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Juvenile Welfare Board Meeting : 1983 : 02 : 01 : Minutes

Juvenile Welfare Board of Pinellas County.

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JUVENILE WELFARE BOARD

Special Meeting - February 1, 1983

PRESENT: Mrs. Mary Wyatt Allen, Chairman; Mrs. Mary Frances Byrkit, Vice Chairman; Dr. Calvin D. Harris, Secretary; Commissioner John Chesnut, Jr.; Mrs. Helen W. Herman; Judge Jack A. Page; and Mrs. Jo Ann Welch. Also present: Mrs. Mary Laura Broadwater, Executive Secretary; and Mr. Terry A. Smiljanich, Attorney at Law.

Mrs. Allen called to order the special meeting which was called under the laws of the State of Florida for the purpose of discussing possible termination proceedings under the employment contract of Dr. Frank Osanka. Dr. Osanka, his attorney (Mr. Ken Deacon), and several court reporters were present.

Dr. Harris offered the opening prayer.

Mr. Smiljanich explained that under the terms of Dr. Osanka's contract with the Board, and, also, under well recognized constitutional law, if the Board has any indication that it may terminate Dr. Osanka as Executive Director, it must follow certain procedures. The procedures involve, first of all, the Board determining as a body whether or not it feels it is appropriate to issue a Notice of Discharge to Dr. Osanka. This Notice of Discharge will be accompanied by a list of specific reasons (charges) for its potential action to terminate Dr. Osanka as Executive Director. If the Board were to so decide, these written charges would then be provided to Dr. Osanka, and he would have an opportunity at a hearing date that would have to be set by this Board during the period of time not sooner than 30 days from tonight, not later than 60 days from tonight, to hold a hearing to consider these specific reasons and to allow Dr. Osanka an opportunity to respond to these reasons and to present whatever relevant evidence he wishes to present to the Board in response to those charges. At that meeting, the Board would then determine as a body: (A) whether to eliminate these proceedings and lift the suspension of Dr. Osanka as Executive Director; or (B) to terminate Dr. Osanka as Executive Director. Should the Board choose the former action, Dr. Osanka would resume his duties as Executive Director; should they choose the latter option, Dr. Osanka would be terminated as of that meeting, as of that date. There is no provision for severance pay or any other further obligations under the contract the Board has with Dr. Osanka.

Mr. Smiljanich informed the Board that the items which he was presenting to the Board were, should the Board choose to proceed, sufficient grounds for termination under the contract, should those matters be substantiated. The concerns which the Board had expressed to Mr. Smiljanich were: the failure of Dr. Osanka to inform the Board of his termination for cause by Lewis University (breach of his contract with the Board and matter of just cause under the contract); dishonesty to public authorities; dishonesty to the Board, staff and public in connection with the incident at St. Petersburg Beach; dishonesty to one Board member in telling her that his termination from Lewis University was not related to sexual harassment; unprofessional conduct while serving as Executive Director; and private business telephone calls made at the Juvenile Welfare Board office.

Commissioner Chesnut stated that the failure of Dr. Osanka to inform the Board of his termination by Lewis University would be the entire basis for his own future vote on this matter, and he feels the matter has been substantiated.

MOTION
Notice of
Discharge

Judge Page moved, and Mrs. Byrkit seconded a motion which carried to give Notice of Discharge with a written list of charges, which will be drawn up by the Board attorney and mailed to Dr. Osanka, together with the hearing date not to be less than 30 days from tonight nor more than 60 days.

Commissioner Chesnut opposed this motion.

Mr. Deacon and Dr. Osanka spoke before the vote on the above motion was taken.

Commissioner Chesnut asked to clarify his opposition to the motion - the ambiguity of some of the charges. He would have voted "yes" had the motion been stated differently.

Mr. Smiljanich stated that this notification did not change the status of Dr. Osanka's suspension.

Mrs. Allen asked the executive secretary to proceed to set a time during the week beginning March 7, 1983 for a special meeting of the Board, which will be held at 7:30 p.m.

By general consent the Board agreed to proceed to set up a hearing with the individual clients, with invitations to Dr. Osanka's attorney to attend.

MOTION Dr. Harris moved, and Mrs. Welch seconded a motion which carried unani-
Interim mously to nominate Dr. Gus Sakkis as Interim Director of the Juvenile
Director Welfare Board beginning on Monday, February 7, 1983, with compensation
of approximately \$4,200 per month, with no fringe benefits.

MOTION Judge Page moved, and Mrs. Byrkit seconded a motion which carried unan-
Temporary imously to have Mr. Carl Meisner continue as Temporary Interim Director
Interim of the Juvenile Welfare Board until Dr. Sakkis begins on February 7,
Director 1983. This motion also included instruction for Mr. Meisner to prepare
an orientation for Dr. Sakkis for his arrival on Monday.

The Computer, Search, and Policy Committees will be meeting in the near future. The Policy Committee will be reviewing the autonomy question, the scheduled review of the Youth Services System Advisory Council in March, and Mr. Robert Bell's analysis of the needs assessment methodology.

In connection with the events of the last few weeks, Mrs. Allen expressed appreciation for the attitude and devotion of the Juvenile Welfare Board members, the sharing of staff concerns on an individual basis with Board members, the concern and genuine interest shown by the public, and the many hours of time and consultation given by the Board attorney, Mr. Terry Smiljanich, and his firm, Greene, Mann, Rowe.

Mrs. Allen declared the meeting adjourned.

The next meeting will be: February 10, 1983, 9:30 a.m. - regular meeting.



Calvin D. Harris, Ed.D., Secretary