

Unified Personnel Board
Pinellas County
August 1, 2024 Meeting Minutes

The Unified Personnel Board (UPB) met in regular session at 4:01 PM on this date in the County Commission Assembly Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Ricardo Davis, Chair
Ralph O. Reid IV, Vice-Chair
Jeffery Kronschnabl
Peggy O'Shea
Kenneth Peluso
Joan Vecchioli

Not Present

William Schulz II

Others Present

Wade Childress, Chief Human Resources (HR) Officer
Jennifer Monroe Moore, Ogletree, Deakins, et. al., P.C., Board Counsel
Leena Delli Paoli, Employees' Advisory Council Representative
Tammy Burgess, Board Reporter, Deputy Clerk
Other interested individuals

All documents provided to the Clerk's Office have been made a part of the record.

CALL TO ORDER

Chair Davis called the meeting to order at 4:01 PM; whereupon, he led the Pledge of Allegiance.

CITIZENS TO BE HEARD

No one responded to the Chair's call for citizens to be heard.

EMPLOYEES' ADVISORY COUNCIL (EAC) REPRESENTATIVE

Later in the meeting, Ms. Delli Paoli discussed training provided to two new Employee Advocates.

In response to comments and queries by Mr. Reid, Ms. Delli Paoli indicated that there are currently four Employee Advocates; and that she will be attending the UPB's joint workshop with the Appointing Authorities.

CONSENT AGENDA

Minutes of the Regular Personnel Board Meeting Held July 11, 2024

Ms. Vecchioli made a motion to approve the July 11 meeting minutes. The motion was seconded by Ms. O'Shea and carried unanimously.

NEW BUSINESS

Approval of Proposed Changes to Employees' Advisory Council Bylaws

Later in the meeting, Ms. Delli Paoli discussed proposed changes to the EAC Bylaws relating to the title of Mr. Childress' position and the election process; whereupon, she requested the Board's approval of the revisions.

Ms. Vecchioli made a motion to approve the revised EAC Bylaws. The motion was seconded by Mr. Peluso and carried unanimously.

Topics for Joint Workshop with Appointing Authorities on August 22, 2024

Mr. Childress indicated that Clerk of the Circuit Court and Comptroller Ken Burke requested that the Employee Voice Survey be added to the workshop agenda; and that the main topic for discussion would be goals for his position.

Ms. Vecchioli related that it was her understanding that a draft agenda would be presented at today's meeting for Board approval; and that she would like to be sure that the agenda is published in a timely manner so that the Appointing Authorities are provided ample notice of the topics. In response to Ms. Vecchioli's comments, Mr. Childress indicated that he plans to review the goals presented at the last UPB meeting with the HR team to solicit their input; and that he will prepare the joint workshop agenda following that meeting; whereupon, Mr. Reid requested that Mr. Childress add EAC Advocates as an agenda topic.

Mr. Childress related that he was invited to the County Attorney's performance appraisal review process and was asked to make recommendations for changes; whereupon, he discussed creating a performance appraisal template for the County's senior management positions. He indicated that he is a Board of Directors member for CPS HR Consulting, which provides HR consulting services exclusively for government entities; that, as a Board member, he receives \$5,000.00 worth of services or reimbursement; and that, with the Board's approval, he would like to utilize their services to provide recommendations relating to a potential performance appraisal template.

Referring to the July 11 UPB minutes, Ms. Vecchioli pointed out that the performance evaluation process for employees and the establishment of a standardized performance management system were discussed as potential agenda topics and requested that Mr. Childress add these to the joint workshop agenda, along with a line item for open discussion.

INFORMATIONAL ITEMS

Reduction in Force – Housing and Community Development

Assistant to the County Administrator Amy Davis indicated that she is responsible for overseeing the community redevelopment agency in Lealman; that she is requesting the Board's approval of a Reduction in Force of an Administrative Support Specialist 1 position; and that the goal is to build increased knowledge within the team and to add a new position for conducting analyses and research and managing future programs, which requires a higher level position classification; whereupon, Mr. Reid clarified that the Board is notified of Reductions in Force but does not approve them.

In response to a query by Chair Davis, Ms. Davis related that there are no other administrative positions supporting the Lealman Community Redevelopment Area; whereupon, HR Assistant Director Maria Ciro indicated that staff is working with the employee in an attempt to find a new position for her.

HR Update

Mr. Childress related that an HR update is included in the agenda packet, specifying that a request has been made to the Board of County Commissioners (BCC) to approve a \$600.00 employee salary increase, along with a 4.25% general increase; and that a formal request to change the County's medical plan administrator from Cigna to UnitedHealthcare will be presented to the BCC at its August 13 meeting; whereupon, he provided brief information related to turnover rate, terminations, separations, new hires,

and the time it takes to fill positions, indicating that the numbers have remained fairly consistent over the past several months.

In response to a comment and a query by Chair Davis, Mr. Childress indicated that a change to the medical plan administrator was discussed prior to him being hired; that he had a lengthy discussion with the Appointing Authorities regarding the topic; and that there have been issues relating to Cigna's customer service; whereupon, Mr. Childress noted that UnitedHealthcare was the County's provider for 19 years before changing to Cigna.

The meeting was recessed at 4:17 PM and reconvened at 4:25 PM.

APPEAL OF TERMINATION

Michael Van Hofwegen v. Pinellas County Property Appraiser

The appeal of termination filed by Michael Van Hofwegen, formerly of the Pinellas County Property Appraiser's Office, was presented by Attorney Craig L. Berman, Berman Law Firm, P.A., representing the Appellant, and by Assistant County Attorney Kirby Kreider, representing the Appointing Authority.

Attorney Moore indicated that exceptions and objections submitted by the Appellee would be heard first; whereupon, Attorney Kreider requested that the Board exclude Assistant County Attorney Marshall Brannon from testifying, citing attorney-client privilege. In response, Attorney Berman related that he reserves the right to call Attorney Brannon if the Appellee presents testimony beyond the letter written by Attorney Brannon, which would waive privilege. In rebuttal, Attorney Kreider indicated that there is no intent to introduce any conversations that occurred between Attorney Brannon and his client.

Attorney Moore related that when Attorney Kreider filed her motion regarding this issue, Attorney Berman was notified that she would not be producing Attorney Brannon; whereupon, Attorney Berman indicated that he did not subpoena Attorney Brannon.

Ms. Vecchioli made a motion to exclude Attorney Brannon's testimony based on attorney-client privilege, unless there is evidence of privilege being waived by the client. The motion was seconded by Mr. Peluso and carried unanimously.

Attorney Moore related that all exhibits included in the appeal packet have been stipulated to by the parties and will not require introduction into evidence through a witness.

At Attorney Moore's request, those planning to testify were sworn in by Ms. Burgess; whereupon, following opening statements, Attorney Moore read into the record the facts stipulated to by the parties.

During testimony, the meeting was recessed and reconvened as follows:

7:00 PM – 7:18 PM

9:31 PM – 9:39 PM

Following opening statements, testimony, cross-examinations, and questioning of the parties and witnesses, Ms. Vecchioli made a motion to waive closing arguments. The motion was seconded by Mr. Peluso and carried 5 to 1, with Mr. Reid dissenting.

Confirming that the members dispensed with the stipulation of facts, Attorney Moore related that the Board may begin its deliberations. She indicated that, in rendering its findings and decision regarding termination appeals, the Board shall decide the following issues:

1. Does the Board find that the Appellant committed the activities for which he was terminated?

Mr. Peluso made a motion that the Board find that the Appellant committed the activities for which he was terminated. The motion was seconded by Ms. O'Shea and, following discussion, carried 5 to 1, with Chair Davis dissenting.

2. Does the Board find that cause existed for the disciplinary action in that the activities violated the Personnel Rules cited by the Appointing Authority?

Mr. Peluso made a motion that the Board find that cause existed for the disciplinary action in that the activities violated Personnel Rule 6, Paragraph B, Category F: Unauthorized use of Public/Citizen/County equipment or property. The motion was seconded by Ms. Vecchioli and, following discussion, carried 5 to 1, with Chair Davis dissenting.

Mr. Peluso made a motion that the Board find that cause existed for the disciplinary action in that the activities violated Personnel Rule 6, Paragraph B, Category K: Infraction: Violation of Pinellas County Statement of Ethics, Engaging in conduct unbecoming of a County employee or other behavior that affects the public trust or is a poor representation of a County employee. The motion was seconded by Mr. Reid and, following discussion, carried 5 to 1, with Chair Davis dissenting.

Mr. Peluso made a motion that the Board find that cause existed for the disciplinary action in that the activities violated Pinellas County Property Appraiser Personnel Manual Section 2.9 Ethics: Performing, or directing another employee to perform, any of the

following for; themselves; a relative; a friend; an acquaintance; or any other person which results in private gain or results in harming others: Submit changes for real or tangible property value. The motion was seconded by Ms. O'Shea and, following discussion, carried 4 to 2, with Chair Davis and Mr. Reid dissenting.

3. Does the Board find that the disciplinary action taken by the Appointing Authority toward the Appellant was appropriate?

Mr. Peluso made a motion that the Board find that the disciplinary action taken by the Appointing Authority toward the Appellant was appropriate. The motion was seconded by Ms. Vecchioli and, following discussion, carried 4 to 2, with Chair Davis and Mr. Reid dissenting.

Attorney Moore restated the Board's decision regarding the appropriateness of the Appointing Authority's disciplinary action toward the Appellant; whereupon, she indicated that the Appellant has 15 calendar days, from the date of this meeting, to file any motion for reconsideration.

ADJOURNMENT

The meeting was adjourned at 11:52 PM.