

A personnel hearing with the City Commission of the City of Apalachicola was held on Monday, September 10, 2012 at 2:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Commissioner Van Johnson, Commissioner Brenda Ash, Commissioner Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, Chief of Police Bobby Varnes, Water & Sewer Foreman William Cox, Employee Fred Babb

Betty Webb submitted documentation to Commission regarding employee Fred Babb. Ms. Webb outlined the circumstances that have brought us to the personnel hearing. Ms. Webb stated first charge is refusal to take drug test and second charge is taking a narcotic drug that is not prescribed to him.

Fred Babb stated that he took no substance that would cause him to fail the drug test, and that he did take a drug test the following day and passed it.

Mayor Johnson asked Chief Varnes if the substance on the spoon had been tested.

Chief Varnes replied no.

Mr. Babb stated he does not know how the spoon got on the passenger side of the City truck. Mr. Babb stated he should have just refused the drug test and not made the statement that he refused to take the test because he would fail it.

Mayor Johnson read section of personnel policies pertaining to drug testing and repercussions to employees who fail to submit a drug test.

Mr. Babb stated he made a false statement and he doesn't want that to go on record.

Mayor Johnson read employee warning report. Mayor Johnson stated Mr. Babb has clearly violated the drug policy by refusal to submit test.

Mr. Babb stated he understood he violated the drug policy by refusing the test.

Commissioner Ash asked Mr. Babb if he took a drug test the following day and passed it, then why didn't he bring the results with him to the hearing.

Mr. Babb responded that he felt it would not matter. Mr. Babb stated he should have taken the test, but didn't.

Motion to terminate Fred Babb based on information submitted and failure to comply with drug policy made by Commissioner Ash, second by Commissioner Cook.

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Motion carried 3 to 0.

Voting Aye: Cook, Ash, Mayor Johnson

Voting Nay: None

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Van W. Johnson, Sr., Mayor

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Lee H. Mathes, City Clerk