

FTR Log Notes

Description	Regular Session		
Date	5 /28/2008	Location	CSC Meetings
Time	Speaker	Note	
<u>8:06:51 AM</u>	Test		
<u>8:59:59 AM</u>	Robert Bergman	Item 1 - Call to Order/Flag Salute/Roll Call	
<u>9:00:38 AM</u>	Robert Bergman	Item 2 - Public Comment Period: None	
<u>9:00:56 AM</u>	Robert Bergman	Item 3a - April 23, 2008 Regular Session Minutes: Motion made by Commissioner Nix; seconded by Commissioner Tappan; motion carries.	
<u>9:01:25 AM</u>	Robert Bergman	Item 4a - President Report: None	
<u>9:01:32 AM</u>	Arthur Chapman/Deb Hossli	Item 4b - Commission Subcommittee Report: Provides an update on the Rules Update Kick-off meeting.	
<u>9:02:58 AM</u>	Warren Jensen, County Counsel	Item 4c - Commission Counsel Report: Ms. Matuszewicz's leave will begin tomorrow; she will return in January; Mr. Jensen will be covering her duties in her absence.	
<u>9:03:21 AM</u>	Deb Hossli	Item 4d - Commission Secretary Report: None	
<u>9:03:34 AM</u>	Mark McKibben, Personnel Analyst, Human Resources Department	Item 5a - Administrative Analyst revised specification: Mark McKibben presents specification to the Commission. Motion to approve specification as amended (per Commissioner Chapman's request) made by Commissioner Nix; seconded by Commissioner Salter; motion carries.	
<u>9:07:46 AM</u>	Robert Bergman	Item 5b - Medical Records Technician/Senior Medical Records Technician specification (approved at April CSC mtg; presented for informational purposes only); no further comments on the specification. Break; return at 9:15 to begin hearing.	
<u>9:14:51 AM</u>	Robert Bergman	Item 6 Hearing - Appeal from Sergeant Jay Donovan (A07-99) dated July 17, 2007 over the Sheriff's Commander recruitment. County Counsel excuses themselves from the hearing; Mr. Larry Frierson represents Commission.	
<u>9:15:42 AM</u>	Larry Frierson, Commission Counsel	Requests a recess to closed session to discuss the motion made by the Respondent to limit the scope of the hearing. President Bergman asks for both counsel's comments on the matter prior to closed session.	
<u>9:16:52 AM</u>	Christine Maloney, Counsel for	Presents Respondent's position on the scope of the hearing.	
<u>9:19:51 AM</u>	Alison Berry Wilkinson, Counsel for Appellant	Presents Appellant's position on the scope of the hearing.	
<u>9:24:12 AM</u>	Christine Maloney	Responds to Appellant's argument.	
<u>9:25:23 AM</u>	Alison Berry Wilkinson	Responds to Respondent's rebuttal.	
<u>9:28:55 AM</u>	Robert Bergman/Jay Salter	Commissioner Salter questions Respondent's counsel. Commission adjourns into closed session at 9:30 a.m.	
<u>10:16:43 AM</u>	Robert Bergman	Hearing reconvenes.	
<u>10:16:54 AM</u>	Larry Frierson	Report on closed session. The Commission grants the motion to limit the proceeding to issues effecting the recruitment examination and exclude the issues regarding the Sheriff's interview process. Explains the decision.	
<u>10:21:52 AM</u>	Alison Berry Wilkinson	Requests a short recess; return at 10:25.	
<u>10:26:48 AM</u>	Robert Bergman	Hearing reconvenes.	
<u>10:26:58 AM</u>	Alison Berry Wilkinson	Makes a motion to consolidate the appeal and grievances into one hearing and to schedule that hearing within 60 days.	
<u>10:29:49 AM</u>	Christine Maloney	Addresses Appellant's motion; asks the Commission to hear the appeal matter today.	
<u>10:31:01 AM</u>	Counsel	Further discussion regarding motion.	
<u>10:34:43 AM</u>	Robert Bergman	Commission adjourns into closed session.	
<u>10:42:18 AM</u>	Robert Bergman	Hearing reconvenes.	

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<u>10:42:24 AM</u>	Larry Frierson	Report on closed session. Motion to consolidate denied; will move forward with appeal hearing today; potential future grievance hearing should be heard within the next 60 days.
<u>10:43:32 AM</u>	Christine Maloney	Requests clarification on issues regarding limiting the scope of the hearing.
<u>10:46:02 AM</u>	All Counsel	Further discussion of issues regarding the grievance.
<u>10:46:38 AM</u>	Alison Berry Wilkinson	Presents opening statement for Appellant Sgt Donovan.
<u>10:53:47 AM</u>	Robert Bergman	Commission adjourns for a brief discussion with Counsel.
<u>10:56:24 AM</u>	Robert Bergman	Hearing reconvenes.
<u>10:56:43 AM</u>	All Counsel	Discusses the witnesses being present during the hearing. Dale Strobridge, DSA representative, and Mark McKibben, HR Dept remain during proceedings.
<u>10:59:57 AM</u>	Alison Berry Wilkinson	Calls first witness - Sergeant Jay Donovan.
<u>11:00:37 AM</u>	Jay Donovan, Sergeant with the Sheriff's Department	Witness is sworn in and summarizes his employment history.
<u>11:02:19 AM</u>	Alison Berry Wilkinson/Jay Donovan	Sgt. Donovan begins his testimony.
<u>11:31:04 AM</u>	Christine Maloney	Cross examination of Sgt. Donovan.
<u>11:45:14 AM</u>	Robert Bergman	Break for lunch; hearing will resume at 1:00 P.M.
<u>1:07:59 PM</u>	Robert Bergman	Hearing reconvenes.
<u>1:08:38 PM</u>	Christine Maloney	Continues cross examination of Sgt. Donovan.
<u>1:21:53 PM</u>	Alison Berry Wilkinson	Re-direct of Sgt. Donovan.
<u>1:24:27 PM</u>	Commission	Questions Sgt. Donovan.
<u>1:36:54 PM</u>	Alison Berry Wilkinson	Questions Sgt. Donovan regarding his response to the Commission about his application, supplemental information, and the type of interview he was given.
<u>1:39:15 PM</u>	Christine Maloney/ Counsel/ Commission	Ms. Maloney asks follow-up questions of Mr. Donovan regarding his application, supplemental information, and the opportunity for Sgt. Donovan to present that information. (Discussion among Commission and Counsel regarding the admissibility of discussing the interview). Commissioners ask follow-up questions of Sgt. Donovan regarding these issues.
<u>1:58:22 PM</u>	Christine Maloney	Continues follow-up questions of Sgt. Donovan regarding the application/examination process.
<u>2:00:11 PM</u>	Alison Berry Wilkinson	Follow-up questions of Sgt. Donovan.
<u>2:01:21 PM</u>	Robert Bergman	Asks for clarification of Sgt. Donovan's response.
<u>2:02:21 PM</u>	Jay Donovan	Reviews CSC rules to support his response.
<u>2:06:39 PM</u>	Counsel	Discusses the Commission's request for Sgt. Donovan to find the rule he is referring to.
<u>2:10:24 PM</u>	Robert Bergman	The Commission takes a short recess to allow Sgt. Donovan time to review the rules privately.
<u>2:35:02 PM</u>	Robert Bergman	Hearing reconvenes.
<u>2:35:07 PM</u>	Larry Frierson	States that the hearing will resume in Sgt. Donovan's absence.
<u>2:35:38 PM</u>	Alison Berry Wilkinson	Discusses the Commission's request for Sgt. Donovan to review the CSC rules at this time. Discussion among counsel regarding this issue and exam announcement rules ensues.
<u>2:40:52 PM</u>	Anthony Perry, Sergeant with the Sheriff's Dept and Executive Director of the SLO County Deputy Sheriff's Association	Ms. Berry Wilkinson calls witness Anthony Perry; Sgt. Perry is sworn in and summarizes his employment history.

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<u>2:41:37 PM</u>	Alison Berry Wilkinson/Anthony Perry	Sgt. Perry begins his testimony.
<u>2:49:54 PM</u>	Robert Bergman	Sgt. Donovan returns to hearing. Sgt. Perry continues his testimony.
<u>2:51:31 PM</u>	Jay Donovan	Sgt. Perry leaves the room. Sgt. Donovan notes Rule 7.08 as his reference.
<u>2:52:14 PM</u>	Robert Bergman	Asks Sgt. Donovan about his ranking and who was hired. No further questions; Sgt. Donovan excused as a witness.
<u>2:54:06 PM</u>	Alison Berry Wilkinson	Sgt. Perry returns; his testimony resumes.
<u>2:57:09 PM</u>	Christine Maloney	Cross examination of Sgt. Perry.
<u>3:10:27 PM</u>	Alison Berry Wilkinson	Re-direct of Sgt. Perry.
<u>3:15:25 PM</u>	Christine Maloney	Additional questioning of Sgt. Perry regarding application rating.
<u>3:19:55 PM</u>	Commission	Questions Sgt. Perry regarding types of examinations; DSA's perspective and the remedy requested; Rule of 10; completing an application; rankings on certified lists.
<u>3:54:11 PM</u>	Robert Bergman	Sgt. Perry excused as a witness. Break; return at 4:05 P.M.
<u>4:09:06 PM</u>	Robert Bergman	Hearing reconvenes. Sgt. Perry remains in the room.
<u>4:09:51 PM</u>	Alison Berry Wilkinson	Calls witness Dale Strobridge.
<u>4:10:35 PM</u>	Dale E. Strobridge, Sheriff's Sergeant and President of SLO County Deputy Sheriff's Association	Witness is sworn in and summarizes his employment history.
<u>4:11:36 PM</u>	Alison Berry Wilkinson/Dale Strobridge	Sgt. Strobridge begins his testimony.
<u>4:22:03 PM</u>	Larry Frierson	No further questions by Ms. Berry Wilkinson. Mr. Frierson clarifies remedy sought by Appellant.
<u>4:22:57 PM</u>	Christine Maloney	Cross examination of Sgt. Strobridge.
<u>4:28:20 PM</u>	Robert Bergman	No further questions by Ms. Maloney. No redirect from Appellant's counsel.
<u>4:28:28 PM</u>	Commission	Questions Sgt. Strobridge about the number of applicants, how many applicants complained, and the certified ranked list.
<u>4:33:17 PM</u>	Alison Berry Wilkinson	Follow-up questions for Sgt. Strobridge regarding ranked list.
<u>4:36:54 PM</u>	Robert Bergman	No additional questions from Ms. Maloney; Sgt. Strobridge excused as a witness.
<u>4:37:16 PM</u>	Robert Bergman	Appellant's concludes case.
<u>4:37:52 PM</u>	Robert Bergman	Hearing continued to Monday, June 2, 2008 at 8:30 A.M.
<u>4:42:39 PM</u>	Robert Bergman	Hearing adjourned.