

PINAL COUNTY MERIT COMMISSION
December 1, 2015 at 8:35 A.M.
HEARING ROOM
31 N. Pinal St, Administration Building A, Florence, Arizona

COMMISSIONERS PRESENT:

Chairman Tom Ramsdell
Commissioner Gilbert Cancio
Commissioner Ralph Varela

OTHERS PRESENT:

Donna Aversa, Counsel to the Merit Commission
Krishna Fick, Assistant to the Clerk of the Merit Commission
Yvette Patterson, Deputy County Attorney for Pinal County
Archie Carreon, Director at Pinal County Facilities Department
Tim Collier, Attorney for Appellant
Heather Ojeda, Appellant

1. Call to Order

The meeting was called to order at 8:35 A.M.

2. Roll Call and Confirmation of Quorum

Chairman Tom Ramsdell
Commissioner Gilbert Cancio
Commissioner Ralph Varela

3. Business -- Consideration and possible action regarding the appeal of the termination of employment of Heather Ojeda.

- A. Introduction.** The Chairman swore in all the witnesses who were present and told them they had to leave and wait to be called. They were excused at 8:38 a.m.
- B. Opening Statements.** Attorneys for Respondent and Appellant each made an opening statement to the Commission.
- C. Respondent's Witnesses and Exhibits.** Attorney Patterson called:
 - i. Rachel Hernandez,** Custodial Worker at Pinal County Facilities Department. Ms. Hernandez testified under direct examination, cross examination, redirect, and was questioned by the Commission.

- ii. **Maria Fales**, Custodial Worker at Pinal County Facilities Department. Ms. Fales testified under direct examination, cross examination, redirect and was questioned by the Commission. The Chairman called for a break at 9:28 a.m. and resumed at 9:46 a.m.
- iii. **Robert Mendez**, Bailiff at Pinal County Superior Court. Mr. Mendez testified under direct examination, cross examination, and was questioned by the Commission. The Respondent requested the right to recall witnesses for rebuttal. The Chairman approved the request.
- iv. **Officer Scott Rose**, Police Officer with Florence Police Department. Officer Rose was placed under oath by the Chairman. Officer Rose testified under direct examination, cross examination and was questioned by the Commission.
- v. **Cathy Bohland**, Director Human Resources. Ms. Bohland was placed under oath by the Chairman. Ms. Bohland testified under direct examination, cross examination. The Chairman called for a lunch break at 11:51 and resumed at 12:58 p.m. There was a redirect and she was questioned by the Commission.

To facilitate scheduling, Respondent and Appellant agreed to take witnesses out of order allowing Appellant to call her witnesses then returning to Respondent's witnesses including any rebuttal witnesses.

D. Appellant's Witnesses and Exhibits. Attorney Collier called:

- i. **Heather Ojeda**, Ms. Ojeda testified under direct examination.
- ii. **Executive Session.** The Chairman motioned for an executive session at 2:01 p.m. for legal advice pursuant to A.R.S. Sec. 38-431.03(A)(3). Commissioner Cancio seconded it. Passed unanimously.
- iii. **Resume Open Session.** The hearing resumed at 2:27 p.m. and the Chairman reminded everyone of the confidentiality of executive sessions. Ms. Ojeda was cross examined and a redirect from her council, and was questioned by the Commission.

4. Recess at 4:20p.m until following day.



 Krishna Fick, Assistant to the Clerk
 Of the Merit Commission



 Tom Ramsdell, Chairman