

MINUTES

Merit System Protection Board, Escambia County February 10, 2009 5:00 p.m.

The Merit System Protection Board convened in regular session at 5:00 p.m. on Tuesday, February 10, 2009 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 offered the invocation followed by the Pledge of Allegiance, led by Father Jack. There being no additions or corrections to the agenda, Father Jack moved to adopt the agenda; Dr. Hughes seconded and motion carried unanimously. Upon call for the approval of the minutes of the MSPB Regular meeting on Tuesday, January 13, 2009, Father Jack motion for approval; Mrs. Terrell seconded and the motion carried unanimously.

VII. PUBLIC FORUM

Mrs. House recognized the presence of Ms. Susan Hendrix, representing BCC, County Administrator, Bob McLaughlin; Ms. Jayne Bell, SRIA, Director of Administration; and Mr. Peter J. Smith, BCC, Human Resources Department.

VIII. OLD BUSINESS

Mrs. House acknowledge the receipt of correspondence from Sheriff David Morgan, requesting Father Jack to remain as the Sheriff's appointee to the Merit System Protection Board, through the end of his term, October 2009. Sheriff Morgan acknowledges appreciation to Father Jack for his willingness to remain through the end of his term.

IX. NEW BUSINESS

Mrs. House distributed to the MSPB members a copy of the publication Weekly Administrative Updates (s) published by the BCC, County Administrative office. Mrs. House explained that the publication is informative of county activities, particularly the status of the Old Courthouse Restoration.

X. REPORT FROM APPOINTING AUTHORITY AND ELECTED OFFICIALS

a. Board of County Commissioners

Mr. Peter Smith, BCC, HR Analyst to the Board of County Commissioners greeted the board.

b. Sheriff

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

Mrs. House reported that there may be a request to meet with Sheriff Morgan and his legal and administrative staff to discuss employee coverage under the Merit System Protection Board. The meeting will likely include MSPB Attorney, the County Attorney's Office, and MSPB members Father Jack as chairman of the MSPB Ordinance Modification Committee and Lt. Eddie Henderson, as the appointment of the Sheriff's Employees. In accordance with the sunshine law, if more than one Board member attends the meeting then notice will be published.

c. Santa Rosa Island Authority (SRIA)

Mrs. Jayne Bell, Director of Administration greeted the board.

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

During December's Board meeting, 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 provided an update of his meeting with County Administrator, Bob McLaughlin. The modifications to the Ordinance were presented as submitted by Board Attorney, Keith Wells. County Administrator McLaughlin would like the opportunity to review the Ordinance Modifications and consult with the County Attorney. Board Chairman Bates (as a representative of the BCC) regularly meets with Mr. McLaughlin. Modifications proposed to County Ordinance 2005-038 will be further discussed during their next meeting session.

There being no further business to come before the Board, the meeting adjourned at 5:20 p.m.