

DOVER EYOTA ST. CHARLES AREA SANITARY DISTRICT
Minutes of Board of Directors Special Meeting

April 25, 2016

Members Present:

Angela Waits
Bill Spitzer
Wayne Getz
Wes Bussell
Matt Elder
Tony Nelson

Staff:

John Brogan

Absent:

Ray Schuchard

1. Call to Order:

Chairman Bill Spitzer called the meeting to order at 7:05 a.m.

2. Set Agenda:

Motion made by Tony Nelson to set agenda as presented. Seconded by Wes Bussell.
All voted in favor. Motion carried.

3. Approval to retain Brandon M. Fitzsimmons of Flaherty & Hood, P.A. to conduct employment investigation:

The Board members should have received the attorney client privilege document which stated the details of the situation and contains information for the Board only. Bill Spitzer stated that, for those who don't already know, that he is using a different email to be used only for the purpose of this investigation and his using blind copy feature so that no one can accidentally use the reply to all button. Basically, by agreeing with this document we are allowing the attorney to move forward with this investigation. Because the employee is of high stature an outside person is required to do the investigation. Motion made by Angela Waits to approve recommendation by the Attorney. Seconded by Matt Elder. All voted in favor. Motion carried.

Bill Spitzer provided the following time line:

- a) April 22, 2016-Personnel committee met with Bill Spitzer, Angela Waits and Wayne Getz sitting in for Wes Bussell as he was out of town. The meeting took place at City Hall and was a conference call with the Brandon Fitzsimmons. The attorney asked that those who were in attendance at the board meeting on 4/19/2016 when the incident occurred to write down their description of what happened. He needs no other information.
- b) May 3, 2016-Brandon Fitzsimmons will conduct personal interviews with everyone that was present at the board meeting at the time of the incident. These interviews will take place at City Hall.
- c) May13, 2016-the attorney's report will be ready for the board.
- d) May 13 or May 16, 2016-The personnel committee will meet to review this report on May 13, 2016, if time allows or otherwise on May 16, 2016.

e) May 17, 2016-the report will be reviewed by the Board of Director's in a closed session during the regular board meeting and then discussed in an open session of the meeting.

These dates are tentative as other things, changes in schedules etc., may develop.

4. Approval of Stantec contracted services for plant operations:

Bill Spitzer asked Todd Arlander for cost estimate for providing services to the plant since an operator is needed with a class B license. The plant has used Stantec in the past. Wes Bussell asked for clarification regarding the on call situation when John is off on May 11-13. John will do the regular testing each morning and Todd Arlander will be on call should any thing go wrong at night. Motion made by Wes Bussell to approve contract with Stantec as presented. Seconded by Wayne Getz. All voted in favor. Motion carried.

5. Approve letter to Sue Glende regarding land lease with Lee Jay Small and the Conservation practices project:

A document was overlooked in the original conservation practices agreement with land renter Lee Jay Small. The NCRS needs a letter from the District stating that the District has the intention of continuing to rent the land to Lee Jay Small through the year 2019. Motion made by Wes Bussell to approve this letter to the NCRS. Seconded by Tony Nelson. All voted in favor. Motion carried.

There being no further business a motion was made by Angela Waits, seconded by Matt Elder, to adjourn the meeting at 7:16 am. All voted in favor. Motion carried.

Respectfully Submitted,

Cathy Kennedy

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