

MINUTES OF A SPECIAL MEETING OF KISSIMMEE UTILITY AUTHORITY, MONDAY, NOVEMBER 30, 1998, 6:00 P.M., BRINSON BOARDROOM, ADMINISTRATION BUILDING, 1701 WEST CARROLL STREET, KISSIMMEE, FLORIDA.

Present were Chairman Hord, Vice-Chairman Walter, Secretary Guthrie, Director Toro, Attorney Brinson, General Manager Welsh and Recording Secretary Fizer. Mayor Attkisson was absent.

A. MEETING CALLED TO ORDER at 6:00 P.M. by Chairman Hord.

B. BOARD APPLICANT REVIEW

Chairman Hord reviewed the format that would be followed by General Manager Welsh and the board members during the interview of each board applicant.

General Manager Welsh said that Attorney Brinson noted that question 5 should reflect the term is a remaining three years of a five-year term. Director Guthrie also indicated that the point chart at the bottom of the candidate questionnaire is for each board member's individual use if desired.

Chairman Hord noted that the board seat is an "in-city" seat and the applicant selected would be serving the remainder of a five-year term vacated by Bill Ralston.

The first applicant, **Dr. George Gant**, arrived at 6:15 P.M. Chairman Hord explained the interview process and noted that the applicant would have an opportunity to ask questions.

General Manager Welsh asked the questions on the questionnaire and Dr. Gant responded.

Director Toro handed out an expanded schedule of the meetings and events that he had attended during the last year. He said he wanted the board applicants to realize that the time required of a board member was more than the regular monthly board meetings.

Director Guthrie informed Dr. Gant that a complaint had been filed by Richard Herring concerning a board member serving more than two terms. Attorney Brinson had several years ago researched the charter and bylaws and determined that it is not illegal for a board member to serve more than two terms. The charter prohibits more than two terms consecutively.

Upon Dr. Gant's departure, a brief discussion was held on his responses to the questions and his qualifications.

Mr. Robert Donenfeld arrived at 6:47 P.M. and was introduced to the board members. Chairman Hord explained the interview process and General Manager Welsh asked him the application questions.

Chairman Hord asked Mr. Donenfeld to elaborate on his business background.

Director Walter arrived at 7:10 P.M.

After Mr. Donenfeld's departure, the board members discussed the candidate's responses and his qualifications.

Mr. Don Shearer arrived at 7:20 P.M. and was introduced to the Board. Mr. Shearer handed out a biographical summary of his business background. Chairman Hord explained the interview process and General Manager Welsh asked Mr. Shearer the candidate questions.

Chairman Hord explained that the financial disclosure form required of board members was to be filed according to ownership only. He said no dollar amount would need to be reported.

After Mr. Shearer's departure, the board members discussed his responses and qualifications.

At 7:50 P.M. **Mr. Jim Wells** arrived. Chairman Hord explained the interview process to him and General Manager Welsh asked Mr. Wells the appropriate questions.

Upon Mr. Wells' departure, discussion was held on his qualifications and background.

Director Toro informed each board applicant of the time requirements for a board member. Director Guthrie asked the board applicants how they viewed KUA becoming diversified, e.g. becoming an Internet Service Provider. Also, each applicant was asked to elaborate on their understanding of utility deregulation and how it may or may not affect KUA.

The meeting was recessed at 8:12 P.M. and resumed at 8:19 P.M.

Each board member reviewed their observations of the board applicants and how each would make a valuable asset to the Board.

ACTION: Motion by Director Guthrie, seconded by Director Walter, to nominate George Gant to submit to the City Commission for its action on December 8, to fill the remaining term of Bill Ralston on the Kissimmee Utility Authority Board of Directors.

Motion carried 4 - 0

Chairman Hord instructed the general manager to notify Dr. Gant of his nomination and to also inform the other board applicants of the Board's decision.

C. ASSIGNMENT OF CONTRACT WITH PHOENIX APPLIED TECHNOLOGY, INC.

Attorney Brinson reported that the Board had approved the buy-out of Phoenix Applied Technology, Inc. at the July 22, 1998 meeting. The purchase contract provided that KUA pay on a monthly basis over a two-year period. The owner of Phoenix has asked KUA to make payments on the contract to SunTrust Bank. Mr. Welsh explained that the Assignment of Contract form would authorize KUA to make payments to SunTrust instead of Phoenix.

ACTION: Motion by Director Walter, seconded by Director Toro, to approve the Assignment of contract and authorize the Chairman and Secretary to executive the contract.

Motion carried 4 - 0

D. OTHER - None.

E. HEAR GENERAL MANAGER, ATTORNEY, DIRECTORS

Chairman Hord expressed concern about the possibility of the World Expo Center not being built and about KUA's commitment to this project. Mr. Welsh assured him that KUA is not going forward until the staff hears from World Expo Center and will insist on assurances of the viability of the project.

Chairman Hord requested that question 13 on the board applicant questionnaire be changed. **It was the consensus of the Board to change question 13 to read "Please explain your concept of how KUA is financed."**

Director Guthrie suggested that question 14 be changed to read "....., do you have a concern that a portion of the revenue goes to the City?"

Director Walter asked that question 15 be taken out and Chairman Hord requested that it be changed to read "Do you think the general public perceives that KUA rates are too high?"

Director Guthrie also asked that a copy of the questionnaire be given to future applicants, and after discussion it was determined that the questionnaire not be included in the applicant's packet.

F. **ADJOURNMENT** - Meeting was adjourned at 8:50 p.m.


CHAIRMAN

ATTEST:


SECRETARY