

AGENDA

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

Any person who wishes to be heard shall provide the Clerk with his or her name and residence and the agenda item on which he or she wishes to be heard. Such information shall be on a card provided by the County. Once public input begins, there will be no further speaker cards allowed to be submitted to the Clerk for that subject. An individual has three minutes and a person representing an organization has five minutes to address the Board (except that individuals wishing to speak during public hearings pertaining to land use issues will have five minutes). The first person representing the organization will be allowed the five minutes. Subsequently, all other speakers on behalf of that organization have three minutes to address the Board. Once an individual has addressed the Board, he or she will not be permitted to return to the podium for follow-up comments, unless the issue involved is quasi judicial in nature. In that case, the applicant may return to the podium to conclude his or her position at the end of the public hearing.

Please note that all time approximate items are listed in bold.

Wednesday, December 5, 2007
The Harvey Government Center
at Historic Truman School
1200 Truman Avenue
Key West, Florida

TIME APPROXIMATE

SPECIAL MEETING

**10:00 A.M. CALL TO ORDER
INVOCATION
SALUTE TO FLAG**

A. **Approval of a resolution notifying Thomas J. Willi that the County is canceling his employment agreement effective January 4, 2008. [VIEW](#)**

ADA Assistance: Anyone needing special assistance at the Board of County Commissioners' meeting due to a disability should contact the County Administrator's office at 292-4441.

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY -- SPECIAL MEETING**

Meeting Date: 12/05/07

Division: Commissioner Spehar

Bulk Item: Yes No

Staff Contact Person: Les Boatwright x3440

AGENDA ITEM WORDING: Approval of a resolution notifying Thomas J. Willi that the County is cancelling his employment agreement effective January 4, 2008.

ITEM BACKGROUND: The County Administrator's contract allows for the County Commission to terminate him without cause by cancelling the agreement effective 30 days after giving him written notice by resolution. Under paragraph 7(f)(3) of the agreement, the Administrator would be entitled to a severance package which include 9 months of pay. At his current salary, the Administrator would be entitled to be paid \$124,220.25 in pay plus some of the benefits due under the contract. The total cost to the County will depend, in part, on whether the contract provision calling for the County to pay for vesting him with the Florida Retirement System is legally binding and valid or not.

PREVIOUS RELEVANT BOCC ACTION: On 9/8/04, BOCC entered into a contract with Mr. Willi to serve as County Administrator starting 11/1/04. The agreement was modified on 11/16/05 and 1/25/06.

CONTRACT/AGREEMENT CHANGES: Cancel contract under provisions in paragraph 7(f)(3).

STAFF RECOMMENDATIONS: n/a

TOTAL COST: To be provided

BUDGETED: Yes No

COST TO COUNTY: To be provided

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty _____ OMB/Purchasing _____ Risk Management _____

DOCUMENTATION: Included Not Required

DISPOSITION: _____

AGENDA ITEM # _____

Resolution No. _____-2007

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, NOTIFYING THOMAS J. WILLI THAT THE COUNTY WILL BE TERMINATING HIS EMPLOYMENT WITHOUT CAUSE BY CANCELLING HIS EMPLOYMENT CONTRACT EFFECTIVE JANUARY 4, 2008.

WHEREAS, the Board of County Commissioners entered into an employment agreement with Thomas J. Willi ("Willi") on or about September 8, 2004 through which Mr. Willi agreed to serve as County Administrator for a four year period starting November 1, 2004; and

WHEREAS, in the aforementioned contract, the Board of County Commissioners retained the right to terminate Mr. Willi without cause; and

WHEREAS, pursuant to paragraph 7(f)(3) of the aforementioned contract, the Board must provide written notice via resolution to Mr. Willi of its intent to cancel the contract; and

WHEREAS, under the agreement, the Board must give Mr. Willi 30 days notice of its intent to cancel the contract;

WHEREAS, the Board has met at a duly noticed, special meeting called for this purpose; and

WHEREAS, it is the intent of the Board of County Commissioners of Monroe County, Florida that this Resolution shall serve as the 30-day written notice to Mr. Willi that his contract is being cancelled; and

WHEREAS, it is the intent of the Board that Mr. Willi's contract shall be cancelled effective January 4, 2008; and

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, as follows:

- 1.** The Board of County Commissioners, by this resolution, gives written notice to Thomas J. Willi that the Board is cancelling his employment contract to serve as County Administrator, effective January 4, 2008.
- 2.** The County Attorney, and/or her designee, and the County Clerk, and/or his designee, are hereby authorized to take all steps necessary to terminate the agreement and make all payments due to Mr. Willi under his employment contract.
- 3.** Mr. Willi is directed to immediately turn over all County owned and/or leased property in his possession, with the exception of his cellular phone, to the Deputy County Administrator and/or her designee. County owned or leased items that are

not in his immediate possession shall be turned over to the Deputy County Administrator and/or her designee within 24 hours.

- 4. Mr. Willi is directed that, for the next 30 days, he is to report to work at his home and be available to consult by telephone from 8 a.m. until 6 p.m. with any Commissioner, any person named Acting County Administrator, the Deputy County Administrator and/ or her designee, the County Attorney and/or her designee, the Clerk and/or his designee, and any Division Director.
- 5. Mr. Willi is directed to make only County business calls on his County cellular phone and to turn over that phone to the Deputy County Administrator or her designee on January 5, 2008.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a special meeting of the Board, which was called for this purpose and held on the 5th day of December, 2007.

Mayor McCoy _____
Mayor Pro Tem Di Gennaro _____
Commissioner Neugent _____
Commissioner Spehar _____
Commissioner Murphy _____

(SEAL)
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Mayor