and their motto is "We do right because it is right to do right". That has stuck with him over the years and he has watched the political plays in St. Lucie County and the City of Fort Pierce because he lives here. You planned the game wrong in this case, civil rights is one of his backgrounds over thirty years and he can tell you there is nothing you cannot work out. You can put Mr. Clay on three months' probation and that would probably be reasonable, but what is unreasonable is to let the fellow go who has got evidence that the staff loves him. He did not go to the party, but he is willing to come. He will bring his own cupcakes so his wife will not have to worry. The grapevine tells him that you can do better and he trust we do not want the black guy on the City it is hard to go to Fort Pierce because when you get there and then they let you go for no great reasons and that is why he is here. He thinks you can do it right.

Reginald Sessions of 1304 North 22nd Street, Fort Pierce said he is a lifetime resident of the City of Fort Pierce presently residing as City Commissioner for the City of Fort Pierce. He said he would be remise if he didn't and he was going to show up as a fly on the wall, but he would be remise if he did not stand up and say something at this point in light of the decision this Board is about to make. As it relates to your present Utility Authority's Director, Mr. Clay Lindstrom, he for one can say that during his tenure he himself has had a lot of second thoughts about his steadfast immovable attitude about a lot of the things that have been going on with the City of Fort Pierce and the Utilities Authority and there have been some things that have happened as it relates to the Utility Authority and he is not going to prolong time to talk about that because that is not why we are here today. Even in his position, a lot of individuals know how he feels in regards to this Authority and the City, this individual has made it possible for himself to even revisit a lot of the issues and reconsider a lot of things. Mr. Sessions said he can see where he has brought the Utilities Authority and the City together to discuss issues that we never thought about discussion in terms in being unified in coming together on one forefront in furtherance in what we should be doing and that is to make this the best city for the citizens of the City of Fort Pierce. He said in reference to Mr. Lindstrom based on his meetings with him and talking to him, he has a very humble spirit and that may be one of the reasons why he is in this predicament, nevertheless, Mr. Sessions said he believes it is something he brings to the forefront that you all should consider with regards to any indifferences you may have with him to sit down and try to resolve these issues. He said based on what he sees out in the audience in the individuals here,

he said he was curious and asked those individuals that are in support of Clay Lindstrom to please stand up. He said he has been doing that for as far as sitting in this governmental capacity as City Commissioner now for some 16 years. Probably even though he is not the oldest, but probably has more tenure than most of the individuals in political capacity here in our County, and he said he has seen a lot of police chiefs go, a lot of city managers go, at least three director of utilities go, and he has never seen at the point of termination, which is what this meeting is about that so many of the individuals employees would come out in support of someone in that capacity as a lead administrator. That in itself is something you all need to consider because if in fact things do not work out favorably for Mr. Lindstrom, obviously the morale rate is going to be cut in half. Again he really does not know and has not heard of the reasons why this is even being considered, but whatever it is he would say that given the man's spirit and his attitude towards the City that it is something that can be worked out in an amicable fashion short of termination.

Rick Reed of 3301 Bent Pine Drive, Fort Pierce said he has watched this whole situation and like everybody else it seems to be a mystery. He said one thing he knows for sure irrespective of what happens today and he hopes you all find it in your heart to do what is right. It takes character to do that and what he has witnessed lately has been devoid of character. One thing he knows for sure as Commissioner Sessions and others have just said, there have been many of us that stood at this podium for years and lambasted the Utility Authority and what has been done over the years to our residents and our business. God works in strange ways, Clay Lindstrom came to this community and he united this community, united business, these employees, and even people that fought the Utility Authority. Mr. Reed said this man has more character than we deserve. He told Clay he does not know what is going to happen today and thanked him for what he has done for this community. He told Clay that he united them and he has so much class.

Mayor Hudson called for point of order and said the Board should be addressed and not the audience.

Mr. Reed said you have been addressed again and again Madame Mayor and you do not hear, you are deaf. He said he would leave with this that you should be ashamed.

Ms. Cavalcanti said she believes.

Mr. Reed said excuse me I did not hear what you said Madame Chair. He said he did not hear her and he begged her pardon.

Ms. Cavalcanti said she believes she read the rules of conduct prior to beginning.

Mr. Reed said you should have listened to them yourself, it might have sunk in.

Ms. Cavalcanti said at this point we are going to move on to the discussion of Mr. Lindstrom's contract with FPUA. She asked Mr. Koblegard to please make a few statements as to the protocol on this.

Attorney Koblegard said you may have a hard time hearing him and he may have a hard time speaking. He said he has been the attorney for the Utility Board for 22 years, lived in Fort Pierce all his life, and worked under three directors; Bud Boudreau, Bill Thiess, and Clay Lindstrom. He said he does not get involved in the hiring and he does not get involved if he can help it in the termination of directors of the utility. Because although he works at the pleasure of the Board, he basically works for the Director and he always gets guidance from them on what he does. You have to do your job or try to and just to put it in perspective, if he had a choice right now to be caught in the gulf stream trying to cross like he has in the past in a bad storm or squall where the seas get high enough to scare you to death, he said he would rather be there today than here doing this and that is his personal thought. Attorney Koblegard said getting back to business, the pertinent section in Mr. Lindstrom's contract is Paragraph 9 and he asked Florinda to let everyone get a copy of this so you could read it an familiarize yourself with it so if you had any questions he could try to answer them. He was asked to go over this and see if he can make it as clear as he can without confusing as to what he thinks the different choices may be. The first paragraph says: "In the event Employee's employment with FPUA is terminated for good cause in accordance with FPUA's policies and procedures, then this Agreement will no longer have any force and effect and will be deemed null and void; and no severance pay shall be due the employee." Attorney Koblegard said he takes that to mean, if Mr. Lindstrom or a director, if he is terminated for cause cannot demand any severance pay. However, he does not believe that would not keep the Board from granting severance pay to the director. He thinks that precludes being forced to, but does not preclude voluntarily doing that. Paragraph 2 states: "In the event that employee wishes to terminate this agreement, he or she shall provide FPUA with three months' written notice, and no severance pay shall be due employee." Attorney Koblegard said in other words if the director decides to step down, he is required to give three months' notice and is not entitled to severance pay. However, as he interprets it, he cannot make the Board give him severance pay, it does not mean the Board can't do that as the Board. Even if Mr. Lindstrom resigned, he could be considered by this Board to pay severance pay set out in here, which is three month's severance pay. Then we get to paragraph 3 and Attorney Koblegard said to be honest, it is rather confusing. He said he will read it and see if maybe he can let you know what he thinks it means. "In the event that employee is terminated by FPUA before the expiration of the term of his employment specified herein without good cause." Attorney Koblegard said it is basically saying you have lost confidence in the director, but not saying it is in violation of anything in particular, you do not have to. The director like him, all the directors in the Utility Authority, like Department Heads, are "at will" employees. In other words, we can be terminated for no real reason whatsoever, just if someone thinks that is the appropriate thing to do. He continued to read paragraph 3: "and during such time employee's is willing and able to perform his or her duties under this Agreement, then in that event, FPUA agrees to pay employee, as severance pay, a lump sum to include the benefits provided for herein equal to three months' pay or, at FPUA's option, shall continue to pay salary and benefits equivalent to three months of

employment. FPUA shall provide employee with three months written notice of such termination of employment." Attorney Koblegard said that is kind of confusing, but his interpretation is that if the Board chose to, Mr. Lindstrom could be terminated today; however, he would still be entitled for a period of three months to three months' severance pay to be paid today, tomorrow, or whenever normal payments are made over that three month period of time. He would also be entitle to all benefits he is receiving today for a period of up to three months. In the event that is the situation, he thinks the Board needs to consider there are some issues in that paragraph that are not clear. He said he is going to give his thoughts. He wrote it out so he would not mess it up too bad. Granting an employee severance pay as he sees it is in contemplation and consideration protecting the employee from sudden unexpected unemployment and consequent lack of income. This pay ensures the employee will be given adequate opportunity to seek alternative employment and remain insolvent for the three-month period complying for agreeing to in the employment contract subject to relative limitations. In his interpretations of paragraph 3, Attorney Koblegard said upon FPUA's written notice of termination to the employee pursuant to the terms of paragraph 3, the employee will no longer be legally employed by FPUA exactly three calendar months from the day of the notice. However, immediately upon FPUA's written notice of termination, the employee ceases to be an active employee of FPUA and FPUA may prevent the employee from accessing FPUA's physical location, FPUA's internal client list, computer programs, email servers, and on and on. In other words, his active day to day duties of the Director can be terminated if it is the decision of the Board immediately, a written letter of termination has to be delivered to him, but the Board can vote now and make that decision and that will be fine.

Mr. DeIulio asked if what Attorney Koblegard just laid out for us is our options if we as a Board make a decision to terminate the contract with the Director of Utilities.

Attorney Koblegard asked Mr. DeIulio to repeat that.

Mr. DeIulio said for clarification, he asked if what he just laid out is the course of action if the Board determines to terminate his contract. He said he is assuming there are plenty of other courses we can take in lieu of that.

Attorney Koblegard said this is all predicated on either a termination under one of the paragraphs or resignation under the second paragraph. He said it has nothing to do with if the Board does not decide to do that obviously. He is just letting you know what the choices are depending on how this meeting goes.

Mr. DeIulio asked Attorney Koblegard what he would suggest would be some courses of action other than termination in his experience.

Attorney Koblegard said there is probationary periods and there are other choices, there is no question about that. He said right now he cannot articulate those and he probably should be

able to. He is not trying to say that he does not want to say, but there are any and other alternatives the Board decides to determine.

Mr. DeIulio asked if it is correct that we do not have to make those determinations today. He said if we chose not to terminate his contract today, we can look into the future as to how we will proceed with this.

Attorney Koblegard said that is exactly right.

Mr. DeIulio said thank you.

Attorney Koblegard said in light of what he said about the different choices, he thinks the Board should also know he went back and calculated what the severance pay may be. He said he took the original $150,000 salary and multiplied it by 1.03, which he thinks is the cost of living raise that Clay got his first year and multiplied that figure by another 1.03 to come up with what he thinks the salary is now. He divided that by twelve and he believes his monthly salary now is approximately $13,261 and three times that is $39,783, which is three month's severance pay. However, under Florida Statutes 215.425, on or after July 1, 2011, officer, agent, employee, or contractor may receive severance pay that is not provided for in the contract or employment agreement if the severance pay represents the settlement of an employment dispute. Such severance pay may not exceed an amount greater than six weeks of compensation. Attorney Koblegard said as he interprets that, the Board, if there was a termination or resignation can pay him three months' severance pay or 4.5. He said at three months Mr. Lindstrom would be paid roughly $39,783 and if you add the allowed additional six weeks, his termination would be $59,675. Those are approximate based on his multiplication. Unless he has confused things, that is what he thinks the Board has to consider going forward and he will be happy to answer any questions if there are any.

Ms. Cavalcanti asked if we are then going to open it up for discussion by the Board Members.

Mr. DeIulio asked what we are opening up for discussion.

Ms. Cavalcanti said she would guess we are opening the discussion of his contract and whether or not we want to terminate it, put him on probation, or leave it as is. She said to her those are the alternatives and asked Attorney Koblegard if that was correct.

Attorney Koblegard said he believes that is correct.

Mayor Hudson said before we get to that hard discussion, she has a few things she would like to say in terms of what some of the comments have been. She said first of all, this is a public body and we are covered by the laws of the State of Florida for governing bodies and so we have to do everything in the open. If this were a private company, this would not be a public forum where people got up and gave their opinions about people and so it is only fair and only right for you to

do that and have the ability to do that. Many of you here are employees of FPUA, but she knows there are a whole lot more employees she hopes are out there working at their jobs. This is a very important and valuable company here and it is a component unit of the City of Fort Pierce, it is an asset that we value, and from her personal standpoint, as a member of this Board, she values all the employees. The employees who spoke about their rights and being concerned about what happens today affecting their jobs, she said this Board is going to do everything in its power, she believes and hopes from where she sits to make sure that situation is taken care of and you get to go back to work and do the normal good professional jobs that you have been doing many of you for many years. We have many long-term employees and it used to be a place where year after year got this is the best place to work award. She knows many have been here a long time. If you are doing what you are supposed to do and an honest job, you do not need to fear for your employment. Also she believes one speaker said this has been going on so long and asked why don't you just come to grips with it and do this. Another speaker said this is too quick, and asked what are you doing. Mayor Hudson said she thinks if you go back and watch our Board meetings or if you had attended our Board meetings which the Board is there and many of the department directors are there, but not 270 employees and certainly not the number of employees that are here today. This situation would be a little bit clearer for you. There were several speakers that talked about the deposits and what a good practice it was to make sure a commercial establishment had deposits. We have a resolution in place that requires that. This is not something you can pick and choose and so we want, I want the Board and the staff to follow the policy of the Board. If this policy is not right or not adequate then this Board is the one who says to look at the policy and change it or tweak it or improve it, or leave it as it is. If you are a company like we are regulated by NERC and FERC and she does not know what that means, but it is the feds and it is serious. You have to run this company right according to and even homeland security plays a part in this. This is a very important and essential service provided and it is for the public health and safety of this community. Policies have to be followed and somebody talked about the rates. Mayor Hudson said as much as she would love to have the Director of Utilities be able to set the rates, the rates have nothing to do with anything except the cost of the product and how efficiently this company is run. She said this company, this director answers to a Board. A board is these five people for better or worse and so the employees can have opinions about the director, but we are not running a popularity contest here. We have a professional relationship and this is not a family owned company. She thinks that we need to as of now, this meeting has been advertised for quite a bit and this not a surprise and certain things have been evolving over time. Emotions are running very high and she would ask the community and the employees to quickly when this meeting is over, we need to get back to business. We need to get back to serving our rate payers and that is who she is concerned about, the rate payer and the citizens of Fort Pierce.

Mr. DeIulio said in response to the Mayor's comments, this is a surprise to him as a Board Member. He said he has been working on the Utilities' Board for seven years, worked with Bill Thiess and worked with Clay Lindstrom and he has total confidence in both of them throughout the time he has worked with them. There may be some issues he has with some management style concerns, but this is a surprise to him. This has not been going on for a very long time. He

said he got a call 30 days ago from the Board Attorney that the Director of Utilities position was at risk, 30 days ago and that a full report as to the reasons for his termination would soon follow. Four days ago he received the report, which was a surprise to him with the items that were included in it. It was a series of letters and documents essentially from a couple of departments within the utility where there were some squabbles going on with regards to favoritism for one particular employee that was the bad boy he guesses. Mr. DeIulio said to him this was a surprise that he was served the papers with only four days to figure out what was going on and left in the dark for that period of time. He said this is a surprise and is not something that has been sitting out there for years. Just as a further point he said for clarification, it is good to have policies and procedures and to follow them. As you know the prior meeting he recommended we take the time and evaluate Clay's performance. We have a policy and procedure that the Board is supposed to follow and the policy is the Board shall perform a performance evaluation of the Director of Utilities on an annual basis. Clay has been with us for two and one half years and we have not done that. There are policy and procedures that need to be corrected, he would suggest we look at our own policy and procedures and correct them as well. That is all he has to say with regards to that.

Mr. Bey said he has been listening to everyone's comments and he has been invited to the parties too and some of them were really good. He said we are not here to discuss parties or having a good time, or eating cupcakes. We are here to talk about running a $100 million company. After thinking about this, it is a serious matter and he is not surprised because he has been interacting with employees, visiting people since he has been a Board Member for five years so he could have a good idea of the pulse of where this organization is. He thinks if it is a surprise maybe someone does not or some of us have not been close enough to the company where they know exactly what is going on. It is a serious matter we are dealing here with. Mr. Bey said someone mentioned and he thinks it is important for all employees to know the Board of Directors do not hire or fire staff or employees. He said we hire or fire an Executive Director or Director of Utilities and that is their job. You must get that clear regardless of how you feel about the proceedings today, your job is not in danger of being lost or having retaliation. Mr. Bey said he has spoken to probably close to the same amount of people that are in this room today, but these people were fearful of coming to this meeting to speak up because they were in fear of losing their jobs or being retaliated upon. In this process, there have been employees that have been retaliated upon because they gave their opinion or spoke out about what is going on in the company. He thinks one of the suggestions he is going to make moving forward if there is a way we can do this. Mr. Bey said the Board of Directors as a whole needs to be more involved and needs to have a better participation in what is going on in the company. He does not want it to be a micro-managing situation where we are micro-managing our director we hire. He thinks if the Board does not know what is going on in the company then, we are at odds. We are surprised in a sense.

Mr. DeIulio said in response to that he said he has been on the Board for seven years and for seven years he is a CPA so he likes to look at the numbers. He said for seven years he has been involved deeply in the budget process with the Utility. Basically for several months in the early

spring, Nina, the Finance people, and the different Directors and Department Heads get together with the Director of Utilities and we hash out the budget every year. He has a rather unique position in that he sees the day to day operations and the whole process in which the budget gets prepared. He sees the interaction with the Director of Utilities with the head of Finance, Water/Wastewater, and Electric. That process has for the seven years he has been on the Board been handled in a fair sometimes stressful manner because we are talking big money. Mr. DeIulio said he has a close relationship with the different employees involved in that and as a result he feels he has a good pulse as to what is going on with regard to the finances of the company. He does not get involved in the day to day operations and the personnel decisions that are made in the company or side in certain little squabbles between offices. That is not part of being a Board Member. We are supposed to fly at about 10,000 feet, let the Director handle those situations, and then proceed. If they are major situations that come up with regard to personnel matters that need our attention then he would assume that would get communicated to us in such a way we can deal with it. Mr. DeIulio said he would assume all of us up here have different connections and different employees we talk with on a regular basis, but it would not be fair to say that any one of us has a full pulse as to what is going on with all the employees of the company. He said that is why he recommended we do an evaluation. We are not just doing an evaluation of a director, you bring someone in from the outside, a consultant in, and that communicates and has meetings with all the different department head all the way down. That independent person then is the person that makes a determination as to how well the management of the company is going. Not himself. Mr. DeIulio said he has talked to dozens of people in the last three days, people that love Clay or don't love Clay. He said our job is not to determine the internal workings of the company. We are supposed to stay high above all of that and he would not be comfortable with us being as a Board getting involved with the day to day bickering between different departments.

Mr. Perri said first of all he liked Darryl's idea of getting involved with employees and as a matter of fact he has been doing that since he has been on this board. He can tell you he knows a lot of them by site, but not by name. He met a lot of them during the hurricanes, he was out in the field, in the energy center, worked as many hours as many of the employees did on the hurricanes. During the gas crisis fiasco, he was out there shoulder to shoulder watching people from our department, Tampa, and other cities that came to help us in that crisis. He observed a very dedicated group of individuals so he has been shoulder to shoulder with these people and he admires them. Mr. Perri said he thinks they need a better shake on this whole idea. He said he was going to read something that he has been doing in the last few days. On Friday, July 7 he visited the water plant and spoke to most of the employees about the current state of affairs of FPUA. Everyone he talked to had nothing but positive remarks about the Utilities' Director. Most were concerned with the upcoming meeting about Clay's contract and future employment and said they would take vacation and swap their lunch hours to be at this meeting. Some said they would go to the meeting if it meant docking their pay. All of the people he has talked to are very supportive of Clay and are pleased with the way he manages the utility, his open door policy, and his pleasant action with employees. He talked to one employee that has 31 years in December and he told Mr. Perri that after Clay became the director, he finally felt he was part of a pie and

not part of the pie tin. Clay made him feel good with his open door policy and friendly attitude with the employees. The employees of many other departments that he has talked to have high regard with the Director and cannot understand what is happening. All have said the morale problem is that the Board refuses to act in getting their pay scale up to the industry standard. The other morale problem is a complaint that the Director of Shared Services has hindered some employees from interacting with certain other employees and impeding their ability to do their job properly. Several employees told Mr. Perri they had strong suspicion of emails and work product were being hacked and shadowed by the Director of Shared Services and the IT Manager. If this Board terminates the Director of Utilities, the ramifications of this action could have an adverse effect on this utility as a whole unit. It will mean spending well over $60,000 or $70,000 and hundreds of man-hours for a replacement. He fears in the future when the applicant inquiring for information through the City's and the Utility's video streams, very few if any high quality individuals would even be wanting to apply for this job. We have a high qualified man now who should be afforded the opportunity to correct flaws or shortcomings that some Board Members may have. He believes it is a great injustice to terminate this man without any evaluation whatsoever. There are few among us if any that have not made mistakes. We the Board, as an employer, should act prudently and hand down a six-month probation period and during that time we can convey our issues of concern to him. Each member would compile an evaluation and pending the end results we should act accordingly and in the best interest of our tax payers, rate payers, the City, and this Utility. Mr. Perri said last night there was mention of due process and he asked them if a Director should be afforded that same opportunity.

Mr. DeIulio asked if that was a motion Mike made or just an observation.

Mr. Perri said he will make that motion if discussion is over with.

Ms. Cavalcanti said she has some things and she thinks the Mayor has some things.

Mayor Hudson said she does, but that she has spoken once and told Ms. Cavalcanti to go ahead.

Ms. Cavalcanti told the Mayor to go ahead.

Mayor Hudson said she wanted to be very careful how she says this. She said at the City, the Charter requires you to deal with the City Manager, the City Clerk, and the City Attorney and you are not to deal with the employees in a manner that may be considered that they would feel their employment was affected or in any way in directing them or coming to the place of business and talking to employees would be a Charter violation at the City. She wants to be very careful for this Board that we want to act in an honorable way as possible and a fair way as possible. She wanted to put that on the record that sitting down with employees and talking about employment and even meetings with staff, we are the policy makers and we hire the Director and the Attorney and the auditors and that is their duty. She just wanted to put that on the record.

Ms. Cavalcanti said as a CPA, first of all she wanted to say this is the fourth meeting that this has been brought up. She said not the Director's contract, but the fourth meeting with regards to deposits. It was brought to the attention of this Board in the May 16 meeting by Bill Abramowicz who is the former Customer Service Manager and is now retired. She said she had no idea of anything about it. Then it was brought up again at the June 6 meeting by Board Member Bey. She will say at the May 16 meeting Board Member Bey was not present and at the June 6 meeting Board Member DeIulio was not present and asked Mr. DeIulio for confirmation.

Mr. DeIulio said he was down in the Colorado River June 6.

Ms. Cavalcanti said then it was on the July 5 meeting and there was a lot of public comment at that meeting and now we are at the July 13 meeting. She said we have been involved in this for nearly two months. At the May 16 meeting Mr. Abramowicz came forward and brought up some points and as a CPA, she knew as a Board Member she has an ethical responsibility to investigate the items he stated, which was that a certain business was given preferential treatment. She said she is going to read the minutes in just a minute. However, she would first like to read what she read this morning on WPTV. It says, "Director Clay Lindstrom's employment contract is up for discussion in another special meeting Thursday morning. FPUA spokesman Jason Hoffman says concerns about commercial deposits could be brought up. Hoffman says Lindstrom discovered dozens of business had not paid deposits over the years with no explanation. Residents in public meetings raised concerns over special treatment. Lindstrom said he did not know how the businesses slipped through the cracks. Hoffman said if a business fails and does not have a deposit to cover any possible missing payments, all other customers could end up footing the bill. Lindstrom's employment will be determined in the special meeting at 8:30 a.m. Thursday in the Commission Chambers." Ms. Cavalcanti said she is now going to read from the minutes that we got from Mr. Abramowicz, his statement to this Board on May 16. She read "In the past, Mr. Abramowitz noticed during his career at FPUA there could have been financial hardships for both the utility and its residential customers had those commercial accounts not been adequately deposited when those business went out of business or bankruptcy. He said the rest of the customers did not have to take that hit, the money was available to cover those accounts." She said that was because they would have security deposits. She continued to read Mr. Abramowicz statement: "Many times staff had to do a lot of negotiations to get those deposits, maintain deposits, keep them up to snuff, and bankruptcy has affected that as well. One of the things he knows is every commercial customer should be treated the same. Mr. Abramowitz did a recent public records request and the records showed there is a commercial account that has been open for seven months and has no deposit on the location that requires $8,000. He said FPUA is supposed to have that deposit per the resolution within five days." Ms. Cavalcanti said everyone can read the minutes. She said because of the statement at the end of the Board meeting in board comments, she read "Ms. Cavalcanti requested the information Mr. Abramowicz was talking about, the name of the company that did not put up a deposit so she can respond to him." She said she had no idea who the company was and no idea who we were talking about. She continued to read statements from the minutes. "Mr. Lindstrom said staff will provide as much information as we can. Mayor Hudson asked Mr. Lindstrom if he knows who Mr. Abramowicz is

talking about. Mr. Lindstrom said he can speculate or guess. He will peruse our data base and see all the commercial accounts. Ms. Cavalcanti said it was September 2016." Ms. Cavalcanti said she said that from Mr. Abramowicz statement or she backtracked seven months. She then was concerned because as a CPA, going back to Generally Accepted Accounting Principles and her responsibility as a Board Member, her fiduciary responsibility, she became very concerned because she got no reply. On May 22, six days after the Board meeting she sent the following email to Clay. She said she hates to be tedious, but she is going to read the emails because to her the paper trail is what is important. This is May 22 at 11:45: "Good morning Clay, At the board meeting I had requested information on the comments made by Bill Abramowitz. I believe that Mayor Hudson also requested this information in the board meeting. To date, I have received nothing from you so this is just a reminder that I would like a response. I would like to know the business or businesses involved, the amount(s) of money involved and the numbers of businesses who have been allowed to have delayed or no security deposits. In addition, I would like to know who all signed off on this within the FPUA. Thank you for your prompt response." Ms. Cavalcanti said the reason she asked who all within FPUA was allowed to sign off on it was because, Nina you can back me up on this, as a CPA and as a Financial Audit, there is a whole section and she just finished her CPE on it called Management Override on Internal Controls. She said we have an internal control and that internal control says to have two months of deposits on commercial accounts. If management has overridden it, then that is a material item for the audit, not because the number is so high, but because you have what is called a management override of internal controls. She was concerned as a Board Member. She received an answer to her question from Clay four minutes later at May 22 11:49 reading: "Glynda, We are running reports on all commercial customers. As you can imagine the data acquisition is somewhat time consuming. We will forward all the information to the entire board once it is accumulated. Clay." She received that on May 23 and it was 157 lines on an excel sheet, 157 accounts supposedly. When she received that she said "Good Morning Clay, I received your email yesterday, but wanted to follow up. She would still like to know the customer that Bill Abramowicz was referring to in his public comments and the specifics on how the FPUA handled this customer. I would also like to know who from FPUA authorized the lack of security deposit if it was not made in the five days required. Thank you again for your prompt response." Ms. Cavalcanti said she has her 157 accounts and did not really have a lot of time to go over those. She said then it gets a little confusing only because she is trying to get the dates. At some point on May 23 at 12:23, an email from Clay to all Board Members states: "Attached please find a copy of all FPUA commercial accounts with a status of 'no deposit.' Several of these accounts have one deposit covering multiple accounts; some of the accounts have a 'waived' status; some accounts have a bond; and some accounts have a letter of credit from a bank in lieu of cash deposits. Upon researching the records request from Mr. Abramowitz, it was directed to Sweeties Diner. Sweeties has a letter of credit from a bank and formerly had a deposit under the name Golden Bear." Ms. Cavalcanti said she writes: "Clay, I am still confused, what does Golden Bear Pancake House have to do with Sweeties Diner. I thought they were out west of town. Thanks." She said he writes: "Sweeties was formerly Golden Bear at that location." She writes: "Also the schedule you sent says that FPUA is in the process of getting the deposit, IP, so is there a letter of credit or not. I thought a letter of credit was in lieu of the deposit." She said he writes: "You get a notice from the bank

and then a notarized version is sent via the email." She said there was no letter of credit and nothing from the bank. Then we all got an email from Mayor Hudson via Clay and he had written: "Jason, It has come to my attention that my integrity in the community has been brought into question. I have been accused of 'caving into Mr. Reed's demands' under 'pressure from certain commissioners.' I will not allow my personal reputation nor that of FPUA to be subject to this slander. Rather than continue to respond to inquiries one at a time, please have the person in Business Development responsible for this account document a chronological sequence of events for all correspondence and activities related to Sweeties Diner including any correspondence from any elected or appointed official. After the completion of this document please perform a similar investigation of all commercial accounts without a deposit on file. Please give this a high priority. Clay." Ms. Cavalcanti said then from the Mayor: "Thank you. Could I have the resolution which dictates how we handle commercial deposits? Also I would like the date of the letter of credit for Sweetie's deposit." At that point we get from Mr. Bey on May 26: "Clay, why was Sweeties Diner allowed to have services from October 11, 2016 until now without a letter going out before May 26. Eight almost 9 months have passed since this was started. Do we usually do business like that?" "Darryl, attached please find a copy of all commercial accounts showing no deposits. This is the same document provided to all Board Members earlier this week. Please contact me if you need additional information." Ms. Cavalcanti said she then went back and took a look at the 157 accounts and went through them because we got the final version on July 5 Board Meeting, Florinda handed it out of the commercial deposits with no deposits from Jason Hoffman and said you handed them out to us, looking at Florinda for verification.

Mrs. Mazzarella asked if she was asking about the report.

Ms. Cavalcanti said yes.

Mrs. Mazzarella said he corrected a page that I handed out prior to meeting starting.

Ms. Cavalcanti said that is the page she is talking about. She said we have 157 accounts according to Mr. Lindstrom that he gave to this Board and said she will probably embarrass some of you. Some of you I know well and are my friends so please forgive me, but I have to make my point. On the list of 157, we have certain ones, James Hatfield you are on there. Although it says blanket deposit, in other words you have numerous businesses with a blanket deposit for all of them. Walgreens is on there and most of them are some kind of blanket deposit and/or they are so minimal that the deposit is small. Also remember, this resolution came into effect in 2010. It did not come into effect in 2005 and she was not on the Board at that time, but her understanding is it was because we were in the economic down turn and they had to collect these deposits. Ms. Cavalcanti said then she compared it with color coding compared to what we got at the meeting on July 5 and actually they had gotten a preliminary one of that with Jason's report. She compared it because she heard also on the news this morning that we have dozens of accounts and in fact many of you have been lead to believe we may have 157 accounts. She went back and compared what Jason Hoffman gave them, color coding it to what was given by Clay Lindstrom. Of those security deposits, there were 32 on Jason Hoffman's list and of those all but

nine have minimum deposits. As an example she does not know the owner, but she does know the owner of the property which is a friend of hers and it is a piece of vacant land and that piece of vacant land has Fort Pierce Boat Consignment. She happens to know that piece of property and happens to know there is no utilities on that and if there is a light bulb, we would be lucky. So should we compare that to somebody who has an $8,000 deposit due, she does not think so. Ms. Cavalcanti said she went through and looked at all of the ones and took them out that require a minimum deposit. When she got done with that list, she is now down to nine and of those nine, three are before 2010 and she knows some of those businesses. Trias and Associates is Ramone Trias who used to be our City Planner and he is not here anymore. She does not know why it is on the list; however, of that nine, she said again she is very sorry for mentioning names in here, but she wants her point made, is Laura Murphy. Laura Murphy is the wife of Pat Murphy who owns Hoyt C. Murphy Realty and she is guessing there is some kind of a blanket deposit. On the original list we got, and Dan please forgive me, but your wife is on there, she has $18,000.

Mr. DeIulio said he is in trouble now.

Ms. Cavalcanti said she is not on this list.

Mr. DeIulio asked if she is okay.

Ms. Cavalcanti said she does not know.

Mr. DeIulio said that is great because she pays the bills.

Ms. Cavalcanti said like she said she does not know, but she is saying, she had a lot of concerns about hearing from the press that we have all of these, dozens of security deposits that have not been collected. She said now we are down to after she takes out a few of these, there is one company called Global Stone opened 1/24/17, however it says blanket deposit. There are two or three other ones she does not know, however here is her point. Her point is that on last Wednesday, she sent over this same list to Mr. Koblegard and asked him to call Customer Service because she did not want to be calling Customer Service and ask for the detail of "Could I please get the required security deposit information on the following accounts." Ms. Cavalcanti said it was the nine, three of which were prior to 2010. She also said because Mr. Reed had mentioned in his statement to the City that Mr. Alexander had to put up a security deposit, but one of his competitors on the other side of the tracks she said she recalled he said was not required to put up a security deposit. So she also said "Also, I would like to have all the file notes for these accounts plus Sweetie's Diner, and Haisley Hobbs Funeral Home." She said that was Wednesday she gave that to Mr. Koblegard and Thursday he called over twice and left messages. On Friday, he told her that Eileen Snoberger could no longer give information unless it was cleared by Clay. On Monday, she sent over to Clay, Eileen Snoberger, and Attorney Koblegard the same information and to date she has not received this information. She goes back to Sweeties Diner because we are talking about preferential treatment and been hearing about that all day and all last night and she wants to read the file notes that she did get from that, not from Mr. Lindstrom's

office or Mr. Hoffman's office, but you would call it a disgruntled employee. She has 10/11/16, Eileen quoted a deposit of $8,000 commercial application and Sunbiz info attached, scheduled turn on for 10/11/16 for electric and gas; 10/11/16, per Clay, turn on water ASAP, working with WW Collections. Ms. Cavalcanti said she is going on over because a lot of it has to do with the grease trap and she does not think we are interested. On 1/4/17 placed special handling message on location. Contact Jason Van Hoffman or Eileen before taking any action on this location; 2/7/17 called and left message, payment in the drop box this morning made out for $1,586.50 on the check, but written on the bill stub for $3,586.50. Left message to see if they want to only pay the $1,586.50 or if they'd like to bring another check in for the $3,586.50. Check and stub are in the box in vault; 2/7/17, Eileen to follow up with Rick Reed regarding deposit; 2/7/17, voided the penalty as a customer courtesy; 2/7/17, Eileen said to post drop box check payment in the amount of $1,586.50. Ms. Cavalcanti said in other words, we still have not gotten our $2,000. She said on 2/27/17 Cathy Roberts from Seacoast Bank called to inform us that the $2,000 check was being returned due to the funds being frozen/blocked; 3/3/17 customer is supposed to be in today to pay returned check, no charge for returned check per Jason; 4/14/17 extended 4/17 through 4/24 per Eileen. She will follow up with Rick Reed; 4/17/17 voided the penalty as a customer courtesy; 5/2/17 per Jason check number 1059 returned but he does not want the customer to be charged a NSF fee, or to be cash/CC only or to be scheduled for disconnect. Ms. Cavalcanti said so $8,000 still has not been paid on the deposit. She said she has a letter per public records request that Mr. Koblegard received and that she looked over it and is dated December 13, 2016 from Mark Kobbe of the Wastewater Superintendent to Valerie Schulte and it says: Courtesy copy Clay Lindstrom "Valerie, This morning Harry received a call from Shaun Cross, City of Fort Pierce Building Department Investigator, Shaun stated that he met with Rick Reed last week for the final inspection of his new restaurant Sweeties Diner. In that meeting Shaun told Rick that he would approve the inspection contingent on that he had to comply with the requirements from the fire department and FPUA. Rick then told Shaun that Clay Lindstrom said that everything is good and that he did not have to do anything." Ms. Cavalcanti said for her those are significant, she believes, our auditors will be concerned about that and she is deeply concerned, we as a Board have been misled. She said when you are talking minimum charges and comparing that to $8,000 to her that is very serious. She said as a CPA she is concerned and feels like there were three people who were clearly concerned; Darryl Bey spoke in the comments on the June 6 meeting. She said she spoke in the comments on the May 16 meeting and then all of a sudden we are hiring an attorney after we are supposedly being removed from the Board for malfeasance. That to her is retaliation and she is concerned and is deeply distressed this could be going on. Ms. Cavalcanti said those are her concerns and she has others, but that to her is enough that she does not feel comfortable with this Director and that is where she is at.

Mr. DeIulio asked to respond to throwing his wife under the bus. He asked if he is to understand that the Chair started this investigation 60 days ago and asked if that is correct. When he referred to earlier that he was surprised that 30 days ago he received a call from the Board Attorney that the Director's position was at risk, for him being surprised for something that happened 30 days ago, now he is surprised that 60 days ago an investigation started on the deposit process, which we collect money. Now 60 days later we are sitting here to decide the fate of our director based

on the results of this investigation. He has not had any privy to this information with regard to this until right now. Four days ago when he received the package from the Attorney as to what we were going to discuss today, there was nothing in there about this. Mr. DeIulio said he is a CPA too and so 60 days ago he was not aware of what is going on. He said he would assume 60 days ago, my colleague decided that she was going to be an investigator and if this matter was so important, then it should have been brought before the Board, discussed at the Board, and then we should have hired an investigator to look into this situation. He said this is inappropriate to come up here and throw all this innuendo and all these things and throw different customers under the bus and just giving us so much information we cannot process it. It is so inappropriate and it is not part of our job as a Board. Mr. DeIulio said it befuddles him that he is supposed to sit here now and make a judgement on the Director and he has no opportunity to respond. He said none of us up here have an opportunity to respond in a fair way. He guesses when he goes home tonight he will have to talk to his wife about that missing deposit. This is not what a Board does. When something comes up that is important, the Board gets together and hires somebody that is independent of the organization and let them run with it. If they want to come before us to give us a result of those findings, we will act on it, the same way if we did an assessment on the Director that is how you do business. You do not start your own private investigation and then the result of that you present here in such an emotional and difficult situation and you present it as though it is fact. He said he is befuddled and guesses this is the smoking gun and guesses he should not be surprised. When you have issues of deposits and stuff bouncing around, that is understandable. Let that get resolved in a more appropriate way, this is not how the Utility does business and this is not how the Board should do business. He said he is really shocked and he did not expect to get presented with this investigation today and it is unfortunate, but that is his feelings. It is just inappropriate.

Mayor Hudson said she thinks that to be surprised is a bit, maybe it was because you were in Colorado.

Mr. DeIulio said he has been here for a while.

Mayor Hudson said she knows and was not being sarcastic because there were several reports put out, the Board packet contained the report.

Mr. DeIulio said he read those and he watched the meetings since he has been back.

Mayor Hudson said one thing she thinks is missing here is everybody is trying to do their job like they see fit. She said you meet with the Budget Director and the budget staff and you work hard on the numbers and that is how you see fit.

Mr. DeIulio said it is open and not in a private manner, it is out in the open.

Mayor Hudson said she would like to finish and then you can respond, please. She said the fact of the matter is we each have a fiscal responsibility of accountability so that everybody in this

room that has spoken, but who isn't up here, you do not have the responsibly. You can have an opinion, but we have the responsibility so her feeling is and she has the emails the Chairman read because most of them were shared with the Board. One thing she thought you missed because she has been collecting the paper work with the emails going back and forth between Clay and the Board. She said there were several emails where you as a Board Member asked Clay questions and he responded, but those responses were not shared will all the Board until later. So she said she did not know those were going back and forth and that is one problem she has is the lack of communication with all the Board Members so that we all know what is going on That is really important and you are seeing this right now in the audience. Mayor Hudson said the Board needs to know everything that is going on so that we can all do our duty because we can get in big trouble. She said you cannot get in trouble for your opinion, but we can get in big trouble and so on the 23rd she thinks when she asked for the date of the letter of credit and asked for a copy of the resolution because she wanted to be clear what it was that was the violation. In response to what she thought was a one sentence, Mr. Lindstrom replied my integrity is being questioned, it is being said that I am offering preferential treatment, etc., etc., Jason prepare a complete report. Mayor Hudson said the next day she received a letter from Rick Reed and she said she wanted to read it for the record: "It has been brought to my attention that you have made inquiry concerning Sweeties Diner and the FPUA. Because of your inquiry regarding this matter, I called and left several messages for you to return my call to discuss this issue. To date you have not returned the calls. I would have explained to you that no favor or special exception was sought or given by the employees of the FPUA to Sweeties Diner, LLC. We took possession in October and opened in December after major remodeling and investment. The deposit was totally overlooked on our part, not on the part of the FPUA. They did their job and our utility bill remained current. When the issue was raised at a recent FPUA Board meeting we agreed to move forward and provide the appropriate documentation for the deposit." Mayor Hudson said that has not been provided to her knowledge yet. She continued to read Mr. Reed's letter. "The matter, with your assistance and because I was involved was made to be a serious issue blown well out of proportion. The employees and management at the utility are doing a much better job providing affordable services in a professional manner. As you are aware, this was not always the case. You only serve on the FPUA Board in your capacity as Mayor. Unlike some of the other members, you bring no specialized knowledge, management skills or needed attributes to the FPUA. In view of these facts, the rate payers will be better served with you not interfering with management. Sweeties Diner, is a profitable, viable business employing over twenty individuals and collects and pays taxes. The location has experienced numerous operators who failed in the past. Small businesses are the economic engine of our community and should be supported not attacked. I doubt, you would understand the concept since you have never owned a business or personally met a payroll. I also have been advised that your former Campaign Treasurer and political appointee to the FPUA district one seat, Glynda Cavalcanti has also made inquiry. After five years, district one's citizens remain without representation on the FPUA because of you. A record I am sure you are proud of. However, the District One Commissioners, the citizens and rate payers strongly resent this affront to fairness and equality. In view of our history, the disdain and contempt we hold for each other, I would suggest that you direct your attention to matters that do not concern me. You and I know the real reason for your inquiry is punitive and vindictive.

The restaurant's utility bill remains paid and in good standing. I will not allow you to mettle and or torturously interfere with our business. Especially in light that several of your family members own restaurants and or are affiliated with them in Fort Pierce such as Cobb's Landing, The Tiki and Inlet Beach Bar and Grill. Several of these properties are leased to them by the City. Before I allow you or your cohort's interference in our business, I would permit the utilities to be cut off at the restaurant and let you both deal with the consequences, fallout and media attention. Your continued involvement with this subject will provide further opportunity, fodder and ammunition to expose you as the person you truly are, a self-serving, ignorant, small minded, vindictive, racist, old hag. I will still await your call, so that I might clarify further regarding this issue so that you are crystal clear on my feelings and position concerning the matter." Mayor Hudson said following that letter on May 26, we received an email from Clay, or the Board did, that said Sweeties Diner deposit has not, there is no letter of credit. She said she corrects that, she does not have it here and cannot quote it, she is paraphrasing. The information they got on May 23 was incorrect and he corrected that information on May 26 because she asked for the date of the letter and the letter could not be produced after 10 days following a request for the status of one account.

Ms. Cavalcanti said she would like to add one more item is that her emails when she originally started this, again she said she felt like she had actually been advised that she had a fiduciary responsibility to look at this. She said her emails were to Clay alone and she was stunned when she received her copy from Mr. Reed, he copied all the Board Members and the City Commission that he knew the private emails that she had sent to Clay Lindstrom. She said she was making inquiry and it could have been over if she was told the deposit was overlooked and it is here now, but is wasn't and it is still not here. We are still holding $8,000 and for her the 157 other accounts that we received with many of you on it, many businesses on it, was smoke and mirrors and then we finally got a twiddled down version of which most of those are minimum deposits. She is finding it very had to trust the accuracy of anything she is being told.

Mr. Bey said this really is not about a deposit, it is, but isn't. He said really we are talking about our Director and Mr. Bey said he has come to these conclusions. He said he has lost confidence in Clay Lindstrom as the Director of Utilities because of his gross misconduct has put FPUA at great risk under his leadership or lack thereof, his failure to act in the best interest of the organization has created a vengeful retaliatory response against some of our most loyal and skilled staff. I have lost confidence in Clay Lindstrom as the Director of Utilities because he has fostered a hostile, fearful, mistrustful, and contentious atmosphere in the workplace at FPUA. I have lost confidence in Clay Lindstrom as the Director of Utilities because he has withheld information from the Board of Directors that could put the FPUA at legal risk. I have lost confidence in Clay Lindstrom as the Director of Utilities because he has created an inner circle whereby those within that circle have been allowed to bypass the rules and standards that all other employees must adhere to. I have lost confidence in Clay Lindstrom as the Director of Utilities because of his inability to manage staff due to his very inconsistent behavior, which has created an atmosphere where the most childish and manipulative behaviors are not only allowed, but encouraged. I have lost confidence in Clay Lindstrom as the Director of Utilities

because he has allowed sexual harassment and other company policy violations to flourish under his rule. I have lost confidence in Clay Lindstrom as the Director of Utilities because he has violated company policy by giving pay increases to people that are in his inner circle who are not entitled to such increases as per company policy. Mr. Bey said he has come to these conclusions after speaking with numerous employees, reading public records requests, and reviewing other information he has received. He said he has come to the conclusion it would be catastrophic to our company FPUA and our customers to keep Clay Lindstrom in our employ and therefore recommend that Clay Lindstrom be terminated immediately and I make that as a motion.

Mayor Hudson seconded it.

Mrs. Mazzarella asked what the motion was.

Mr. Bey said he makes a motion that Clay Lindstrom be terminated immediately.

Mr. DeIulio asked if it was for cause or not cause.

Ms. Cavalcanti said to Mr. Koblegard there is a motion here and Mr. DeIulio is asking if this is for cause or without cause.

Attorney Koblegard said if the reason is that you have lost confidence in a director's leadership that doesn't necessarily fall as cause, it can be a reason that isn't for cause and it is still a proper reason to go forward.

Ms. Cavalcanti said there was a motion and asked Mr. Bey to restate it.

Mr. Bey said that Clay Lindstrom be terminated immediately.

Ms. Cavalcanti asked him if it was with cause or without cause.

Mr. Bey said with cause.

Mr. Perri asked if these statements can be substantiated. He said an attorney was here last night at the City Commission meeting and called it a witch hunt what was going on as far as the attacks on some of the Board Members. This is a witch hunt personified in his opinion and he is defiantly opposed to this motion and thinks we are making a huge mistake by not trying to iron these problems out. The balance of the scale of the good with the bad is so tilted in his mind's eye that the repercussions and the problems that will continue on in this Utilities Authority and relationship with the City is going to deteriorate rapidly. Mr. Perri said you all are going to have that on your conscious, a heap of ashes, and that is what will happen.

Mayor Hudson said she does not think it will if the Board directs and the Board is in charge here and it will not do that.

Mr. Perri said he has bridge to sell her.

Mr. DeIulio asked if we could have more discussion because he would like to follow up.

Attorney Koblegard said he would like to say something quickly.

Ms. Cavalcanti asked if Mr. DeIulio minded if Mr. Koblegard speaks for a minute.

Mr. DeIulio said as long as he is allowed to speak.

Ms. Cavalcanti said of course.

Attorney Koblegard said that maybe he was misunderstood, but if you feel that Mr. Lindstrom should be terminated because you lost confidence in his leadership, that is not necessarily for cause, but it is still a proper reason to terminate him.

Mr. DeIulio said he is surprised at this as well. He said if these matters that my colleague has brought up are so important, it should have been brought before the Board and a proper investigation done as to some of these accusations that he is bring forth here. We are not investigators, we are Board Members. Mr. DeIulio said this is not the appropriate place for that, you are talking about issues in there that could be very serious issues that should have been dealt with. He said if he was in a position where he had talked to an employee and felt there were issues of misconduct, malfeasance, whatever, he would have then talked with the Board and said there are issues here that need to be dealt with internally. Basically then asked how we should proceed with that. It is not my job as a Board Member to go and do an investigation and talk with employees about bad behavior or favoritism or whatever. It is not my job and then come here and bring it all out here as though what you are speaking is the truth, this is just not how we do business.

Mayor Hudson said she seconded the motion and she is wondering if Mr. Bey and what she thought Mr. Koblegard said is determined if you lost confidence then it could be not for cause, but she forgets what the phrase is.

Ms. Cavalcanti said it would be not for cause.

Mayor Hudson said if it is for cause, then the causes have to be stated, but if you say you lost confidence that is just not for cause and asked if she is phrasing it right.

Attorney Koblegard said yes.

Mayor Hudson said she was wondering.

Mr. Bey said he will amend his motion to without cause and Mayor Hudson seconded it.

Ms. Cavalcanti asked if there was any further discussion. She asked for the roll to be called.

Those voting for approval were Mr. Bey, Mayor Hudson, and Ms. Cavalcanti; those voting no were Mr. DeIulio and Mr. Perri, the motion passed.

Mayor Hudson asked if we are going to go ahead.

Ms. Cavalcanti said at this point she is going to ask Mr. Koblegard what we do next.

Attorney Koblegard said he is the attorney for the Board and it became fairly obvious to him like Mr. DeIulio said some time ago that this issue may come up today. He said he got to thinking, assuming that Mr. Lindstrom is terminated, where we go from there and are we prepared to go from there as quickly as possible. He contacted the Chairman of the Board and told her he thought he needed to think past Clay Lindstrom and think about the Utility Authority as a whole. Based upon that, he contacted Bill Thiess to see if in fact Mr. Lindstrom was terminated, if he would be willing to step in and act as the director on an interim basis. He said he would think about it and his wife Bev torpedoed that so he declined, but I did ask him if he had any suggestions about what should happen. Attorney Koblegard said they discussed whether it should be someone from out of the UA or someone within. He said they decided in order to be able to hit the ground running, it should be someone within the Utility Authority. So then they talked about some names and he thinks there were five altogether, but not all of them at that time. The names they discussed that he thought would be someone that might be appropriate were: John Tompeck, Nina Penick, Bo Hutchinson, Javy Cisneros, and Ed Leongomez. Mr. Koblegard started contacting those people trying to figure out if this happened if someone would be interested in taking that position. The first person he talked to was John Tompeck because he was the first person he called; however he did run it by some of the other people also. He asked John if in the event something happens to the Director, would you consider stepping in on an interim basis and serving as the Director. He said he would have to think about it and he called me back the next day and said he thought about it and would be willing to do it. Based upon that he did not do anything further and he did check with John about a week or so later and as late as yesterday to see if he was still okay with that. Attorney Koblegard said it is the Board's decision, but Mr. Tompeck would be willing to step in, he believes today, if called upon to take over the directorship. Because of all the issues and all the people that are interested in this, he thinks we need somebody to settle things down and get us back to business like we should be sooner than later. He said sooner to him is even as fast as today, if the Board sees fit to do that and you can.

Mayor Hudson said he has been before the Board many times and is a Department Director and she is familiar with him. She said he helped oversee the cleanup of the King Power Plant along with the City and the FPRA. She said she would be very comfortable with that as an interim measure and she thinks we need to do something very quickly and by quickly she means today so that we have good leadership in place in the company.

Attorney Koblegard said if there is a consensus for that he thinks it would pay to have John step forward and let the Board address him.

Ms. Cavalcanti asked Mr. Tompeck to please step forward. She said she would know this has to be difficult for you as well. It has certainly been very difficult for this Board.

Mr. Tompeck said yes he appreciates the opportunity to help out here. He said he thinks it is going to take a little time to right the ship and he thinks if we work together we can get there. He said he thinks what is particularly important right now is we all understand not only the Board, but the community that the issues that we have been talking about are mostly administrative and they really have not affected our day to day operation. We continue to provide our customers with gas, water, wastewater, electric, and ITS services and they have not been impacted with anything that has gone on here in the last few weeks or really anything that will happen in the future.

Mayor Hudson said we appreciate your willingness to help out in a difficult time and is very familiar with his work from his presentations to the Board. She thanked him for making this step and helping us.

Mr. Bey said he feels very comfortable with Mr. Tompeck and has talked with him on a couple of occasions. He thinks he is mature and has been with the company for a while and thinks he can take us through this interim period until we can hire a new director.

Mayor Hudson asked if we need to make an official motion.

Attorney Koblegard said he thinks she should.

Ms. Cavalcanti said she would like to make a few comments. She wanted to say she thinks we have incredible talent right inside our Fort Pierce Utilities Authority staff for the Director's job. She thinks Mr. Tompeck is one of those and actually all the ones mentioned by Mr. Koblegard are to her are up and coming stars. She always felt like we should groom future people from within to become our Director and she would like to say thank you to him for taking this on in a very uncomfortable time if the Board so chooses.

Mayor Hudson made a motion that Mr. Tompeck be the Interim Director if that is the right title, seconded by Mr. Perri, and unanimously approved.

Attorney Koblegard said he thinks it would be appropriate for Mr. Tompeck to take this seat.

Mr. DeIulio said you may want to take the name plate and flip it down please.

Mr. Bey said there are a couple of issues he would like to clear up that came out in last night's meeting. He said one of the issues was about him not being a registered voter in St. Lucie County. He wanted to clear that up by saying the person that went to the Bureau of Elections to investigate his being registered did not present his name in a proper manner. Therefore, according to the Bureau of Elections, the name that was used and the manner in which it was used came up that he was not registered. He said he has been registered in St. Lucie County since 1994 as a voter and he has all the documents to prove it. It was a technical error on the person that was inquiring information that came up with the fact that he was supposedly not a registered voter. He said he has been a registered voter in St. Lucie County since 1994, he moved here in 1994 and immediately became registered in St. Lucie County. He said the other issue he would like to talk about is the fact that he has done business with the City of Fort Pierce being a member of the FPUA Board. In fact he has done business for both entities, the FPUA and the City of Fort Pierce. He said he did business for FPUA two or three years before he became a Board Member of the organization. Since he has been a member of FPUA, he has not, and he repeated he has not done any work as a painting contractor for FPUA. He had a long standing relationship with the Sunrise Theater, which is owned and operated by the City of Fort Pierce. As a Board Member of FPUA he did a few jobs after he became a Board Member of FPUA, but the Charter clearly states that the FPUA and the City of Fort Pierce are two separate entities under one umbrella and that he could as a legal contractor do work for the City of Fort Pierce, but not for FPUA. He wanted to get that clear because he is not sure if at last night's meeting that was absolutely clear. He said he has not violated any laws as far as the Charter is concerned. If there are any questions and anybody is not clear on that, he would be happy to discuss that with anyone.

Ms. Cavalcanti said she also has some comments regarding the issues brought up by her at last night's meeting. She understands from the public records request which were attached to the agenda, although they are not certified, there were 52 pages regarding her emails to the Utility Authority. She said her emails to the Utility Authority are because she owns either by herself or with partners approximately 16 units inside the City limits of Fort Pierce, one of those being her own home. She has tenants and when they move out, she has to email the Utilities Authority to turn off electric or turn on electric if we are going to paint or whatever else inside the unit. Those emails have been reviewed by three attorneys all of whom have said they are completely proper. She pays a fee, either a connection fee or a disconnection fee, every time whatever is on the bill. We do not have late charges, we do not have calls to tell we are not going to pay it, and she does not call except one time which was not initiated by her. It was initiated by Donna Benton on the purchase of a foreclosed property and the reason she emails is she wants her paper trail, just like she wanted her paper trail with all her discussions with Mr. Lindstrom. Ms. Cavalcanti said this weekend after 15 ½ years received a bill on a duplex she owns and all of a sudden she has a credit balance on it. She did not understand that and on it, it says she has a deposit being refunded. It does not give her an option, there is no check, just a credit on her bill that is causing her bill to be a credit. She said she is bringing it forward because she is concerned and does not want it said she has gotten an illegal refund she knew nothing about it. She pays the bill whatever is on here and so she is bringing that to everyone's attention. It is a residential unit, but the deposit has been in effect since she bought it which was in January 2002.

Mayor Hudson thanked Ms. Cavalcanti for that clarification and having it on the record. She is thinking on what we do from hereon to make sure we protect the company. She asked Mr. Koblegard if he had any suggestions or information on how we deal with Mr. Lindstrom. What happens in terms in what goes forward from here, how does he get his personal things out of the office, does he have access to the computer, how does that work, and how do we protect the company. Not that she thinks anybody is going to do anything wrong, but our job as unpopular as it might be, is to protect the company.

Attorney Koblegard said before that, Mr. Lindstrom was terminated not for cause, therefore the severance pay comes into play. He said by the contract he is entitled to three months' severance pay and is entitled to stay on for any benefits for 90 days that he receives to today as an employee, although he is no longer an active employee of the Utility Authority. There is also the issue, like he mentioned, basically in settlement of an agreement and that is a vague term that he could be paid an additional six weeks. He thinks the Board is required to pay him the $39,000 figure and the Board could agree to pay him $59,000 or about $60,000. That is just finishing up the contract issues. As he said earlier, Mr. Lindstrom is no longer an active employee of the Utility Authority and he knows someone who was fired within the last ten days or so a notice was given to her that basically her office was off limits and that she needed to make arrangements and her personal items would be returned to her. She wasn't to come in there on her own. Attorney Koblegard thinks that probably is the way the Board can consider that today if they wanted to.

Mr. DeIulio said for clarification, Attorney Koblegard said this person was fired or was her position terminated.

Attorney Koblegard said her position was terminated, but even under that circumstance those were the directions given to her.

Mr. Perri asked what our options are.

Attorney Koblegard said you can let Mr. Lindstrom go back to the office and get his stuff together, turn in whatever utility items he has in his possession.

Mr. Perri asked about the compensation again.

Attorney Koblegard said the Utility Authority is obligated to pay him three months' severance pay.

Mr. Perri asked if we can pay him more.

Attorney Koblegard said yes that is what he is saying.

Mr. Perri made a motion that we pay him the maximum we can pay him, it was seconded by Mr. DeIulio.

Attorney Koblegard said that would be the three months' severance pay and as allowed by Florida Statutes, an additional six weeks or 2.5 months, which is a total of 5.5 months.

Ms. Cavalcanti said six weeks plus three months is 4.5 months.

Attorney Koblegard said he is doing it on six weeks and is counting that as 1.5 months.

Ms. Cavalcanti said six weeks and three months is going to be 4.5 months and asked Nina.

Attorney Koblegard said yes 4.5 months.

Ms. Cavalcanti asked Mr. Perri if he want to revise his motion.

Mr. Perri said he makes that motion and Mr. DeIulio seconded that motion. Those that voted for approval were Mr. DeIulio, Mr. Perri, Mayor Hudson, and Ms. Cavalcanti. Mr. Bey voted not, the motion passed.

Ms. Cavalcanti said Mr. Koblegard you also addressed Mr. Lindstrom retrieving his items do we have a motion on how that should be done.

Mayor Hudson said that maybe perhaps Mr. Koblegard and Mr. Tompeck could handle that for us so we are sure the company is protected adequately and that Mr. Lindstrom is treated with respect. She said that is the way she would like it.

Mr. Bey said he could live with that.

Mr. Perri asked if that is a motion.

Mayor Hudson asked if she needed a motion or could it be done by consensus.

Mr. Perri said it could be a consensus.

Mr. Bey said he thinks we have a consensus.

Attorney Koblegard said that is okay.

Mr. Perri said that is fine.

There being no further business, the meeting was adjourned.

ATTEST:

SECRETARY

CHAIRMAN