

[ANNOTATED VERSION]*

*[*Near verbatim/detailed version of minutes posted on NSBU website – nsbufl.com]*

MINUTES OF A SPECIAL MEETING OF THE NEW SMYRNA BEACH UTILITIES,
CITY OF NEW SMYRNA BEACH, FLORIDA, HELD MONDAY, FEBRUARY 27, 2023,
AT 2:30 P.M., AT 200 CANAL STREET, NEW SMYRNA BEACH, FLORIDA

Chairman Davenport called this Special Meeting of the New Smyrna Beach Utilities on February 27, 2023 to order, adding it was regarding our General Manager's pay raise and so forth.

Roll Call:

Chairman Davenport then requested Mrs. Simmons to call the roll please.

A roll call was taken, all NSBU Commissioners were in attendance as follows:

Chairman James Davenport
Commissioner Richard Hawes
Commissioner Lawrence Kelly, Jr.
Commissioner James Smith
Commissioner Lillian Conrad

Others in attendance at the beginning of the meeting were as follows: J. Bunch, General Manager/CEO; E. Chavez, Vice President/CFO; M. Spellers, Sr. Help Desk Technician; L. Green, Help Desk Technician; H. Carrizales, Sr. Mgr. H.R./Support Services; D. Simmons, Exec. Mgr./ Recording Secretary; and General Counsel Thomas Cloud, Esquire – Gray | Robinson Attorneys at Law. There were no members of the public in attendance on site.

Chairman Davenport then commented everybody's here.

(1) General Manager/CEO Merit Reward Determination:

(1-a) Opening Comments – Vice President & CFO:

Mr. Chavez explained this meeting was being held for a discussion around our CEO's performance as well as what the recommended increase would be for this year. To discuss the GM-CEO's annual performance and salary increase recommendation. Each Commissioner had received a self-evaluation from Mr. Bunch and strategic accomplishments for review and to support completion of their individual annual appraisal forms for Mr. Bunch's fiscal year 2022 performance.

(1) General Manager/CEO Merit Reward Determination (cont.):

(1-b) General Manager/CEO Excused from Meeting:

After confirming roll call had been completed, Mr. Bunch left the meeting room during the Commissioners' merit reward discussion.

(1) General Manager/CEO Merit Reward Determination (cont.):

(1-c) NSBU Commissioner Discuss RE: Performance and Potential Merit Reward:

Mr. Chavez and Mr. Cloud discussed the implementation of a base or guideline to be used within consideration of a GM-CEO's annual salary increase.

Mr. Cloud clarified individual annual reviews by Commissioners will continue as stated in the existing GM-CEO's employment contract. And confirmed Commissioners will continue to have their flexibility, can go higher or lower than the base/guideline every year as desired.

A majority of the Commissioners supported having a guideline and subsequently approved a base for the GM-CEO's annual salary increase would be equal to the annual average increase for all remaining NSBU employees.

Commission Action:

Commissioner Hawes made this motion, as stated by Mr. Cloud above, for a base to be approved for the GM-CEO's annual salary increase.

After quite a bit of additional discussion and clarification of terms, Commissioner Conrad then seconded the motion.

Chairman Davenport confirmed there was no further discussion and requested a roll call to be taken on this motion.

Commissioner Hawes prior motion, then re-stated by Mr. Cloud per Chairman Davenport's request, was specifically to approve an annual salary increase for the GM-CEO, equal to the annual average increase for the remaining NSBU employees.

Commissioner Conrad again seconded this motion, which then passed on a roll call vote with a majority of the Commissioners voting yes, Commissioner Smith voted no.

Chairman Davenport then opened the next discussion, for each Commissioner to provide their comments regarding their individual reviews of Mr. Bunch's FY2022 performance.

After discussion and comments by all Commissioners regarding his job performance, an additional discussion ensued regarding a merit award determination for Mr. Bunch for this time period - FY2022. This discussion was facilitated by the handout from Mr. Chavez, which was the exhibit attached to agenda item 1.

Upon conclusion of the discussion regarding a merit award determination, Commissioner Kelly made a motion to approve a merit reward for Mr. Bunch, as stated below.

Commission Action:

Commissioner Kelly stated I'll make a motion to increase by 4%. Specifically approve a 4% merit reward for GM-CEO Joseph Bunch's FY2022 job performance, equating to an \$11,000 salary increase or \$286,000 annual salary, and its implementation to coincide with NSBU's exempt employees – retroactively to the first pay period to include February 1, 2023.

(1) General Manager/CEO Merit Reward Determination (cont.):

(1-c) NSBU Commissioner Discuss RE: Performance and Potential Merit Reward:

Commissioners Hawes and Conrad simultaneously stated second.

Chairman Davenport stated okay, we've got a motion on the floor and we've got a second by Commissioner Hawes. After confirming there was no more discussion, requested Mrs. Simmons to call the roll.

Commissioner Kelly's prior motion then passed unanimously on a roll call vote.

(2) Conclusion of Special Meeting:

*(*Final Public Hearing and Regular NSBU Meeting Commences at 3:00 P.M.)*

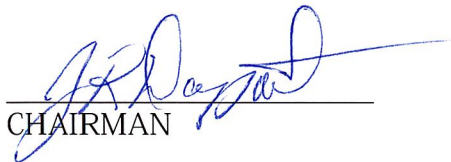
Commissioner Conrad then stated, do we adjourn this meeting.

Chairman Davenport confirmed yes and adjourned the meeting.

There being no further business to come before the Commission, the Special NSBU Meeting closed at 2:55 p.m.

APPROVED:

ATTEST:


CHAIRMAN


SECRETARY-TREASURER

These minutes were formally approved by the Utilities Commission at their March 27, 2023 meeting.