

MINUTES

Merit System Protection Board, Escambia County December 9, 2008 5:00 p.m.

The Merit System Protection Board convened in regular session at 5:00 p.m. on Tuesday, December 9, 2008 with the following MSPB members and staff present:

MEMBERS:

Dan C. Bates, Chairman
Lt. Eddie Henderson (Ret.), Vice-Chair
Ms. Shirley M. Terrell
Father Jack Gray
Dr. Uylssess Hughes

STAFF:

Kay House, Director
V. Keith Wells, Board Attorney

The Chairman called the meeting to order and recognized Dr. Hughes, who offered the invocation followed by the Pledge of Allegiance. There being no additions or corrections to the agenda, Father Jack moved to adopt the agenda; Mrs. Terrell seconded and motion carried unanimously. Upon call for the approval of the minutes of the MSPB Regular meeting on October 14, 2008 and November 4, 2008, Dr. Hughes motion for approval; Father Jack seconded and the motion carried unanimously.

VII. PUBLIC FORUM

Mrs. House acknowledged the presence of County Administrator, Mr. Bob McLaughlin; Santa Rosa Island Authority Executive Director, Mr. Buck Lee; Santa Rosa Island Authority Director of Administration, Mrs. Jayne Bell; and members of the BCC Employee Selection Committee.

VIII. OLD BUSINESS

Mrs. House acknowledges New Board Member Orientation is scheduled for Tuesday, January 13, 2008 at 4:00 p.m., for MSPB member Shirley Terrell. Although other MSPB Members are welcome to attend, Mrs. House would be required to advertise if more than one member were planning to attend.

IX. NEW BUSINESS

Mrs. House explained that Escambia County was renovating its website, which will include upgrades to the website for the Merit System Protection Board. The staff from the County's Public Relations Department will update the photographs of MSPB members. Mrs. House acknowledged appreciation for the cooperation of board members as updates are in progress.

Father Jack informed the Board Members that he emailed Sheriff Elect David Morgan. As an appointment of Sheriff Ronnie McNesby, Father Jack acknowledge his intent to resigned to give the option to the newly elected Sheriff to designate his appointment to the Merit System Protection Board. As of this date, there has been no response from Sheriff Elect David Morgan.

Board Attorney Keith Wells explained that this is a professional courtesy of Father Jack, however in accordance with County Ordinance as written, Father Jack's appointment ends October 2009.

X. REPORT FROM APPOINTING AUTHORITY AND ELECTED OFFICIALS

- a. Board of County Commissioners
- b. Sheriff

The MSPB continues to offer voluntary mediation service to the Sheriff and his employees at no cost.

XI. INFORMATION and STAFF REQUEST

- a. Current Financial Statement

Mrs. House presented the MSPB budget with a spreadsheet outlining expenditures by object code, including an explanation for each expenditure, and the current balance for each object code to date.

XI. ATTORNEY'S REPORT

- a. MSPB Ordinance Modifications

Attorney Wells reported in writing Ordinance Review Report outlining the areas within the Ordinance and Rules and Procedures that should be addressed.

Attorney Wells provided a detailed overview of primarily "housekeeping" changes, which would bring the Ordinance up to date with the resent circumstances, there was discussion about an Ordinance change involving Board review of the penalty phase of disciplinary actions. The following Sections of the Ordinance were reviewed in detailed by Attorney Wells:

- 1) Section 2-205 (b)(3) Staff
- 2) Section 2-205 (b)(8)(d) Modification of Penalty
- 3) Section 2-205 (b)(8)(c) Ratification of Mediated Agreement
- 4) Section 2-206 (b) Interim Appointments
- 5) Section 2-206 (c) Duties of Executive Director

- 6) Section 2-207 (b) Additional Board Appointments
- 7) Section 2-207 (f) Compensation of Board Members

Attorney Wells detailed the following Sections of the MSPB Rules and Procedures:

- 1.8 Amendments to the Rules Procedures
- 3.6 Appeals of Merit Systems Violations

Attorney Wells suggested direct contact with the County Administrator's office concerning any Ordinance change, as the County Commissioners must ultimately approve all Ordinance changes.

Board Chairman Bates made MSPB Members aware of his quarterly meeting with County Administrator, Bob McLaughlin is scheduled for this coming Friday. He will discuss the Committee's Ordinance Review and report to the Board in the next meeting.

There being no further business to come before the Board, the meeting adjourned at 5:40 p.m.