

# MINUTES

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

The Merit System Protection Board convened in regular session at 5:00 p.m. on Tuesday, March 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  
Attorney V. Keith Wells

The Chairman called the meeting to order and recognized Father Jack, who offered the invocation followed by the Pledge of Allegiance, led by Dr. Hughes. 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 Tuesday, March 10, 2009, Dr. Hughes motion for approval; Father Jack seconded and the motion carried unanimously.

## VII. PUBLIC FORUM

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

Mr. Lee acknowledged a terrible accident on the three-mile bridge that caused his tardiness and could possibly be the purpose to Attorney Wells' delay.

## VIII. OLD BUSINESS

## IX. NEW BUSINESS

Mrs. House explained to the board that the budget development process for fiscal year 2009-2010 begins with the distribution of the Budget Preparation Manual. Included in the back-up are key dates relating to the 2009-2010 budget development process. The budget process will continue with a series of budget review committees, workshops and public hearings through September 2009.

Mrs. House attached a copy of the budget presently adopted, FY 2008-2009. She recommended that this budget be submitted as the MSPB proposed budget for FY 2009-2010. The budget represents a zero based budget approach including no increases for any line items for the next fiscal year.

Father Jack made the motion to approve Mrs. House recommendation; Mrs. Terrell seconded and the motion carried unanimously.

## **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)**

Mr. Buck Lee, Executive Director 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 5:14 p.m.