

# MINUTES

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

The Merit System Protection Board convened in regular session at 5:00 p.m. on Tuesday, August 12, 2008 with the following MSPB members and staff present:

### MEMBERS:

Dan C. Bates, Chairman  
Lt. Eddie Henderson (Ret.), Vice-Chair  
Mrs. Amy Binegar  
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 Lt. Henderson. The Director, Kay House introduced an addendum to the agenda. Father Jack moved to adopt the agenda as amended; Mrs. Binegar seconded and motion carried unanimously. Upon call for the approval of the minutes of the MSPB Regular meeting on August 12, 2008, Mrs. Binegar moved approval; Father Jack seconded and the motion carried unanimously.

## VII. PUBLIC FORUM

## VIII. OLD BUSINESS

### a. Term Expiration (MSPB Members: Binegar, Henderson and Hughes)

Mrs. House recognized that September 20, 2007 ends the three-year term appointments for Mrs. Amy Binegar, appointment of the Board of County Commissioners' employees; Retired Lt. Eddie Henderson, appointment of the Sheriff's employees; and Dr. Ulysses Hughes, the fifth board member, which is the selection of the four seated board members, respectfully.

Mrs. House acknowledges a letter for the Sheriff's employees confirming the reappointment of Retired Lt. Eddie Henderson, term beginning October 2008 through September 30, 2010 (two-year term appointment). Mrs. House informed the Board that the Board of County Commissioner's employees are in the process of interviewing candidates for its appointment. Once the process is complete, a selection will be determined and forward the MSPB Office.

Dr. Hughes' appointment will end, November 2008. As the fifth board member, this appointment is the selection of the four-seated members. After the four members are seated; the fifth member will be appointed.

**XI. NEW BUSINESS**

a. Amendment to the MSPB Ordinance

Mrs. House introduced to the Board a MSPB Ordinance Change initiated by the County Attorney's Office. The change in the MSPB Ordinance addresses the monthly stipend for board members of the Merit System Protection Board. The ordinance required the County to pay each MSPB member a monthly stipend of \$400.00. Due to budgetary restraints, the MSPB has no appropriation for any stipends during the 2008-2009 fiscal year. The County's Attorney's Office requested the Board of County Commissioners to repeal the fixed \$400.00 monthly stipend for board members of the MSPB and by preserving the ability to provide a stipend in the future by resolution.

**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. The Sheriff acknowledges the effectiveness of mediation and his appreciation for the service.

**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. Mrs. House informed the board that this financial statement ends the fiscal year. The next financial statement for the October 14, 2008 board meeting will reflect the budget adopted by the Board of County Commissioners for fiscal year 2008-2009.

**XII. ATTORNEY'S REPORT**

a. MSPB Ordinance Modifications

Attorney Wells further discussed change in the penalty phase of the Ordinance. The members of the Board of County Commissioners and the Sheriff's Office support changes to the penalty phase of the Ordinance.

Board Chairman Bates directed the Committee, headed by MSPB member Father Jack to meet and recommend the suggested changes for submission to the appropriate constitutional officers and elected official.

b. SRIA employees update

Mrs. House informed the MSPB members of the board action of the Santa Rosa Island Authority, unanimously voting to place its employees under the Merit System Protection Board. Mrs. House specified to the MSPB members that in accordance with the MSPB Ordinance, it is specific regarding the participation of new appointing authorities. County Ordinance 2005-38, Section 2-209 Board Funding requires an interlocal agreement with the Board of County Commissioners.

The County Attorney's Office is coordinating with SRIA's Board Attorney and administrative staff to conclude the Agreement. A draft of that agreement was forward to the MPSB Office and MSPB Board Attorney. As of this date, the Board of County Commissioners has not ratified the agreement.

Attorney Wells explained that once an interlocal agreement is established and approved, it would be submitted to the MSPB for inclusion.

**ADDENDUM**

**XI. INFORMATION and STAFF REQUEST**

c. Contract Renewal – MSPB Attorney V. Keith Wells

Mr. V. Keith Wells, MSPB Attorney, request consideration of the renewal of his employment contract. If Board approved, an addendum to the agreement will be attached to the original document with the appropriate signatures including an amendment to the annual compensation from \$38,000 to \$25,000.

Father Jack moved to renew Attorney Wells' contract with the amendment to the annual compensation, effective October 1, 2008 and continuing through October 1, 2009; Mrs. Binegar seconded and motion carried unanimously.

There being no further business to come before the Board, the meeting adjourned at 5:35 p.m.