

**FLAGLER ESTATES ROAD & WATER
CONTROL DISTRICT WORKSHOP MEETING
July 6, 2017**

Proceedings of a Regular Meeting of the Board of Supervisors of Flagler Estates Road and Water Control District were held in the District conference room located at 9850 Light Avenue, Hastings, Florida 32145.

Present were: William Fisher, President
Karen Frenz, Vice President
Kathy Carter, Secretary
Linda Gee, District Administrator
Rusty Castleberry, District Attorney
Mike Paesch, District Foreman

Call to Order: Mr. Fisher called the meeting to order at 7:03 pm, followed by the Pledge of Allegiance.

Roll Call: All present with the exception of Scott Knowles, Engineer, and Seth O'Connell, Treasurer, who were not required to attend.

Agenda Changes – None

Acceptance of the Agenda: (17-07/06-01) A motion was made by Karen Frenz to accept the agenda for the July 6th meeting, which motion was seconded by Kathy Carter. The motion carried unanimously.

Workshop Meeting Items:

BOS Job Descriptions – Kathy asked if there were specific responsibilities for each Board position – President, Vice President and Secretary. Russ Castleberry clarified that F.S. 298 does not specify but is more of a broad overview of board member responsibilities. He did not think FASD or the Department of State had specifications either. He recalled there were job descriptions linked to compensation but it is irrelevant because there currently is no compensation.

Board Meeting Protocol- Kathy distributed a summary of Parliamentary Procedures and noted the importance of using them to ensure the ability to produce concise minutes. Bill agreed to implement the protocol going forward.

Employee Evaluation Policy – Kathy Carter had some questions about the method by which the Board had approved the Administrator's salary increase. She commented she'd read four months of minutes twice and could not find the approval, whereupon she contacted Seth, who had stated at the last meeting that he had questioned the significant increase and had checked the minutes for verification. He responded with an outline of the December 15th minutes which stated "In closing, Linda handed out her evaluation. A discussion followed. The Board decided to take them home to complete, return them on Monday and agreed for Linda

to go ahead on the following payroll to take whatever action necessary to process the results.” Kathy stated this amounted to approval prior to the fact and indicated she'd been told Rusty said no formal vote was necessary. Linda added the same procedure was implemented for Mike's evaluation. Kathy stated her belief the process was sloppy and lacking in transparency. She also pointed to room for error due to potential miscommunication and lack of verbal discussion once the three supervisors had individually submitted their recommendations.

Mike again offered a brief explanation of the crew evaluation process, stating he makes recommendations and brings them before the Board, which then makes the final decision.

The District Administrator queried if it was the process that was a problem or is it because she got topped out. She added that everyone got a large increase and that Mike's evaluation was done in a similar manner. Kathy reiterated her intention of more clearly defining the process to provide more transparency.

Rusty pointed to the fact of this discussion taking place in hindsight and recommended that in future the evaluations should be reviewed twice--initially when the paperwork is introduced and again at the next meeting so the intention and result is made clear. He mentioned the reluctance of past Boards to publicize salaries but expressed his opinion that, moving forward, increases should be set in an open meeting. This would protect not only the Board but also the employee. The Board concurred.

The meeting was closed by Bill Fisher at 7:20.

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**FLAGLER ESTATES ROAD & WATER
CONTROL DISTRICT REGULAR MEETING
July 6, 2017**

Proceedings of a Regular Meeting of the Board of Supervisors of Flagler Estates Road and Water Control District were held in the District conference room located at 9850 Light Avenue, Hastings, Florida 32145.

Present: William Fisher, President
Karen Frenz, Vice President
Kathy Carter, Secretary
Linda Gee, District Administrator
Rusty Castleberry, District Attorney
Mike Paesch, District Foreman

Call to Order – Bill Fisher called the Regular Meeting to order at 7:20.

Approval of the Minutes: (17-07/06-02) Kathy Carter suggested, and the Board agreed, on one small change to the minutes, that being that they should be signed by “Board Secretary” and Board President” rather than “District Secretary” and “District President.” Change was noted and initialed. **A motion was made by Karen Frenz to approve the minutes for the 6/15/2017 Regular Meeting as presented. The motion was seconded by Bill Fisher. The motion carried unanimously.** There was discussion about preparation of the minutes. Kathy Fisher volunteered to help because of the need for accuracy, as the minutes are a permanent record and should be clear when being read by someone not present at the meeting. She and Kathy Carter collaborated on the minutes submitted and accepted tonight and Ms. Fisher indicated she is willing to continue in that capacity. **By General Consensus, the Board gave approval for Kathy Fisher to assist in preparing the minutes for 90 days, at which time this matter will be revisited.**

Treasurer’s Report – Seth was not present. Rusty clarified that Seth is not required to attend all meetings and should not be considered “absent.” This also applies to the engineer. A question arose about a \$900 charge on the Treasurer’s bill which Linda claimed was due to Kathy contacting him concerning a payroll issue. She stated that the District is charged for an hour per phone call and further stated Seth has had no phone calls in almost seven years other than Kathy’s. Kathy asserted the record needs to be corrected, referencing an email she’d received from Seth that set forth different parameters than those Linda stated. Rusty recommended discussing the discrepancies at the next meeting. Karen Frenz asked for some clarification of the attorney’s invoice.

(17-07/06-03) A motion had been made by Bill Fisher and was seconded at this point by Karen Frenz that the Accounts Payable for July 6th, 2017 be paid with the exception of the \$2,550 treasurer’s invoice. The motion carried unanimously.

Engineering Report: None.

Regular Meeting Items: None.

Attorney’s Report - Rusty researched the question of serving on dual boards. There is a Constitutional provision against holding dual offices but the Attorney General in 2000

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specifically stated it does not apply to independent special districts. Karen asked if we as a Board could change this rule for the District, and Rusty said yes but stated it most probably could not withstand any kind of challenge since the state statute is so specific. Discussion followed regarding someone serving on both the CRA and the FERWCD. Karen asked if someone was serving on both boards, could he/she vote to use District funds for the CRA. Candy Nelson noted that past supervisors were compensated with District funds when assisting at CRA functions and said she believes there's too much opportunity for abuse.

District Administrator: Linda submitted her written report to the Board, stating the audit for 2016 is complete. Therefore, she prepared and finalized audit documents and filed them as required. Prepared and filed quarterly federal docs and unemployment documentation as well. She reviewed a list of things she feels proud of having accomplished in her tenure. Linda requested time off from July 27th to August 3rd, during which time Kara will fill in. The Board approved.

Maintenance Superintendent Report: Mike Paesch submitted his written documentation and reviewed work accomplished since last meeting. There is a dumping violation on the corner of Florence and Guzman for which Mike is requesting a certified letter be sent over Rusty's signature. It was agreed the District will remove the debris from the right-of-way and send a certified letter requesting payment. There was another violation on Isaacson, which blockage has been cleared. Mike sold the water truck chassis for \$600 and Candy Nelson suggested the money be put into the Employee Appreciation Fund, to which the Board agreed. Discussion of the gates for Ashley Outfall was tabled until the next meeting. Mike discussed needed repairs to some of the equipment, which included a review of quotes for tires. He recommended the purchase from B & M, who will come to the District to do the work.

(17-07/06-04) A motion was made by Bill Fisher to purchase truck tires from B & M, not to exceed \$2,600. The motion was seconded by Kathy Carter and carried unanimously.

Consent Agenda: None

Old Business: Bill discussed dry fire hydrants. The fire department would like them placed on East Deep Creek Blvd. and Flagler Estates Blvd. Bill stated he solicited three bids, with the best prices by far from Gator Supply in Hastings and Hallmark in Ocala. \$621.83 is the cost for materials. The crew will fabricate the hydrants. Vandalism was discussed along with measures to protect them. **(17-07/06-05) A motion was made by Bill Fisher to purchase the dry fire hydrant materials to fabricate them, not to exceed \$750 total. The motion was seconded by Kathy Carter. The motion carried unanimously.**

The need for a new welder was discussed. **(17-07/06-06) A motion was made by Bill Fisher to purchase a Miller welder, not to exceed \$ 2,700. Motion was seconded by Karen Frenz and carried unanimously.**

Board Comments:

Kathy Carter - Kathy recommended posting the written staff reports along with the minutes on the District's website. The Board agreed.

Bill Fisher – none

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Public Comments:

Kathy Fisher reported a huge wash-out by her driveway in the right-of-way behind the rip-rap bags. She expressed concern over a records request mentioned in the June 15 Board meeting and Rusty clarified there had not been a public records request from the District's former attorney. In conjunction with the records issue, Kathy commented on a records management class offered by the State and expressed her belief it would be quite helpful for someone in the District to participate in this instruction.

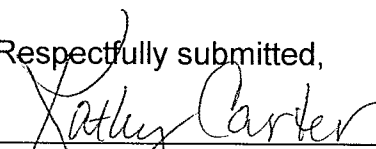
As a former Board member, Ms. Fisher explained a few issues from the past and her role in those matters, including her position as a District employee and her tenure as a Supervisor when the District was facing a \$20 million bond, which was the time period when taxes were increased to \$326 an acre. She voiced her opinion that an \$83,200 office management salary is indefensible. Karen asked Rusty about the liability involved if the Board votes to decrease an employee's salary. When asked if she was looking for a job, Ms. Fisher stated unequivocally she has no interest in working for the District except as a volunteer.

Candy Nelson expressed concern about Board approval of somebody outside of District staff doing the minutes when there is somebody already here who is well compensated for that job. She discussed the prior boards' awarding of pay increases that led to her votes against Board compensation.

Karen Frenz announced she will not be in attendance for the August 17th, 2017 meeting.

Mr. Fisher adjourned the meeting at 8:30 P.M.

Respectfully submitted,


Kathy Carter, Secretary of the Board

Approved:


William Fisher, Pres. Of the Board

Florida Statute 871.01 prohibits the disruption of public meetings. Whoever willfully interrupts or disturbs any public meeting shall be guilty of a misdemeanor of the second degree, punishable as provided in F.S. 775.082 or F.S. 775.083.

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