

TOWN OF REDINGTON SHORES
BOARD OF COMMISSIONERS
SPECIAL MEETING
THURSDAY, AUGUST 18, 2005 – 4:00 P.M.
MINUTES

Present upon roll call: Commissioner Armstrong, Commissioner Reynolds, Commissioner Holmes, Vice Mayor Lishamer and Attorney Hammonds.

SPECIAL MEETING

Vice Mayor Lishamer told the Commission that an item would be added under miscellaneous in regard to a mutual release for Building Official Mike Nadeau.

Approve Change Order to Cumby & Fair Engineering Contract for Material Testing

Building Official Mike Nadeau informed the Commission Cumby and Fair rounded up the figure from \$14,440.00 to \$15,000.00 as the number proposed is an approximation of what is needed, which could be more or less. Vice Mayor Lishamer stated that the figure needs to stay at \$14,440.00. Commissioner Holmes moved to approve the material testing services in the amount of \$14,440.00 to Cumby and Fair, seconded by Commissioner Armstrong. Roll call: all yes.

Vice Mayor Lishamer explained to the Commission Mr. & Mrs. Futrell, 145 174th Terrace Drive would like to address the Commission in regard to moving a storm drain that is being placed in the right-of-way area in front of their home. The Futrell's have spoken to Cumby & Fair. Cumby & Fair has sent an email to the Town advising that this drain needs to remain at the location and if moved could affect 20 other properties in the neighborhood. If the Commission decides to move the drain the cost would be around \$4,500.00. The Commission discussed the fact that the engineers have done surveys, elevations, etc., and if the Commission chooses to move the drain it could start a precedent throughout the project. Mr. & Mrs. Futrell addressed the Commission stating the drain is placed right by their front porch; which is an eyesore to them and there has never been a problem with flooding in that area. Kathy Frank, a neighbor of the Futrell's addressed the Commission favoring the move of the drain. Vice Mayor Lishamer asked for a motion to move the drain. No motion was stated.

Mutual Release – Building Official

Commissioner Holmes stated this mutual release is based on the decision of the Board of Commissioners at the last regular meeting concerning the termination of Mike Nadeau as Building Official for the Town of Redington Shores, without cause. The mutual release was prepared by Attorney Denhardt and is a mutual release of both parties and specifies the amounts for the severance package. Commissioner Holmes moved that the Board of Commissioners approve this mutual release as to form, with any modifications to be deemed appropriate and acceptable to the Town Attorney and that the Mayor be authorized to sign this release and when the mutual release is signed by Mr. Nadeau and Mayor Beyrouti that the final payment due Mr. Nadeau in the amount of \$31,695.50 be given to Mr. Nadeau, seconded by Commissioner

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Reynolds. Mr. Nadeau told the Commission the amount of \$31,695.50 is acceptable, but has only had the document for a short time and he is not prepared to say if this is acceptable or not. Mr. Nadeau asked Attorney Hammonds if in the future someone decides to sue him for something he did as acting in capacity as Building Official would the Town be required to defend him. Attorney Hammonds responded that the Town would be required to do so. Mr. Nadeau told the Commission he would like to have more time to review the document. Commissioner Armstrong formally requested that Mr. Nadeau complete two items prior to his leaving, which are two grants that have been awarded. Mr. Nadeau responded by saying his primary job is Building Official and there are plans that are expected to be approved and inspections to be done and as time is available he will do his best to get them done, but no guarantees. Roll call on the motion and second, all yes.

MISCELLANEOUS

Commissioner Armstrong reminded everyone of the 50th Anniversary Luau on Saturday, August 27, 2005 being held on the beach, tickets are \$35.00 per person.

Respectfully submitted

Mary F. Palmer, CMC
Town Clerk