

MINUTES

SPECIAL MEETING OF THE HUMAN RESOURCES BOARD
TUESDAY, JUNE 26, 2012, 5:30 P.M.
22 S. BEACH STREET, ORMOND BEACH, FLORIDA

Those present were: Mr. Rick Fraser, Mr. Matt Coleman, Mr. Bob Henry, Mr. Clark Rohmer, Mr. Ted West, Ms. Shelly Arzola, Human Resources Director; Ms. Jayne Timmons, Recording Secretary, Ms. Ann-Margret Emery, Deputy City Attorney and Mr. Charles Cino, Attorney for the Board.

The meeting was called to order at 5:35 P.M by Ms. Timmons.

This special hearing was requested by Larry Rivera, Civil Engineer for the City of Ormond Beach as an appeal to his termination on May 25, 2012 for violation the Human Resources Policy, Section 14.02 (b)(t) behaving in a insubordinate and threatening manner toward his supervisor and co-workers. Mr. Rivera did not arrive at the hearing and Ms. Timmons informed the Board that a call was placed to Mr. Rivera's cell phone which went to voicemail and a message was left to return the call as soon as possible. Mr. Cino asked how Mr. Rivera was notified of the meeting and was informed that the Agenda and packet was emailed to Mr. Rivera and it was confirmed by phone that he had received them and would attend the meeting.

Nominations for the Chairperson for the year 2011 were put forth per Section 2-214 (a), Code of Ordinances, Mr. West nominated Mr. Fraser and Mr. Rohmer seconded. Mr. Fraser was elected with all approving. Mr. Fraser asked for nominations for Vice-Chairperson and Mr. Henry nominated Mr. Coleman. Mr. Rohmer seconded the nomination and all were in favor. Carried.

A motion was made by Mr. Henry and seconded by Mr. Coleman to approve the minutes of the meeting held July 28, 2011 as presented. All were in favor. Carried.

Mr. Fraser opened the hearing for Larry Rivera, Civil Engineer on his termination by the City on May 25th, 2012. Mr. Cino introduced himself as the attorney for the Board and explained that according to the Rules of Procedure for the Human Resources Board of the City of Ormond Beach the Appellant (Mr. Rivera) has the burden of proof and the Appellant was not present at the meeting. He stated that the Board heard testimony from the Recording Secretary that the Appellant was notified in writing by email and by phone and was just called on his cell phone with no answer. Without the Appellant present, an order would be submitted to the City Manager making a recommendation that the employee had not met his burden of proof by not appearing and that the termination should be upheld.

A motion was made by Mr. Henry and seconded by Mr. West that the meeting be adjourned. All were in favor. Carried.

Rick Fraser, Chairman

Shelly Arzola, Human Resources Director

Adjourned: 5:40 P.M.