

Milwaukee County Personnel Review Board
Meeting Minutes – November 10, 2015

I. Roll Call

Board President Daniel Dennehy called to order the regular meeting of the Personnel Review Board at 9:00 a.m. on Tuesday, November 10, 2015, in Room 203-R of the Milwaukee County Courthouse.

The following Board Members were present: Mr. Daniel Dennehy, Ms. Susan Lueger, and Ms. Mary K. Bruno.

II. Approval of the Minutes of the October 27, 2015 Meeting

Ms. Bruno moved, Ms. Lueger seconded, and the Board, by unanimous vote (3-0), approved the minutes of the October 27, 2015 meeting.

III. Resignation of Board Member Carlos Pastrana

The Board received a resignation letter from Board Member Carlos Pastrana. Ms. Lueger moved, Ms. Bruno seconded, and the Board, by unanimous vote (3-0), accepted Mr. Pastrana's resignation and wished him well in his new employment.

IV. Elections for the President and Vice-President of the Board

Ms. Lueger moved, Ms. Bruno seconded, and the Board, by a vote of 2-0 with Mr. Dennehy abstaining, elected Mr. Dennehy as the President of the Board. Mr. Dennehy moved, Ms. Bruno seconded, and the Board, by a vote of 2-0 with Ms. Lueger abstaining, elected Ms. Lueger as the Vice-President of the Board.

V. Communications and/or comments from the public, if any

None.

VI. Correspondence

None.

VII. First Appearances

A. DISCHARGES

**JERMEIL HINTON, Airport Maintenance Worker, DOT
Case #2-4277 dated 10/28/2015**

The Board heard the report of Attorney Paul Kuglitsch, Assistant Corporation Counsel, that Jermeil Hinton, who was not present, waived his right to a hearing within 21 days and was seeking a hearing date certain. The Board received a copy of the waiver. Ms. Bruno moved, Ms. Lueger seconded, and the Board, by unanimous vote (3-0), voted to accept the waiver and schedule Mr. Hinton for hearing certain on December 22, 2015.

DORIS GRIFFIN, Juvenile Correction Officer, DEL & CT SVCS

Case #2-4276 dated 10/20/2015

The Board heard the report of David Eisner, Staff Representative, AFSCME District Council 32, that Doris Griffin, who was not present, waived her right to a hearing within 21 days and requested a hearing date certain. Ms. Bruno moved, Ms. Lueger seconded, and the Board by unanimous vote (3-0), accepted Ms. Griffin's waiver and set a hearing date certain of January 19, 2016.

The Board then moved to reschedule the **TYRA WALKER** and **SUSAN BORN** matters from January 5, 2016, to January 19, 2016, to accommodate the likelihood that the **WALID TALEB** matter would need to be continued to another date. Ms. Bruno moved, Ms. Lueger seconded, and the Board, by unanimous vote (3-0), rescheduled the Tyra Walker and Susan Born matters to January 19, 2016. The Board will send notice to the parties of the change.

VIII. Hearings

A. DISCHARGES

MARK PHINISEE, Human Services Worker - JJ, DEL & CT SVCS

Case #2-4260 dated 9/10/2015

At 3:53 p.m., Ms. Bruno moved, Ms. Lueger seconded, and the Board voted 3-0 to go into closed session to deliberate on the Mark Phinisee matter and the Jacob Miller and Victoria Mikula appeals. At 4:24 p.m., the Board reconvened in open session.

Ms. Bruno moved, Ms. Lueger seconded, and the Board, by unanimous vote (3-0), found that the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraphs (k), (l), (m), (t), (u), and (ff), and upheld the charges for discharge of Mark Phinisee.

WALID TALEB, Correction Officer I, HOC

Case #2-4254 dated 8/5/2015

Case #2-4255 dated 8/5/2015

The Board began the hearing of this matter; however, due to time constraints, the Board needed to adjourn the matter. Ms. Lueger moved, Ms. Bruno seconded, and the Board, by unanimous vote (3-0) voted to continue the matter to January 5, 2016.

CORRINE EHMKE, Correction Officer I, SHERIFF

Case #2-4231 dated 6/29/2015 for IA #15-148

At 1:21 p.m., Ms. Bruno moved, Ms. Lueger seconded, and the Board voted 3-0 to go into closed session to deliberate the Corrine Ehmke matter. At 1:32 p.m., the Board reconvened in open session.

The Board had planned to deliberate on this matter and come to a decision regarding the case; however, due to the resignation of Mr. Pastrana, who heard the case with Mr. Dennehy and Ms. Bruno, Attorney Paul Kuglitsch, Assistant Corporation Counsel, questioned whether there was still a quorum to decide the case. Based on Rule II of the Board's Rules of Procedure, two members of the Board is currently a

quorum because it is a majority of the confirmed members. The Board determined Mr. Dennehy and Ms. Bruno will deliberate the matter at the next meeting, and if both agree on the outcome, that will be sufficient for the Board to render a decision. If they do not agree, the Board will determine how to proceed at that time.

IX. Updates

A. APPEALS

JACOB MILLER, Deputy Sheriff, SHERIFF
Case #14-CV-10572

VICTORIA MIKULA, Deputy Sheriff, SHERIFF
Case #15-CV-5543

At 3:53 p.m., Ms. Bruno moved, Ms. Lueger seconded, and the Board voted 3-0 to go into closed session to deliberate on the Mark Phinisee matter and the Jacob Miller and Victoria Mikula appeals. At 4:24 p.m., the Board reconvened in open session.

In the Jacob Miller appeal to the Wisconsin Appellate Court, the Board determined by unanimous consent to cross-appeal the issue of whether the Board could impose a permanent re-evaluation period for a Milwaukee County Employee.

In the Victoria Mikula appeal of her suspension, the Board determined by unanimous consent to oppose Ms. Mikula's request to stay her appeal of suspension pending the outcome of her appeal of her discharge.

X. Adjournment

Ms. Bruno moved, Ms. Lueger seconded, and the Board, by unanimous vote (3-0), adjourned the meeting at 4:24 p.m.

Minutes submitted by: Rebecca M. Janz, PRB/Ethics Board Administrator