

TOWN OF CINCO BAYOU
SPECIAL COUNCIL MEETING FOR EAR BASED AMENDEMENTS
July 21, 2009 – 5:01 PM

Mayor Iovieno called the Special Council Meeting to order at 5:01 P.M. on Tuesday, July 21, 2009. Following the Pledge of Allegiance and a silent prayer, roll call was taken:

Roll Call: Mayor Iovieno
Mayor Pro Tem Farley
Councilman Chubb
Councilman Koch
Councilman Artabasy
Councilman Bratton

Also present at the meeting were: Town Manager/Clerk Nell Dykes and Assistant Town Manager/Clerk Monika Gillette.

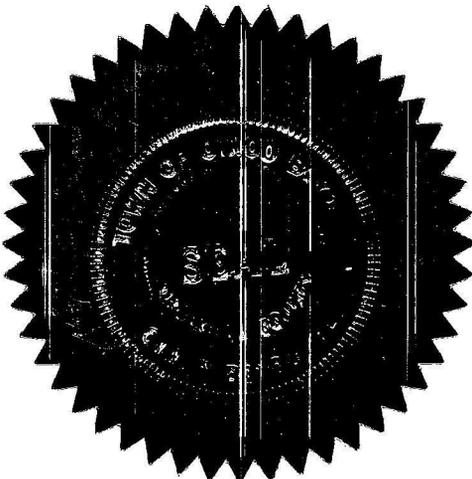
ACTION ITEMS:

Mayor Iovieno read by title Ordinance 219: *AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA AMENDING THE COMPREHENSIVE PLAN BY ADOPTING A SET OF AMENDMENTS REQUIRED BY AND BASED ON THE ADOPTED EVALUATION AND APPRAISAL REPORT ON THE COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR PURPOSE; PROVIDING FOR LEGISLATIVE FINDINGS OF FACT; PROVIDING FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.* Councilman Chubb motioned to accept the first reading of Ordinance 219. Councilman Koch seconded the motion. The motion passed unanimously.

Mayor Iovieno asked for any public input. None was given.

Adjourn – There being no further business, the meeting adjourned at 5:03 pm.

ATTEST:



A handwritten signature in black ink, appearing to be "M. Iovieno", written over a horizontal line.

Michael Iovieno, Mayor

A handwritten signature in black ink, appearing to be "Nell Dykes", written over a horizontal line.

Nell Dykes, Town Manager/Clerk

**MEDICARE INSURANCE PAYMENT METHOD FOR
TOWN MANAGER/CLERK**

AGNES DYKES

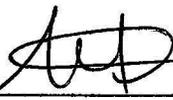
The Town of Cinco Bayou shall make payments for employee Agnes Dykes' Health Insurance covered by Medicare Insurance directly to Medicare to provide for the employee's Health Insurance coverage.

Motion: COUNCILMAN BRATTON 2nd Motion: COUNCILSMAN KOCH

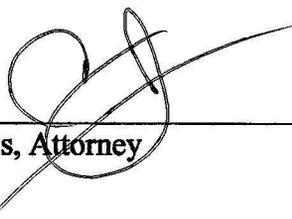
VOTE:

	<u>YES</u>	<u>NO</u>
Mayor Pro-Tem Farley	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Bratton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Chubb	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Artabasy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Koch	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approved by the Town of Cinco Bayou Town Council this 9th Day of July, 2009.

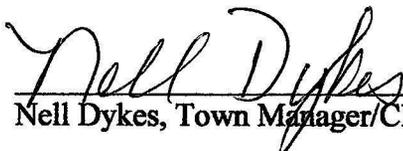


Michael Iovieno, Mayor



Jeff McInnis, Attorney

ATTEST:



Nell Dykes, Town Manager/Clerk

MEMORANDUM

TO: TOWN OF CINCO BAYOU COUNCIL MEMBERS

FROM: NELL DYKES

DATE: JUNE 11, 2009

**REF: EMPLOYER PAYMENT OF MEDICARE PREMIUM
FOR AGNES DYKES**

MESSAGE:

On April 12th of this year I turned 65 and became eligible for Medicare as well as Tri-Care for Life. I have chosen to discontinue the health insurance coverage under Blue Cross Blue Shield offered by the town in order to save the town money. Under the Blue Cross Blue Shield health insurance the cost to the town was \$1,013.78 a month, \$12,165.36 a year. As one of the conditions of my Employment Agreement with the Town 100% of my health insurance premium shall be paid consistent with the benefits provided to other Town employees. My Medicare coverage is \$289.20 per quarter, \$1,156.80 per year. This is a savings of \$\$11,008.56 for the Town. I spoke with both Attorney McInnis and Auditor Angela Balent and both agree that due to the fact the Medicare insurance is invoiced directly to the individual employee and not to the governmental agency, employees are typically paid stipends which is consistent with other municipalities in the area and the county. I have made a line item adjustment on line #513.230 in the amount of \$219.00 for this item for the balance of this fiscal year. Please see copies of the invoices for coverage for the months of April, May, and June and July, August and September as well as a copy of my employment agreement with the town.

AMENDMENT TO ABOVE MEMORANDUM – JULY 9, 2009:

Upon further review of the above topic of payment of Medicare Insurance, it is apparent that if the payment is made directly to me as a stipend, the payment would have to be considered income to me and payroll taxes would have to be withheld therefore the total insurance premium would not be compensated unless the gross amount paid would be inflated to cover the taxes. The town would also incur payroll tax expense. I believe it is in the best interest of the town to pay the Medicare Insurance directly rather than pay the stipend directly to me. I have discussed this method of payment further with Ms Balent and Attorney McInnis. Ms Balent suggests that this memo be presented to the council for approval and recorded in the minutes. The Council Approval of the Addendum to the Memorandum would be acceptable to the Auditors. Attorney McInnis has stated that he has no problem with this method of payment if it is acceptable to the Auditors. A motion will need to be made for approval of the council for this method of payment of the Medicare Insurance premium.