CITY OF SEDONA
PERSONNEL BOARD MEETING
MONDAY, FEBRUARY 1, 2010 – 4:00 P.M.
PARK AND RECREATION ROOM

ACTION MINUTES

1. ROLL CALL.
   The meeting was called to order at 4:01 p.m.
   Board Members:
   Kathryn Losoff
   Noel Marquis
   Dick Fishel
   Mercedes Mangarpan
   Kenneth Jepson
   Staff:
   Pud Colquitt –Council Representative
   Victoria Ward-Staff Representative

2. DISCUSSION OF DUTIES OF PERSONNEL BOARD MEMBERS.
   BOARD REVIEWED THE PERSONNEL RULES AS CONTAINED IN THE CITY OF SEDONA EMPLOYEE MANUAL AND NOTED THAT THERE WERE NO CHANGES TO THE ONES THEY ARE FAMILIAR WITH.THEY DETERMINED THAT THEIR DUTIES WERE:
   1)TO DETERMINE WHETHER JUST CAUSE EXISTED FOR DISMISSAL, DEMOTION, OR SUSPENSION WITHOUT PAY OF CLASSIFIED NON-PROBATIONARY EMPLOYEES
   2)TO DETERMINE THAT PROPER PROCEDURES HAVE BEEN FOLLOWED IN SUCH MATTERS

THE BOARD DISCUSSED THAT IT WAS THEIR UNDERSTANDING THAT THEY WOULD SUBMIT THEIR DETERMINATION TO THE CITY MANAGER FOLLOWING THE HEARING, HOWEVER, THE FINAL DECISION MAKER IS THE CITY MANAGER. THE BOARD WAS SUPPLIED WITH COPIES OF ARTICLE I SECTION 107-PERSONNEL BOARD, ARTICLE IV –EMPLOYEE STATUS AND PERSONNEL ACTION AND ARTICLE IX-GRIEVANCE PROCEDURE OF THE CITY OF SEDONA PERSONNEL MANUAL.

3. DISCLOSURE OF NAME OF TERMINATED EMPLOYEE.
   BOARD WAS SUPPLIED WITH EMPLOYEE'S IDENTITY. BOARD MEMBER JEPSON IS FAMILIAR WITH THE EMPLOYEE AND SAID THAT HE IS A CITY VOLUNTEER AND THEREFORE WAS AWARE THAT THERE HAD BEEN AN ISSUE, BUT DID NOT KNOW WHAT THE DETAILS WERE. BELIEVED THE CITY ATTORNEY AND OPPOSING COUNCIL SHOULD BE MADE AWARE OF THAT IN CASE THEY WOULD LIKE HIM TO RECUSE HIMSELF. VICTORIA WARD WILL CONTACT CITY ATTORNEY IN THE MORNING WITH THIS INFORMATION.

4. REVIEW OF OPEN MEETING LAW.
   BOARD REVIEWED KEY POINTS OF OPEN MEETING LAW AND WERE REMINDED THAT THEY HAD COMPLETE COPIES OF THE STATUTE IN THEIR PERSONNEL BOARD HANDBOOK. STAFF REPRESENTATIVE

REMINDED THE BOARD OF NOT DISCUSSING THE PRESENT CASE OR SOLICITING INFORMATION REGARDING THE CASE WITH ANYONE IN THE COMMUNITY, EACH OTHER OR ON STAFF, AND; TO AVOID EXPOSURE TO ANY INFORMATION ABOUT THE CASE. BOARD MEMBERS INDICATED THAT THEY UNDERSTOOD THE OPEN MEETING LAW AND KNEW TO NOT DISCUSS ANY BOARD BUSINESS WITH EACH OTHER, COMMUNITY MEMBERS, OR STAFF.

5. REVIEW AND POSSIBLE ACTION FOR REVISION TO CITY OF SEDONA PERSONNEL RULES OF PROCEDURE. BOARD REVIEWED PROCEDURE AND NO ACTION FOR CHANGE WAS MADE

6. DISCUSSION/POSSIBLE ACTION FOR SELECTION OF LEGAL COUNSEL TO REPRESENT BOARD DURING REQUESTED HEARING.

   DICK FISHEL SAID THAT HE BELIEVED DEAN PICKETT WOULD BE A GOOD CHOICE BECAUSE HE HAD EXPERIENCE AND KNOWLEDGE OF THE CITY'S PERSONNEL BOARD PROCEDURES AND CITY POLICIES. HE INQUIRED WHETHER DEAN PICKETT WAS AVAILABLE. MR. PICKETT HAD BEEN CONTACTED EARLIER REGARDING HIS SCHEDULE AND INFORMED STAFF THAT, IF SELECTED TO REPRESENT THE BOARD, HE WOULD BE AVAILABLE THE FIRST WEEK OF MARCH.

MOTION:

DICK FISHEL MOVED THAT THE BOARD RETAIN DEAN PICKETT TO REPRESENT THE PERSONNEL BOARD IN THE PRESENT MATTER
KEN JEPSON SECONDED THE MOTION

VOTE: MOTION CARRIED, FIVE (5) AND ZERO (0) OPPOSED

7. DISCUSSION/ACTION FOR SCHEDULING TIME, DATE AND PLACE FOR PERSONNEL HEARING.

   AFTER CONSULTING CALENDARS THE BOARD SELECTED TWO DAYS WITH AN ALTERNATE DAY LATER IN THE WEEK IN CASE THE HEARING EXTENDS BEYOND THE TWO-DAY PERIOD.

MOTION:

NOEL MARQUIS MOVED THAT THE HEARING BE SCHEDULED AT THE CITY FOR MONDAY, MARCH 1, 2010 AT 4 P.M. WITH ADDITIONAL TIME ON TUESDAY MARCH 2, 2010 AND THURSDAY, MARCH 4, 2010 AT 4 P.M. IF ADDITIONAL TIME IS REQUIRED.
DICK FISHEL SECONDED

VOTE: MOTION CARRIED, FIVE (5) AND ZERO (0) OPPOSED

8. DISCUSSION/ACTION FOR SCHEDULING TIME, DATE AND PLACE FOR MEETING WITH DEAN PICKETT PRIOR TO PERSONNEL HEARING.

   BOARD DISCUSSED THAT MOST WERE FAMILIAR WITH DEAN PICKETT AND SINCE THEY HAD ADOPTED RULES OF PROCEDURE AND WERE COMFORTABLE WITH THEIR RESPONSIBILITIES THEY WOULD MEET WITH DEAN PICKETT PRIOR TO THE SCHEDULED MEETING ON MARCH

1. SINCE PRIOR ACTION RESULTED IN THE HEARING START TIME AT 4 P.M. A NEW MOTION WAS OFFERED

MOTION:

DICK FISHEL MOVED THAT THE BOARD MEET WITH DEAN PICKETT AT 4 P.M. ON MARCH 1 PRIOR TO THE HEARING WITH THE HEARING TO BEGIN AT 5 P.M. ON MONDAY MARCH 1 AND 4 P.M. ON TUESDAY MARCH 2 AND THURSDAY MARCH 4 IF ADDITIONAL TIME IS REQUIRED. NOEL MARQUIS SECONDED

VOTE: MOTION CARRIED FIVE (5) AND ZERO (0) OPPOSED

7. ADJOURNMENT.

MERCEDES MANGARPAN MOVED THAT THE BOARD ADJOURN
KEN JEPSON SECONDED

VOTE: MOTION CARRIED, FIVE (4) AND ZERO (0) OPPOSED

Without objection, the meeting adjourned at 4:28 p.m.

Respectfully Submitted,

Victoria Ward, *Director, Human Resources*