

**MINUTES OF THE EMERGENCY MEETING
OF THE GREENWOOD TOWN COUNCIL
GREENWOOD, FLORIDA
May 26, 2020**

The Town Council of the Town of Greenwood, Florida met in an emergency session via teleconference at 6:30 p.m. on the 26th day of May, 2020. The place, time, and date heretofore established for the holding of such meetings.

Mayor Phyllis Bowman called the meeting to order.

Everyone in attendance stood for the Pledge of Allegiance to the American flag. Mayor Bowman asked for a moment of silence to honor our military men and women.

The following answered present to roll call:

Mayor, Phyllis Bowman

Alicia Corder, Town Clerk

Lisabeth Beutler, Deputy Clerk-not present

George Little, Attorney (via phone)

Council Member, Mamie Vann

Council Member, Jacky Ditty

Council Member, Bryan Johnson

The Clerk declared a quorum present.

Others in Attendance: Suzanne NeSmith (via phone)

The purpose of the meeting tonight is to discuss the disciplinary action that was issued to Mr. Juan Moffitt, dated May 26, 2020, for failing to call in and report his absence at the garbage facility today. This has happened in the past and Mr. Moffitt has been counseled on several occasions regarding this violation. The purpose of this meeting is to inform the Council of the action taken and get direction on how to proceed. Attorney George Little stated the hearing Mr. Moffitt requested is triggered after a final action is taken although it can be done before then. Mr. Little explained this is the ordinary approval or disapproval of the Council on the recommended disciplinary action. Mr. Moffitt will still have his right to a hearing before the Town Council. In the meantime, the Council can finalize this disciplinary action, make amends or reject it. Mr. Little stated tonight's meeting is an ordinary order of business.

Mayor Bowman stated she recommended that the Town Council suspend Mr. Moffitt without pay until he is able to have his meeting before the Council due to being late to work on several occasions prior to today. Mayor Bowman stated that Mr. Moffitt had been warned that if this behavior continued it would be grounds for suspension and/or termination. Today Mr. Moffitt did not call in, show up or contact anyone. Mayor Bowman stated she had been informed that Mr. Moffitt went to the emergency room for treatment but made no effort to contact his job and report his absence.

CM Ditty said he was informed by TC Corder this morning about the meeting this evening. On his way to the garbage facility this morning he called TC Corder and asked if we had heard from Mr. Moffitt and she said no. CM Ditty said he was going to call him. It was 10:41 a.m. Mr. Moffitt informed CM Ditty that he did not oversleep but was at the emergency room to have his ear/hearing checked. CM Ditty stated Mr. Moffitt answered his phone and Mr. Moffitt should have called in to say he would not be at work today. CM Ditty told Mr. Moffitt that when he returned to Greenwood he needed to go by the office and see TC Corder.

Mayor Bowman said that it had been explained to Mr. Moffitt and understood and knew that if the tardiness/late to work continued he would be in jeopardy of losing his job for no other reason than this type of offense.

CM Johnson asked for clarification on the hearing requested by Mr. Moffitt and which direction the Council would need to make. Mr. Little clarified that the request for hearing by Mr. Moffitt and the action taken on the disciplinary action are separate. Clarification on the suspension without pay was discussed. Mr. Little stated that the Council could proceed with suspension without pay until an opportunity for a hearing could be held with Mr. Moffitt. After the hearing the Council could take action for a final termination or other appropriate action based on the evidence. CM Johnson stated that the hearing requested for June 9, 2020 was in place prior to the disciplinary action taken today. CM Johnson stated that if Mr. Moffitt had reported to work today this emergency meeting would not be happening. There was discussion that at the time Mr. Moffitt requested his hearing he did not specify the intent of discussion and the scheduled hearing for June 9 could cover all the disciplinary actions taken against Mr. Moffitt. If action is taken to terminate at the Jun 9 hearing then Mr. Moffitt could request another hearing based on the actual termination. Mr. Little stated that Mr. Moffitt had been given a written final warning regarding attendance issues and the Council could take action to terminate at this meeting. It would be viewed as a new disciplinary action taken by the Council. In conclusion the hearing tentatively scheduled for June 9, 2020 could be used to address all actions documented in Mr. Moffitt's personnel file. A notice will be issued to Mr. Moffitt outlining the Council's action taken this evening.

There was discussion on how to set up and accommodate Mr. Moffitt's request for an in-person meeting before the Town Council. It was agreed that witnesses who will be giving testimony before the Council will need to stay outside the meeting until they are called in. There was also discussion regarding the timing and notice of the emergency meeting. Due to the need to ensure the garbage facility is open and staffed; a decision regarding the disciplinary action needed to be resolved.

Mrs. Suzanne NeSmith, who will be sworn in as Mayor on June 9, 2020, was asked if she had any questions or suggestions regarding Mr. Moffitt's disciplinary action. Mrs. NeSmith agreed that suspension without pay was the appropriate action at this time based on the previous issues that have occurred at the garbage facility and Mr. Moffitt's failure to report his absence from work today.

A notice of suspension without pay will be issued to Mr. Moffitt on May 27, 2020. At the time the notice is given to Mr. Moffitt he will be required to turn in his keys to the garbage facility. It was also decided that Mr. Moffitt will have until Friday, May 29, 2020 by 4:30pm to clear out any personal items from the garbage office unit. A motion was made by CM Johnson to suspend Mr. Moffitt without pay until further notice and the in-person hearing before the Council can be scheduled as requested; a second was made by CM Ditty. Vote called. Johnson – Yes. Vann – Yes. Ditty – Yes. Passed.

A motion to adjourn was made by CM Ditty, with a second from CM Vann. Vote called. Johnson – Yes. Vann – Yes. Ditty – Yes. Passed. Meeting adjourned at 6:22 PM. The next regular meeting of the Town Council will be held on June 9, 2020 at 6:30 PM.

Respectfully submitted,

Approved 9th day of June, 2020



Alicia L. Corder
Town Clerk



Mamie M. Vann, Chairperson