



TOWN OF REDINGTON BEACH, FLORIDA
SPECIAL MEETING MINUTES
Tuesday, August 08, 2006
1:00 P.M.

Town Hall

Assembly Hall

SPECIAL MEETING MINUTES

Call to Order (Special Meeting)

Roll Call

Commissioner Yadevia	-	Absent - Excused
Commissioner Bradbeer	-	Present
Commissioner Maniotes	-	Absent - Excused
Vice Mayor Peck-Epstein	-	Present
Mayor Wilson	-	Present

Also present were Town Attorney Dominic Amadio and Acting Town Clerk Marie Hamilton.

Attorney Amadio explained that this was a Special Meeting for the Unemployment Appeal for former Town Clerk, Beverly Brown. The meeting will be held by teleconference with the State Unemployment Hearing Officer, Dexter Parker, Ms. Brown and her attorney. Attorney Amadio briefly described the purpose of the hearing and gave a brief history of the Unemployment claim.

1. Unemployment Appeal Hearing (former Town Clerk, Beverly Brown) – Attorney Amadio

- 1:15 p.m. – Telephone Conference with Dexter Parker, Hearing Officer; former Town Clerk, Beverly Brown; Ms. Brown's Attorney, Mr. Eric Pinkard; and Town Attorney Dominic Amadio.

Mr. Parker with the Unemployment Office of Appeals called and asked for Mayor Wilson, who introduced the witnesses who will give testimony during the hearing; Town Attorney Amadio who will question witnesses on behalf of the Town, Mayor Wilson and Vice -Mayor Peck-Epstein who will testify.

Mr. Parker telephoned Ms. Brown and left a message on her recorder. Attorney Amadio stated the documents from Ms. Brown were not received in a timely manner for review. Mr. Parker stated he would take that into consideration.

Mr. Parker read the Hearing information and the issues being considered are whether Ms. Brown left for a good cause or she voluntarily left the job. He also outlined the documents in the Hearing and checked addresses, documents sent to the Appeals Office, the Employer and the Claimant.

Attorney Amadio objected to the documents from Ms. Brown that were not received in time for review and asked for a continuance of the Hearing. Mr. Parker stated he would take that into consideration, but that the Hearing would proceed. Mr. Parker called Ms. Brown and also telephoned her attorney, Mr. Pinkard. He next outlined the proceedings, stated and received permission from all parties to record the proceedings, and described the documents to be used for the Hearing.

Mr. Parker began the Hearing with a brief introduction of record and procedures for the Hearing, including taking an Oath from all parties who will testify during the Hearing. He read in the Docket Number of 2006-36467U, gave date/time and described the issue under consideration.

Mr. Parker questioned about the documents in her possession. Ms. Brown stated she did not receive the documents from Attorney Amadio. Attorney Amadio stated the documents had been sent to her by regular mail. Mr. Parker reviewed the documents and described them to all parties. He stated he will continue the Hearing and describe the documents to the parties and consider any objections to them at the time. Attorney Amadio asked if Ms. Brown's letter of resignation was received by Mr. Parker and asked permission to FAX a copy to him. Mr. Parker stated he did not have the letter and that Mr. Amadio could FAX it to him, however, he would not leave the Hearing to retrieve the FAX. Attorney Amadio motioned for a continuance due to the documents not being in all parties' possession for the Hearing. Mr. Parker stated he would continue the Hearing and take the objection into consideration. He then issued an Oath to Ms. Brown, Mayor Wilson, and Vice Mayor Peck-Epstein.

Mr. Parker questioned Ms. Brown's attorney, Mr. Pinkard, on the current amount of his attorney fees and the anticipated amount of additional fees. Mr. Pinkard stated his normal fee is \$200 per hour, so far there is 1.5 hours of fees accrued and he anticipates another 1.5 hours for a total of 3.0 hours.

Testimony began with Ms. Brown who is currently employed at Trust Co. Bank with a hire date of August 1, 2006. Her last date with the Town of Redington Beach was May 16, 2006. Her direct supervisor was Mayor Wilson. Ms. Brown stated she quit the job by submitting her resignation during a meeting and leaving. She also testified on the comp-time and vacation days taken and was questioned about the meeting and her reason for leaving during the meeting. She stated that she had left due to statements given during a public meeting about her job performance, which had been discussed several times at previous meetings. She also testified about the Administrative Leave which the Town placed her on in February. Mr. Parker asked her if she had spoken with the Vice Mayor about the issues. She did not, but had discussed the issues with the Mayor. Her primary reason for leaving was a statement made by the Vice- Mayor and another Commissioner in several meetings beginning in November of 2005. She also testified about the duration of her Administrative Leave and the history of the comments during the meetings of 11/22/05, 12/16/05, 1/30/06, and 5/16/06. She stated she did not remember the exact words of the charges brought against her at the meetings. She referred to documents sent to the Hearing by her. Attorney Amadio objected on the grounds of insufficient time for review of the documents. Mr. Parker stated he would take the objection under advisement, but would continue the Hearing.

Attorney Amadio questioned Ms. Brown on her resignation and read her letter of resignation into the record. He asked her about the monies due to her from the Town of Redington Beach. She stated she has not received the check for her comp-time and did not know about the agreement with her attorney for it. Mr. Amadio asked her about the dates of statements and her job performance. He asked her if her Administrative Leave had been paid, it was. He also asked about unemployment checks received, she stated she had filed after the final vacation check was received from the Town, and she was filing for three weeks of unemployment compensation.

Mr. Parker then took testimony from Mayor Wilson. Mayor Wilson testified on the letter of resignation given to her by Ms. Brown during the May 16, 2006 meeting recess. She also testified about a six page document which had been read into the meeting record by Vice Mayor Peck-Epstein which stated that Ms. Brown's job performance was not up to par. Mr. Parker asked about the statement read at the meeting and what was said that was offensive to Ms. Brown. Mayor Wilson read several statements from the document to Mr. Parker.

Ms. Brown's Attorney, Mr. Pinkard, asked if the Mayor had come to Ms. Brown's assistance during the meeting. Mayor Wilson stated she was surprised that the job performance issue came up at the meeting. Mr. Pinkard then questioned her about the allegations which should not have come up again after the Administrative Leave. Mayor Wilson stated she understood that the issue of the checks would not be brought up again and that there was a general understanding that all parties would work together after Ms. Brown returned from the Administrative Leave. Mr. Pinkard asked her about the statements made after the May 16, 2006 meeting to the newspaper and the article written on her statements. He also asked if the Sheriff's Office had to be called to restore order during that meeting. Mayor Wilson stated the Sheriff's Office was called, on advice to the Acting Town Attorney, Mr. Peck but that there was no disorder and no one was removed from the meeting. Mr. Pinkard also asked about the employee turnover at Town Hall and Mayor Wilson stated it was contributed to by Vice- Mayor Peck-Epstein.

Testimony was next given by Vice- Mayor Peck-Epstein. Mr. Parker asked her about the May 16, 2006 meeting and if she had spoken with Ms. Brown during the meeting. Ms. Brown did not tell her why she was leaving, but after the recess her letter of resignation was read into the record by Mayor Wilson. Mr. Parker asked if she had spoken with Ms. Brown prior to that about her job performance. Vice Mayor Peck-Epstein stated she had not spoken to her due to the Sunshine Law and the requirement to conduct Town business in public meetings. Her reason for reading her input on Ms. Brown's job performance into the record during the meeting was because Ms. Brown had an employee review coming up and she wished to give the Mayor her input on job performance before the review was given to Ms. Brown.

Attorney Amadio offered into evidence the statement which was read into the record during the meeting of May 16, 2006. The statement will be Exhibit B, and Ms. Brown's statement will be Exhibit A, per Mr. Parker. Mayor Wilson testified that a check for Ms. Brown's comp-time was agreed to with Ms. Brown's attorney and had been mailed to Ms. Brown. Mr. Parker stated this was not an issue of Ms. Brown's separation and this issue would not be considered at this Hearing. There was also a brief discussion on newspaper articles not being a part of the record or the Hearing.

Vice- Mayor Peck- Epstein testified that she had brought up the allegations at a Public Meeting due to Ms. Brown's relationship with the Mayor. She was also questioned about the allegations of improper check signing and the investigation of the Sheriff's Office and the findings of that investigation. Vice- Mayor Peck-Epstein expressed that her only basis of the allegations was that Ms. Brown had used poor judgment for a Clerk with her background and experience.

Both Mr. Pinkard and Attorney Amadio made closing statements. The Hearing was adjourned and Mr. Parker stated he will notify all parties of his decision.

Due to an oversight, the meeting was not recorded by the Town recorder; however the Acting Town Clerk will obtain a copy of the State's transcript for the records.

2. Adjournment

Commissioner Bradbeer moved to adjourn. Meeting adjourned at 2:25pm.

Respectfully Submitted,

Marie Hamilton, CMC
Acting Town Clerk

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