

PORT ST. JOE, FLORIDA

DECEMBER 8, 2009

SPECIAL MEETING

The Gulf County Board of County Commissioners met this date in a Special Meeting with the following present: Chairman Nathan Peters, Jr., Vice Chairman Carmen L. McLemore, and Commissioners Billy E. Traylor, Bill Williams, and Warren J. Yeager, Jr.

Others present were: County Attorney Timothy McFarland, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Grant Writer Towan Kopinsky, Human Resource Director Denise Manuel, Public Works Director Joe Danford, Assistant Public Works Superintendent Chris Wood, Sheriff Joe Nugent, and Sheriff's Department Bailiff Chip Bailey.

Chairman Peters called the meeting to order at 4:00 p.m., E.T.

Union

County Attorney McFarland reported that the purpose of the special meeting is a grievance process for the Union and acknowledged Union Representative Larry Fincher for the record; stating that it was appropriate for him to make an opening statement.

Business Manager for the Local 653 Operating Engineers Union, Larry Fincher, appeared before the Board and stated that he represents the Gulf County Public Works employees. He reported that on October 6, 2009, one of the employees (Harry Lewis) was terminated for actions that occurred on October 5, 2009. He stated that the Union is not disputing the action of the employee, but requesting that the Board consider the employees' longevity (almost 25 years) and good record with the County by changing their action of termination to suspension. Mr. Fincher stated that what the employee said was very inappropriate and is sorry for what he said.

County Attorney McFarland advised the Board that this is a step process and it is the prerogative of the Board of County Commissioners to make a decision about what they intend to do with this particular employee. Mr. McFarland opened the floor for public comment.

Harry Lewis appeared before the Board and stated that he messed up; acknowledging that what he did was wrong, but he needs his job back. He further reported that he had apologized to Assistant Public Works Superintendent Chris Wood and others that were present.

County Attorney McFarland again called for further public comment.

Upon inquiry by Commissioner Yeager, Assistant Public Works Superintendent Chris Wood stated that he had no additional comments (he put everything in the incident report that day) and it was up to the Board to make the decision. Commissioner Williams

commented on how long he has known Ms. Lewis and his family, his clean work record and longevity, and the professional manner in which County staff handled this matter. Commissioner Williams stated that he is not trying to minimize this incident, but asked the Board to look at the total 25 years that Mr. Lewis has been employed at the County and not just the events which occurred on that particular day. Commissioner Williams discussed a possible suspension, as requested by the Union Representative, an anger management counseling course (at his own cost), and a written apology letter to Supervisors and Staff. Commissioner Williams discussed that a very strict termination clause could be added following completion of the anger management course. Commissioner Williams reminded the Board of the dynamics and emotions, as well as the transition of supervisors during the County's department consolidation process. Commissioner Williams stated that he support Mr. Wood's decision as a Supervisor, but feels the Board should review the matter and give Mr. Lewis a second opportunity.

Chief Administrator Butler stated for the record that he didn't take this job lightly and would not change his decision had he to do it over again. He thanked Mr. Fincher, Harry Lewis, and Doug Kelley on the manner in which this has been handled. Mr. Butler stated that Mr. Lewis has been missed and there is work that he can do that others cannot at this point. Commissioner Traylor stated that no termination is pleasant. Mr. Traylor recognized Mr. Lewis years of service, but stated to allow him to return to work would be setting a bad precedence. Upon inquiry by Commissioner Traylor, Assistant Public Works Superintendent Wood stated that Mr. Lewis had not personally apologized to him. Commissioner Traylor stated that he supports the Supervisor's decision. Commissioner Yeager commented that we have to support our Supervision. He stated that this meeting today politicizes the process, and reported that the Board has a hiring and firing policy in place and it needs to be followed. Commissioner Yeager inquired of Assistant Public Works Superintendent Wood if Mr. Lewis had apologized to him for what he had done and if he had ever seen this type of behavior in him before. Mr. Wood stated that Mr. Lewis does have a problem with him and had said some of the same things to him when he was first hired by the County. Commissioner Yeager stated that at this point he cannot support putting Mr. Lewis back to work in the same position he is in now. He stated that he may be open to other options. Commissioner Williams reported that there is an appellant process, stating that with the bargaining process the Board is the appellant process, and this process needs to be changed.

Commissioner McLemore reported that he has to follow the decision of the supervisor as long as they have followed the proper procedures, stating that this Board does not need to be hearing this incident today, and it needs to be handled through the Supervisor's and Administration.

Chairman Peters reported that he supports the recommendation from Chief Administrator Butler on all decisions, and that he also investigates himself. Union Representative Fincher reported that the Board requested to be placed in the appellant process approximately 6-8 years as part of the grievance procedures. Commissioner Traylor motioned to support the decision of the Supervisor. Commissioner McLemore seconded the motion for discussion. After further discussion by members of the Board, the motion then passed 4-1, with

Commissioner Williams voting no.

There being no further business, and upon motion by Commissioner Traylor, the meeting did then adjourn at 4:20 p.m., E.T.

NATHAN PETERS, JR.
CHAIRMAN

ATTEST:
Rebecca L. Norris
Clerk