

TOWN OF ASTATULA
Regular Council Meeting Agenda
Tuesday, July 8, 2025 6:30pm
Astatula Town Hall
25009 County Road 561 | Astatula, FL 34705

Join Zoom Meeting: <https://zoom.us/j/96777379920?pwd=H8GqeWJuWIR2sNfuTkj8ON4O2g4nI5.1>
Meeting ID: 967 7737 9920 | Passcode: 123456

Town Council Members

Zane Teeters, Jr. – Mayor
Marjorie Boyd – Vice-Mayor
Jeanne Quiros
Kay MacQueen
Cheryl Marinelli

Town Staff

Jennifer Tucker, Town Clerk
Wally Hoagland, Police Chief
David Langley, Attorney
~~Tom Harowski, Interim Town Planner~~

Call to Order

Invocation & Pledge of Allegiance

Roll Call, Acknowledgement of Quorum Present and Proper Notice Given

Welcome and Introduction of Guests

A. CITIZEN’S QUESTIONS AND COMMENTS

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Town Council will hear questions, comments, and concerns from the citizens. If the issue raised is not on today’s agenda, action will not be taken by the Council at this meeting. Questions may be answered by staff or referred for appropriate staff action. If further action is necessary, the item may be placed on a future board agenda. Zoning and code enforcement matters cannot be discussed during the public comment period. Procurement matters not scheduled to be heard by the Council today also cannot be discussed during the public comment period. Public comment may be limited to 3 minutes.

B. AGENDA REVIEW

C. CONSENT AGENDA

Routine items are placed on the Consent Agenda to expedite the meeting. If Town Council/Staff wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on the remaining item(s); and (3) Discuss each pulled item and vote.

1. Plant Technician’s Annual Renewal Contract

D. APPROVAL OF MINUTES

Aug. 13, 2024 Regular Council Mtg.
Sept. 10, 2024 Regular Council Mtg.
Sept. 23, 2024 Special Council Mtg.
Sept. 25, 2024 Emergency Special Council Mtg.
Oct. 7, 2024 Emergency Special Council Mtg.
Oct. 8, 2024 Regular Council Mtg.
Nov. 12, 2024 Regular Council Mtg.

Nov. 25, 2024 Special Council Mtg.
Dec. 4, 2024 Special Council Mtg.
Dec. 10, 2024 Regular Council Mtg.
Jan. 14, 2025 Regular Council Mtg.
Jan. 23, 2025 Special Council Mtg.
Jun. 10, 2025 Regular Council Mtg.
Jun. 24, 2025 Special Council Mtg.

E. STAFF REPORTS

Police Department – Chief Hoagland
Public Works – Interim Director Chief Hoagland
Town Clerk – Jennifer Tucker
Town Attorney – David Langley

F. NEW BUSINESS

1. Consideration and approval of Resolution 2025-10 adopting the Maximum Millage Rate for FY2025-2026
2. Consideration and approval to accept the 5% increase in the cost for the collection and disposal of solid waste for FY2025-2026.
3. Consideration and approval of appointing Angie Hamblin to the Planning & Zoning Board - ZT
4. Review and approval of Surplus Property Policy – DL
5. Discussion and approval of disposal of surplus property through an auction - WH
6. Discussion and election of Director and Alternate for the Heartland League of Cities
7. Discussion and approval of community involvement and unification activities as proposed by Julia D'Arts - CM
8. Discussion on updating the town letterhead - KM
9. Clerk Jennifer Tucker and Chief Hoagland-status updates of training and workloads of the new hires – KM
10. Council discussion regarding Councilwoman MacQueen's recent request for business cards and name tags for Council members – ZT
11. Discussion and approval to officially re-adopt the 2008 version of the Town of Astatula Personnel Rules and Regulations Manual - ZT
12. Discussion and Possible Action to Establish New Council Liaison Positions – ZT
 - Utilities
 - Public Outreach & Education
 - Clerk's Office & Administration
13. Discussion and Possible Action Regarding: – ZT
 - Project Name:* Town of Astatula Community Development Block Grant – Neighborhood Revitalization (CDBG-NR)
 - Project Number:* 23DB-N31
 - Project Description:* Town Water Plant Improvements for Fire Protection
14. Discussion and Possible Action – Immediate Housekeeping and Updates to Official Town Media and Communications – ZT
 - Removal of former Council Member Wilbur and replacement with Council Member Cheryl Marinelli on all media, listings, and directories.
 - Removal of all references and email addresses associated with former Mayor Mitchell Mack and replacement with the current Mayor, Zane A. Teeters, Jr.
15. Discussion and action on debt owed by former mayor.

G. COUNCIL DEPARTMENT LIAISON & COMMITTEE REPORTS

Public Works / Streets – Mayor Zane Teeters, Jr.

Finance / Grants – Vice Mayor Marjorie Boyd

Public Safety / Code Enforcement – Councilor Jeanne Quiros

Legal / Ordinances / Economic Development– Councilor Cheryl Marinelli

Land Development Regulations – Councilor Kay MacQueen

H. REVIEW

Items for Workshops and possible dates

Budget Workshop – Tuesday, July 22, 2025 @ _____

Items for the next Regular Council Meeting

Items for a Special Meeting and possible dates

I. COUNCIL MEMBER MISCELLANEOUS COMMENTS

J. ADJOURNMENT

Please Note: In accordance with F.S. 286.0105; Any person who desires to appeal any decision or recommendation at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. The Town of Astatula does not prepare or provide this verbatim record.
Note: In accordance with the F.S. 286.26; Any Persons with disabilities needing assistance to participate in any of these proceedings should contact Town Hall, 25009 CR 561, Astatula FL 34705, (352) 742-1100 at least two business days in advance of the meeting.

IMPORTANT DATES

Budget Workshops –

Planning and Zoning Meeting –

Regular Council Meeting – August 12th @ 6:30pm

Town of Astatula is inviting you to a scheduled Zoom meeting.

Topic: **Regular Council Meeting** 07/08/25

Time: **Jul. 8, 2025 06:30 PM** Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/96777379920?pwd=H8GqeWJuWIR2sNfuTkj8ON4O2g4nI5.1>

Meeting ID: 967 7737 9920

Passcode: 123456

Dial by your location

• +1 929 205 6099 US (New York)

• +1 346 248 7799 US (Houston)

Find your local number: <https://zoom.us/u/abZFFDCmQ1>



Join Zoom Meeting: <https://zoom.us/j/96777379920?pwd=H8GqeWJuWIR2sNfuTkj80N402g4nI5.1>

Meeting ID: 967 7737 9920 | Passcode: 123456

Mayor Teeters called the meeting to order at 6:32pm. Pastor Jill Lovely offered the invocation, followed by the Pledge of Allegiance led by Mayor Teeters. Roll Call was performed, meeting notification was confirmed, and a quorum was declared.

Town Council Members Present

Zane Teeters, Jr. – Mayor
Marjorie Boyd – Vice-Mayor
Jeanne Quiros
Kay MacQueen

Town Staff Present

Jennifer Tucker, Town Clerk
Wally Hoagland, Police Chief
David Langley, Attorney
Tom Harowski, Interim Town Planner

Mayor Teeters recognized Ann Hopper, Jacqueline Lonneville, Karen Smith, Cheryl Marinelli, Bruce Hanawalt, Gayle Sikkema, Brad Minger, Ryan Wilbur, Farmer Banks Helfrich, Julia D’Arts, and Steve Marinelli.

CITIZENS’ QUESTIONS AND COMMENTS

Farmer Banks Helfrich – Safety First, Farming tips on planting watermelon. John Hopkins did a study, for number 1 death between 1 – 17years = Fire arms.

Julia D’Arts – I Am A Safe Place – Domestic Violence 1 out of 4 women and 1 out of 9 men suffer from domestic abuse. It is not a personal issue, it is a community issue. It affects everyone. Demands attention and action. Community can educate ourselves and residents of resources available. Encourage council to approve initiatives to promote educational campaigns of resources available.

Groveland – homeless mats out of plastic bags, 2nd & 4th Thursday of every month. Can use any size bags.

Ryan Wilbur – Agenda Concern with items under Old Business that will allow mayor to overstep his position and interfere with staff responsibilities. Accountability – council must hold each other accountable including employees, hold them accountable but also provide help that is needed.

Cheryl Marinelli – After reporting about Kirkwood Park last month our PW Dept cleaned it up and they did a great job, Thank you! Free library at the park – contacted original steward of library Kellyann Goring who received the box in 1999, residents have volunteered to maintain and restore library throughout the summer.

Vic Stone – Does anyone know what is significant about June 15th? – Miss Olive Ingram Day She lived her entire life of 100 years in Astatula. She served as the first town clerk of Astatula. On June 2002 it was declared that June 15 would be Olive Ingram Day and renamed the community center the Olive Ingram Building.

AGENDA REVIEW

Mayor – would like to move new business item #1 to now.

[Motion to approve agenda change made by Mayor Teeters, seconded by Councilor MacQueen](#)

Motion failed by a 2:2 voice vote.

Yea: Teeters, MacQueen

Nay: Boyd, Quiros

CONSENT AGENDA

1. Invoice - Carville Chrysler Dodge Jeep Ram \$43,500 - WH

Motion to approve made by Mayor Teeters, seconded by Councilor MacQueen

Motion approved unanimously by roll call vote.

APPROVAL OF MINUTES

1. May 13, 2025, Regular Council Meeting

Motion to approve minutes made by Councilor Quiros, seconded by Vice Mayor Boyd

Motion approved unanimously by voice vote.

STAFF REPORTS

Police Department – Chief Hoagland

Code Enforcement – Special Magistrate Meeting: one case was heard and order issued.

Law Enforcement – thank you for surprise anniversary party.

2 new officers – Nic Hemby & Jue’lz Corbitt.

2 officers participated in Special Olympics

Click it or Ticket – 175 Traffic citations, 195 warnings, 17 arrests

592 Calls for service this month

If you’re going on vacation – inform LEO and they can check on your home while absent.

Next week Chief will be gone to the FPCA Conference.

The backpack event will be organized with the Elementary School, will have more info at next meeting.

Public Works – Interim Director Chief Hoagland

Andy Stamper was hired as the PW Supervisor. Andy repaired roof at cemetery for approx. \$900. Tree trimming is in progress by PW, saving the town approximately \$30,000. Parks have been addressed.

Working with Councilor MacQueen on beautification projects – next will be a project in front of Town Hall.

Scott Kane has tendered his resignation – thank you for his service.

Town Clerk – Jennifer Tucker

Finance Report - During the Finance Report, the mayor expressed dissatisfaction with the format of the financial presentation. This led to a lengthy disagreement between the Mayor and the Town Clerk.

Karen Smith - requested for the dispute to stop and discuss at a later time.

Morgan Mork – would like to know why the mayor can’t present himself in a way that would invite people to meet with him. It is unacceptable the way the Mayor speaks to people.

➤ 7:32pm 5-minute recess request by Mayor.

➤ Readjournal at 7:39pm

Town Attorney – David Langley

Will report on Policy & Procedure Manual later in the meeting.

Nothing else to report

PUBLIC HEARING

[Discussion and approval of Resolution 2025-09 Variance Application – AK #3619692](#)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA; APPROVING REDUCED PARKING SPACES AND LOADING SPACE FOR STRUCTURES TO BE BUILT ON LAND LOCATED AT 23902 COUNTY ROAD 561; ASTATULA, FLORIDA; LAKE

COUNTY PROPERTY APPRAISER PARCEL NO.: 29-20-26-01000-00L-00901; PROVIDING AN EFFECTIVE DATE.

Tom Harowski presented his staff report regarding the variance application. Planning & Zoning board recommends approval of the variance application.

Public Comments:

Mike Hopper 14201 Tennessee Avenue – What type of foundation will be used to build the parking spaces.

Paul Netwal – clarification on where current production will be relocated in the process of construction.

Motion to read by title only and approve Resolution 2025-09 made by Councilor MacQueen, seconded by Vice-Mayor Boyd

Motion approved unanimously by roll call vote

[Final Reading of Ordinance 2025-06 Establishing a School Zone Speed Enforcement Program](#)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, ENACTING ARTICLE V - "SCHOOL ZONE SPEED ENFORCEMENT" - CHAPTER 54 OF THE TOWN OF ASTATULA CODE OF ORDINANCES; PROVIDING FOR PURPOSE, INTENT AND DEFINITIONS; ESTABLISHING A SCHOOL ZONE SPEED ENFORCEMENT PROGRAM AND AUTHORIZING THE USE OF SPEED DETECTION SYSTEMS WITHIN THE TOWN; PROVIDING FOR PROGRAM IMPLEMENTATION REQUIREMENTS AND DESIGNATION OF SCHOOL ZONES; PROVIDING FOR ENFORCEMENT AND ADMINISTRATIVE PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Motion to read Ordinance 2025-06 by title only made by Councilor MacQueen, seconded by Mayor Teeters.

Motion approved unanimously by voice vote

Chief Hoagland provided an explanation on what the ordinance is about.

Public Comments:

Paul Netwal – asked questions for clarification

Motion to adopt Ordinance 2025-06 made by Councilor Quiros, seconded by Vice Mayor Boyd

Motion approved unanimously by roll call vote

[Final Reading of Ordinance 2025-07 Noise Control](#)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA; CREATING ARTICLE VI, CHAPTERS 34-175 THROUGH 34-179, TOWN OF ASTATULA CODE, TO BE ENTITLED, *NOISE CONTROL*; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to read Ordinance 2025-07 by title only made by Councilor MacQueen, Seconded by Mayor Teeters

Motion approved unanimously by roll call vote

Public Comments:

Lisa Lovell – asked for clarification on how noise ordinance will work. Chief Hoagland provided an explanation.

Mike Hopper – will there be a discipline meter used?

Motion to adopt Ordinance 2025-07 made by Mayor Teeters, seconded by Councilor Quiros

Motion approved 3:1 by roll call vote

Yea: Vice Mayor Boyd, Councilor Quiros, Councilor MacQueen

Nay: Mayor Teeters

OLD BUSINESS

Motion by Mayor Teeters to table all old business to future meeting, seconded by Councilor MacQueen.

Motion failed by roll call vote 2-2

Yea: Boyd, Quiros

Nay: Teeters, MacQueen

1. Discussion and approval to grant the mayor full access to all town facilities, including but not limited to the community center, and to provide the mayor with administrative privileges on the electronic lock system known as “Alta-Open.” - ZT

The mayor presented his request for expanded access to all town facilities, including the Community Center. He explained that his current access, provided by a physical key from Chief Hoagland, offers no transparency since entries are not tracked. Transitioning to the electronic lock system would enhance transparency, as the system logs all user access.

Kay MacQueen – asked Chief about public records laws. Langley clarified what state statute requires.

Morgan Mork – asked if the system allows for limited or conditional access (e.g., only during certain hours or when no staff are present).

Lisa Lovell – asked a legal opinion from the town attorney regarding the request.

David Quiros – the former mayor had similar privileges without objection and stated the Mayor should have access, at minimum, to the Community Center.

Mayor withdrew his request for access to the Town Hall office area and Clerk’s Office.

Vice Mayor Boyd – concerned with setting a precedent based on the prior mayor. She pointed out that access should be based on the role, not the individual, and stressed the importance of restoring proper checks and balances. She referenced the county structure, where neither the manager nor commissioners have unrestricted building access.

➤ ***8:32 pm motion to extend for 1 hour made by Councilor Quiros, seconded by Mayor Teeters.***

Motion approved unanimously by voice vote

Bruce Hanawalt – can records be locked to allow access to buildings?

Lisa Lovell – this is a safeguard for the mayor to not have access and protect from false accusations.

Ryan Wilbur – the original access issue stemmed from the mayor lacking a key—though it was later clarified he had one all along. The need for checks and balances is absolutely necessary.

Susan Ritchert – all mayor wants is access to electronic lock system. If checks and balances are the goal, the mayor should use the electronic lock instead of a key.

Karen Smith – asked whether the Mayor has the right to request and receive public records.

Cheryl Marinelli – raised concerns about restricting the Mayor’s access entirely and stressed the need for secure record storage (e.g., fire/flood safes) and continuity of operations in case of emergencies.

Public Comment Closed.

Motion to provide 24-hour electronic user access to the community center made by Councilor MacQueen, seconded by Councilor Quiros.

Motion approved unanimously by roll call vote.

2. Discussion and approval for the mayor to have jurisdiction over all town-sponsored events, also

referred to as “Special Events,” and to require that all such events receive approval from the mayor. - ZT

The Mayor presented reasons he wants jurisdiction over special events. The former mayor was in charge of special events. The mayor is passionate about town events. He wants to be over events to plan and present to council for approval.

MacQueen – conducted events her whole life, feels mayor has done a good job, but feels we need to have a committee with boundaries to prevent over expenditures.

Teeters – wants jurisdiction over events to present a budget for events,

Morgan Mork – who would choose the committee? Collective or by town council? Would encourage you to include the council in choosing the committee to ensure diversity of those on the committee.

Mike Hopper – Each council member should be in charge of an event. Go talk to another town to find out how they do it. Mayor shouldn't have complete jurisdiction. Using vendors is a great way to go.

Motion to approve the Mayor's request for responsibility to plan town-sponsored events, also referred to in the budget as “Special Events,” and to require that the Mayor provide a schedule of town-sponsored events, with budget, every fiscal year made by Mayor Teeters, seconded by Vice Mayor Boyd

Motion approved unanimously by roll call vote.

3. Discussion and approval to require all full-time personnel (excluding police officers) to work Monday through Friday, establishing a 40-hour work week and for the town hall to be open and available to the public for full service, Monday-Friday. - ZT

Mayor - believes the services of the town should be available 5-days a week. Will not open for public comment, will leave for council discussion only.

Quiros – requested clarification from Attorney Langley: employees were given letters stating they would only work Monday through Thursday, less than 40 hours. What legal ramifications are there to the town if that is changed?

Langley – doesn't think there are legal ramifications, but employees were just hired with these hours and now changing it could affect that, so that should be factored into the decision.

Boyd – It is not good policy or practice to advertise one thing and then change it two weeks later. That is a disservice to the people we are hiring. We are losing people faster than we can hire them. We've lost four good staff members in the past four months. Doesn't want to keep losing people because they can't trust what we say.

MacQueen – we need to do right by the people of the town and the community. The clerks should go back to the employees and try to problem solve to be open on Friday. Two or three residents have requested for town hall to be open on Friday's and we should accommodate them.

Motion to table to a future meeting made by Mayor Teeters, seconded by Councilor MacQueen

Motion approved unanimously by voice vote

NEW BUSINESS

1. Discussion and approval to appoint Cheryl Marinelli to fill the vacancy created by Mr. Wilbur's resignation – ZT

Cheryl Marinelli – A Paralegal for University of Massachusetts, realtor, attends most meetings and speaks at the meetings.

Quiros – should we have put out an advertisement for those interested? How is her health?

MacQueen – What are you going to bring to the table if appointed?

Cheryl – likes being involved to better the community, been a paralegal for 20 years – 17 years in the public sector, familiar with public records & ethics laws, investigates everything, doesn't have a problem with confronting people to correct things, very interested in town history.

Motion to appoint Cheryl Marinelli to council made by Mayor Teeters, seconded by Councilor MacQueen
Motion approved unanimously by roll call vote.

❖ Motion to remove Cheryl Marinelli from P&Z board made by Mayor Teeters, seconded by Councilor MacQueen

Motion approved unanimously by voice vote

➤ *9:30 pm motion to extend for 30-minutes made by Councilor Quiros, seconded by Councilor MacQueen.* **Motion approved unanimously by voice vote**

The Town Clerk administered the Oath of Office to newly appointed council member Cheryl Marinelli.

2. Discussion and approval of Mack Concrete Major Site Plan

Tom Harowski, town planner, shared his staff report. Planning and Zoning board recommended approval of site plan.

Motion to approve Mack Concrete's Major Site Plan made by Councilor Quiros, seconded by Vice Mayor Boyd

Motion approved unanimously by voice vote

3. First Reading of Ordinance 2025-08 Establishing a Temporary Moratorium on Residential Development - ZT

Motion to read Ordinance 2025-08 by title only made by Mayor Teeters, seconded by Councilor Quiros
Motion approved unanimously by voice vote

Public Comment:

Paul Netwal: Will this prohibit annexations for the next 12 months?

Mike Hopper: Why are we doing this when builders are responsible for infrastructure? Mayor: we don't have water capacity to support development or the budget to upgrade/improve our water.

Motion to approve Ordinance 2025-08 made by Councilor MacQueen, seconded by Councilor Quiros

Motion approved unanimously by roll call vote.

4. Discussion and action to update Policy and Procedure manual - DL

David Langley – we need to update the manual, suggests that we hire an outside firm to update our manual. Requested quotes. Eliminates bias from anyone. DSK Law \$6,000 | Fischer Phillips Law \$2,500

Motion to approve Attorney Langley's request to use outside council to draft a new policy and procedure manual made by Vice Mayor Boyd, seconded by Mayor Teeters.

Motion approved unanimously by roll call vote.

5. Consideration and Approval of the renewal premiums for employee healthcare coverage with Florida Blue for the Year July 2025 to June 2026 - JT

➤ *9:58 pm Motion to extend for 15-minutes made by Mayor Teeters, seconded by Vice Mayor Boyd*
Motion approved unanimously by voice vote

Motion to approve renewal of healthcare coverage made by Councilor Quiros, seconded by Mayor Teeters
Motion approved unanimously by roll call vote.

COUNCIL DEPARTMENT LIAISON & COMMITTEE REPORTS

Motion to appoint Councilor Marinelli as Legal/Ordinances/Economic Development liaison and Mayor Teeters as Public Works/Streets liaison made by Mayor Teeters, seconded by Vice Mayor Boyd

Motion approved unanimously by voice vote

Legal / Ordinances / Economic Development – Cheryl Marinelli

Nothing to report

Finance / Grants – Vice Mayor Marjorie Boyd

Nothing to report

Public Safety / Code Enforcement – Councilor Jeanne Quiros

Nothing to report

Public Works / Streets – Mayor Zane Teeters, Jr.

Nothing to report

Land Development Regulations – Councilor Kay MacQueen

Waiting for sprinklers to be installed at the community center by Public Works.

Beautification underway and more projects to come.

Will bring info to a future meeting regarding Care for Kids Pediatrics.

July 1st – The Gathering (Senior event)

Schools need volunteers to be guest readers.

➤ ***10:13 pm Motion to extend 10-minutes made by Councilor MacQueen, seconded by Vice Mayor Boyd
Motion approved unanimously by voice vote***

Mayor request update on gWorks and Audit.

MacQueen - request update on former Mayor debt collection.

Langley sent a letter by certified mail with a deadline to contact the town to resolve. Options going forward are sending it to a third-party debt collector or suing in small claims court which he wouldn't recommend, or forgive the debt.

REVIEW

Items for Workshops and possible dates

Items for the next Regular Council Meeting

Items for a Special Meeting and possible dates

Motion to give direction to attorney and clerk to review advertisement deadlines and schedule a special meeting at the earliest date possible, made by Vice Mayor Boyd, seconded by Councilor MacQueen

Motion approved unanimously by voice vote

COUNCIL MEMBER MISCELLANEOUS COMMENTS

ADJOURNMENT 10:22 pm

Respectfully submitted,

Zane Teeters, Jr., Mayor

ATTEST:

_____ Minutes approved by _____ voice vote on _____
Jennifer Tucker, Town Clerk



Join Zoom Meeting: <https://zoom.us/j/94078846363?pwd=qfB5qy5tiPANvxs1EWSdJ199DCiXCo.1>
Meeting ID: 940 7884 6363 | Passcode: 123456

Mayor Teeters called the meeting to order at 6:04pm. Pastor Steve Lee offered the invocation, followed by the Pledge of Allegiance led by Mayor Teeters. Roll Call was performed, meeting notification was confirmed, and a quorum was declared.

Town Council Members Present

Zane Teeters, Jr. – Mayor
Marjorie Boyd – Vice-Mayor
Jeanne Quiros
Kay MacQueen
Cheryl Marinelli

Town Staff Present

Jennifer Tucker, Town Clerk
Wally Hoagland, Police Chief
David Langley, Attorney

CITIZEN'S QUESTIONS AND COMMENTS

None

AGENDA REVIEW

No changes or additions to the agenda

PUBLIC HEARING

Final Reading of Ordinance 2025-08 Temporary Moratorium on Residential Development

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA; ESTABLISHING A TEMPORARY MORATORIUM ON ANNEXATIONS AND RESIDENTIAL DEVELOPMENTS INVOLVING MORE THAN EIGHT (8) NEW DWELLING UNITS FOR A PERIOD OF TWELVE (12) MONTHS; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Motion to read Ordinance 2025-08 by title only made by Councilor Quiros, seconded by Councilor MacQueen.

Motion approved unanimously by voice vote

Council discussed the possibility of renewing the moratorium every year and how residents have expressed great support for a pause on development in our area.

Public Comment:

Karen Smith – Expressed pride in the Council's decision to enact the moratorium .

Motion to adopt Ordinance 2025-08 made by Vice-Mayor Boyd, seconded by Councilor Quiros.

Motion approved unanimously by roll call vote

COUNCIL MEMBER MISCELLANEOUS COMMENTS

Vice Mayor Boyd – Thanked the Council and residents for their support of the moratorium.

Mayor Teeters – This was a collective decision that will benefit all departments. Shared historical context—Astatula has long been resistant to growth.

- Two upcoming milestones:
 - 75th anniversary of the Police Department in 2026
 - Town's 100th anniversary on May 4, 2027

ADJOURNMENT 6:14pm

Respectfully submitted,

Zane Teeters, Jr., Mayor

ATTEST:

Jennifer Tucker, Town Clerk

Minutes approved by _____ voice vote on 7/8/25

RESOLUTION NO. 2025-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA, ADOPTING A PROPOSED MAXIMUM AD VALOREM TAXATION MILLAGE FOR FISCAL YEAR 2025-2026 FOR THE TOWN OF ASTATULA, FLORIDA, SETTING THE DATE, TIME, AND LOCATION FOR THE FIRST BUDGET HEARING; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statutes Section 200.065, the Town Council of the Town of Astatula, Florida, must determine a proposed maximum millage rate for Fiscal Year 2025-2026 within 35 days of July 1, 2025; and

WHEREAS, pursuant to Florida Statutes Section 200.065, the Town Council of the Town of Astatula, Florida, must set the time, date, and place of the first public hearing on the budget for Fiscal Year 2025-2026 within 35 days of July 1, 2025; and

WHEREAS, pursuant to Florida Statutes Section 200.065, the Town Council of the Town of Astatula, Florida, must notify the Lake County Property Appraiser of the proposed millage rate and time, date, and place of the first public hearing on the budget for Fiscal Year 2025-2026 within 35 days of July 1, 2025.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA:

SECTION 1. The proposed maximum operating millage rate for Fiscal Year 2025-2026 for the Town of Astatula is 7.5000 mills.

SECTION 2. The first public hearing on the budget for Fiscal Year 2024-2025 for the Town of Astatula, Florida shall be held at the Council Meeting Room of the Town Hall of the Town of Astatula, at 7:00 pm on September 11, 2025.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

DONE AND RESOLVED this 8th day of July 2025 by the Town of Astatula, Florida.

THE TOWN OF ASTATULA, FLORIDA

ATTEST:

By: Zane Teeters, Jr., Mayor

Jennifer Tucker, Town Clerk

Approved as to form:

David Langley, Town Attorney

Council Member _____ moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member _____ and upon roll call on the motion the vote was as follows:

COUNCIL MEMBER	YEA	NAY
Mayor Teeters		
Vice-Mayor Boyd		
Councilwoman Quiros		
Councilwoman Marinelli		
Councilwoman MacQueen		



Town of Astatula

Post Office Box 609
Astatula, Florida 34705
"A Little Bit Country"

DISPOSAL OF SURPLUS TANGIBLE PROPERTY MEMORANDUM

Subject: Delegation of Authority for Disposal of Town Property under \$5,000

Date: July 8, 2025

Purpose: To establish a policy that fully complies with Chapter 274, Florida Statutes, and any other applicable laws, and delegates authority to the Town Clerk and the Town Chief of Police to properly dispose of tangible Town property valued under \$5,000.00.

Policy Statement: The Town Council of the Town of Astatula recognizes the need for efficient management and disposal of tangible personal property owned by the Town. To facilitate this process and to fully comply with Section 274.06, Florida Statutes, the following policy is adopted:

1. Delegation of Authority – The Town Council delegates to the Town Clerk and Town Chief of Police the authority to dispose of Town tangible property within their respective departments that have an estimated value of less than \$5,000. This delegation includes the discretion to determine the most efficient and cost-effective means of disposal, including trade-in, sale, donation, destruction, scrap, or abandonment, as appropriate. This delegation also includes the discretion to determine the best means available of estimating property worth.
2. The Town Clerk and Town Chief of Police shall consider and act only in the best interests of the Town of Astatula when using discretion to dispose of property and must ensure there is no useful function or higher value for any property disposed of. If any potential conflict of interest exists in the disposal of property, the Town Clerk or Town Chief of Police shall first seek Town Council approval prior to disposing of the property.
3. Records of disposal of property pursuant to this policy shall be maintained. These records must contain the serial number (if applicable), estimated value, method of disposal, date of disposal, and any revenue generated from the disposal (if applicable). These records shall then be presented to the Town Council on a quarterly basis for review.
4. The word "property" as used in this policy shall mean fixtures and other tangible personal property of a non-consumable nature that is on the Town's property inventory list.



🌟🇺🇸 Uniting Through Literacy, Beautification, and Creativity at Astatula Park! 🇺🇸🌟

Join us in supporting the Little Library at Astatula Park throughout the summer! From June to August, we're promoting literacy for all ages and ensuring that every individual in our community has access to books that inspire and educate.

What We Need:

Help us keep the Little Library stocked with new and gently used books for children and adults alike! Your contributions will foster a love for reading across generations and empower our community.

Using the Space for Community:

The Little Library at Astatula Park is not just a place for books; it's a vibrant community hub! We invite you to participate in summer reading events, storytime sessions, and book clubs for both kids and adults.

Additionally, we will host exciting gardening activities, including:

- **Butterfly Garden Creation:** Join us in planting a butterfly garden to attract and support local pollinators, enhancing the beauty of Astatula Park.
- **Rock Painting:** Get creative with rock painting! Participants can paint inspiring messages or beautiful designs on rocks to decorate the park and share positivity within the community.

This initiative is not just about books; it's about building connections, beautifying our shared spaces, and strengthening the bonds within our families and community. Let's come together to create a welcoming, enriching environment for all to enjoy.

📍 **Location: Astatula Park**
📅 **Time Frame: June - August**

Together, let's make a lasting impact on our community, inspire the next generation of readers, and connect through the joys of literacy, gardening, and creativity! 📖🌱🦋



.. Located in the Hills and Lake Section of Florida midway between the Atlantic Ocean and the Gulf of Mexico ..



Town of Astatula

Post Office Box 609

Astatula, Florida 34705

Here are three separate explanations for each liaison position proposal, clearly written for inclusion in agenda materials or to support discussion at the July 8 meeting:

1. Utilities Liaison (Addition to Public Works/Streets Liaison Duties)

The addition of *Utilities* to the current *Public Works/Streets* liaison position is necessary due to the increasing demands and complexity of managing the Town's utility infrastructure, particularly in water, sewer, and stormwater systems. As Astatula continues to grow and develop, ensuring proper oversight, coordination, and communication between the utility contractor(s), engineers, and the Town Council becomes critical. By formally expanding this liaison role, the assigned council member can remain engaged with ongoing projects, facilitate quicker responses to utility concerns, and assist in long-term planning for infrastructure upgrades. This consolidation ensures more consistent oversight and stronger alignment between roadwork and utility improvements, which often intersect.

2. Public Outreach & Education Liaison (New Position)

The creation of a new liaison position titled *Public Outreach & Education* is intended to strengthen communication and collaboration between the Town of Astatula and its residents, local organizations, and schools. This position will enable a council member to lead community engagement efforts, such as organizing public information sessions, attending school and civic events, and developing educational materials to inform residents about town services, safety initiatives, and civic involvement opportunities. Establishing partnerships with local schools can foster youth engagement in government and open doors for joint projects, service-learning opportunities, and volunteer efforts. This role promotes transparency, trust, and a sense of shared investment in the Town's future.

3. Clerk's Office & Administration Liaison (To Be Added to Legal & Ordinance Liaison Duties)

The proposed liaison position for *Clerk's Office & Administration*, added to the existing *Legal & Ordinance* liaison role, addresses the need for more structured support and communication with the administrative core of the Town's operations. This addition allows a council member to serve as a direct point of contact between the elected body and the Town Clerk's office, assisting in matters related to internal processes, policy interpretation, inter-departmental coordination, and administrative compliance. By formally establishing this connection, the Town can improve transparency, responsiveness, and efficiency in

managing day-to-day government functions and ensure that ordinances and resolutions are more smoothly implemented through administrative channels.

**Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: Town of Astatula Community Development Block Neighborhood Revitalization CDBG-NR #23DB-N31 Town Water Plant Improvements for Fire Protection Project

Responsible Entity: Town of Astatula, Florida

Grant Recipient (if different than Responsible Entity): Town of Astatula, Florida

Project Grant/Contract Number: CDBG-NR #22DB-N31

Preparer Name and Title: Jennifer Tucker, Deputy Town Clerk, Town of Astatula

Preparer Phone Number: (352) 742-1100, Extension 6

Preparer email: townhall@astatula.org

Certifying Officer Name and Title: Zane Teeters, Jr, Mayor, Town of Astatula

Certifying Officer email: zteeters@astatula.org

Consultant Name (if applicable): Fred Fox Enterprises, Inc.

Consultant Phone Number: (904) 810-5183

Consultant email: fred.fox@fredfoxenterprises.com

Direct Comments to: Jennifer Tucker, Deputy Town Clerk, Town of Astatula

Project Location: The Town's Water Plant is located in Joe Swaffer Park, adjacent to the Town's Community Center located at 3251 Park Avenue in the Town of Astatula, Florida.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Service Area #1 Fire Protection:

Service Area #1 includes all occupied residential properties served by the Town of Astatula’s fire protection.

Activity: 03J Fire Protection - The Town of Astatula proposes to utilize CDBG assistance for upgrades to the Town’s Water Plant to increase pressure and improve necessary fire flows to provide two (2) hours of water storage for firefighting at a flow of 2,000 gallons per minute (gpm). The Town’s Water Plant is located in Joe Swaffer Park, adjacent to the Town’s Community Center located at 3251 Park Ave in the Town of Astatula.

The proposed improvements include the installation of the following:

- Furnish & Install 250,000-gallon ground storage tank.
- Furnish & Install High Service Pumping Station, pumps, pipe, valves, fittings, instrumentation & electrical controls.
- Furnish & Install 10,000-gallon hydropneumatics tanks.

The proposed Water Plant improvements will ultimately increase water pressures for fire protection and will generally provide the Town with better fire protection.

The Service Area boundaries include the homes within three hundred feet of the existing fire hydrants connected to the existing water lines in the fire suppression system in the Town of Astatula. The boundaries of the Service Area are approximately as follows:

- Alabama Avenue on the north;
- Sections of Massachusetts Avenue and Bates Lane on the south;
- Portions of Jefferson Street and Washington Street on the west; and
- Portions of Monroe Street, and Ranch Road on the east.

The sources and uses of funds for the project are as follows:

<u>Activity</u>	<u>CDBG</u>	<u>Match for Points</u>	<u>Total</u>
Water Plant Improvements	\$ 644,000.00	\$ 0.00	\$ 644,000.00
Engineering	\$ 0.00	\$55,592.00	\$ 55,592.00
Administration	\$ 56,000.00	\$ 0.00	\$ 56,000.00
Total	\$ 700,000.00	\$55,592.00	\$ 755,592.00

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The proposed water plant improvements will ultimately increase water pressure and improve necessary fire flows to provide two (2) hours of water storage for firefighting at a flow of 2,000 gallons per minute. Currently, the Town does not have adequate fire protection.

Existing Conditions and Trends [24 CFR 58.40(a)]:

Currently, the Town does not have adequate fire protection due to the water pressure.

Funding Information

Grant Number	HUD Program	Funding Amount
#23DB-N31	CDBG-NR	\$700,000.00
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

Estimated Total HUD Funded Amount: \$700,000.00

Estimated Total Project Cost (HUD and non-HUD funds) 24 CFR 58.32(d)]:

HUD Funds: \$700,000.00
Non-HUD Funds: \$ 55,592.00
Total HUD and Non-HUD Funds: \$755,592.00

Activity	CDBG	Match	Total
Water Plant Improvements	\$644,000.00	\$ 0.00	\$644,000.00
Engineering	\$ 0.00	\$55,592.00	\$55,592.00
Administration	\$56,000.00	\$ 0.00	\$56,000.00
Total	\$700,000.00	\$55,592.00	\$755,592.00

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project will involve no displacement. There are no civil airports within 2,500 feet of the project area. There are no military airports within 15,000 feet of the project area. Please see the attached NEPA Assist Civil and Military Airport

		Reports in Exhibit 4.
<p>Coastal Barrier Resources</p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>None of the activities are located within a Coastal Barrier Resources System (CBRS) unit. Please see the attached U.S. Fish and Wildlife Service Coastal Barrier Resources System map of Astatula’s Water Plant attached as Exhibit 5. Sent an email dated April 18, 2023, to the Florida State Clearinghouse. (Exhibit 6). Received a response email from the Florida State Clearinghouse on April 18, 2023, stating “While it is covered by EO 12372, the Florida State Clearinghouse does not select the project for review. You may proceed with your project”. Sent an email to the Central Florida Department of Environmental Protection on April 18, 2023. A delivery receipt was received; however, a response was not received. See Exhibit 7. Also, sent an email to the U.S. Environmental Protection Agency in Atlanta, GA dated April 18, 2023. (Exhibit 8). A delivery receipt was received; however, a response was not received.</p>
<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Town of Astatula, Florida is a participating community in the Federal Emergency Management Agency Community Status Book Report on page 1 which can be found included as Exhibit 9. None of the activities at Astatula’s Water Plant will be carried out within a floodplain or wetland. Please see attached floodplain map #12069C0505E, eff. 12/18/2012 in Exhibit 10.</p>
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There will be a temporary increase in particulates in the air during construction of the project. Once construction of the project is complete, the air quality will return to pre-construction levels. Astatula is in Lake County and is not near a designated nonattainment or maintenance for NAAQS Pollutants. Please see the Clean Air Map for Astatula attached as Exhibit 11.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Astatula Water Plant is not located within a designated Coastal Zone. Astatula, Florida is located in Lake County which is an inland county. Please see the attached Florida Coastal Zone map in Exhibit 12. Sent an email dated April 18, 2023, to the Florida State Clearinghouse. (Exhibit 6). Received a response</p>

		email from the Florida State Clearinghouse on April 18, 2023, stating “While it is covered by EO 12372, the Florida State Clearinghouse does not select the project for review. You may proceed with your project”. Sent an email to the Central Florida Department of Environmental Protection on April 18, 2023. A delivery receipt was received; however, a response was not received. See Exhibit 7. Also, sent an email to the U.S. Environmental Protection Agency in Atlanta, GA dated April 18, 2023. (Exhibit 8). A delivery receipt was received; however, a response was not received.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	All activities will take place within land already owned by the Town of Astatula. Echo Reports show that all facilities within 3,000 ft have no violations. Please see NEPAAssist Reports and ECHO Reports in Exhibit 13. There are no Superfunds within a 1-mile radius of the project area. Please see the Superfund NEPAAssist Report in Exhibit 13. A search for contaminated sites was completed. There are no contaminated sites. Please see Exhibit 14 for the Contamination Locator Map for the Town of Astatula Water Plant.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	A FNAI was prepared and is attached as Exhibit 15. The scope of the project meets the threshold requirements of the U. S. Fish and Wildlife Service standard clearance letter dated July 11, 2024. An IPaC List of Threatened and Endangered Species List, a Clearance to Proceed Letter, and a Technical Assistance Letter have been prepared for the project area. Please see attached in Exhibit 16. An eagle nest review has been completed for the project site. There are no eagle nests within 660 feet of the project site; therefore, the project is not likely to disturb nesting eagles and a permit is not needed. See Exhibit 17.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	An emergency electrical generator will not be installed with this project. An acceptable separation distance is not needed.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	A letter was emailed on April 18, 2023, to USDA Natural Resources Conservation Service. A response letter dated May 2, 2023, was received stating the project is exempt since the project location was previously disturbed and no new conversion would be taking place. Please

		see Exhibit 19. The project area will be constructed on map symbols 8, 21, & 50. Map symbols 8 and 21 are classified as farmland of unique importance. However, the project site has been previously disturbed, and no new conversion would be taking place. Map symbol 50 is classified as not prime farmland. See attached Web Soil Survey in Exhibit 20. The activities included in this project are being carried out in a fully developed area of the Town of Astatula.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	None of the activities in the Project Area will be carried out within a 100-year, nor a 500-year, floodplain. Please see attached FEMA floodplain firmette map #12069C0505E, eff. 12/18/2012, in Exhibit 20. A FFRMS Freeboard Value Approach Report was prepared and is included in Exhibit 21.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Originally the Town emailed letters dated April 20, 2023, to the State Historic Preservation Office (SHPO) and Native American Tribes. (Exhibits 23 – 35) However, due to staff turnover, the emails could not be found. Only the Town letters and delivery receipts were found. Therefore, the Town emailed new letters to SHPO and the Tribes on January 17, 2025 (Exhibits 36 – 50). The Town received a response from Logan Guthrie with Muscogee (Creek) Nation requesting more information. A Cultural Resources Desk-Based Assessment was completed by Terracon and submitted to Muscogee (Creek) Nation. The Town received a response from the Division of Historical Resources requesting a special condition regarding unexpected discoveries be included.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The activities will take place within the Town limits of the Town of Astatula. Therefore, there is no potential for occupants residing within the service area, or the adjacent communities to be impacted by noise associated with the project. There will be a minimal increase in noise levels during construction. Once construction is completed, the noise levels in the project areas will return to pre-construction levels. The Town will set reasonable hours between 7am-7pm on when construction can take place and will be included in the construction documents.

<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project sites are located within the Town limits of the Town of Astatula. The project site is located outside of the Volusia-Floridian Sole Source Aquifer (SSA) and the Biscayne Aquifer SSA. See Exhibit 51. The project does not include the construction of any new housing units.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Emailed a letter to the U.S. Corps of Engineers dated April 18, 2023. Received a delivered and read receipt. No other response was received. See Exhibit 52. Please see Exhibit 53, a map from the National Wetlands Inventory website showing this project will not be carried out within a wetland area.</p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project is located in the Town of Astatula, Florida and is a significant distance from the Loxahatchee and Wekiva Rivers, the two designated Scenic Rivers in Florida. Please see Exhibit 54.</p>
<p>ENVIRONMENTAL JUSTICE</p>		
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The Concurrent Notice will be published in the local newspaper, which is available to all residents within the community. There will be no impact to environmental justice with the implementation of this project.</p>

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	Work will take place at an existing water plant site, so no impact is anticipated. Please see Engineer's Notes in Exhibit 55.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	No impact anticipated. Please see Engineer's Notes as Exhibit 55.
Hazards and Nuisances including Site Safety and Noise	2	All pumps and motors are located within a building. Please see Engineer's notes as Exhibit 55.
Energy Consumption	3	New high service pumps will result in a minor increase in electrical consumption. Please see Engineer's notes as Exhibit 55.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	2	The projects should have no impact on the employment and income patterns within the community.
Demographic Character Changes, Displacement	2	The projects will involve no displacement. All the activities will take place in the Town limits of the Town of Astatula. No additional residential housing units are proposed. Therefore, the projects will have minimal effect on the demographics in the project area.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	An email was sent to the Lake County School District Superintendent of Schools on April 18, 2023. A delivery and read receipt were received. Received a response letter on May 8, 2023, stating that they are in full support of the project. (Exhibit 56). There are no anticipated impacts on the cultural facilities in the community.
Commercial Facilities	2	The proposed improvements should not have an impact on the commercial facilities in the community.
Health Care and Social Services	2	Sent an email dated April 18, 2023, to the Lake County Health Department (Exhibit 57). Received a delivery and read receipt, but no response has been received.

		Sent an email to the Department of Children and Families on April 18, 2023. (Exhibit 58). Received a delivery and read receipt. No other response was received. The proposed improvements should not have an impact on the social services currently available within the community.
Solid Waste Disposal / Recycling	2	Sent an email to the Town of Astatula Public Works on April 18, 2023. A delivery receipt was received, but no other response was received. See Exhibit 59. Sent an email to the Lake County Public Works on April 18, 2023. Received a delivery receipt. Received a response letter on April 19, 2023, stating the project does not appear to affect any Lake County maintained roadway or drainage infrastructure within or immediately adjacent to the project area and does not anticipate any negative effect from this project. Please see Exhibit 60. The proposed improvements should not have an impact on the Town's solid waste disposal or recycling program.
Wastewater / Sanitary Sewers	2	Sent an email to the Town of Astatula Public Works on April 18, 2023. A delivery receipt was received, but no other response was received. See Exhibit 59. Sent an email to the Lake County Public Works on April 18, 2023. Received a delivery receipt. Received a response letter on April 19, 2023, stating the project does not appear to affect any Lake County maintained roadway or drainage infrastructure within or immediately adjacent to the project area and does not anticipate any negative effect from this project. Please see Exhibit 60. The proposed improvements should not have an impact on the Town's wastewater collection system or the Town's wastewater treatment facilities.
Water Supply	1	Sent an email to the Town of Astatula Public Works on April 18, 2023. A delivery receipt was received, but no other response was received. See Exhibit 59. Sent an email to the Lake County Public Works on April 18, 2023. Received a delivery receipt. Received a response letter on April 19, 2023, stating the project does not appear to affect any Lake County maintained roadway or drainage infrastructure within or immediately adjacent to the project area and does not anticipate any negative effect from this project. Please see Exhibit 60. The proposed improvements should not have a positive impact on the Town's water supply.
Public Safety - Police, Fire and Emergency Medical	2	Sent an email to the Astatula Police Department on August 18, 2023. A delivery receipt was received. Received an email response on May 9, 2023, stating they have no objections to the project. See Exhibit 61. Sent an email to the Lake County Sheriff's Office on April 18, 2023. Received a delivery and read receipt, but no other response was received. See Exhibit 62. Sent an email to Lake County Fire Department on April 18, 2023. Received delivery receipts and a read receipt, but no other response was received. Please see Exhibit 63.
Parks, Open Space and Recreation	2	Sent an email on April 18, 2023, to Lake County Parks and Recreation Department. (Exhibit 64). Received a delivery and read receipt, but no other response was received. The proposed project will not have a negative impact to the Parks & Recreation Department.

Transportation and Accessibility	2	Sent an email to the Florida Department of Transportation on April 18, 2023. A delivery and read receipt were received but no other response was received. See Exhibit 65. There are no anticipated impacts on transportation in the community.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The project site in the Town of Astatula is not located near a Nationwide River. Please see the Nationwide Rivers Map attached in Exhibit 66. Sent an email to the NW Florida Water Management District on April 18, 2023. (Exhibit 67). Received a delivery and read confirmation, but no other response was received. The project should not have an impact on the quality of the water resources available to the community.
Vegetation, Wildlife	2	The scope of the project meets the threshold requirements of the U. S. Fish and Wildlife Service standard clearance letter dated July 11, 2024. An iPac List of Threatened and Endangered Species List, a Clearance to Proceed Letter, and a Technical Assistance Letter have been prepared for the project area. Please see attached Exhibit 16. An eagle nest review has been completed for the Service Area. There are no eagle nests within 660 feet of the project areas; therefore, the project is not likely to disturb nesting eagles and a permit is not needed. See Exhibit 16.
Other Factors	2	Sent an email to the East Central Florida Regional Planning Council on April 18, 2023. A delivery receipt was received but no other response. See attached Exhibit 68. Sent an email to the Florida Emergency Management Agency on April 18, 2023. A delivery receipt was received but no other response was received. See Exhibit 69. Sent an email to the Florida Forest Service on April 18, 2023. Received a delivery receipt but no other response was received. See Exhibit 70. Sent an email to the National Marine Fisheries Service on April 18, 2023. Received a delivery receipt, but no other response was received. See Exhibit 71. Sent an email to Lake County Floodplain Management on April 18, 2023. Received a delivery receipt. See Exhibit 72. An email was sent to the State Floodplain Management Office on April 18, 2023. A delivery and read receipt were received. Received an email on April 18, 2023, stating they have no issues with the project. See attached Exhibit 73.

Additional Studies Performed: None

Field Inspection (Date and completed by): Melissa Fox with Fred Fox Enterprises, Inc. on January 8, 2025.

- List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]:1.) Florida State Clearinghouse: State.clearinghouse@dep.state.fl.us, 2.) Bureau of Historic Preservation:

compliancepermits@dos.myflorida.com, 3.) US Department of Agriculture: Isabelle.giuliani@usda.gov, 4.) FEMA: FEMA-R4EHP@fema.dhs.gov, U.S. Environmental Protection Agency: Kajumba.ntale@epa.gov, 5.) Northwest Florida Water Management District: brett.cyphers@nwfwater.com, 6.) East Central Florida RPC: hharling@ecfrpc.org, 7.) Lake County Sheriff's Office: John.mina@ocfl.net, 8.) Department of Children and Families: Cathleen.rupp@myflfamilies.com, 9.) Lake County Schools: barbara.jenkins@ocps.net, 10.) Lake County Health Department: Dlchd48@flhealth.gov, 11.) Department of Environmental Protection: Dep_cd@dep.state.fl.us, 12.) Lake County Parks and Recreation: 407parks@ocfl.net, 13.) US Army Corps of Engineers: Corpsjaxreg-nc@usace.army.mil, 14.) Lake County Floodplain Manager: Mike.drozeck@ocfl.net, 15.) State Floodplain Management Office: Conn.cole@em.myflorida.com, 16.) Florida Forest Service: ffsupport@fdacs.gov, 17.) National Marine Fisheries Service: Noah.silverman@noaa.gov, 18.) Florida Department of Transportation: Jared.perdue@dot.state.fl.us, 19.) Coushatta Tribe of Louisiana: Jonathan Cernek: jcernek@coushatta.org, Kassie Dawsey: Kdawsey@coushatta.org, Kristian Poncho: kponcho@coushatta.org, Crystal Williams: mbell@coushatta.org, 20.) Miccosukee Tribe of Indians: Talbert Cypress: talbertc@miccosukeetribe.com, Kevin Donaldson: kevind@miccosukeetribe.com, Jason Daniel: jasond@miccosukeetribe.com, 21.) Muscogee (Creek) Nation: Robin Soweka Jr.: rosoweka@muscogeenation.com, Turner Hunt: thunt@muscogeenation.com, David Hill: dhill@muscogeenation.com, 22.) Seminole Tribe of Florida: Marcellus Osceola, Jr.: chairman@semtribe.com, Dr. Paul Backhouse: paulbackhouse@semtribe.com, Danielle Simon: daniellesimon@semtribe.com, Bradley Mueller: bradleymueller@semtribe.com, Tina Marie Osceola: tinaosceola@semtribe.com, Victoria Menchaca: victoriamenchaca@semtribe.com, 23.) TDAT: https://egis.hud.gov/tdat/, 24.) Coastal Barrier Resource Services: https://www.fws.gov/program/coastal-barrier-resources-act/maps-and-data, 25.) NEPA Assist: https://nepassisttool.epa.gov, 26.) Web Soil Survey: https://websoilsurvey.sc.egov.usda.gov/App/HomePage.html Pachttps:// 27.) ipac.ecosphere.fws.gov/user/login, 28.) Sole Source Aquifers: https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b, 29.) Eagle Watch https://audubon.maps.arcgis.com/apps/webappviewer/index.html?id=9ade9794b8494d2b84c8dea339ea1428, 30.) FEMA: https://msc.fema.gov/portal/home, 31.) Contamination Map: https://ca.dep.state.fl.us/mapdirect/?focus=contamlocator, 32.) FNAI: https://www.fnai.org/species-communities/tracking-main, 33.) Florida Coastal Map: https://floridadep.gov/sites/default/files/ 34.) CPI-coastal-Florida-map.pdf, 35.) Clean Air Map: https://www3.epa.gov/airquality/greenbook/map/mapnmpoll.pdf, 36.) https://ca.dep.state.fl.us/mapdirect/?focus=contamlocator, 37.) Florida Department of Environmental Protection Nexus Information Portal: 38.) https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/9300475/facility!search, 39.) Audubon Florida EagleWatch Public Nest App, https://audubon.maps.arcgis.com/apps/webappviewer/index.html?id=9ade9794b8494d2b84c8dea339ea1428, 40.) https://prodlamp.dep.state.fl.us/www_stcm/publicreports/RegTankAst/fac, 41.) https://prodenv.dep.state.fl.us/DepClnup, 42.) https://ca.dep.state.fl.us/mapdirect/?webmap=86457ad0af884145aa9c32d9377795cf, 43.) https://www.calculatorsoup.com/calculators/construction/tank.php, 44.) https://www.hudexchange.info/environmental-review/asd-calculator/, 45.) https://codefinder.nfpa.org/?country=United%20States%20of%20 46.) America&state=Florida&nfpanumber=58, 47.) Isabele Giuliani with U.S. Department of Agriculture, Natural Resources Conservation Service, 48.) https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm, 49.) https://msc.fema.gov/portal/home, 50.) Timothy A. Parsons, Director, Division of Historic Resources, Florida Department of State, compliancepermits@dos.myflorida.com, 51.) U.S. Army

Corps of Engineers, 52.) <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>, 53.) Wild and Scenic Rivers, <https://www.rivers.gov/florida.php>, <https://nps.maps.arcgis.com/apps/View/index.html?appid=ff42a57d0aae43c49a88daee0e353142>,

List of Permits Obtained: A FDEP permit to build the water plant has been obtained. Please see the permit attached.

Public Outreach [24 CFR 50.23 & 58.43]: Emailed federal, state, and local agencies as well as Native American Indian Tribes a letter regarding the proposed project with attached project narrative and project map. A Concurrent Notice will be published in the local newspaper after the Environmental Assessment is signed by the Certifying Official. Federal, state, and local agencies, and Tribes will be emailed the Concurrent Notice for comments.

Cumulative Impact Analysis [24 CFR 58.32]: As a result of the checklist process and review, it has been concluded that the projects will not significantly impact the environment. The only findings were that there will be temporary minimal increases in noise and dust levels during construction of the Town’s water well upgrades project. After construction of the water well upgrades project is complete, the noise and dust in the Service Area will return to pre-construction levels.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]: The first alternative would be to not do the upgrades to the Town’s Water Plant, which would impact the ability for fire protection for the residents in the area by not increasing the water pressures for fire protection. The second alternative would be to relocate the Town’s water plant, but that would be expensive.

No Action Alternative [24 CFR 58.40(e)]: Without the assistance of CDBG funding, the Town of Astatula would not be able to complete the work and would result in not providing the Town with better fire protection.

Summary of Findings and Conclusions: As a result of the checklist process and review, it has been concluded that the proposed projects will not significantly impact the environment. The only findings were there will be temporary minimal increases in noise and dust levels during construction of the project. After construction of the project is complete, the noise and dust in the Service Area will return to pre-construction levels.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

There are no additional Mitigation Measures that could be undertaken to reduce the environmental impact of the town’s water well upgrades project, in the Town of Astatula.

Law, Authority, or Factor	Mitigation Measure
<p>Click or tap here to enter text. Click or tap here to enter text.</p>	<p>Click or tap here to enter text. Click or tap here to enter text.</p>

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Determination:

- Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.
Publish Concurrent notice per Section 58.43 and 58.45 **and obtain “Authority to Use Grant Funds”** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds.

- Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: _____

Date: _____

Print Name/Title/Organization: Jennifer Tucker, Deputy Town Clerk, Town of Astatula

Certifying Officer Signature: _____

Date: _____

Print Name/Title: Zane Teeters, Mayor, Town of Astatula

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

TOWN OF ASTATULA
REQUEST FOR DISCUSSION AND ACTION

Council Meeting: July 8, 2025

Requested by:

Zane A. Teeters, Jr.

Mayor, Town of Astatula

Summary:

This item is being submitted for Council discussion and action regarding the immediate need for housekeeping and updates to all official Town of Astatula media platforms and public communications.

Action Requested:

The Town Council is requested to direct the Town Clerk to immediately initiate and complete the following updates across all Town-controlled media platforms, documents, websites, email listings, public notices, signage, and directories:

1. Remove Former Council Member Wilbur from all official references and media.
 - Replace with Council Member Cheryl Marinelli, including all titles, photographs, and contact information where applicable.
2. Remove All References to Former Mayor Mitchell Mack, including email addresses and any mayoral designations still associated with his name.
 - Replace with current Mayor Zane A. Teeters, Jr., including updated email contact information and biographical content where applicable.

These updates should be reflected across all relevant platforms, including but not limited to:

- Official Town website
- Social media accounts
- Email distribution lists
- Printed materials or public postings
- Council rosters and internal directories

Rationale:

Accurate and current public information is essential for transparency, trust, and effective communication between the Town and its residents. Outdated contact information or misrepresentation of current officials creates confusion and hinders public engagement. Timely housekeeping of these records ensures proper representation of the Town's elected officials and administrative leadership.

Proposed Motion:

Motion to direct the Town Clerk to immediately update all Town media and public-facing content to reflect the current membership of the Town Council and Office of the Mayor, as outlined above.

Policy & Procedure Manual Timeline

P&P Manual 2008

P&P Manual 2010

P&P Manual 2012

Meeting Minutes

12/08/2008 – Approving Res. 08-E > 2008 Manual

01/12/2009 – Approving 12/08/2008 Minutes

03/08/2010 – Approving Res. 2010-B

04/12/2010 – Approving 03/08/2010 Minutes

07/16/2012 – Agreement to move forward with change to Ord. 2005F

10/08/2012 – Approving Final Reading of Ord 2012I >Repealing Ord 2005-F

01/14/2013 – Approving 10/08/2012 Minutes

Ordinance 2005-F Changing Holidays, Vacation Accrual and Sick Leave

Resolution 2008-E Adopting P & P Manual 2008 (have not located a printed or signed copy yet)

Resolution 2010-B Amending P&P Manual

Ordinance 2012-I Repealing 2005-F, Amending Ch 7 & Art 4

Resolution 2019-32 Changing part time to less than 36 hours per week (from 32)

Resolution 2020-12 Changing part time to less than 40 hours per week (from 36)

Resolution 2023-08 Amending 2012 P&P Manual adding vacation pay for part-time employees.

Resolution 2023-26 Medicare for Full Time Employees

Resolution 2024-07 Changing part time to less than 36 hours per week (from 40)

Policy and Procedure Manual

1. **Ordinance 2005-F** revising and repealing an unstated and undated version of the Personnel manual for holidays, vacation accrual time and sick leave.
2. **Resolution 08-E** adopting the 2008 policy and procedure manual, (written by Judy Tice and others) and approved December 8, 2008 and minutes approved January 12, 2009.
3. **Resolution 2010-B** amending the policy and procedure manual, presumably the 2008 version (Exhibit A is missing). Resolution was approved March 8, 2010 and minutes voted on April 12, 2010. We have an electronic version, but not a paper copy of the 2010 policy and procedure manual.

Between the 2008 and 2012 versions, there was a significant change to Section 1.3 Town Responsibilities and Authority, changing the form of government. This amendment may have been in Exhibit A to Resolution 2010-B. In 2008 there was a charter change where the mayors position became its own seat so the change to Section 1.3 may coincide with the change in the policy and procedure.

4. **Ordinance 2012-I** repealed Ordinance 2005-F (not the 2008 or 2010 versions) and only amending Chapter 7 (employee benefits) and Article 4 of the PD section of the manual. There is no mention of the change to the form of government. Adopted October 8, 2012 with minutes approved January 14, 2013.
5. **Resolution 2019-32** Changing part time to less than 36 hours per week (from 32)
6. **Resolution 2020-12** Changing part time to less than 40 hours per week (from 36)
7. **Resolution 2023-08** Amending the 2012 Policy and Procedure Manual adding vacation pay for part-time employees.
8. There have been additions to the health care coverage and also the purchasing policy.

Upon termination of employment the employee forfeits any remaining sick leave that has accrued.

SECTION IV: REPEAL ON NON-CONFORMING PROVISIONS

The Town's personnel manual shall be revised and amended to reflect the afore-described holidays, vacation accrual and sick leave. Any portion or provision of the personnel policy not conforming to these holidays, sick leave or vacation accrual is hereby repealed.

SECTION V: SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION VII: EFFECTIVE DATE.

This ordinance shall become effective immediately upon its passage and adoption by the Town Council of the Town of Astatula, Florida.

PASSED AND ADOPTED by the Town Council of the Town of Astatula, Lake County, Florida this 11 day of July, 2005.

First Reading June 13, 2005

Second Reading July 11, 2005



Maria Montalvo
MARTA MONTALVO, Town Clerk

Mary Ward
MARY WARD, Mayor

RESOLUTION NO. RES-08-E

A RESOLUTION OF THE TOWN OF ASTATULA FLORIDA ADOPTING A POLICIES AND PROCEDURES MANUAL FOR TOWN EMPLOYEES; PROVIDING FOR FUTURE REVIEW AND REVISIONS; PROVIDING FOR NON-CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Town Council of the Town of Astatula has the authority to establish conditions of employment, compensation, and benefits regarding the employees of the Town of Astatula; and

Whereas, the Town Council of the Town of Astatula wishes to provide a uniform system of administration that applies to all Town of Astatula employees; and

Whereas, a Policies and Procedures Manual has been drafted, after review and comment, in order to facilitate the goals of fairness and uniformity in personnel matters; and

Whereas, the Policies and Procedures Manual shall not be codified into the Town Code of Ordinances, but shall be provided to all current and future employees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF ASTATULA, FLORIDA, AS FOLLOWS;

Section 1. The Town Council for the Town of Astatula hereby adopts the Policy and Procedures Manual attached to this Resolution as Exhibit "A", which shall become effective upon adoption of this Resolution.

Section 2. Each current Town employee shall be given a copy of the Policies and Procedures Manual, along with an Acknowledgment of Receipt to be signed by the employee.

Section 3. The Town Council for the Town of Astatula may revise or amend the Policies and Procedures Manual from time to time by resolution. A copy of the revisions shall be distributed to all Town employees.

Section 4. The Policies and Procedures Manual shall not be made part of the Code for the Town of Astatula, but a current copy shall be on file with the Town Clerk.

Section 5. This Resolution shall become effective upon adoption by the Town Council.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2008.

TOWN OF ASTATULA, FLORIDA

By:

Hillard Shepard, Mayor

ATTEST TO:

By: _____
Maria Montalvo, Town Clerk

Approved as to form and legality
for use and reliance by the Town
of Astatula, Florida

Mary L. Sneed, Esq., City Attorney

Town of Astatula



Town Council

Reviewed December, 2008

Revised December, 2008

Personnel Rules and Regulations
For
The Town of Astatula

TOWN OF ASTATULA
POLICY AND PROCEDURE HANDBOOK
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**TOWN OF ASTATULA
POLICY AND PROCEDURE HANDBOOK**

CHAPTER ONE

1.0 GENERAL

- 1.1 PURPOSE** This manual was prepared to establish consistent and equitable policies for Town employment and to acquaint new personnel with the policies and regulations of the Town of Astatula
- 1.2 SCOPE** These regulations shall apply to all employees of the Town of Astatula. Volunteer firefighters, the elected Mayor and Council Members are not covered unless specifically indicated otherwise.
- 1.3 TOWN RESPONSIBILITIES AND AUTHORITY** The Town is governed by the Mayor/Council plan of government. Astatula residents elect the Mayor and Town Council. The Mayor has the final responsibility for hiring and firing Town employees and establishes policies and procedures related to education and training. The Town Council and Mayor work together to establish operations and services of the Town under the budget established yearly by the Council with the assistance of the Town Clerk. The Mayor with the approval of the Town Council reserves the right to reprimand, suspend, and discharge or otherwise discipline employees for cause; to hire, promote, transfer, layoff and recall employees to work, and to determine the number of employees and the duties to be performed as established by Council budget. The Mayor with the assistance of the Town Council must manage the Town, attain and maintain full operating efficiency and optimum service and direct the work force in accordance with the needs and requirements of the Town as set by precedent, resolution or ordinance until such time as a Town Manager is hired.
- 1.4 EMPLOYMENT AT WILL** Within the limits of any constitutional or statutory limitations applicable, employment with the Town is considered “at will” and may be ended either by the employee or by the Town at any time. The Town has herewith established guidelines for disciplinary action and performance improvement which provide the employee an opportunity to address and respond to issues of discipline or performance.
- 1.5 AMENDMENTS TO PERSONNEL POLICY** Amendments to the personnel policy may be proposed from time to time by the Mayor for approval by the Council.
- 1.6 PERSONNEL POLICY REVISIONS** This personnel policy and its attachments shall be periodically (every other year which is year ending in an even number) reviewed and updated by the Mayor and/or designated town employee or Council Member. A copy of this policy will be made available to all present and future Town employees. Any deviation from this policy will be made only by the Mayor, in writing, to the department

head of the employee or department affected. All policy updates must be approved by the Town Council.

- 1.7 DEPARTMENT RULES** Department Heads are authorized to establish rules additional and supplemental to this policy provided they are not in conflict with regulations herein. To become effective or not effective the Mayor must approve, amend or revoke all such rules.

1.7.1 Name Badges Name badges are to be displayed/worn at all times when performing town duties. The badge is to be worn and to be displayed on upper chest area to include name and title. If name and position is embroidered on shirt, this will count as a name badge as long as it is clearly visible and not covered in any manner.

1.7.2 Phone Courtesy. When answering the town's phone, identify by stating good morning (afternoon, evening, day), You have reached the Town of Astatula, my name is _____ (state your name and title) continue with how may I help you or how may I be of service and have a smile in your voice.

1.7.3 Office Procedure. Unauthorized person(s) are not to be in the Clerk's office at any time. Only the Clerk, the Mayor, and/or Council Members are permitted in the Clerks office unless Town business is being conducted. Our town citizens/residents will be allowed to use the phone while conduction town business if necessary.

CHAPTER TWO

2.0 EMPLOYEE CONDUCT

- 2.1 SERVICE TO THE PUBLIC** All employees shall at all times render prompt and courteous service to the public.
- 2.2 EMPLOYEE COURTESY** The attitude of a Town employee should at all times promote the good will and favorable attitude of the public toward the Town administration and its programs.
- 2.3 COMMUNICATIONS FACILITIES** Town of Astatula telephone and electronic communications are for Town business. Unauthorized or excessive personal use will not be permitted and may be cause for reprimand.
- 2.4 LUNCH PERIOD** Employee lunch periods will be determined by the department head as required for efficient departmental functions.
- 2.5 CONFLICT OF INTEREST** Conflicts of interest must be avoided by all employees pursuant to Florida State Law.

- 2.6 SOLICITATION** Solicitation during working hours on Town property or in public areas by any Town employee or by non-employees is prohibited. Bulletin Boards are Town property and materials posted thereon must be approved by the Mayor or a department head. There shall be no distribution of literature during working hours or on Town property without permission of the Mayor. Examples of solicitations for purposes of this rule include, but are not limited to solicitation for magazines or periodical subscriptions, memberships in organizations and solicitation for political contributions. Exceptions to the solicitation policy must be approved by the Mayor. This section shall not apply to union activity protected by Florida Law.
- 2.7 GIFTS AND GRATUITIES** No employee shall accept gifts, gratuities, or loans from organizations, business concerns or individuals with whom he/she has official relationships on Town business. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally, or to prohibit employees from accepting social courtesies which promote good public relations, or to prohibit employees from obtaining loans from regular lending institutions.
- 2.8 OUTSIDE EMPLOYMENT** Any employee wishing to engage in outside employment must submit a request in writing to his/her department head. The request should outline in detail the duties to be performed and the amount of time, stating specific hours to be devoted to these duties. Department heads are authorized to approve outside employment consistent with the guidelines above. Department heads are also authorized to direct an employee to discontinue outside employment if it is later found to be inconsistent with the guidelines.

2.9 POLITICAL ACTIVITY

- 2.9.1 FREE EXPRESSION NOT INFRINGED** Every employee shall have the right to freely express his views as a citizen and to cast his vote.
- 2.9.2 COERCION PROHIBITED** Coercion for political purposes of and by employees and use of their positions for political purposes is prohibited.
- 2.9.2.1** No employee or official of the Town shall, directly or indirectly, coerce, attempt to coerce, or advise an employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes.
- 2.9.2.2** No employee or official of the Town shall use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.
- 2.9.3 HATCH ACT GOVERNS** Participation in partisan political activity by employees shall be permitted to the extent provided under the Federal Hatch Political Activities Act, as amended and any subsequent amendments which may be made thereto.

2.9.4 POLITICAL DISCUSSIONS Political discussions and political activities by employees shall be prohibited during work hours.

2.9.5 PENALTY FOR VIOLATION Any person violating the provision of this section may be subject to discipline, including possible dismissal by the Mayor.

2.10 USE OF TOWN PROPERTY

2.10.1 Tools and Equipment The Town attempts to provide each employee with adequate tools, equipment and vehicles for the job being performed and expects each employee to observe courteous operation of vehicles and equipment in compliance with all municipal, county and state vehicular regulations.

2.10.2 Proper Use of Equipment Employees who are assigned tools or equipment or vehicles by their departments are responsible for them and their proper use and maintenance.

2.10.3 The use of Town Property All use of town material, supplies, tools, equipment or vehicles for personal or private business use is prohibited unless approved by employment agreement by the Mayor. Violations may result in discharge and possible prosecution. City owned vehicles or equipment are not to leave the town/city limits unless it is official Town business. Under no circumstances should town vehicles or equipment be used for personal or private business.

2.10.4 The use of Town vehicles are to adhere to rules and laws of the state of Florida. Any vehicle leaving the city limits shall maintain a written log as to date and time leaving the city limits, nature of the trip, mileage and date and time returning to the city limits. The log is to include a list of passengers if applicable. A copy of all logs shall be presented to the Council at the monthly meetings. Town vehicles are not to be used to transport family members or unauthorized persons except during or for official city business.

2.11 E-MAIL/INTERNET USAGE E-Mail and internet services are provided to certain employees for the purpose of conducting their job duties in the most efficient manner possible and not intended for personal use. All electronic communications generated by employees with Town equipment, or stored on Town equipment, are the property of the Town and therefore not considered private. Employees are prohibited from using the Town's e-mail and internet system to transmit or receive any improper communication, including but not limited to inappropriate comments or jokes, cartoons, or any other communication which is political, derogatory, vulgar, obscene, offensive or sexually explicit. The Town shall periodically access and monitor communications and files on the Town's e-mail/internet system as deemed to be necessary or appropriate in the enforcement of the acceptable use of Town equipment and systems. The Police Department is an exception to this rule as they have specific rules and regulations regarding use of their computers. The Police Department computers are not subject to

monitoring as they must adhere to specific laws governing use and monitoring of said equipment.

- 2.12 PENALTY FOR MISUSE** Employees who use the Town's e-mail/internet System inappropriately or illegally shall be subject to discipline up to and including termination and civil or criminal prosecution, if deemed appropriate.
- 2.13 VALID DRIVER'S LICENSE** All operators of Town vehicles and equipment are required to have a valid State of Florida operating endorsement as applicable, and to keep supervisors informed of any change of status in their license. Certain job classifications require a commercial license as a condition of employment.
- 2.14 SUSPENSION OF LICENSE** Suspension or revocation of the driver's license of an employee who is assigned as a vehicle or equipment operator may result in a demotion or discharge.
- 2.15 SAFETY** It is the policy of the Town to maintain a work environment for all employees that is both healthy and safe.
- 2.16 HARASSMENT** It is the policy of the Town to maintain a work environment for all employees which is free of conduct which can be considered harassing, coercive or disruptive. As defined broadly in the 1080 Equal Opportunity commission Guidelines on Sexual Harassment, sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature," such as intentional patting, pinching or touching, leering, or obscene gestures. Sexual Harassment occurs when such conduct has "the purpose or effect of unreasonable interfering with an individual's work performance or creating or intimidating, hostile or offensive working environment, when submission to such conduct is "made either explicitly or implicitly a term or condition of an individual's employment, or when submission to or rejection of such conduct is the basis for employment decisions affecting a worker.
- 2.17 DRESS CODE** The Town expects all employees to dress in a manner which is appropriate for the type of work performed and have a neat and orderly appearance. All employees are to wear an Identification Badge with full name and position clearly displayed above the waist line preferably worn on chest area. Employee dress (uniforms, shoes, hats, identification badges, etc.) must be worn in a manner consistent with the job and duties, office personnel to portray professional attire, police to wear uniforms provided, fire fighters to wear clothing to adhere to Lake County Fire Departments rules and regulation and all other employees to wear clothing suitable to their position, duties and to wear appropriate protective gear when indicated. Employees who have been issued uniforms and/or shoes must wear them at all times while on the job; any employee who appears for work without issued uniforms/shoes shall be returned home to correct the situation and may be subject to disciplinary action. The period of absence due to inappropriate dress shall be treated as unpaid leave. Name pins, badges, or identification

as to name and position is to be worn at all times while on duty, preferable visible above the waist line.

- 2.18 SUBSTANCE ABUSE** It is the policy of the Town to maintain a work environment that is free from the influence of alcohol and illegal drugs. Steps will be taken to enforce this policy, including testing (scheduled or random) as deemed necessary at and during employment and by executive request. The Town has adopted an Ordinance to cover and enforce this policy.

CHAPTER THREE

3.0 EMPLOYMENT PRACTICES

- 3.1 EQUAL EMPLOYMENT OPPORTUNITY** In order to provide equal employment and advancement opportunities to all individuals, employment decisions with the Town will be based on merit, qualifications and abilities. The Town does not discriminate in employment opportunities or practices on the basis of race, color, religion, creed, sex, pregnancy, national origin, age, disability, marital status, military service or any other characteristic protected by law. The Town will make reasonable accommodations for qualified individuals with disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including recruitment, selection, hiring, job assessment, promotion, transfer, training, compensation, discipline, termination and benefits.
- 3.2 RECRUITMENT** It shall be the policy of the Town to employ the most qualified individual available. However, preference shall be given to Town employees who best meet the qualifications for the position. Each job vacancy shall be advertised in the appropriate media as well as official notices posted throughout Town offices in public areas. All advertisements will communicate essential information about the position to the prospective applicant.

CHAPTER FOUR

4.0 HIRING POLICY

- 4.1 EMPLOYEE APPLICATIONS** Applicants seeking employment with the Town should file an employment application form provided by the Town.
- 4.2 FRAUDULENT CONDUCT BY AN APPLICANT** Fraudulent conduct or false or omitted statements of material fact by an applicant shall be deemed cause for exclusion of the applicant from consideration for the position or termination from Town employment.

- 4.3 SCREENING AND SELECTION** As determined by the Mayor, the selection process may include one or more of all of the following: oral interviews, evaluation of experience and training, reference checks, written examinations, performance tests.
- 4.4 PRE-EMPLOYMENT BACKGROUND INVESTIGATION** It is the policy of the Town that as a condition of employment, all employees and volunteer firefighters must submit to a complete background investigation.
- 4.5 PRE-EMPLOYMENT DRUG TESTING** It is the policy of the Town that as a condition of employment all employees and volunteer firefighters must successfully pass a drug tests that screens for the presence of illegal drugs or unacceptable alcohol levels. The Town has adopted a separate Ordinance that sets forth the Town's formal policies and procedures regarding pre-employment drug testing and random drug testing, and blood alcohol testing.
- 4.6 PRE-EMPLOYMENT PHYSICAL EXAMINATION** It is the policy of the Town that as a condition of employment all employees and volunteer firefighters must successfully pass a physical examination. The physical examination shall be administered by a licensed medical provider. The physical exam results shall be retained according to Florida State Statute.
- 4.7 QUALIFIED APPLICANTS** The Mayor or his designee shall categorize those persons eligible for a position as being qualified. The Mayor or his designee shall make the selection from such persons.
- 4.8 NEPOTISM** No Town official, department head or supervisor may appoint, employ, promote, advance or be influential in any way in the employment of any individual who is a relative of the Town official, department head or supervisor. Further, no relative of an employee may be hired by the Town to fill a position which would cause the current employee to either have jurisdiction over or be subject to the jurisdiction of the relative.
- 4.9 EMPLOYMENT LAWS** All applicable Federal, State and Local laws pertaining to employment practices will be complied with in the Town's employment procedures.
- 4.10 AGE REQUIREMENTS** Applicants for full-time employment must be 18 years of age or older. Persons who have reached their 16th birthday may be considered for employment within the limits of State and Federal Laws.
- 4.11 EMERGENCY EMPLOYMENT** It shall be the policy of the Town to provide for emergency employment with the consent of the Mayor and for provisional employment without open evaluation when there is no appropriate eligible list available. No such provisional or emergency employment shall continue longer than three (3) months.
- 4.12 VETERAN'S PREFERENCE** The Town shall comply with the Florida Administrative Code which requires that Veteran's Preference be given to eligible veterans and spouses of veterans in all positions of employment except those that are exempt such as

department heads, policy makers or managers or temporary employees. An applicant who meets the criteria for receiving Veterans Preference must also meet the minimum qualifications of the position and submit the appropriate documentation to substantiate the claim.

CHAPTER FIVE

5.0 EMPLOYEE TRAINING

5.1 TRAINING OBJECTIVE The Town encourages employees to attend educational conferences and to take self-improvement and job improvement courses which are directly related to their work. Additional educational training will be one measure used in making recommendations for advancement and promotion. Employees in good standing and indicating an extremely high degree of potential for advancement may be considered for educational leave with one-half of the cost to be reimbursed by the Town upon successful completion of the courses, with the approval of the Mayor. Supervisors shall assist employees in gaining capability through on-the-job training as required.

5.1.1 PAY DURING REQUIRED TRAINING Employees attending required educational courses shall be granted leave with pay with the approval of the Mayor. Should the required course be scheduled at some time other than the employee's normal working hours, the employee shall be given time off to compensate for the hours required to complete the course or paid for the hours at the regular pay rate if approved by the Mayor.

5.1.2 CLOTHING ALLOWANCE Office personnel may purchase two polo collared shirts with the town logo and engraved with name and title upon hire and be replaced every two years if necessary due to normal wear and tear. Police will have their uniforms provided and replaced by the Chief of Police's recommendation. Public Works personnel to have uniforms supplied appropriate for type of work, with town logo and engraved with name and title upon hire and replaced as deemed necessary by the uniform service. All provided clothing articles to be returned to Town of Astatula upon termination of employment.

5.2 EDUCATIONAL CONFERENCES An employee may be granted leave with pay to attend an education conference up to three (3) working days upon approval by the Mayor. Educational conferences to qualify may be conducted by colleges, universities, technical schools, manufacturers as an operation or service clinic or state and national association specifically related to a Town department and its operations. A leave of absence for educational conferences must be recommended in writing by the department head to the Mayor for approval.

5.3 TUITION ASSISTANCE Tuition assistance is available for courses directly related to the job being performed by the employee as a part of the job. The Mayor is the approval authority for tuition assistance requests. Fees or tuition for required courses shall be paid

by the Town. No tuition assistance will be paid prior to the successful completion of an approved course, and reimbursement is for tuition only. No blanket approval of courses or programs will be granted. Only specific courses for a specific time will be approved. The assistance amount of fifty (50%) of the tuition fee is based on the employee attaining a final grade of B or higher. As a part of applying for tuition assistance, employees must agree that if he/she voluntarily terminates employment within one year of receiving tuition reimbursement, she/he will reimburse the Town the total amount received toward any course(s) taken within the year prior to termination.

CHAPTER SIX

6.0 SALARY ADMINISTRATION

6.1 SALARY MANAGEMENT DETAILS The salary of all employees at the time of employment as well as increases which result from promotions or decreases which result from discipline or other adverse actions shall be approved by the Town Council. The Mayor, under the policy direction of the Town Council, shall be primarily responsible for the overall administration of Town personnel policies and procedures. However, the department head shall be responsible for ensuring that the personnel policies and procedures are carried out day-by-day in their department.

6.2 OVERTIME PAY Overtime work shall be kept at a minimum. However, the requirements of a specific department may make it necessary for an employee to sometimes work beyond his regularly scheduled working hours. Employees shall be required to work overtime when assigned unless excused by supervisor. Employees considered exempt in accordance with the Fair Labor Standards Act, are not entitled to overtime pay for hours worked in excess of their regular work period. All other employees shall be paid overtime pay for hours worked in excess of their regular work period. Employees who are paid overtime have the choice of receiving payment or compensatory leave.

CHAPTER SEVEN

7.0 EMPLOYEE BENEFITS

ALL EMPLOYEE BENEFITS SHALL BE GOVERNED BY THE ANNUAL RESOLUTION OF PAYMENT PASSED BY THE TOWN COUNCIL. THE RESOLUTION COVERS SALARY, CLASSIFICATION AND PAY RATE, FIRE DEPARTMENT SPECIAL PAY, HEALTH INSURANCE, SICK PAY, RETIREMENT PLAN, MILEAGE PAYMENT, HOLIDAYS AND VACATION.

(A copy of the current Resolution shall be provided by the Town Clerk)

7.1 ELIGIBILITY AND ACCRUAL OF LEAVE/VACATION TIME Please refer to Ordinance 2005-F. For full time employees the following hours apply for leave benefits. Zero (0) to five (5) years of service accrues at a rate of eight (8) hours per month. Six (6) to ten (10) years of service accrues at a rate of ten (10) hours per month. Ten (10) to fifteen (15) years will

accrue at a rate of twelve (12) hours per month. Sixteen (16+) years accrues at a rate of sixteen (16) hours per month. Annual leave pay may be accumulated over a two (2) year period. Any leave accumulated beyond the two (2) year's schedule will be lost. Part time employees are not eligible for paid leave time. The Mayor has the final determination on use of accrual leave time.

Vacation credit may be used as accrued after the employee has completed twelve (12) consecutive calendar months of employment. Previous employment with the Town will not count towards years of full-time service. Vacation leave may not be taken in periods of less than four (4) hours per shift.

7.2 PAYMENT IN LIEU OF LEAVE/VACATION TIME No employee shall be permitted to forego his/her vacation and receive pay in lieu thereof, except that an employee who is separated from the Town payroll, for any reason, before receiving all of the vacation for which he/she has become eligible prior to the time of his/her termination, shall receive pay for that portion of his/her vacation due but not received, at the discretion of the Mayor.

7.3 EXCHANGE OF LEAVE/VACATION TIME Absence on account of sickness, injury or disability in excess of that hereinafter authorized for such purposes, shall at the request of the employee and within the discretion of the department head be charged against vacation allowance with the approval of the Mayor. When a regularly scheduled holiday occurs during the period of an employee's leave, the holiday will be granted.

7.4 SCHEDULING AND USE OF VACATION TIME Each department head shall keep record of vacation allowance and use and shall schedule annual leave with particular regard to the seniority of employees, to accord with operating requirements and, insofar as possible, with the requests of the employees. Employees are to outline the desired dates of vacation the first month of the new calendar year and submit the schedule to their supervisor. An employee who is eligible for vacation may take it at any time agreeable to the employee and supervisor. The employee must complete a Leave Request Form.

Each supervisor may use whatever methods of compiling and scheduling leave requests he/she wants to, as long as the methods are reasonable, fair, consistent and not discriminatory against any individual or group. Supervisors shall not schedule vacation in such a way that departmental operations are adversely affected. Supervisors shall respond to an employee's request for vacation as quickly as possible.

7.5 HOLIDAY LEAVE Holidays will be paid providing the employee works the scheduled shift the day before and the scheduled shift the day after unless special circumstances have been pre-approved.

Holidays may be designated annually by Town Council Resolution.

OFFICIAL HOLIDAYS

The following are holidays which shall be observed by all Departments in which functions can be discontinued without adversely affecting required services to the public:

New Year Day	Labor Day
Martin Luther King's Day	Veteran's Day

Presidents Day
 Memorial Day
 4th of July

Thanksgiving Day
 Day after Thanksgiving
 Christmas Day

7.6 HOLIDAY ON NON-WORKING DAY When a holiday observed by the Town falls on Sunday, such holiday shall be observed on Monday after the holiday. When a holiday observed by the Town falls on Saturday, such holiday shall be observed on Friday before the holiday.

7.7 HOLIDAY PAY ELIGIBILITY all eligible employees who meet the holiday pay requirements noted in this section shall be paid holiday pay equivalent to eight (8) hours at the employee’s regular rate of pay regardless of the number of hours the employee normally works in a shift. In addition, any employee who is required to work on the holiday and meets the holiday pay eligibility requirements noted in this section shall be paid for all hours worked on the holiday at the rate of one and one-half times the employee’s regular rate of pay. To be eligible for holiday pay, an employee must meet the following requirements:

- be a full-time employee.
- must work on the scheduled days prior to and after the holiday. However, if the absence on the day before or after the holiday was due to the reasons listed below, the employee would receive holiday pay.
- the day of absence was previously approved.
- The employee is absent because of an accident.
- The employee is absent due to a current on-the-job injury
- an employee who reports in on the scheduled work date prior to the holiday would be considered to have worked that day, even though he/she is unable, due to emergency or illness, to complete the normal work day. The same will apply to the first scheduled workday after the holiday.

7.8 MILITARY LEAVE

7.8.1 ACTIVE SERVICE A leave of absence without pay will be granted to any employee who is serving in the Uniformed Services even if such period of military service may be for more than 12 months. Health insurance coverage (for the employee and his/her dependents) will end on the date the employee enters military service or on the last day of the month in which the leave commences, whichever occurs first, but may be continued at the employee’s election in accordance with the terms of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). Upon honorable discharge, the employee will be reinstated with the Town in accordance with the USERRA.

7.8.2 NATIONAL GUARD MEMBER An employee who is a member of the National Guard or who is a reservist in any branch of the Uniformed Services shall be granted military leave not in excess of seventeen (17) reserve/working days per year. It is the employee’s responsibility to notify his/her supervisor as far in advance as possible so that arrangements can be made for the employee’s absence, but in no case no more than 3

days after receiving orders. If an employee fails to provide notice to the town prior to the date he is to report for duty, the town can decline to reinstate that employee.

The above provisions exist as stated if an employee is activated by the Governor for a State Emergency. Employees do not have to be paid by Town but must have reinstatement of a job when they come back under the USERRA Statute.

- 7.9 SICK LEAVE** It is the policy of the town to provide reasonable time off with pay, up to the amount of unused sick leave earnings, to employees who are unable to work due to illness or injury. Sick leave with pay is not a right which an employee may demand, but a privilege granted by the Town. There is no monetary payoff for accrued sick leave per Ordinance 1005-F.
- 7.10 USE OF SICK LEAVE:** Sick leave may be used as follows:
- 7.10.1 APPROVAL** The department head or Mayor can officially approve employee sick leave. Only an employee who has completed six months of full-time employment may be paid for sick leave. Accumulation of Sick Pay may be determined annually by Town Council Resolution.
- 7.10.2 SICK LEAVE PAY** Sick leave may be paid when an employee is unable to work due to a personal/family illness or injury, or when the employee's presence may endanger the health of fellow workers. A family member for this purpose is defined as spouse, children, step children, parents, siblings or grandparents of the employee.
- 7.10.3 SICK LEAVE** Sick leave may be taken for medical, optical and dental appointments and it may be taken for attendance of a funeral or for bereavement of a family member.
- 7.10.4 SICK PAY UNITS** Sick leave will be charged in units of whole hours.
- 7.11 SICK PAY ELIGIBILITY.** Eligibility is determined as follows. Full time employees earn sick time at a rate of eight (8) hours per month. Part time employees hired at less than 20 (twenty) hours per week are ineligible for sick pay benefits. Part time Employees working twenty plus (20+) hours per week will be prorated per hours hired to work. Twenty (20) hours is four (4) hours per month (0.5 employee) Twenty eight (28) hour per week is five. six (5.6) hours per month (0.7 employee). Thirty four (34) hours per week is six/eight (6.8) per month (0.85 employee). This determination is based on hours per week hired, not hours per week worked, so if a part time person is employed at twenty (20) hours per week and works more than the twenty hours per week, the sick time is earned at the hire hours of twenty (20) hours per week at four (4) hours per month. In the event that there is a status change, mandated by the Town Council changing the weekly hours scheduled for an employee for an extended period of time, the benefits will change accordingly to reflect this change. Per Ordinance of 2005-F after three days of sick leave is taken, a written note form the employee's physician shall be required before additional

sick leave days may be taken. The current provision allowing for one half (1/2) day for doctor appointments shall be amended to provide that employees may use their sick leave in one (1) hour increments. Sick time maximum accrual is for a total of three hundred and twenty hours (320). Sick time may not be cashed in except for the use of sick or medical leave. Sick leave pay will not automatically be granted unless a physician's note has been obtained will any sick leave lasting three or more days.

7.12 SICK PAY

7.12.1 NOTIFICATION OF ILLNESS. The employee's supervisor must be called at least 30 minutes before the scheduled starting time on the day of the absence the reason for the absence, except in the case of public safety where the departmental schedule will be followed. An employee who fails to so notify the supervisor shall not be paid for the day(s) taken prior to notification.

7.12.2 Status is requested. If the absence extends beyond three days, keep the supervisor advised as to the employee's condition and anticipated date of return.

7.12.3 Statement of illness. Submit a statement from the attending physician(s) for any illness of three days or longer as to the nature and duration of the illness is required before returning to work. A statement from the physician will be needed if inadequate notice (less the seventy-two {72} hours) given for physicians appointments resulting in being late or missing appointed hours of work.

7.12.4 Holiday during sick leave. When a paid holiday occurs during the period an employee is on sick leave with pay, the employee shall receive only his/her regular holiday and that day shall not be charged against his/her sick leave earnings.

7.13 Sick Leave Transfer Upon approval of the Mayor, and Town Council any member of the Town can transfer earned sick leave for the use of another employee who is out of work due to their illness, or medical leave. The employee receiving the transferred sick leave must have exhausted all sick and annual leave and have completed probation before receiving transferred sick leave. Forty (40) hours may be donated at a time, and two hundred (200) hours must be retained in donors bank of sick leave.

SUMMARY OF SICK LEAVE PROCEDURE

- Each employee shall notify (call) his/her immediate supervisor in accordance with the Town attendance policy to report his/her sickness.
- When an employee returns to work he/she shall complete the leave request form. Before sick leave with pay is officially granted, this form must be signed (approved) by his/her department head.
- If an employee wishes to use sick leave for a doctor, dentist or optical appointment, then the leave form must be submitted and approved before the sick leave is taken. Notice must be given when appointment is booked.
- If a supervisor feels that an employee has abused this policy concerning minor illness, the supervisor, with permission of the Mayor, may refuse to pay benefits.

7.14 EMERGENCY OR ILLNESS Employees who are absent due to an emergency or illness should call or have someone call his/her supervisor to report such an absence.

7.14.1 EMPLOYEE RESPONSIBILITY. It is the employee's responsibility to ensure that proper notification is made when absent due to an emergency or illness. This must be done by phone or personal note and, if possible, by the employee. At times, utilizing e-mail to notify the Mayor, or Council Members may be necessary but only as a last resort, when unable to notify anyone by phone.

7.14.2 PHYSICIAN'S STATEMENT REQUIRED. An employee who has been absent under any of the following conditions, must have a doctor's statement that indicates no work restrictions when returning to work.

- Employee has been hospitalized.
- Employee has been granted personal leave which is in reality for medical reasons, i.e., employee is hospitalized or undergoing a surgical procedure which could be disabling, even though the employee, for personal reasons, does not file a claim for group insurance benefits.
- Employee has a non-work related accident, even if no time is lost from his/her regularly schedule work shift, i.e., weekend or after-hours accident.
- Employee is absent three (3) or more consecutive work days.

7.14.3 PHYSICIANS EXAMINATION An employee shall submit to an examination by a physician or supply a work release by a physician upon returning to active duty after an extended chronic illness.

7.15 EMPLOYEE UNDER SUSPENSION NOT ELIGIBLE FOR SICK LEAVE An employee under suspension forfeits all claim to sick leave for the duration of such suspension and must be returned to active duty before sick leave credit is restored.

7.16 BREAK IN SERVICE CANCELS ALL SICK LEAVE A break in service permanently cancels all sick leave accrued to an employee's record and in the event of subsequent reappointment such employee begins a new sick leave accumulation.

7.17 ILLNESS DURING VACATION LEAVE When sickness occurs within a period of vacation leave, the period of illness may be charged as sick leave and the charge against vacation leave reduced accordingly. Application for such substitution should be made within two days after return to active duty and shall be supported by a medical certificate.

7.18 MILITARY DUTY EFFECT ON SICK LEAVE When an employee enters active military duty, either by induction or for training purposes or for national or state emergencies, sick leave accumulated shall remain to that Employee's account pending return from military leave. However, no further sick leave credits will be accumulated for the period of absence while on military

leave.

7.19 FAMILY AND MEDICAL LEAVE The Town provides leave pursuant to the Provisions of the Family and Medical Leave Act of 1993

7.19.1 ELIGIBLE EMPLOYEES Employees who have been employed for at least 12 months and have worked at least 1,250 hours during the preceding 12-month period are eligible for unpaid family or medical leave. If a leave is requested for an employee's own serious health condition, the employee must first use all of his or her accrued vacation leave, sick or personal leave. If leave is requested for any other reason listed below, an employee must first use all of his or her accrued paid vacation or personal leave. The remainder of the leave period will then consist of unpaid leave.

7.19.2 LEAVE PERIOD An eligible employee is entitled to take up to 12 weeks of family or medical leave in any 12-month period. The 12-month period shall be a rolling 12-month period measured backward from the date leave is used. Entitlement to leave for the birth or placement of a child for adoption or foster care will expire 12 months from the date of birth placement.

7.19.3 REASONS FOR LEAVE An employee who meets the applicable eligibility requirements will be granted a total of up to 12 weeks of unpaid leave for the following reasons:

- The birth of the employee's child in order to care for that child.
- The placement of a child with the employee for adoption or foster care.
- The care for a spouse, child, or parent who has a serious health condition; or
- A serious health condition that renders the employee incapable of performing the functions of his or her job.

7.19.4 APPLICATION FOR LEAVE An employee requesting family or medical leave must complete an application and return it to the Supervisor. The completed application must state the reason for the leave, the duration of the leave and the starting and ending dates of the leave.

7.19.5 NOTICE OF LEAVE An employee intending to take family or medical leave must submit an application for leave at least 30 days before the leave is to begin, or as soon as the reason requiring the leave is known.

7.19.6 INTERMITTENT OR REDUCED LEAVE Employees may not take intermittent or reduced leave in case of birth or placement of a child, unless the Town agrees. In the case of serious health conditions, leave may be taken intermittently or on a reduced leave schedule when medically necessary. Employees are expected to make a reasonable effort to schedule intermittent leave so as not to disrupt the operations of the Town.

- 7.19.7 MEDICAL CERTIFICATION OF LEAVE** The application for leave based on the “serious health condition” of the employee or the employee’s spouse, child or parent must be accompanied by a “Medical Certification Statement” completed by the health care provider. The certification must state the date on which the serious health condition commenced, probably duration of the condition and the appropriate medical facts regarding the condition. If an employee is requesting leave to care for a spouse, child or parent with a serious health condition the medical certification must state an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the medical certification must state that the employee cannot perform the functions of his or her job.
- 7.19.8 NOTIFICATION OF LEAVE ASSIGNMENTS** After receiving notice from the employee regarding the need to take family or medical leave, the Town will discuss the leave requirements with the employee and will issue a memorandum outlining the basic information regarding the leave.
- 7.19.9 BENEFITS COVERAGE DURING LEAVE** During a family or medical leave, the employee will be retained on the town’s health plan under the same conditions that applied before the leave began. To continue health coverage, the employee must continue to make any contributions that he or she made for group insurance during the leave. Failure of the employee to pay his or her share of the health insurance premium, if any, may result in loss of coverage.
- 7.20 RESTORATION TO EMPLOYMENT** An employee who completes a family or medical leave will be returned to the same position held when the leave began or to a position equivalent in pay, benefits and other terms and conditions of employment. However, the highest paid 10-percent of employees are not guaranteed reinstatement if reinstatement will cause the Town economic injury. In such case the Town will notify the employee as soon as it determines that reinstatement is not available. The Town cannot guarantee that an employee will be returned to his or her same former job.
- 7.21 RETURN FROM LEAVE** The Town will require an employee taking a family or medical leave to report every 30 days on his or her status and intent to return to work upon completion of the leave. Employees returning from a medical leave are required to provide certification from a health care provider indicating that the employee is able to resume work with no limitations. Employees who do not return to work upon the expiration of a family or medical leave will be treated as having voluntarily terminated their employment. An employee who requests an extension of family or medical leave must submit his or her request for an extension in a writing that includes the reason for the requested extension.
- 7.22 BEREAVEMENT LEAVE.** In the event of a death in the immediate family of a full time or permanent part-time employee, the employee may be granted bereavement leave of absence with pay. Employees will receive three (3) days of pay to **attend the funeral of the deceased.** The amount of time authorized shall be determined by the Mayor and shall be allowed as circumstances warrant. Such leave shall not be chargeable to other types of

leave, but shall be in addition to accrued annual or sick leave. Such employees may also apply for additional accrued annual leave if they desire additional time for bereavement purposes. The additional leave will be chargeable to sick leave and/or vacation leave, and may only be granted at the discretion of the Mayor with input from Department Head, or supervisor.

CHAPTER EIGHT

8.0 JURY AND WITNESS DUTY LEAVE

8.1 JURY DUTY All full-time town employees selected for jury duty shall be entitled to civil leave with pay for the period of absence required. Such leave shall not be charged to annual or sick leave earnings. Eligibility commences on the first day of active employment. If an employee is called for jury duty on a regular working day or days and the jury pool is released by noon, he should report for work for the afternoon unless that causes some hardship.

8.2 OFFICIAL COURT ATTENDANCE All employees subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the Town shall be entitled to leave with pay for such period as his court attendance may require.

8.3 PRIVATE LITIGATION Absence of an employee to appear in private litigation in which he/she is a principal party shall be charged to annual leave or to leave without pay

8.4 DURATION OF JURY SERVICE When called for jury duty, the employee must show the summons to the supervisor prior to the date of service so that authorization and plans for the absence can be made. Failure to advise the supervisor in advance may be cause for the employee not to receive jury duty pay. In addition, the employee must complete the application for leave of absence form.

- when released from jury duty for any day, the employee will be expected to return to work for that day. If released from jury duty two hours or more before the end of a regularly scheduled work day, an employee is required to return to work.
- Upon return to work (after having been released by the court), the employee must submit to the supervisor a statement from the Clerk of the Court indicating the dates and amount paid for serving as a juror.
- The supervisor will turn the statement over to the department head in order that the payroll department may be notified to pay the employee for jury duty.

CHAPTER NINE

9.0 LEAVE WITHOUT PAY

9.1 LEAVE FOR MEDICAL REASONS For any extended period of disability due to illness, injury or maternity exceeding the amount of accrued sick or an annual leave by ten days,

the employee may apply for leave without pay status which, along with any paid leave that has been taken, shall not exceed 180 days. The written request shall not be denied for bona fide illness or disability for employees who have served satisfactorily with reinstatement privileges to the same position or one of comparable grade for which the employee is qualified. If an employee is eligible for Family and Medical Leave for the same medical reason, leave without pay and Family and Medical Leave must be taken concurrently up to the Family and Medical Leave maximum of 12 weeks.

The application for leave without pay shall be in writing and shall include a physician's certification of the condition and the period of time the employee will be incapacitated. Dates set forth by the physician shall be strictly adhered to; however, they may be amended by the physician. In cases of apparent abuse the Town may require additional documentation from the physician issuing the certificate or may secure additional medical opinions from other physicians. The amount of leave authorized shall not exceed the end of the period for which leave was requested or certified by a physician, provided that it shall not exceed: 180 calendar days of combined leave with pay and leave without pay. Otherwise, the employee shall forfeit reinstatement privileges and be separated from the Town. In extenuating circumstances, the Mayor may extend the period of leave up to a total of 365 days.

9.2 LEAVE FOR PERSONAL REASONS Leave without pay for up to ten (10) days may be approved by the supervisor. Leave without pay from (10) to ninety (90) days may be approved by the supervisor with the approval of the Mayor. Leave without pay will only be approved if that period of absence will not be granted until the employee has used all accumulated annual leave. Leave without pay for more than thirty (30) days will be deducted from length of service record.

9.3 DEDUCTION OF LEAVE TIME. All leave time without pay will deduct time from length of service.

CHAPTER TEN

10.0 ADMINISTRATIVE LEAVE

10.1 LEAVE - When it is in the best interest of the Town, the Mayor may place an employee on administrative leave for a period of time not to exceed thirty (30) days. The employee shall not be allowed to be at his/her worksite during administrative leave unless there is a specific authority from the supervisor or Mayor.

CHAPTER ELEVEN

11.0 PERSONNEL MANAGEMENT

11.1 ATTENDANCE RECORDS An attendance record shall be maintained for each employee. This record shall reflect all absences and shall be made available to the employee for inspection upon request. Copies of all leave request forms must be forwarded by department heads to the Town Hall office. An official leave record file will be maintained in Town Hall. Time sheets shall contain signed department head approval upon submittal for payment.

11.2 TRAVEL AND SUBSISTENCE ALLOWANCE When an employee of the Town is required to travel on official business, the Town will pay reasonable amounts for transportation, meals and lodging. These reasonable costs will be the current Government Standard Allowance. All travel must be authorized in advance by the Mayor. All expenses must be supported by an expense report with all receipts attached.

11.2.1 TRANSPORTATION COSTS

- The Town may purchase tickets in advance for employees traveling by common carrier
- All employees shall travel in tourist class whenever possible.
- Employees who with proper authorization use their personal vehicles for official business may be reimbursed at a rate per mile, in accordance with the rate set in Florida Statutes.
- Employees may be reimbursed for all bridge, road and parking tolls. Receipts for taxi fares are not required but taxi expenses must be itemized on the expense report.

11.2.2 MEAL ALLOWANCE Employees on official travel status during any of the three meal periods may be reimbursed for reasonable meal expenses. The amount paid will adhere to the Government Standard Allowance. Receipts must be presented to substantiate all meal reimbursement requests.

11.2.3 LODGING When lodging is required, employees are expected to utilize standard, medium priced hotels and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he/she may stay at the hotel or motel where the meeting is held. In all cases, the Town will pay no more than regular single room rate and adhering to the Government Standard Allowance. Receipts must be presented for all lodging.

11.2.4 ADVANCES Travel advances may be made to cover anticipated travel expenses with the approval of the Mayor. Expenditure and advance shall be accounted for within 3 working days after completion of travel.

11.3 HOURS OF WORK The established work schedule for all full time hourly employees is 40 hours per week with the exception of firefighters who work assigned shifts. However, the department head, with the approval of the Mayor, may establish a different work schedule which would better meet the needs of the department and/or provide proper service to the community.

11.3.1 Police Department The Police Department will set their hours of work. They have

specific assigned shifts established to provide 24/7 coverage for the Town of Astatula.

- 11.4 PROBATION PERIOD** The probationary period shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his/her position, and for rejecting any employees whose performance does not meet the required work standards. The probationary period for general employees is six (6) months, whereas the probationary period for police officers and firefighters is twelve (12) months.

During the probationary period, in such a manner as the Mayor may require, the department head shall report to the Mayor his/ her observation of the employee's work and his/ her judgments to the employee's willingness and ability to perform his/her duties satisfactorily and as to his duties, habits and dependability.

At any time during the probationary period, the department head, after advising the Mayor, may remove an employee if in his/her opinion the employee is unable or unwilling to perform the duties of the position satisfactorily or that his/her habits and dependability do not merit his/her continued employment with the Town.

Prior to the expiration of an employee's probationary period, the employees department head shall notify the Mayor by submitting a personnel action sheet, stating whether the service of the employee has been satisfactory and whether he/she desires to continue the employee in his/her position. Upon satisfactory completion of the probationary period, the employee will become a permanent employee of the Town.

- 11.4.1 PAY DURING PROBATION** The normal beginning pay rate for a probationary employee will be the initial pay within the pay range established for his job classification, provided that the Mayor may make exceptions upon the recommendation of the department head.

- 11.5 PERFORMANCE EVALUATIONS** The purpose of periodic evaluation of employee performance shall be to measure as objectively as possible both the quality and quantity of an employee's work and other such factors as deemed necessary to determine the manner in which this service is rendered, and to serve as a feedback to the employee concerning his or her performance strengths and weaknesses.

- 11.5.1 PROBATIONARY PERFORMANCE** New employees are on probation as outlined in paragraph 11.4. At a minimum, performance reports indicating their progress in their job will be completed as follows:

General Employees

- At the end of the second month (60 days)
- At the end of the fourth month (120 days)
- At the end of the sixth month (180 days)

Police Officers and Firefighters

- At the end of the second month (60 days)
- At the end of the sixth month (180 days)
- At the end of the ninth month (270 days)
- At the end of the twelfth month (360 days)

11.5.2 REVIEW PROBATION PERFORMANCE Each probationary report will be signed by the employee indicating that he/she has seen the report, not that he/she agrees or disagrees with its contents.

11.5.3 ANNUAL REPORT FOR PERMANENT EMPLOYEES All employees shall have at least one annual performance evaluation completed by May of each year. Supervisors, person(s) designated by the Mayor and department heads are responsible for completing the forms on a timely basis and returning them to the individual personnel files. Annual performance evaluation reports must be signed by the employee indicating that he/she has seen the report, not that he/she agrees or disagrees with its contents. The Mayor and Council Members are to complete annual performance evaluations for the Police Chief and the Town Clerk.

11.5.4 PERFORMANCE REPORT REVIEW Any employee who receives an unsatisfactory annual report will have a special performance report completed on him/her at the end of 90 days after the date of the unsatisfactory report. At any time when an employee's performance has changed radically from that of the previous reporting period, a department head may require a special performance report. All special reports must be signed by the employee being reported on indicating that he/she has seen the report, not that he/she agrees or disagrees with its contents

11.5.5 PREPARING PERFORMANCE EVALUATION REPORTS Performance evaluation reports will normally be completed by an employee's immediate Supervisor (i.e., the rater). The performance evaluation reports will be signed by the department head, with comments if necessary. If a department head disagrees with a rater's rating of any particular item, the department head may circle the number which is more appropriate and initial the change.

11.5.6 REVIEWING PERFORMANCE REPORTS The evaluator shall discuss each performance evaluation with the employee being evaluated. The department head shall furnish the employee an official copy of the employee evaluation form. The employee may record any comments he may have, including statements of disagreement with the evaluation. A permanent employee shall also be given the opportunity to appeal the rating in the manner set forth by the Mayor.

11.6 PROMOTIONS It is the policy of the Town to employ and promote the most qualified individual available for any given position. Promotion from the Town is a desirable practice in that positions can be filled with individuals who are knowledgeable about the operations of the jurisdiction and the orientation period is significantly shortened. Vacancies in positions above the lowest rank in any category within the town personnel

system shall be filled by promotion of employees in the town service when possible and practical. When a vacancy is to be filled by promotion the following factors will be considered:

- Qualification for the position (i.e., knowledge, skills, and, abilities)
- Service record with the Town.
- Physical fitness (if appropriate to the position)

Upon promotion, the employee's pay rate shall be adjusted to the appropriate position. The employee's annual performance evaluation date shall be changed to the effective date of the promotion. The employee will receive performance reviews at the same intervals as a new employee. The employee may be eligible for consideration for a merit increase after six (6) months in the new position.

If for any reason an employee cannot or does not perform satisfactorily in the new position, he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to either return him/her to their previous job, or to reassign him/her to a position for which they are better qualified. The employee's rate of pay will be adjusted to that rate of pay prior to the promotion. If no appropriate position is available, however, the employee may be laid off or dismissed.

11.7 DEMOTION Demotion occurs when an employee is placed in a position with a lower pay grade. The employee must possess the necessary qualifications to perform the required duties of the new position which he/she is demoted to. Demotions must be approved by the department head and Mayor. Demotions may occur in the following situations.

- When a position has been abolished or reclassified to a lower pay grade and the employee cannot be transferred to a position with a pay grade equivalent to the one already held.
- When an employee requests being transferred to a position with a lower pay grade.
- When an employee has been determined to be physically unqualified to perform the duties of the new position, based on a medical examination by a physician selected by the Town.
- When an employee's supervisor has determined that he/she is not performing the duties of the job adequately.

A demoted employee's pay rate will be adjusted to the average pay rate of other employees in the same or similar position with similar years of experience. If the employee was recently promoted, his/ her pay rate shall be adjusted to the pay rate in effect immediately prior to the promotion. A demoted employee's annual evaluation performance date will be changed to the effective date of the demotion. The employee will receive performance evaluations at the same intervals as a new employee. The employee may be eligible for consideration for a merit increase after six (6) months in the new position.

- 11.8 UNSATISFACTORY PERFORMANCE** If for any reason an employee cannot or does not perform satisfactorily in the new position, he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to either assign him/her to a position for which he is better qualified. If no appropriate position is available, however, the employee may be laid off or dismissed.

CHAPTER TWELVE

12.0 STATUS CLASSIFICATION

- 12.1 STATUS CHANGES** It is the Town's policy to place employees on a job which their interests and those of the Town are best served. Every reasonable effort to place employees on a job of their preference is made if there is an opening and they have the necessary qualifications. Whenever possible, an employee's wishes shall be respected.
- 12.1 TRANSFERS** A transfer is when an employee moves from one position to another in the same pay grade. The employee's pay rate will not change. The employee's annual performance evaluation date shall be changed to the effective date of the transfer. The employee will receive performance reviews at the same intervals as a new employee. The employee will be eligible for consideration for a merit increase after six (6) months in the new position. If for any reason an employee cannot or does not perform satisfactorily in the new position, he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to either return him/her to a position for which they are better qualified. If no appropriate position is available, however, the employee may be laid off or dismissed.
- 12.2 POSITION RECLASSIFICATIONS** A position reclassification is a change in an employee's position classification due to an increase or decrease in assigned duties and responsibilities of the position or to correct inequities created by the reclassification of other positions. If the reclassification is a higher pay grade, the employee's rate of pay shall be adjusted. If the reclassification is to a lower pay grade, the employee's rate of pay shall be adjusted to the rate of pay of other employees in the same or similar positions with similar years of experience. The employee's annual performance evaluation date shall be changed to the effective date of the reclassification. The employee will receive performance reviews at the same intervals as a new employee. The employee will also be eligible for consideration for a merit increase after six (6) months in the new position. If for any reason an employee cannot or does not perform satisfactorily in the new position he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the

Town will attempt to reassign him/her to a position for which they are better qualified. If no appropriate position is available, however, the employee may be laid off or dismissed.

12.3 TERMINATION OF EMPLOYMENT

12.3.1 VOLUNTARY RESIGNATION Employees are expected to provide at least two (2) weeks written notice of resignation to their department head or the Mayor. Employees who do not give the required notice will not be eligible for re-hire except as approved by the Mayor. Once a resignation is submitted, the Town has no obligation to allow withdrawal of the resignation, but may consider a request to rescind the resignation depending on the circumstances.

12.3.1.1 TWO WEEKS WRITTEN RESIGNATION No vacation or leave time of any manner may be taken in the last two weeks of employment.

12.3.2 TERMINATION FOR MISCONDUCT A misconduct is considered to be a willful violation of a Town policy, rule, or working instruction. It also includes acts of gross negligence or willful acts that are not in the best interest of the Town. Typically, the Town will attempt to provide warning or reprimand in an attempt to avoid further misconduct, but does not guarantee a specific sequence of warnings and may dismiss for misconduct upon a first serious offense. Permanent employees shall be provided notice of the department heads intention to terminate and reasons for such action. The employee will be immediately placed on administrative leave and will be given the opportunity to respond to the department heads concern within five (5) working days of receipt of the intent to terminate letter. Upon consideration of the employee's responses, the department head shall make his/her decision regarding the termination issue.

12.3.3 TERMINATION FOR POOR PERFORMANCE An employee who does not meet performance standards in his/her job or who no longer is able to perform the job for any reason including, for example, loss of license, may be dismissed. Prior to dismissal for poor performance, the Town will typically attempt to assist the employee in improvement of performance or attempt to place the employee in a position in which he/she can perform, but does not guarantee that the employee will be retained.

12.3.4 REDUCTION IN The Town Council will, because of lack of funds, be required to reduce the working force in a department or division. If a reduction in force is required, the Town will select the department in which the reduction will come from, and the Head of that department will select the employees affected in an equitable and non-discriminatory manner in accordance with the criteria detailed below. Affected employees shall be giving two weeks notice prior to dismissal.

12.3.4.1 LAYOFF of an EMPLOYEE Within the affected work group, an employees will be laid off on the basis of

- 1) Length of service within the Town. If length of service is equal, selection for layoff will be based on the employee's average performance rating for the last three years of service or the entire service period, whichever is shorter?
- 2) Length of service in the affected position.

If an employee is scheduled to be laid off, the employee shall be offered another position for which he/she qualifies if a suitable vacancy exists. However, bumping is not allowed. (Discharging or demoting an employee to make room for the employee to be laid off.)

12.3.4.2 OTHER EMPLOYEES LAYOFF Within the affected work group, temporary, emergency, and provisional employees, followed by probationary employees will be terminated without recall rights prior to the layoff of personnel...

12.3.4.3 ESSENTIAL EMPLOYEES If certain individuals are deemed by a department head to be essential to the efficient operation of the department or the organizational unit because of special skills or abilities, the department head may request an exception to the layoff order. The request must be in writing and must set forth in detail the specific skills and abilities possessed by the individual and the reasons why the individual is essential to the effective operation of the department or organizational unit. The Mayor has the sole authority to approve or reject the request, and must further approve and confirm the names of all employees scheduled for layoff prior to the layoffs occurring. Employees shall be notified in writing by the department head of their layoff at least fourteen (14) calendar days prior to the effective date of the layoff.

12.4 RECALL FROM LAYOFF Employees who are laid off will have recall rights for up to six months, and will be recalled in the reverse order of layoff. An employee who is not recalled within six months of layoff will be considered terminated and will be eligible for re-hire as position vacancies occur. An employee who declines recall will be considered to have voluntarily resigned as of the date he/she declined.

12.5 APPEAL OF INVOLUNTARY TERMINATION Employees may appeal the termination decision of a department head to the Mayor, in accordance with the Appeals Section of this policy. However, probationary employees and temporary employees may not participate in the appeals process.

12.6 ELIGIBILITY FOR RE-EMPLOYMENT An employee whose employment ends for any reason other than misconduct may re-apply for employment and be considered for vacancies for which he/she qualifies. While the past service for the Town can be considered favorable experience, prior service does not grant any right of re-employment or preferential consideration. Re-hire of any employee terminated for misconduct must be approved in writing by the Mayor.

12.7 DEATH All compensation due to the employee as of the date of death shall be paid to the beneficiary, surviving spouse, or to the estate of the employee as determined by law or by executed forms in the employee's personnel folder.

- 12.8 DISABILITY** If there is a question of employee disability, a department head, with the approval of the Mayor, may direct any employee under his/her jurisdiction to be examined by a physician designated by the Town. When a disability of any kind is discovered which impairs the effectiveness of an employee or makes his/her continuance on the job a danger to himself/herself or others, the following action shall be taken
- 12.8.1 Correctable Disabilities** If the disability is correctable, the employee shall be allowed a specified time as determined by the Mayor to have it corrected. Such time may be charged to sick or annual leave or, if no leave has been accrued, to leave without pay. If the employee fails to take steps to have the disability corrected within the specified time, he/she shall be subject to disciplinary action or layoff.
- 12.8.2. Permanent Disabilities** If, in the opinion of the examining physician, the disability cannot be corrected, the Town shall provide reasonable accommodation, to the extent provided by the Americans with Disability Act, in order that the employee can perform the essential functions of the job. Reasonable accommodation may include, but is not limited to, modified work schedules, job restructuring, facility and equipment modification, job reassignment, etc.

CHAPTER THIRTEEN

13.0 ANNUAL PHYSICAL EXAMINATIONS

- 13.1 EXAM SCHEDULE** All police officers/firefighters will be required to have an annual physical examination by December 31st of each year. The physical must be administered and funded by the Town of Astatula with the employee's local (Lake County) physician of choice. Employees will be permitted leave with pay to take the annual physical examination. Volunteer firefighters shall be paid at a rate of a fire drill. Refusal to take an annual physical examination shall be grounds for termination
- 13.2 EXAM RESULTS.** The specific results of the annual physical examination will not be made available to the Town unless some condition is diagnosed that may affect performance in the employee's work assignment. However, in the case of firefighters, the physical examination provider must certify to the Town that the firefighter is medically qualified to perform all functions of a firefighter, in accordance with the guidelines as set forth by the Florida State Fire Marshal Bureau of Fire Standards and Training and NFPA 1582. In the case of police officers, the physical examination provider must inform the Town of medical conditions that could affect the individual performing as a police officer.

CHAPTER FOURTEEN

14.0 EMPLOYEE DISCIPLINARY AND GRIEVANCE PROCEDURES

It shall be the duty of all employees to comply with and to assist in carrying into effect the provisions of the personnel rules and regulations. Employees should be made aware of the seriousness of regulation violations that may result in disciplinary action. Disciplinary actions become a permanent written record and are placed in the employee's personnel file.

Such details may be considered during review when an increase in pay or advancement is being addressed.

14.1 RESPONSIBILITIES OF ALL EMPLOYEES It is the duty of every employee to attempt to correct any faults in performance when called to the employee's attention and to make every effort to avoid conflict with the rules and regulations.

14.2 RESPONSIBILITIES OF SUPERVISORS It is the duty of every supervisor to discuss improper or inadequate performance with the employee in order to correct deficiencies and to avoid the need to exercise disciplinary action. Discipline shall be, whenever needed, of an increasingly serious nature, in the following order of severity corresponding to the offense.

14.3 DISCIPLINARY ACTIONS The following disciplinary actions affecting employees in town service define the scope of such action. A department head, subject to the appellate rights of the permanent employee as stated herein, shall have the following alternatives for disciplinary action:

14.3.1 REPRIMANDS Unless the incident, action or behavior of the employee is such as to initially warrant a more severe type of disciplinary action, a written reprimand shall usually be issued for first offenses. Depending upon the circumstances or seriousness of the offense, one additional written reprimand may be given for repetition of the same type of offense. Written reprimands should state the necessary corrective action and a warning that repeated offenses may lead to sterner measures. A copy should be filed in the employee's personal records. Serious reprimands may be grounds for immediate dismissal.

14.3.2 SUSPENSION A department head, with the Mayor's approval, may suspend without pay any employee under the department head's supervision for such length of time as is considered appropriate, but not to exceed thirty (30) days in any twelve (12) month period. A written statement specifically setting forth reasons for and the length of time of such suspension shall be forwarded to the affected employee.

Notice of the charge or charges against the employee shall be specific and include the date, time, place and nature of the violation or misconduct charged in sufficient detail to provide the employee an opportunity to prepare a defense. Such notice shall be signed by the department head and the mayor.

The written statement shall be submitted to the employee within five (5) working days of the time the suspension becomes effective. Upon proper hearing, the Mayor may require the Town to pay the employee who has been suspended or dismissed for the number of days in excess of five (5) by which the effective date of the suspension

or dismissal preceded the notice. Otherwise, variance from this rule shall not affect the validity of the action.

When court action, an investigation, or a trial of any charges is pending against an employee and he/she is suspended, such suspension without pay may be extended by the department head until final court action is taken or disposition of the charges has been made.

14.3.3 DEMOTION OR TRANSFER The procedure involved for calling for suspension is also used for demotion except the end result is demotion in grade. This may be initiated by a department head with a maximum demotion of one grade. If the demotion is for more than one grade, the action shall be approved by the Mayor before becoming effective. Demotion may be implemented by transfer to another position (of lower grade) if any openings exist.

14.3.4 DISMISSAL A department head may recommend dismissal of an employee after following all necessary procedures. It will be the Mayor's responsibility to review the disciplinary action and procedures and take the action he/she deems necessary. The Mayor will follow all guidelines and procedures set forth by this personnel policy, ordinances, resolutions and State and Federal law. (See Chapter 1, 1.30)

14.4 NOTICE OF DISCIPLINARY ACTION Notice of disciplinary action against an employee shall be made by delivering a copy of such notice to the employee in person or by legal service of process, or, if the employee is absent without leave from his employment by mailing a copy of such notice by certified mail to the last known address of the employee as reflected on the records of the Town.

14.5 CODE OF CONDUCT

The following list consists of examples of actions that will result in disciplinary action, and/or termination.

GROUP 1 OFFENSE These offences can be documented verbally and retraining offered. Disciplinary action includes instructions and cautioning. Repeat offenses, or additional offenses must be documented in writing resulting in one day suspension without pay, or five days suspension without pay or discharge/termination.

- a) Productivity or workmanship not up to required standards of performance.
- b) Mistake due to carelessness
- c) Operating, using, or possessing tools, equipment or machines to which the employee has not been assigned.
- d) Tardiness: three (3) times in thirty (30) day period.
- e) Excessive absenteeism: three (3) separate times in a thirty (30) day period
- f) Absent without permission or leave
- g) Failure to work overtime, special hours, or special shifts when scheduled in advance.
- h) Quitting work, wasting time, or loitering.

- i) Where the operations are continuous, an employee shall not leave his/her post at the end of his/hers scheduled shift unit that person is relieved by their supervisor or a relieving employee on the oncoming shift.
- j) Taking more than specified time for meals or rest periods
- k) Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, catcalls, demonstrations on the job or similar types of disorderly conduct.
- l) Violating a safety rule or safety practice.
- m) Using town vehicle to transport family members or unauthorized persons not on official town business.
- n) Creating or contributing to unsafe or unsanitary conditions or poor housekeeping.
- o) Failure to report an accident or personal injury in which the employee was involved while on the job.
- p) Failure to keep the department notified of proper address and telephone number
- q) Having been the cause of an accident resulting in personal injury or injury to others.

GROUP 11 OFFENSES These offenses will be written documentation. The disciplinary action is more severe. Time will be given off without pay. Any repeat in this category will result in discharge/termination.

- a) **DISCOURTESY TO PERSONS WITH WHOM THE EMPOLYEE COMES IN CONTACT WHILE IN THE PERFORMANCE OF DUTIES**
- b) Sleeping during working hours.
- c) Reporting for work or working while unfit for duty-either physically or mentally.
- d) Mistakes due to carelessness, which affect the safety of personnel, equipment, tools, or property.
- e) Mistakes due to carelessness, which cause material, parts, or equipment to be damaged or scrapped.
- f) Threatening, intimidating, coercing, or interfering with fellow employees, supervisors or the public,
- g) Operating a Town owned or other vehicle used in the service of the Town in wanton disregard for the safety of others.
- h) Using or possessing another employee's tools or equipment without the employee's consent.
- i) Gambling or engaging in a game of chance such as a lottery at Town work stations at any time
- j) Posting or removing any matter on bulletin boards or Town property at any time, unless authorized.
- k) Distributing written or printed matter of any description on town premises, unless authorized.
- l) Leaving the job during regular working hours without prior authorization.
- m) Vending, soliciting, or collecting contributions for any purpose whatsoever at any time on Town property, unless authorized.
- n) Failure to report a request for information or receipt of a subpoena from a law firm or an attorney, pertaining to Town equipment or functions.
- o) Political activity while on duty

GROUP 111 OFFENSES This is grounds for immediate dismissal/termination.

- a) Incompetence in the performances of assigned duties in an employee's position.

- b) Insubordination in the refusal to perform work assigned or to comply with written or verbal instructions of the supervisor/Mayor and/or Council Members.
- c) Deliberately misusing, destroying or damaging any Town property or property of an employee
- d) Theft or removal from Town locations without proper authorizations or any Town property or property of an employee
- e) Unauthorized possession of firearms, explosives or weapons
- f) Intoxication or possession of alcoholic beverages on Town premises or on Town time, or being under the influence of alcohol while on duty.
- g) Drug addiction or unauthorized use of drugs, this includes possession and or use of controlled medications while on duty.
- h) Smoking in prohibited area
- i) Intentional waste of material
- j) Engaging during non-duty hours in activity or enterprise that is illegal or immoral
- k) Provoking or instigating a fight, or fighting at any time on Town property, or during working hours.
- l) Conviction or guilt of a felony, a misdemeanor of the first degree as defined by Florida Statutes, or conviction of any crime involving moral turpitude, while either on or off duty.
- m) Knowingly altering the attendance record of another employee, knowingly allowing one's own attendance record to be altered, or altering one's own attendance record.
- n) Being absent from duty for a period of three (3) consecutive work days without proper authorization, including failure to call in for three (3) consecutive working days, which shall be considered a voluntary resignation
- o) Failure to return from an authorized leave of absence
- p) Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits, or Workers Compensation.
- q) Use or attempted use of political influence or bribery to secure an advantage of any manner.
- r) Misappropriation of Town funds or Town property for personal use or illegally disposing of Town property. Falsifying personnel or Town records, including employment applications, accident records, work records, purchase orders, or any other report, record, or application.
- s) Refusal to testify before a Grand Jury, or any other legally constituted investigating committee, involving the Town or employee's duties.
- t) Refusal to cooperate fully in any administrative and non-criminal investigation, involving the Town or the employee's duties.
- u) Failure to report medical conditions, which may hamper the employee's performance of duties.
- v) Having been refused surety bond, when the employee applies for one, as a requirement for the job
- w) Failing to qualify on an examination required for job classification.
- x) Refusal to take or failure to pass, an employment physical required for all employees.
- y) Participation in a strike against the Town as established in the Florida Statutes.
Concerted curtailment or restriction of production or interference with work in or about the Town's work stations including, but not limited to, instigating, leading, or

- participating in any walk-outs,, sit-downs, stand-in, low-down, refusal to return to work at the scheduled time for the scheduled shift.
- z) Having a driver's license suspended or revoked in the performance of one's duties when the employee's position requires operation of a Town motor vehicle, or being removed from the fleet insurance carrier as an operation when the employee's position requires operation of a Town/County motor vehicle.
 - aa) Failure to receive or continue treatment for alcoholism or drug dependence after being reported to obtain this treatment by employee's supervisor.
 - bb) Physical or verbal mistreatment of the public.
 - cc) Insubordination.
 - dd) Willful destruction or Town buildings, equipment, records, signs, or other property.
 - ee) Engaging in personal work on Town time.
 - ff) Political activity while on duty

It shall be the duty of each employee to maintain high standards of conduct, cooperation, efficiency and economy in their work for the Town. Whenever work habits, attitude, production or personal conduct of any employee falls below a desirable standard, supervisors should point out the deficiencies at the time they are observed. Corrections and suggestions should be presented in a constructive and helpful manner in an effort to elicit the cooperation and goodwill of the employee.

14.6 GRIEVANCE PROCEDURE

It is the policy of the Town that all employees shall be treated fairly and consistently in all matters related to their employment. When an employee feels that he/she has not been so treated, he/she shall have the right to present a grievance or appeal free from interference, restraint, coercion, discrimination or reprisal. The employee shall be entitled to such time off from his regular duties as may be necessary and reasonable for the presentation and processing of a grievance or appeal without loss of pay, vacation or other credits.

14.6.1 SCOPE OF GRIEVANCE PROCEDURE

Grievances may include, but are not necessarily limited to; reprimand, dismissal, suspension, involuntary transfer, promotion and demotion. Regular compensation shall not be deemed a proper subject for consideration under the grievance procedure.

14.6.2 APPEALS PROCEDURE

The employee may request a hearing to appeal the decision of the department head to the Mayor within five days from the date of written notification. The request must be in writing. The employee may have the hearing before the Mayor in the presence of the department head or any other person(s) the Mayor may select. When the employee appeals to the Mayor, the Mayor will grant a hearing to the employee within a reasonable time and render a decision. The decision of the Mayor may confirm, reverse, or modify the decision of the department head. An employee has the option to appeal to the Town Council any act or decision of the Mayor and/or immediate supervisor.

14.6.2.1 Police Department Appeals The Police Department appeals procedure shall adhere to Law Enforcement Bill of Rights Statute 112.532

APPROVED AND ADOPTED BY THE TOWN COUNCIL, TOWN OF ASTATULA

ON November, 2008

_____ **Mayor Hillard Shepard**

_____ **Mary Sneed, Attorney At Law**

Employee Acknowledgement Form

The employee handbook describes important information about The Town of Astatula and I understand that I should consult the Mayor regarding any questions not answered in the handbook. I have entered into my employment relationship with the Town of Astatula voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the Town of Astatula can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the Town of Astatula policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Town Council has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed):

EMPLOYEE'S SIGNATURE:

DATE: _____

Copy to be maintained in Employees Personnel File

LEAVE REQUEST FORM

Name _____ **Date of Request** _____

Date(s) requested off

Beginning Date _____

Return to Work Date _____

Alternative Beginning Date _____

Alternative Return to Work Date _____

Reason for leave; Family Medical Leave, personal, vacation, appointment, school function, et. cetera (May require a physicians statement).

Total hours of leave time requested _____

(not to exceed 40 hours per week)

Approved by: _____

Title: _____

Copy to be maintained in Employees file for five years.

WRITTEN REPRIMAND
TOWN OF ASTATULA

MEMORANDUM

To: _____ From: _____

Title: _____ Title: _____

SUBJECT: Written Reprimand

List conduct standard (s) violated:

Describe the incident:

Suspension recommended per policy ____yes ____no

State corrective behavior and consequences of continued behavior: Continue
of separate sheet if necessary.

Employee's
Signature: _____ Date _____

Cc: Personnel file

Out of City Limits Travel Written Log

Date and time leaving city limits	Destination, include all stops	Purpose of trip	Passenger(s)	Date and time returning to city limits

Submitted by: _____ (Signature)

Vehicles used (Chief's squad car, town truck #1, town truck #2, mower, and tractor) or indicate by use of license number on vehicle or type of vehicle.

 Copy to be included in reports to Town Council on a Monthly basis

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Article I. Department Purposes and Mission

The mission of this department is to serve and protect persons and property and the Constitutional Rights of all persons who live within the Town of Astatula, Lake County, Florida.

The responsibilities associated with this mission are many. They include enforcement of county ordinances, federal and state law, maintaining the peace and order for the city and generally assisting citizens in urgent situations.

In joining this department, officers make its responsibilities their own. They are expected to carry out these responsibilities diligently and courteously, and to take pride in the services they provide.

It is the primary objective of this department's role to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority and the Constitutional Rights of all persons.

It is not the role of the department to legislate, to render legal judgment, or to punish.

Article II. Department Authority and Jurisdiction

The Astatula Police Department is established by the act of the Town Council for the purpose of enforcing the peace and safety of the citizens of Astatula.

Officers are responsible for law enforcement, public safety, and other assigned duties within the jurisdiction of Astatula.

The authority of all officers derives from their commission issued by the Chief of Police in accordance with City Charter Section 16.

Article III. Department Organization of command Structure

This department consists of three divisions: 1. Operations, 2. Investigations, 3. Administration.

The operation division carries the burden of the department's workload. It consists of officers assigned to patrol units and who are responsible for responding to calls and conduction preliminary investigations.

The investigations division handles follow-up and long term investigations.

The Administrative division provides services including records system, property, and evidence processing, and dispatch. Dispatch can also be activated by notifying Lake County Sheriff Department.

Chief of Police is appointed by Mayor in accordance with provisions of the City Charter Section 16. The Chief of Police is the chief executive of the department and exercises command over all police personnel. Officers are appointed by the Chief of Police.

Officers will carry out such duties as indicated by their job description as directed by this manual and as ordered by higher ranking personnel.

Article IV. Personnel Matters

Employees Residence-The location of an officer's residence must be such that upon being called back to duty in emergency situations, the officer can report to the station, ready for duty, within sixty minutes of being contacted.

Telephone Requirements-No member of the department will be without a telephone in the member's residence. Every member's phone number is on file with the department.

Physical Fitness-Officers are required to maintain a level of physical fitness which will allow them to perform their duties effectively. If a question arises as to an officer's ability to perform regular duties due to an apparent low level of fitness, that officer may be required to submit to a physician's examination and if possible bring the fitness level to an acceptable standard. An employee may be directed to be examined by a qualified physician if it appears that an employee's health interferes with the performance of assigned duties.

Reporting for Duty- Officers shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and aware of information required for proper performance of duties for their shift. If, due to illness or other circumstances, an officer cannot report for duty at the assigned time, that officer will contact the supervisor or the shift commander before the start of the shift. The officer will indicate the estimated time of arrival for duty and briefly state the reason for being late. The same procedure will apply when the officer must be unexpectedly absent from duty due to illness or emergency.

Working Full Shift-Employees are expected to remain on duty during their entire work shift unless excused by their supervisor or higher ranking personnel. During this time, employees will carry out their sworn and assigned duties to the best of their ability. If, for any reason, an employee must leave duty before the end of shift due to illness or other circumstances, the employee must inform a supervisor before leaving. Leaving early without authorizations will be grounds for disciplinary action.

Meal Periods/Coffee Breaks-Officers will be permitted one half hour break per meal and two 15 minutes rest breaks in the course of their shift. 15 minute rest breaks are not automatic and cannot be added on to meal breaks. These breaks should be taken only after contacting the dispatcher. Officers will be required to be available for immediate call any time during their tour of duty, including the lunch and/or dinner breaks.

Absenteeism-Employees are expected to report for duty on their assigned shifts except when illness or emergency situations prevent them from doing so. Any employee who fails to report and does not have a bona fide excuse will be subject to disciplinary action.

Sick Leave-Any officer who is unable to report for duty because of illness or injury must notify their immediate supervisor of their absence at least two hours prior to their scheduled duty time. Any officer who is absent from duty in excess of three working days must provide a physician's written statement concerning ability to return to work. Abuse of sick leave benefits by reporting off ill or injured when not ill or injured will be grounds for disciplinary action.

Overtime-When an officer is called back to work outside of regular scheduled hours to handle emergency situations which could not be anticipated shall receive two hours

pay. In addition the actual time worked will be compensated at time and one half. Members of the department should be prepared to respond immediately if they are called back to duty.

Vacations-Annual leave is earned at the rate of eight hours per month. Annual leave is not available to the employee until he has completed six consecutive months of employment which amounts to 182 days past hire date. At that point, it is the responsibility of the employee to apply for annual leave utilizing the annual leave request. Annual leave choices will be assigned based on date of request submitted and by order of seniority in the event several applicants requests same leave time.

Article V. Uniforms and Equipment

1. Uniforms

- 1.1. All shoulder patches will be worn centered on the outer shoulder and one half inch down from the top of the sleeve.
- 1.2. Name plate will be centered over and one quarter inch above the right pocket.
- 1.3. Officers will wear plain toe shoes or boots, black in color with no ornate stitching or extreme heel or toe styles. Boots will be no more than 12 inches in height.
- 1.4. A gun belt of black basket-stamped leather will be worn with the buckle centered in the front of the body. Gun belt keepers will be worn as necessary to keep the gun belt from sagging down or slipping.
- 1.5. Holsters will be of the approved type and will be mounted on the belt so that the butt of the weapon is place to the rear. Holsters will be worn on the strong-hand side with the strap securely fastened to secure the weapon in the holster.
- 1.6. Officers are required to carry an accurate watch while on duty. Officers will be required to supply the watch themselves.

2. Equipment

- 2.1 Officers should utilize department equipment only for its intended purpose in accordance with established departmental procedures and shall not abuse, damage, or lose department equipment.
- 2.2 Officers will be responsible for proper care and handling of department equipment and property.
- 2.3 Officers shall immediately report any damage to the departmental property assigned to them. In addition, officers will notify the commanding officer of any inoperative, defective, or hazardous conditions found in any department property or equipment.
- 2.4 Losing, damaging, or wasting department or equipment through negligence, carelessness, or improper use will be grounds for disciplinary action. The employee responsible for such loss, damage, or waste will be charged for the property in question
- 2.5 Upon termination of employment, all departments owned property will be returned.

3. Vehicle Operation

- 3.1 All personnel will operate their vehicles with due regard for safety. Even when responding to emergency situations or when in pursuit of another vehicle, personnel will be mindful of road conditions, surrounding traffic, and other hazards.

3.2 All officers will at the end of every shift remove from their patrol units, and all waste, non essential materials, things to be discarded, i.e. paper, cups, glasses, food, plates, candy wrappers, food containers, straws, bent and chewed paperclips, non uniform clothing, building material, found property, evidence, contraband. Things that are not issued, needed, useable for law enforcement, necessary to job performance will be removed. Things that are not condense to our line of work, i.e. televising sets, games, things of entertainment, puzzles, toys, unauthorized items of any type will not be allowed in the department's patrol units.

3.3 All officers will come to work rested and mentally and physically fit for duty. Officers will be dressed in their uniforms in a clean, pressed and presentable fashion. Shoes will be clean, shined, and presentable. Hair will be trimmed and face shaved in accordance with departmental policy.

3.4 Patrol vehicles are to be washed on the first day of your shift at the start of your shift. If working a two day shift, upon your return to work, your vehicle will be washed as stated above, if working a three day shift, patrol vehicles will be washed the first day and the last day of the three day shift at the start of the shift.

3.5 Nightshift will vacuum and make the patrol room presentable to the public on the last night of assigned shifts.

3.6 Dayshift will keep the patrol room in neat orderly condition.

3.7 Officers will not transport persons in patrol cars unless such transport is in connection with official department business

3.8 Off duty use of patrol cars will be done in full accordance with all city, county, state, and federal laws and/or ordinances.

3.9 All department rules and regulations concerning officer conduct and standard operation of departmental vehicles are to be adhered to at all times.

3.10 Patrol vehicles may be used for approved purposes, i.e. Law Enforcement operations, transportation for police activities, attending classes.

3.11 Off duty use of patrol vehicles is discouraged. When using patrol vehicles while off duty officers are to be equipped with an approved handgun, Law Enforcement identification and shield are to worn and used in a professional manner. Officers using patrol vehicles while conduction police operation will wear their issued gun belt and its equipment, with their department shield attached to the front of the gun belt. Exceptions may be made only with the Chief of Police approval. Officers are to be appropriately dressed and equipped. Officers to wear long pants, black police shirt, or clothing provided by the police department and portray a professional appearance and attitude while using patrol vehicles.

4. Use of vehicle

4.1 Officers are prohibited from leaving city jurisdiction in police vehicles unless on official police business, with the approval of their immediate supervisor, in pursuit situations, or in responding in an authorized manner to emergency situations.

4.2 Except when in immediate pursuit, traffic control devices such as boulevard stop signs should be observed and due care should be used at all times regardless of the assignment.

4.3 The first car ordered to the scene of an accident or emergency will be the only car to run under emergency conditions (siren and blue lights). If, in the opinion of

the first officer to arrive, more help is needed, he will request aide and also state if it is of an emergency nature.

4.4 Pursuit policy of this department at high speeds is justified only when the officer knows or has reasonable grounds to believe the violator has committed or attempted to commit a serious felony. A serious felony is one that involves an actual or threatened attack when the officer has reasonable cause to believe could result or has resulted in death or serious bodily injury.

4.5 Department vehicles will not be used to push or tow other vehicles except in an emergency situation.

5. Conduct

5.1 Within the city, employees of the department, based on their individual assignment shall, at all times take appropriate action to protect and preserve life and property, preserve and enhance the peace and safety of the community, enforce all municipal ordinances and federal and state laws within jurisdiction. All employees shall perform their duties as required or directed by law.

5.2 Officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their position. They shall know local, state, and federal laws a they apply to their duties and enforce those laws. Improper enforcement of the laws due to incompetence will lead to disciplinary procedures.

5.3 Courtesy and civility towards the public are demanded of all officers of the department, and any conduct to the contrary will not be tolerated. Officers in their conduct shall be quiet, civil, and orderly, and at all times be attentive and zealous in the discharge of their duties.

5.4 Officers will refrain from making wisecracks and sharp retorts when dealing with the public. Officers will not make disparaging remarks about persons who are handicapped, nor voice prejudices concerning race, ethnic, origin, or religion.

5.5 Commissioned officers off duty shall perform necessary police services in the Town of Astatula whenever public safety will so require.

5.6 Because off duty officers may need to take official action when a crime or hazardous situation comes to their attention. All officers are required to carry official department identification at all times.

5.7 It recommended that off duty officers be armed within the limits of the Town of Astatula. The weapon and ammunition carried off duty will be approved by department head or Chief of Police.

5.8 Officers will not exercise their official authority in disputes to which they are a parry except in case where there is an immediate danger to themselves or others.

Article VI. Personal Appearance and Code of Conduct

All officers shall main maintain their uniforms and uniform accessories in good condition, keeping them clean and in good repair at all times.

1. Hair Styles

1.1. Officers will keep their hair neat, clean, trimmed and will present a well groomed appearance.

1.2. The hair of an officer may be either tapered or block cut. The back may extend to the shirt collar.

- 1.3. Sideburns may extend to the base of the ear and will be trimmed horizontally. No extreme hairstyles within these guidelines will be permitted.

2. Moustache

- 2.1. If worn, mustaches will be kept neatly trimmed. The moustache may extend one quarter inch beyond but not below the corners of the mouth. The remainder of the face is to be clean shaven.

Poor grooming habits or improper wearing of uniform or its accessories will be grounds for disciplinary action.

Officers shall promptly obey any lawful order of a superior officer. Any officer who refuses to obey a lawful order will be considered insubordinate,

Officers of the department are forbidden to mangle or shirk their responsibilities while on duty. This is considered a serious dereliction of duty and an officer or employee of the department found guilty of such misconduct will be subject to charges of neglect of duty

Officers will appear in court when subpoenaed to testify. Failure to appear will result in disciplinary action. Should an officer know of circumstances that would not permit him to appear, he must inform the supervisor immediately.

Officers shall submit all necessary reports on time and in accordance with department procedure. Reports submitted late or not submitted will be considered neglect of duty. All reports filed will be accurate and complete.

Officers shall not under any circumstances solicit or accept any gift, gratuity, loan, or fee where there is any direct or indirect connection between solicitation and their official position.

Officers will not verbally or otherwise abuse their fellow officer or the public

Officers will not use coarse, insolent, or profane language toward any member of the department or public.

Any officer found to be engaging in criminal conduct will be subject to arrest and persecution as well as disciplinary action up to and including dismissal/termination.

Officers will not consume alcohol while on duty or be under the influence of alcohol on duty.

Sleeping on duty is prohibited; the officer shall remain awake while on duty. If unable to remain awake, they shall report to their superior officer.

Article VII. Use of Force, Restraints

In making an arrest, the officer should use only such force as is reasonable necessary to secure and detain the offender. What may be reasonable force under one set of circumstances may be unreasonable force under a different, though similar, set of circumstances. Where the arrest is for a felony, the officer may use such force as is necessary to affect the arrest. When the arrest is for a misdemeanor, the seriousness of the crime does not justify endangering the accused's life in affecting the arrest.

1. Use of restraints

- 1.1. Handcuffing procedure. Suspects should be handcuffed before being searched to provide greater safety to the officer.
 - 1.2. Handcuffing regulations. Except under exceptional circumstances, do not handcuff a prisoner to a fixed object.
 - 1.3. Always handcuff a prisoner with his hands behind him
 - 1.4. Never handcuff yourself to a prisoner
 - 1.5. Do not use handcuffs as a come along
- 2. Use of baton**
- 2.1. The baton should be carried in the belt rings, and should not be unnecessarily brandished.
 - 2.2. Baton regulations required proper use. Except in circumstances where an officer's life or life of another person is threatened, the officer will not hit a subject in the head or the groin.
- 3. Firearms, Use of**
- 3.1. An officer may use his service weapon in defense of himself from death or serious injury.
 - 3.2. In defense of another person, unlawfully attacked, from death or serious injury.
 - 3.3. To kill a dangerous animal or to kill an animal seriously injured when it is not practical to secure the services of an animal control officer.
 - 3.4. Loaded shotguns will not be brought into any department building or facility except in emergency situations. Shotguns will not be carried in the vehicle with a round in the chamber. Shotguns will always be carried with the safety catch in the on position.
 - 3.5. Shotguns are to be used in accordance with the same conditions pertaining to the use of the service weapon
 - 3.6. Whenever a firearm is discharged either by accident or purposeful discharge by an officer, the officer will immediately notify a supervisor of the incident. The Officer will then file a detailed report of the incident no later than the end of the shift in which the incident occurred.
- 4. Verbal Command**
- 4.1. A verbal command used by an officer who is affecting an arrest should be made in a clear and sufficiently audible voice.
 - 4.2. Profanity is not permitted.
- 5. Physical Control**
- 5.1. Physical control during an arrest should be sufficient to achieve the arrest, but not exceed any physical control beyond that point.
 - 5.2. Physical control should be accomplished in a manner that is safe for the officer and the subject being arrested.
 - 5.3. In the event that a subject being arrested resists, the next step in the use of force should be application of a departmental chemical agent.

6. Chemical Agent

- 6.1. The deployment of departmental chemical agent to a subject being arrested should be done only after verbal commands and an attempted physical arrest have been applied without success, or if the subject's physical threat is too great to achieve arrest without injury to the arresting officer.
- 6.2. All officers' application of chemical agent will be done as instructed during chemical agent certification. No officer not certified in the use of chemical agents will use chemical agents.
- 6.3. Chemical agents should not be used on arrested subjects who have been restrained by handcuffs, or who have been placed in a patrol unit, except in extremely combative circumstances.
- 6.4. After the use of chemical agent on an arrested subject, the arresting officer should attempt to remove the chemical agent after the arrested subject had been safely restrained. If the subject requests to be treated by emergency medical technicians, the subject should be afforded this opportunity.

In summation of verbal, chemical, baton, firearm force, the officer in order to affect an arrest, should attempt this arrest by first using a verbal command. If the suspect or a person to be arrested refuses to comply with an officer's lawful command and resists a physical attempt by an officer, the arresting officer should apply the use of Departmental issued chemical agent. If after the deployment of verbal command and chemical agent, the subject to be arrested continues to be combative and poses a threat, the arresting officer at this time should escalate his use of force by deploying his Department approved baton.

If at any point during an arrest attempt a threat of death or life-threatening injury to the officer or a citizen occurs, an officer should exhaust every reasonable means and attempt to apprehend the subject to be arrested before the deployment of his firearm; however, when in the commission of his lawful duties an officer's life or the life of innocent persons is in imminent danger, the officer should deploy his firearm in order to prevent his or an innocent person's death.

7. Tasers

- 7.1. All officers of the Astatula Police Department prior to being issued and deploying a Taser will be properly instructed, trained, educated, and certified on its usage by a certified Taser instructor.
- 7.2. The officer will be required to pass a written and practical examination in order to establish proficiency with the Taser
- 7.3. Officers will only carry, exhibit, use and or deploy, department issued Tasers. No other devices (facsimiles thereof- will be carried, exhibited, used, and/or deployed.
- 7.4. The Taser is an alternative to physical control technique and the use of intermediate weapon

- 7.5. As with any other use of force, the Taser must not be used indiscriminately or without just cause. The Taser is permitted under the follow conditions:
- 7.5.1. Subject who can be lawfully arrested for obstruction or resisting arrest, with or without violence, and who continue to obstruct justice or resist arrest.
 - 7.5.2. Whenever necessary to immediately cease or prevent physical combat, violation acts against other persons or property or self –inflicted injuries.
- 7.6. The use of a Taser is not usually a justified response to passive physical resistance. Therefore, unless a person is obstructing justice, resisting arrest, or who is interpreted to display violent tendencies, a Taser should not be used in the field on person who is only passively refusing to comply with verbal commands.
- 7.7. The use of a Taser is not usually a justified response to a person already handcuffed unless the person is combative and poses a physical danger to the office, despite being handcuffed. The exigent circumstances that require the Taser use must be articulated in the officer's report.
- 7.8. An incident report will be completed any time a Taser is discharged either tactically or accidentally. Officers must be mindful that they must be able to articulate the reason a Taser was used on a person.
- 7.9. A verbal warning will be issued except when such warning could provide a tactical advantage to the person being taken into custody or is otherwise impractical.
- 7.9.1. Officer will use the least amount of force necessary to achieve the desired effect of temporarily immobilizing the subject.
 - 7.9.2. The maximum effect of a properly applied Taser last approximately five seconds. The subject should be advised that the Taser will not be applied again if instructions are followed.
 - 7.9.3. After a person has been exposed to the Taser, the officer will inform the subject that there are no long lasting effects from the Taser and they will recover in about five minutes as the effects subside.
 - 7.9.4. Officers will remove the Taser prongs at the earliest and safest time in order to minimize the threat of injury. If the Taser prongs have penetrated the face, groin, females' breast, or buttocks they shall only be removed by fire/rescue or medical personnel.
 - 7.9.5. Officers removing Taser prongs will wear protective latex gloves when removing the prongs. All prongs are to be treated as a biological hazard and shall be handled as such.
 - 7.9.6. A visual inspection of the penetrated area will be made to determine if any injuries were sustained. All injuries will be photographed and recorded in the officer's report. The subject who had been exposed to the Taser will be

monitored for any abnormal behavior; if abnormal behavior is detected, medical personnel are to be informed and summoned immediately and a report of the incident completed.

8. Evidence Collection

- 8.1. Taser probes should be recovered and retained if at all possible.
- 8.2. The probes shall be placed inverted in the air cartridge portholes from where they originally deployed. The wires will be wrapped around the air cartridge. Tape will be placed around the probes in order to secure them in the portholes. The air cartridge, probes and wires will then be placed in an evidence bag and marked biohazard and submitted for evidence according to the department evidence submission procedures. Anytime that the Taser is deployed, be it intentional or accidental, a report will be generated regarding the incident.

9. Booking Prisoners

- 9.1. The transporting officer will immediately advise booking personnel upon arrival at the jail that a Taser was used on the prisoner being booked.
- 9.2. Tasers as well as all other weapons will not be taken into the jail facility.

10. Training

- 10.1. Only officers who have successfully completed agency training and annual recertification training each year thereafter in the use of Taser are authorized to carry and/or deploy agency approved Tasers.
- 10.2. Officers who at first fail to successfully complete initial Taser training must successfully complete remedial training in order to carry and/or deploy Tasers.
- 10.3. Recertification will be issued after successfully completing Taser recertification training.
 - 10.3.1. If the officer fails to successfully complete the recertification training session that officer's Taser will be collected.
 - 10.3.2. The Taser can only be reissued after a promptly rescheduled recertification training session and successfully completed verifying proficiency with the Taser.

Article VIII. Arrests, Searching, Custody, Transporting, Reports and Investigations

1. Arrests

- 1.1. When a crime has been committed, it shall be the responsibility of the office on duty to initiate a prompt and thorough investigation to identify and arrest the violator, collect and preserve all necessary evidence, and cooperate in the disposition of the case. In the apprehension of offenders, members of the department shall conduct themselves in a manner consistent with freedoms secured by the Federal and State Constitutions.

1.1. Arrest procedure.

- 1.1.1. The arresting officer must advise a suspect of their Constitutional Rights at the time of the arrest.
- 1.1.2. Officers will search all suspects at the time of arrest.
- 1.1.3. Officers will handcuff all adult suspects with their hands behind them.
- 1.1.4. Officers when transporting suspects will place them in the back seat and place the safety belt around them.

1.2. Searches

- 1.2.1. All persons who are taken into custody will be searched for weapons. Evidence of any crime discovered in such a search will be used to support whatever charge is appropriate providing that the evidence is admissible.
- 1.2.2. All females will be searched by another female officer or female agent.
- 1.2.3. If a female is arrested for a dangerous crime and a female officer or agent is unable to be obtained, for the safety of the arresting officer he will conduct a search by patting the suspect with the backs of his hands only. If any weapon is found, the officer will restrain the suspect and transport subject to the county jail and will advise the jail personnel.
- 1.2.4. If for any reason a prisoner cannot be thoroughly searched before being turned over to a receiving officer, the arresting officer shall, without fail, notify the officer receiving the prisoner.

2. Custody

- 2.1. Officers should constantly be alert for the safety of themselves, bystanders, and persons in custody. They should be in control of the situation at all times and assume whatever physical and psychological advantages are necessary to maintain that control.
- 2.2. Transporting prisoners are responsibility of the officer making the arrests, and the prisoner transported to the police department shall be booked without delay.
- 2.3. After all paperwork on a suspect is complete, the arresting officer will transport subject to the county jail with the proper forms.
- 2.4. Handcuffs shall be used while prisoner is being transported.
- 2.5. The driver of the vehicle used to transport a prisoner shall immediately after such delivery search the transporting vehicle for weapons and evidence.
- 2.6. At the time of the arrest and transporting of a female prisoner, the beginning mileage will be radioed into the dispatcher and upon arriving at the police department; the ending mileage will be given. This procedure will be followed any time a female is transported.
 - 2.6.1. Sick or injured prisoners will have an inner perimeter established to contain and minimize the movement of the suspect.
 - 2.6.2. An outer perimeter is to be established to prevent unauthorized persons and vehicles from entering the area.

- 2.6.3. The department does not have the ability to protect the safety of a hostage who is moved from the presence of officers; therefore, suspects will not be allowed to move hostages from the place of containment.
- 3. Release of information.** Officers will not release any information that will jeopardize an investigation or which might jeopardize the witness or complainant.
- 4. Public Statement** will not be made by officers for publication concerning the plans, policies, or administration of the department unless authorized to do so.
- 5. Reports for simple arrests**
- 5.1. A simple arrest as used in this policy is considered to be any arrest where there is no complainant and/or victim other than the State of Florida, i.e. misdemeanors and or traffic offences.
- 5.2. Arrests for misdemeanors and traffic offenses will require general booking forms, traffic citation if required.
- 5.3. The only time that additional report forms will be necessary for the above stated offenses will be if there is Officer use of force, property damage, or injury to someone.
- 5.4. Witness statements will continue to be taken if applicable. Evidence records will be completed if evidence is collected.
- 5.5. Cost recovery forms will be completed if cost to the agency is incurred.
- 6. Conducting DUI Investigation**
- 6.1. Any person who is under arrest and whose injuries are sufficiently serious, shall be transported to the nearest emergency hospital
- 7. Evidence** and found property coming into an officer's possession will be promptly tagged and a property form will be filled out prior to its being placed into one of the property lockers. Small items will be placed in the bags provided and property tags will be attached to the bags.
- 8. Reports.** Officers will complete all reports in an accurate, legible manner and will submit them through the proper channels immediately upon completion.
- 8.1. No officer shall falsify, destroy, or alter or remove any report or records of this department.
- 9. Communications**
- 9.1. The radio is to be used by all personnel in a clear, courteous manner.
- 9.2. Officers will first give their assigned unit number when communication with dispatch.
- 9.3. Officers responding to a dispatched call will advise dispatcher of their arrival at the assigned location
- 9.4. The radio will be used for official business only, and messages shall be brief and impersonal. Messages not involving official business are forbidden. Use of first names or nicknames and personal messages will not be given over the radio.

10. Barricaded suspect

- 10.1. Officers will seal avenues of escape and call for assistance. Once the suspect is isolated, if possible, an effort shall be made to contact the suspect in an attempt to persuade him to voluntarily surrender before force is used
- 10.2. Hostage situations require maintaining safety of the hostage as the department's main concern.

Article IX Detection and Traffic Stop. Arresting.

1. When a violator has been detected operating a motor vehicle while presumed impaired, the Officer if at all possible will activate the car video camera (if vehicle is so equipped and camera operational) at the most opportune time in order to capture as much driving history as possible prior to the suspect vehicle being stopped without causing undue safety concerns.
 - 1.1. The officer who is operating the patrol vehicle stopping the suspect will place the vehicle in a position that will allow the patrol vehicle's camera (if so equipped) to capture and record the entire suspect vehicle and a portion of the driver's side of the suspect vehicle that is adequate to conduct and perform field sobriety procedures.
 - 1.1.1. This is done if the geographic terrain, traffic, and other hazardous conditions so allow.
 - 1.1.2. The patrol vehicle should be positioned to provide maximum visibility and protection to both the Officer and the suspect(s).
 - 1.1.3. It should not be placed so as to cause a traffic hazard.
 - 1.1.4. After the traffic stop has been made, the Officer who is responsible for conducting the field sobriety procedure will, if so equipped and possesses operational recording equipment that works in conjunction with the patrol vehicle's in car camera, have stated equipment on and in order to collect Any and all video and audio evidence that may be useful during prosecution during criminal trial and/or civil litigations.
 - 1.1.4.1. Field sobriety will be performed after obtaining the suspect's identification i.e. driver's license, identification cards, or personal information, vehicle registration, and insurance card, the investigating Officer will request the operator of the suspect vehicle to exit the vehicle and stand in the area of their vehicle's front driver's side wheel, facing the patrol vehicle being used for evidence collection (camera).
 - 1.1.4.2. The investigating Officer will instruct the subject being evaluated that a field sobriety exercise test will be performed. The Officer will verbally instruct and physically illustrate how the evaluation procedures are to be performed. The investigating Officer will only instruct the

subject being evaluation on one test as a time and in the order that they are to be performed.

- 1.1.4.3. If a suspect being evaluated requests that the instruction be repeated, the investigating Officer will repeat the procedure instruction so as a reasonable person could understand them.
- 1.1.4.4. However the investigating Officer should not allow the subject being evaluated to use the repeating of instructions as a stall tactic. The subject being evaluated will be asked if there are any physical impairments or limitations prior to performing any tasks set forth.
 - 1.1.4.4.1. The first procedure to be conducted will be the walking heel-to-toe procedure. The will be done from position stated above. The subject being evaluated will be instructed to listen to all instructions being given and view the instructing Office as an example of the procedure is being demonstrated.
 - 1.1.4.4.2. The instructing Officer will inform the subject being evaluated to walk heel-to-toe for nine steps in a straight line, counting each step out loud, hands down to sides and upon the ninth step, the subject will pivot as instructed and repeat the procedure in the opposite direction, again counting out loud each step returning to the origin of the stated procedure, again on the ninth step the subject will pivot, ending up where the procedure was initiated facing the patrol vehicle ending that portion of the first procedure.
 - 1.1.4.4.3. The second procedure to be conducted will be the one leg stand. This will be conducted in the area of the suspect's driver's side rear wheel. The subject will be requested to listen to all instructions and view all physical examples given by the investigating Officer concerning the requested procedure prior to the subject commencing the requested procedure. The subject will be instructed to stand on one foot (foot of subject's choosing) hands hanging completely down to sides with one foot elevated four to six inches off the ground while counting out loud to thirty. The subject will be instructed to not place the elevated foot on the ground at any time prior to completion of the count to thirty.
 - 1.1.4.4.4. The third procedure to be conducted will be the finger to nose procedure. This procedure will be conducted from an area located at the rear of the subject's vehicle or trunk area, while facing the patrol vehicle. The subject will be requested to listen to all instructions being given and view all examples being performed as explanation on how to perform the finger touch to nose procedure. The investigating Officer will instruct the subject being

evaluated to stand facing the patrol car with hands at sides' then, with head tilted back and eyes closed, with their right hand and index finger extended, raise their right arm out to their side level with the shoulder and bring their right arm directly in front of them, are remaining level bending arm at the elbow and touching the tip of their nose with the tip of their index finger that is already extended, then bringing their arm again out level directly in front of them and returning it level to right and then back down to side. This exercise will be conducted six times in order with both index fingers extended, the first two times with the right arm, the third time with the left arm, the fourth time with the right arm, and the fifth and sixth time with the left arm..

2. Arresting Subject

- 2.1. When the investigating Officer has reasonable belief that the subject being reviewed is impaired and an arrest need be made, the Officer will follow all arrest procedures set forth in the arresting section of the agency policy and procedure manual.
- 2.2. The arrested subject will be, prior to any questioning, informed of their Miranda Rights. After being arrested, the subject will be afforded the opportunity to utilize an approved testing procedure in order to determine their blood alcohol content.
- 2.3. Any and all alcohol, alcoholic beverage containers, controlled substances, and controlled substance paraphernalia will be collected, packaged, cataloged, and placed into evidence.
- 2.4. The video recordings from the in car cameras (if available) will also be collected, packaged, cataloged and placed into evidence for successful prosecution of the criminal case.
- 2.5. The subject's vehicle will be inventoried and inspected for damage then towed by existing procedure or released to a responsible person of legal age and in possession of a valid Driver's license and not wanted by this or any other Law Enforcement Agency for violation of any criminal act and of the arrested subject's choosing.
- 2.6. Any and all firearms and or weapons of any type will be collected and a computer check will be done on them in order to determine if they are stolen. After the stated has been completed, the firearms and/or weapons will be placed in evidence or property for safe keeping. A property form will be completed and issued to the owner or subject in possession of stated property.
- 2.7. If a large amount of cash is discovered (\$1000.00 or more) in the vehicle, it is to be impounded. The owner is given a property receipt for the discovered case. The money is to be packaged, cataloged, and placed into property for

safekeeping. Smaller amounts of cash are to be placed in the arrested subject's property at the jail when booked in for stated offenses.

- 2.8. When out of the ordinary or extraordinary circumstances or hindrances may exist so as to press on with assigned duties.

Article X Police Education

1. The agency is responsible for the funding all required education. Only education required by members of the agency will be paid for by the agency.
2. The above stated will include fees associated with the required training, this includes travel, travel expenses (see Section I Government Standard Allowances Town of Astatula Policies and Procedures), salary if necessary during the time of training.
3. Spouse, family members expenses are not covered if traveling with Astatula's agent(s).
4. Advanced education will be provided to full time Officers of this agency on a first come first serve basis if money is available and budgeted in the Town Budget for advanced education.
5. Applications for advanced Educational Assistance must be submitted to the Town Council for approval and will follow the Town of Astatula's Section One Policy and Procedure manual.
6. One seminar (no longer than three days) is the annual limit for seminars not mandatory but desired for information and only if the budget allows. Seminars can be attended but will not be reimbursed. The seminar will be permitted if work load permits and adequate coverage of shifts maintained without overtime usage.

Please read both Section One and Section Two regarding advanced education. Seminars are not automatically reimbursed. Prior approval for any seminar or training sessions not mandatory for position must be submitted to the Town Council prior to attending before any reimbursement will be considered.

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Town of Astatula

**Minutes of Regular Meeting
December 08, 2008 7:30 P.M.**

Mayor Shepard called the meeting to order with Council members Channell, Tice, Kelley and Vice Mayor Catron in attendance. Town Clerk Montalvo present; Attorney Lynn Vouis also present.

Minutes of November 10, 2008 Regular Council Meeting, November 24, 2008 Special Meeting and corrected minutes from August 11, 2008 Regular Meeting were presented. Council member Kelley pointed out a couple of corrections that needed to be made in the November 24th minutes. Clerk to make corrections; Vice Mayor Catron made motion to approve all minutes second by Council member Tice passed unanimously.

Council Members' Comments (comments requiring attorney advice/input only)

Council member Channell stated that she would like to schedule some planning workshops in January with the new Council; workshops will be to talk about future goals for the town.

Budget Amendment Resolution No. RES-08-D

Vice Mayor Catron made a motion to read Resolution RES-08-D by title only second by Council member Channell passes unanimously. Resolution read by Attorney Vouis after Resolution was read Council member Channell explained that the Budget amendment was done because money needed to be moved from some of the accounts in the General Fund and transferred into the Planner Fees account to cover expenses for the EAR process that Green Consulting would be doing for the Town. Motion was made by Council member Tice to accept Resolution RES-08-D as read Council member Channell second passed unanimously.

Policies and Procedures Resolution No. RES-08-E

Council member Tice spoke regarding some changes that had been made to the Policies and Procedures as previously requested by some Council members. Council member Tice made motion to read Resolution No. RES-08-E by title only Council member Channell second; Attorney Vouis read Resolution. Motion made by Council member Tice to approve Resolution No. RES-08-E as read second by Council member Channell passed unanimously.

Sam's Club

Judy Lizzard representative from Sam's Club presented membership information for government municipalities. Ms. Lizzard explained to Council the different types of membership available and said that a new Sam's Club would be opening in Lady Lake. She left information with Council members and asked for them to call her if they had any questions.

Upgrade Security System at Joe Swaffar Park

Representatives from Web Warrior presented proposal for upgrading the security system at the park. Council member Channell stated that the cameras that are currently installed at the park do not show a clear picture; Council would like to make the improvements possible to make sure that if anything needs be looked that they will be able to get a clear picture. Mr. Rochette explained how the cameras that are currently installed at the park work. Dan Franks from Sonitrol was also present he also presented a proposal for the upgrade of the security system. Discussion held regarding what was currently installed and what both companies were proposing. It was agreed that representatives from both companies would meet with Chief Sink so that they could do a demonstration of what was currently installed and what was being proposed. Update on what the outcome was will be given at the next Council meeting in January.

Town of Astatula
Minutes of Regular Meeting
December 08, 2008 7:30 P.M.

PA system for Community Building

Mayor Shepard asked Mr. Rochette from Web Warrior and Mr. Franks from Sonitrol if it was possible for them to come up with estimates for a PA system for the Community Building and present it at the Council meeting in January 2009, both companies will submit their proposals for Council review in January.

Election Results

Mayor Shepard thanked everyone that came out to vote, he then proceeded to read the election results

There were 297 votes cast	Hillard "Shep" Shepard	199 votes
	Wally Taylor	95 votes
	John R. Flowers	187 votes
	Terry L. Paschal	60 votes
	Rodger A. Sutton	31 votes
	Judith A. Tice	202 votes
	James A. Venezia	61 votes

Council Planning Workshops

Council member Channell said that she would like for Council members to bring their calendars to the January meeting so that they can schedule some workshops in January and February relating planning for Town goals for the next 1, 2 and 5 years. This item will be placed on the agenda for the January 12th meeting.

Vice Mayor Catron asked Attorney Vouis to put something together for incoming Council members as well as current Council members regarding Sunshine Law.

Police Activity Report.

Total calls 328

Public Works Report

Junior from Public Works said that they would present at the January meeting a list of things they would like to get done next year.

Finance Reports

Clerk Montalvo stated that she had received the bank statements on Friday so did not get a chance to complete the bank reconciliations for all funds General Fund still needs to be reconciled she will send the information to Council once its done.

Infrastructure Fund Balance as of 11/30/08	\$ 172,262.18
Road Fund Balance	\$ 57,214.60
Money Market account balance as of	\$ 96,797.86
<u>Impact Fee account balance as of</u>	<u>\$ 21,117.00</u>
Total all funds	\$ 347,391.64

Clerk's Report

Copies of Clerk's report were emailed to all Council members, Clerk said that there was a School Concurrency Meeting to be held on December 11, 2008 from 10:00 a.m. until noon; if any Council member was interested in attending instead of her she would give them the information that she had in the office. Council member Tice will be attending the meeting.

Town of Astatula
Minutes of Regular Meeting
December 08, 2008 7:30 P.M.

Sandra Swaffar Code Enforcement Officer for the Town spoke regarding a letter that was received regarding an animal complaint; she stated that no livestock should be kept in a property that is zoned residential. This property is zoned R-1. Ms. Swaffar stated that she issued a notice of violation to Mr. Harrison and that there were also several other items noted on this notice.

Pam Wiggins from GCG Town Planner said that she had received a call from the Clerk and then from Mr. Harrison. Ms. Wiggins stated that she did some research regarding this property to see if she could find out when this property was rezoned to Residential but she was not able to find anything. Ms. Wiggins stated that if animal control is called out that it is not a Town's issue it's an animal control issue; non conforming issue would be something that the Town would address. Section 2.10 of the LDR's refers to non conforming uses of land lots or structures. Since it's been said that the horses have been there for a number of years and nothing can be found where it states when the property was rezoned to residential then it would be considered non conforming use of the land. Further discussion followed regarding this property. It was agreed that the Town attorney as well as the Town planner and Council should meet and come up with some sort of solution regarding this issue as well as making sure that Municode matches with what's in the LDR's. Meanwhile Code Enforcement Officer will go thru with the process for this case and by the time it gets to Council they will have the non conforming issue resolved as well.

Council member Comments

Council member Kelley spoke regarding the way that the extra expenditures for the Park was resolved. She would have liked for Council to have met to discuss since there was a large amount of money involved. Council member Kelley thinks that other options should have been discussed prior to the approval.

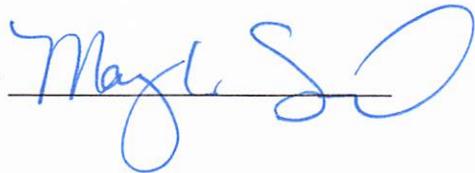
Sandra Swaffar Code Enforcement Officer asked regarding Chapter 162, she spoke regarding minutes from February 2008 about a case where a motion was made to have the Town find someone to clean the property. In September there were two properties where she asked for the same motion but it was not done. She needs clarification as to whether or not the Town will be able to hire someone to do the cleaning if needed. Attorney Vouis stated that when this is done Town will be spending money so there needs to be an approval for the expenditure of that money and then it can be done; further discussion followed.

After motion made and second meeting adjourned.

SIGNED



ATTEST



Town of Astatula

**Minutes of Regular Meeting
January 12, 2009 7:30 P.M.**

Mayor Shepard called the meeting to order with Vice Mayor Catron, Council members Channell, Tice and Kelley in attendance. Attorney Mary Sneed and Town Clerk Montalvo were present.

Pledge of allegiance to flag followed by prayer

Minutes of, December 8, 2008 Regular Council Meeting: Council Member Tice made motion to accept minutes as presented Council Member Channell second motion passed unanimously.

Council Member' Comments (limited to comments requiring attorney advice/input only)

Council Member Tice requested that Attorney Mary Sneed bring back the Water Ordinance but add provision for using reclaimed water and devices that detect rain fall. Council Member Tice also wanted Attorney Mary Sneed to do an ordinance allowing golf cart in The Town of Astatula.

Attorney Report: Attorney Mary Sneed stated that she would schedule a date and time to present information on the Sunshine Laws with Council Member elect John Flowers. Attorney Mary Sneed introduced Marsha Segal-George as an alternate for Mary Sneed and to attend the Code Enforcement Board meetings.

Old Business

PA System for Community Building: After a brief discussion a motion was made by Vice Mayor Catron to table this item until February when John Flowers can vote and also to have a quote for a recording device, second by Council Member Tice passed unanimously.

Security System for Joe Swaffar: After a brief discussion a motion was made to table this until February when John Flowers was able to vote by Council Member Channell second by Council Member Tice passed unanimously.

Vice Mayor Catron: Vice Mayor Catron thanked the Citizens of the Town of Astatula allowing him to serve the Town. Vice Mayor Catron mentioned some of the accomplishments while he was in office, some of the most notable was the election instead of appointment of a Town Mayor, and the upgrades to the playground and improvements to the Joe Swaffar Park. His parting remark was that he hoped that the Town would keep and embrace the Town Motto, and to keep Astatula "a little bit country,"

New Business

Swearing in Mayor and New Council Members: The swearing in of the Mayor Hillard Shepard, Council Member Tice, and Council Member Flowers was performed by Attorney Mary Sneed. Mayor Hillard Shepard supplied his personal Bible for the swearing in ceremony.

Appoint Vice Mayor: Mayor Hillard Shepard appoints Council Member Christina Channell. A motion was made to appoint Council Member Christina Channell as Vice Mayor by Council Member Tice second by Council Member Kelley approved unanimously.

Bank Signature: A motion was made to remove Maria Montalvo as a signatory and to appoint Jody Kelley as a new signatory for our checking account by Vice Mayor Channell second by Council Member Tice, approved unanimously.

Maria Montalvo's Resignation: Vice Mayor Channell and Attorney Mary Sneed explained the resignation of Maria Montalvo as Town Clerk effective immediately. The reason for resignation was for the benefit of the government. The motion to accept Maria Montalvo's resignation and to accept the severance, resignation, general release, and waiver agreement by Council Member Tice second by Council Member Kelley approved unanimously.

Town Office Management and Council Workshops: Town Hall Office will be open normal hours as much as possible, Council Member Tice to maintain the office, find and hire temporary office personnel and start the process for obtaining a new Town Clerk. Council Member Tice to advertise for the Town Clerk. Motion made to advertise for a Town Clerk for \$100 by Council Member Kelley second by Vice Mayor Channell, approved unanimously. A motion was made to delay any Council workshops until such time as a new Town Clerk is hired by Vice Mayor Channell second by Council Member Tice approved unanimously.

Appoint Code Enforcement Board Member: The three applicants for the open board seat are Terry Paschal, James Venezio, and Donnelda Carney. Mayor Hillard Shepard would like to appoint

Town of Astatula

Minutes of Regular Meeting
January 12, 2009 7:30 P.M.

Donnelda Carney. A motion was made to appoint Donnelda Carney to the Code Enforcement Board by Vice Mayor Channell second by Council Member Tice approved unanimously

Comp Pay: Vice Mayor Channell addressed the fact that hourly workers were putting in for comp time. Hourly employees are not entitled to comp time pay. Jr. Mauldin agreed to adjust his hours so that he attends required council meetings so that he doesn't receive overtime hours; Leon Mauldin is not required to attend council meetings.

Card Member Service Agreement: Vice Mayor Channell explained the fact that the Town of Astatula has an agreement with Card Member Service utilized for on line purchases and some other purchases and that there is no Card Member Master User. A motion was made to fill out the required paper work naming Mayor Hillard Shepard as the Card Member Master User and after filing the paper work to close out the account and to open a new account naming a Master User if the need arises in the future made by Council Member Channell second by Council Member Kelley, approved unanimously.

Police Activity Report for December 2008 and year ending December 31, 2009

December, 2008		Total numbers for 2008
Written Warnings	80	857
Citations	33	508
Citations in school zone	9	52
Arrests	<u>13</u>	<u>127</u>

Total Calls 300 3672

Public Works Report Jr. Mauldin request we wait until next month before accepting the bids on repair/replacement of the tennis court fences as he has two more companies yet to submit their bids. The bicycle tire marks remain to be cleaned up.

Finance Reports

General fund balance as of 12/31/2008	\$143,573.40
Infrastructure	182,106.05
Road Fund	<u>63,610.74</u>
Total checking account balance	\$389,290.19

Money Market as of 12/31/08	\$96,796.06
Impact Fees acct. balance as of 12/31/08	<u>21,117.00</u>

Total for all Accounts **\$507,203.25**

Maria Montalvo suggests that we have some activity on the MMA account to prevent fees.

Clerk's Report: No report at this time.

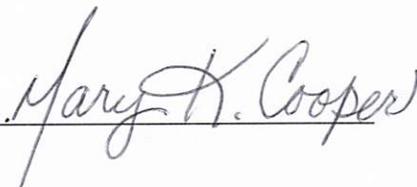
Council Members' Reports: Council Member Tice reports that Pam Wiggins volunteered and was granted the authorized to advertise for an Adoption Hearing for ORC (Objections, recommendations, and Comments) from the Florida Department Of Community Affairs and for this item to be placed on the February Council Meeting Agenda. Vice Mayor Channell states that either she or Stanley Steward will pay vendors, other bills, and do the payroll. Vice Mayor Channell also clarifies that Council Member Tice will have access to the office keys.

Meeting adjourned: Mayor Hillard Shepard adjourns the meeting.

SIGNED



ATTEST



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RESOLUTION 2010B

**A RESOLUTION OF THE TOWN OF ASTATULA AMENDING THE
POLICIES AND PROCEDURES MANUAL FOR TOWN
EMPLOYEES; PROVIDING FOR NON-CODIFICATION;
PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, The Town Council of the Town of Astatula has the authority to establish conditions of employment, compensation, and benefits regarding the employees of the Town Astatula; and

WHEREAS, The Town Council of the Town of Astatula wishes to provide a uniform system of administration that applies to all the Town of Astatula employees;

WHEREAS, a Policies and Procedures Manual has been created and in order to facilitate the goals of fairness and uniformity in personnel matters ; and in keeping with the Charter of the Town of Astatula Ordinance 2008; and

WHEREAS, the following amendments of the Policies and Procedures Manual shall not be codified into the Town Code of Ordinances, but shall be provided to all current and future employees.

NOW THEREFORE, be it resolved by the Town Council for the Town of Astatula, Florida as Follows:

Section 1. The Town Council for the Town of Astatula hereby adopts the Amendments made to the Policy and Procedures Manual attached to this Resolution as Exhibit "A", which shall become effective upon adoption of this resolution.

Section 2. Each employee shall be given a copy of the Amendments (Exhibit "A") to the Policy and Procedures Manual, along with an Acknowledgement of Receipt to be signed by the employee and maintained in their personnel file.

Section 3, The amendments to the Policy and Procedures manual shall not be made a part of the Code for the Town of Astatula, but a current copy shall be on file, with the Town Clerk.

Section 4. This Resolution shall become effective upon adoption by the Town Council.

DULY PASSED AND ADOPTED this 8th day of March, 2010.

Town of Astatula Policy and Procedure Manual



Town Council

Reviewed March, 2010

Revised March, 2010

Personnel Rules and Regulations
For
The Town of Astatula

TOWN OF ASTATULA
POLICY AND PROCEDURE HANDBOOK

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**TOWN OF ASTATULA
POLICY AND PROCEDURE HANDBOOK**

CHAPTER ONE

1.0 GENERAL

1.1 PURPOSE This manual was prepared to establish consistent and equitable policies for Town employment and to acquaint new personnel with the policies and regulations of the Town of Astatula.

1.2 SCOPE These regulations shall apply to all employees of the Town of Astatula. Volunteer firefighters, the elected Mayor and Council Members are not covered unless specifically indicated otherwise.

1.3 TOWN RESPONSIBILITIES AND AUTHORITY The Town is governed by the **Council/Weak Mayor plan of government**. Astatula residents elect the Mayor and Town Council. The Council has the final responsibility for hiring and firing Town employees and establishes policies and procedures related to education and training. The Town Council and Mayor work together to establish operations and services of the Town under the budget established yearly by the Council with the assistance of the Town Clerk. The Town Council reserves the right to reprimand, suspend, and discharge or otherwise discipline employees for cause; to hire, promote, transfer, layoff and recall employees to work, and to determine the number of employees and the duties to be performed as established by Council budget. The Town Council must manage the Town, attain and maintain full operating efficiency and optimum service and direct the work force in accordance with the needs and requirements of the Town as set by precedent, resolution or ordinance until such time as a Town Manager is hired.

1.4 EMPLOYMENT AT WILL Within the limits of any constitutional or statutory limitations applicable, employment with the Town is considered “at will” and may be ended either by the employee or by the Town at any time. The Town has herewith established guidelines for disciplinary action and performance improvement which provide the employee an opportunity to address and respond to issues of discipline or performance.

1.5 AMENDMENTS TO PERSONNEL POLICY Amendments to the personnel policy may be proposed from time to time (reviewed biannually on even numbered years) for approval by the Council.

1.6 PERSONNEL POLICY REVISIONS This personnel policy and its attachments shall be periodically (every other year which is year ending in an even number) reviewed and updated by the Town Council. A copy of this policy will be made available to all present and future Town employees. Any deviation from this policy will be made only by the Council, in writing, to the department head of the employee or department affected. All policy updates must be approved by the Town Council.

1.7 DEPARTMENT RULES Department Heads are authorized to establish rules additional and supplemental to this policy provided they are not in conflict with regulations herein. To become effective or not effective the Town Council must approve, amend or revoke all such rules.

1.7.1 Name Badges Name badges are to be displayed/worn at all times when performing town duties. The badge is to be worn and to be displayed on upper chest area to include name and title. If name and position is embroidered on shirt, this will count as a name badge as long as it is clearly visible and not covered in any manner.

1.7.2 Phone Courtesy. When answering the town's phone, identify by stating good morning (afternoon, evening, day), You have reached the Town of Astatula, my name is _____ (state your name and title) continue with how may I help you or how may I be of service and have a smile in your voice.

1.7.3 Office Procedure. Unauthorized person(s) are not to be in the Clerk's office at any time. Only the Clerk, Town Code Enforcer, the Mayor, and/or Council Members are permitted in the Clerk's office unless Town business is being conducted. Our town citizens/residents will be allowed to use the phone while conduction town business if necessary.

CHAPTER TWO

2.0 EMPLOYEE CONDUCT

2.1 SERVICE TO THE PUBLIC All employees shall at all times render prompt and courteous service to the public.

2.2 EMPLOYEE COURTESY The attitude of a Town employee should at all times promote the good will and favorable attitude of the public toward the Town administration and its programs.

2.3 COMMUNICATIONS FACILITIES Town of Astatula telephone and electronic communications are for Town business. Unauthorized or excessive personal use will not be permitted and may be cause for reprimand.

2.4 LUNCH PERIOD Employee lunch periods will be determined by the department head as required for efficient departmental functions.

2.5 CONFLICT OF INTEREST Conflicts of interest must be avoided by all employees pursuant to Florida State Law.

2.6 SOLICITATION Solicitation during working hours on Town property or in public areas by any Town employee or by non-employees is prohibited. Bulletin Boards are

Town property and materials posted thereon must be approved by the Town Council or a department head. Council meetings, workshops, agendas, minutes of previous meeting, notices pertinent to safety and well being of Town Residents may be posted by the Town Clerk. There shall be no distribution of literature during working hours or on Town property without permission of the Town Council. Examples of solicitations for purposes of this rule include, but are not limited to solicitation for magazines or periodical subscriptions, memberships in organizations and solicitation for political contributions. Exceptions to the solicitation policy must be approved by the Town Council. This section shall not apply to union activity protected by Florida Law.

2.7 GIFTS AND GRATUITIES No employee shall accept gifts, gratuities, or loans from organizations, business concerns or individuals with whom he/she has official relationships on Town business. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally, or to prohibit employees from accepting social courtesies which promote good public relations, or to prohibit employees from obtaining loans from regular lending institutions.

2.8 OUTSIDE EMPLOYMENT Any employee wishing to engage in outside employment must submit a request in writing to his/her department head. The request should outline in detail the duties to be performed and the amount of time, stating specific hours to be devoted to these duties. Department heads are authorized to approve outside employment consistent with the guidelines above. Department heads are also authorized to direct an employee to discontinue outside employment if it is later found to be inconsistent with the guidelines.

2.9 POLITICAL ACTIVITY

2.9.1 FREE EXPRESSION NOT INFRINGED Every employee shall have the right to freely express his views as a citizen and to cast his vote.

2.9.2 COERCION PROHIBITED Coercion for political purposes of and by employees and use of their positions for political purposes is prohibited.

2.9.2.1 No employee or official of the Town shall, directly or indirectly, coerce, attempt to coerce, or advise an employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes.

2.9.2.2 No employee or official of the Town shall use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.

2.9.3 HATCH ACT GOVERNS Participation in partisan political activity by employees shall be permitted to the extent provided under the Federal Hatch Political Activities Act, as amended and any subsequent amendments which may be made thereto.

2.9.4 POLITICAL DISCUSSIONS Political discussions and political activities by employees shall be prohibited during work hours.

2.9.5 PENALTY FOR VIOLATION Any person violating the provision of this section may be subject to discipline, including possible dismissal by the Town Council.

2.10 USE OF TOWN PROPERTY

2.10.1 Tools and Equipment The Town attempts to provide each employee with adequate tools, equipment and vehicles for the job being performed and expects each employee to observe courteous operation of vehicles and equipment in compliance with all municipal, county and state vehicular regulations.

2.10.2 Proper Use of Equipment Employees who are assigned tools or equipment or vehicles by their departments are responsible for them and their proper use and maintenance.

2.10.3 The use of Town Property All use of town material, supplies, tools, equipment or vehicles for personal or private business use is prohibited unless approved by employment agreement by the Town Council. Violations may result in discharge and possible prosecution. City owned vehicles or equipment are not to leave the town/city limits unless it is official Town business. Under no circumstances should town vehicles or equipment be used for personal or private business.

2.10.4 The use of Town vehicles are to adhere to rules and laws of the state of Florida. Any vehicle leaving the city limits shall maintain a written log as to date and time leaving the city limits, nature of the trip, mileage and date and time returning to the city limits. The log is to include a list of passengers if applicable. A copy of all logs shall be presented to the Council at the monthly meetings. Town vehicles are not to be used to transport family members or unauthorized persons except during or for official town business. If a police officer resides outside the town limits, the police officer may only take their town owned vehicle home if scheduled to appear in court the following day and must complete the written log in a timely manner. Police officers residing within the town limits are permitted to take the town owned vehicles home.

2.11 E-MAIL/INTERNET USAGE E-Mail and internet services are provided to certain employees for the purpose of conducting their job duties in the most efficient manner possible and not intended for personal use. All electronic communications generated by employees with Town equipment, or stored on Town equipment, are the property of the Town and therefore not considered private. Employees are prohibited from using the Town's e-mail and internet system to transmit or receive any improper communication, including but not limited to inappropriate comments or jokes, cartoons, or any other communication which is political, derogatory, vulgar, obscene, offensive or sexually explicit. The Town shall periodically access and monitor communications and files on the Town's e-mail/internet system as deemed to be necessary or appropriate in the enforcement of the acceptable use of Town equipment and systems. The Police

Department is an exception to this rule as they have specific rules and regulations regarding use of their computers. The Police Department computers are not subject to monitoring as they must adhere to specific laws governing use and monitoring of said equipment.

- 2.12 PENALTY FOR MISUSE** Employees who use the Town’s e-mail/internet System inappropriately or illegally shall be subject to discipline up to and including termination and civil or criminal prosecution, if deemed appropriate.
- 2.13 VALID DRIVER’S LICENSE** All operators of Town vehicles and equipment are required to have a valid State of Florida operating endorsement as applicable, and to keep supervisors informed of any change of status in their license. Certain job classifications require a commercial license as a condition of employment.
- 2.14 SUSPENSION Of LICENSE** Suspension or revocation of the driver’s license of an employee who is assigned as a vehicle or equipment operator may result in a demotion or discharge.
- 2.15 SAFETY** It is the policy of the Town to maintain a work environment for all employees that is both healthy and safe.
- 2.16 HARASSMENT** It is the policy of the Town to maintain a work environment for all employees which is free of conduct which can be considered harassing, coercive or disruptive. As defined broadly in the 1080 Equal Opportunity commission Guidelines on Sexual Harassment, sexual harassment is defined as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature,” such as intentional patting, pinching or touching, leering, or obscene gestures. Sexual Harassment occurs when such conduct has “the purpose or effect of unreasonable interfering with an individual’s work performance or creating or intimidating, hostile or offensive working environment, when submission to such conduct is “made either explicitly or implicitly a term or condition of an individual’s employment, or when submission to or rejection of such conduct is the basis for employment decisions affecting a worker.
- 2.17 DRESS CODE** The Town expects all employees to dress in a manner which is appropriate for the type of work performed and have a neat and orderly appearance. All employees are to wear an Identification Badge with full name and position clearly displayed above the waist line preferably worn on chest area. Employee dress (uniforms, shoes, hats, identification badges, etc.) must be worn in a manner consistent with the job and duties, office personnel to portray professional attire, police to wear uniforms provided, fire fighters to wear clothing to adhere to Lake County Fire Departments rules and regulation and all other employees to wear clothing suitable to their position, duties and to wear appropriate protective gear when indicated. Employees who have been issued uniforms and/or shoes must wear them at all times while on the job; any employee who appears for work without issued uniforms/shoes shall be returned home to correct the situation and may be subject to disciplinary action. The period of absence due to

inappropriate dress shall be treated as unpaid leave. Name pins, badges, or identification as to name and position is to be worn at all times while on duty, preferable visible above the waist line.

- 2.18 SUBSTANCE ABUSE** It is the policy of the Town to maintain a work environment that is free from the influence of alcohol and illegal drugs. Steps will be taken to enforce this policy, including testing (scheduled or random) as deemed necessary at and during employment and by executive request. The Town has adopted an Ordinance to cover and enforce this policy.

CHAPTER THREE

3.0 EMPLOYMENT PRACTICES

- 3.1 EQUAL EMPLOYMENT OPPORTUNITY** In order to provide equal employment and advancement opportunities to all individuals, employment decisions with the Town will be based on merit, qualifications and abilities. The Town does not discriminate in employment opportunities or practices on the basis of race, color, religion, creed, sex, pregnancy, national origin, age, disability, marital status, military service or any other characteristic protected by law. The Town will make reasonable accommodations for qualified individuals with disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including recruitment, selection, hiring, job assessment, promotion, transfer, training, compensation, discipline, termination and benefits.
- 3.2 RECRUITMENT** It shall be the policy of the Town to employ the most qualified individual available. However, preference shall be given to Town employees who best meet the qualifications for the position. Each job vacancy shall be advertised in the appropriate media as well as official notices posted throughout Town offices in public areas. All advertisements will communicate essential information about the position to the prospective applicant.

CHAPTER FOUR

4.0 HIRING POLICY

- 4.1 EMPLOYEE APPLICATIONS** Applicants seeking employment with the Town should file an employment application form provided by the Town.
- 4.2 FRAUDULENT CONDUCT BY AN APPLICANT** Fraudulent conduct or false or omitted statements of material fact by an applicant shall be deemed cause for exclusion of the applicant from consideration for the position or termination from Town employment.

- 4.3 SCREENING AND SELECTION** As determined by the Town Council, the selection process may include one or more of all of the following: oral interviews, evaluation of experience and training, reference checks, written examinations, performance tests.
- 4.4 PRE-EMPLOYMENT BACKGROUND INVESTIGATION** It is the policy of the Town that as a condition of employment, all employees and volunteer firefighters must submit to a complete background investigation.
- 4.5 PRE-EMPLOYMENT DRUG TESTING** It is the policy of the Town that as a condition of employment all employees and volunteer firefighters must successfully pass a drug tests that screens for the presence of illegal drugs or unacceptable alcohol levels. The Town has adopted a separate Ordinance that sets forth the Town’s formal policies and procedures regarding pre-employment drug testing and random drug testing, and blood alcohol testing.
- 4.6 PRE-EMPLOYMENT PHYSICAL EXAMINATION** It is the policy of the Town that as a condition of employment all employees and volunteer firefighters must successfully pass a physical examination. The physical examination shall be administered by a licensed medical provider. The physical exam results shall be retained according to Florida State Statute.
- 4.7 QUALIFIED APPLICANTS** The Town Council may appoint a member of the Council to categorize those persons eligible for a position as being qualified. The Town Council shall make the selection from such persons.
- 4.8 NEPOTISM** No Town official, department head or supervisor may appoint, employ, promote, advance or be influential in any way in the employment of any individual who is a relative of the Town official, department head or supervisor. Further, no relative of an employee may be hired by the Town to fill a position which would cause the current employee to either have jurisdiction over or be subject to the jurisdiction of the relative.
- 4.9 EMPLOYMENT LAWS** All applicable Federal, State and Local laws pertaining to employment practices will be complied with in the Town’s employment procedures.
- 4.10 AGE REQUIREMENTS** Applicants for full-time employment must be 18 years of age or older. Persons who have reached their 16th birthday may be considered for employment within the limits of State and Federal Laws.
- 4.11 EMERGENCY EMPLOYMENT** It shall be the policy of the Town to provide for emergency employment with the consent of the Town Council and for provisional employment without open evaluation when there is no appropriate eligible list available. No such provisional or emergency employment shall continue longer than three (3) months.
- 4.12 VETERAN’S PREFERENCE** The Town shall comply with the Florida Administrative Code which requires that Veteran’s Preference be given to eligible veterans and spouses

of veterans in all positions of employment except those that are exempt such as department heads, policy makers or managers or temporary employees. An applicant who meets the criteria for receiving Veterans Preference must also meet the minimum qualifications of the position and submit the appropriate documentation to substantiate the claim.

CHAPTER FIVE

5.0 EMPLOYEE TRAINING

5.1 TRAINING OBJECTIVE The Town encourages employees to attend educational conferences and to take self-improvement and job improvement courses which are directly related to their work. Additional educational training will be one measure used in making recommendations for advancement and promotion. Employees in good standing and indicating an extremely high degree of potential for advancement may be considered for educational leave with one-half of the cost to be reimbursed by the Town upon successful completion of the courses, with the approval of the Town Council. Supervisors shall assist employees in gaining capability through on-the-job training as required.

5.1.1 PAY DURING REQUIRED TRAINING Employees attending required educational courses shall be granted leave with pay with the approval of the Town Council. Should the required course be scheduled at some time other than the employee's normal working hours, the employee shall be given time off to compensate for the hours required to complete the course or paid for the hours at the regular pay rate if approved by the Town Council.

5.1.2 CLOTHING ALLOWANCE Office personnel may purchase two polo collared shirts with the town logo and engraved with name and title upon hire and be replaced every two years if necessary due to normal wear and tear. Police will have their uniforms provided and replaced by the Chief of Police's recommendation. Public Works personnel to have uniforms supplied appropriate for type of work, with town logo and engraved with name and title upon hire and replaced as deemed necessary by the uniform service. All provided clothing articles to be returned to Town of Astatula upon termination of employment.

5.2 EDUCATIONAL CONFERENCES An employee may be granted leave with pay to attend an education conference up to three (3) working days upon approval by the Town Council. Educational conferences to qualify may be conducted by colleges, universities, technical schools, manufacturers as an operation or service clinic or state and national association specifically related to a Town department and its operations. A leave of absence for educational conferences must be recommended in writing by the department head to the Town Council for approval.

5.3 TUITION ASSISTANCE Tuition assistance is available for courses directly related to the job being performed by the employee as a part of the job. The Town Council is the approval authority for tuition assistance requests. Fees or tuition for required courses shall be paid by the Town. No tuition assistance will be paid prior to the successful completion of an approved course, and reimbursement is for tuition only. No blanket approval of courses or programs will be granted. Only specific courses for a specific time will be approved. The assistance amount of fifty (50%) of the tuition fee is based on the employee attaining a final grade of B or higher. As a part of applying for tuition assistance, employees must agree that if he/she voluntarily terminates employment within one year of receiving tuition reimbursement, she/he will reimburse the Town the total amount received toward any course(s) taken within the year prior to termination.

CHAPTER SIX

6.0 SALARY ADMINISTRATION

6.1 SALARY MANAGEMENT DETAILS The salary of all employees at the time of employment as well as increases which result from promotions or decreases which result from discipline or other adverse actions shall be approved by the Town Council. The Town Council, shall be primarily responsible for the overall administration of Town personnel policies and procedures. However, the department head shall be responsible for ensuring that the personnel policies and procedures are carried out day-by-day in their department.

6.2 OVERTIME PAY Overtime work shall be kept at a minimum. However, the requirements of a specific department may make it necessary for an employee to sometimes work beyond his regularly scheduled working hours. Employees shall be required to work overtime when assigned unless excused by supervisor. Employees considered exempt in accordance with the Fair Labor Standards Act, are not entitled to overtime pay for hours worked in excess of their regular work period. All other employees shall be paid overtime pay for hours worked in excess of their regular work period.

CHAPTER SEVEN

7.0 EMPLOYEE BENEFITS

ALL EMPLOYEE BENEFITS SHALL BE GOVERNED BY THE ANNUAL RESOLUTION OF PAYMENT PASSED BY THE TOWN COUNCIL. THE RESOLUTION COVERS SALARY, CLASSIFICATION AND PAY RATE, FIRE DEPARTMENT SPECIAL PAY, HEALTH INSURANCE, SICK PAY, RETIREMENT PLAN, MILEAGE PAYMENT, HOLIDAYS AND VACATION.

(A copy of the current Resolution shall be provided by the Town Clerk)

7.1 ELIGIBILITY AND ACCRUAL OF LEAVE/VACATION TIME Please refer to Ordinance 2005-F. For full time employees the following hours apply for leave benefits. Zero (0)

to five (5) years of service accrues at a rate of eight (8) hours per month. Six (6) to ten (10) years of service accrues at a rate of ten (10) hours per month. Ten (10) to fifteen (15) years will accrue at a rate of twelve (12) hours per month. Sixteen (16+) years accrues at a rate of sixteen (16) hours per month. Annual leave pay may be accumulated over a two (2) year period. Any leave accumulated beyond the two (2) year's schedule will be lost. Part time employees are not eligible for paid leave time. The Town Council has the final determination on use of accrual leave time.

Vacation credit may be used as accrued after the employee has completed twelve (12) consecutive calendar months of employment. Previous employment with the Town will not count towards years of full-time service. Vacation leave may not be taken in periods of less than four (4) hours per shift.

7.2 PAYMENT IN LIEU OF LEAVE/VACATION TIME No employee shall be permitted to forego his/her vacation and receive pay in lieu thereof, except that an employee who is separated from the Town payroll, for any reason, before receiving all of the vacation for which he/she has become eligible prior to the time of his/her termination, shall receive pay for that portion of his/her vacation due but not received, at the discretion of the Town Council.

7.3 EXCHANGE OF LEAVE/VACATION TIME Absence on account of sickness, injury or disability in excess of that hereinafter authorized for such purposes, shall at the request of the employee and within the discretion of the department head be charged against vacation allowance with the approval of the Town Council. When a regularly scheduled holiday occurs during the period of an employee's leave, the holiday will be granted.

7.4 SCHEDULING AND USE OF VACATION TIME Each department head shall keep record of vacation allowance and use and shall schedule annual leave with particular regard to the seniority of employees, to accord with operating requirements and, insofar as possible, with the requests of the employees. Employees are to outline the desired dates of vacation the first month of the new calendar year and submit the schedule to their supervisor. An employee who is eligible for vacation may take it at any time agreeable to the employee and supervisor. The employee must complete a Leave Request Form.

Each supervisor may use whatever methods of compiling and scheduling leave requests he/she wants to, as long as the methods are reasonable, fair, consistent and not discriminatory against any individual or group. Supervisors shall not schedule vacation in such a way that departmental operations are adversely affected. Supervisors shall respond to an employee's request for vacation as quickly as possible.

7.5 HOLIDAY LEAVE Holidays will be paid providing the employee works the scheduled shift the day before and the scheduled shift the day after unless special circumstances have been pre-approved.

Holidays may be designated annually by Town Council Resolution.

OFFICIAL HOLIDAYS

The following are holidays which shall be observed by all Departments in which functions can be discontinued without adversely affecting required services to the public:

New Year Day	Labor Day
Martin Luther King's Day	Veteran's Day
Presidents Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
4 th of July	Christmas Day

7.6 HOLIDAY ON NON-WORKING DAY When a holiday observed by the Town falls on Sunday, such holiday shall be observed on Monday after the holiday. When a holiday observed by the Town falls on Saturday, such holiday shall be observed on Friday before the holiday.

7.7 HOLIDAY PAY ELIGIBILITY All eligible employees who meet the holiday pay requirements noted in this section shall be paid holiday pay equivalent to eight (8) hours at the employee's regular rate of pay regardless of the number of hours the employee normally works in a shift. In addition, any employee who is required to work on the holiday and meets the holiday pay eligibility requirements noted in this section shall be paid for all hours worked on the holiday at the rate of one and one-half times the employee's regular rate of pay. To be eligible for holiday pay, an employee must meet the following requirements:

- be a full-time employee.
- must work on the scheduled days prior to and after the holiday. However, if the absence on the day before or after the holiday was due to the reasons listed below, the employee would receive holiday pay.
- the day of absence was previously approved.
- the employee is absent because of an accident.
- the employee is absent due to a current on-the-job injury
- an employee who reports in on the scheduled work date prior to the holiday would be considered to have worked that day, even though he/she is unable, due to emergency or illness, to complete the normal work day. The same will apply to the first scheduled workday after the holiday.

7.8 MILITARY LEAVE

7.8.1 ACTIVE SERVICE A leave of absence without pay will be granted to any employee who is serving in the Uniformed Services even if such period of military service may be for more than 12 months. Health insurance coverage (for the employee and his/her dependents) will end on the date the employee enters military service or on the last day of the month in which the leave commences, whichever occurs first, but may be continued at the employee's election in accordance with the terms of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). Upon honorable discharge, the employee will be reinstated with the Town in accordance with the USERRA.

7.8.2 NATIONAL GUARD MEMBER An employee who is a member of the National Guard or who is a reservist in any branch of the Uniformed Services shall be granted

military leave not in excess of seventeen (17) reserve/working days per year. It is the employee's responsibility to notify his/her supervisor as far in advance as possible so that arrangements can be made for the employee's absence, but in no case no more than 3 days after receiving orders. If an employee fails to provide notice to the town prior to the date he is to report for duty, the town can decline to reinstate that employee.

The above provisions exist as stated if an employee is activated by the Governor for a State Emergency. Employees do not have to be paid by Town but must have reinstatement of a job when they come back under the USERRA Statute.

7.9 SICK LEAVE It is the policy of the town to provide reasonable time off with pay, up to the amount of unused sick leave earnings, to employees who are unable to work due to illness or injury. Sick leave with pay is not a right which an employee may demand, but a privilege granted by the Town. There is no monetary payoff for accrued sick leave per Ordinance 2005-F.

7.10 USE OF SICK LEAVE: Sick leave may be used as follows:

7.10.1 APPROVAL The department head or Town Council Member assigned to oversee the department can officially approve employee sick leave. Only an employee who has completed six months of full-time employment may be paid for sick leave. Accumulation of Sick Pay may be determined annually by Town Council Resolution.

7.10.2 SICK LEAVE PAY Sick leave may be paid when an employee is unable to work due to a personal/family illness or injury, or when the employee's presence may endanger the health of fellow workers. A family member for this purpose is defined as spouse, children, step children, parents, siblings or grandparents of the employee.

7.10.3 SICK LEAVE Sick leave may be taken for medical, optical and dental appointments and it may be taken for attendance of a funeral or for bereavement of a family member.

7.10.4 SICK PAY UNITS Sick leave will be charged in units of whole hours.

7.11 SICK PAY ELIGIBILITY. Eligibility is determined as follows. Full time employees earn sick time at a rate of eight (8) hours per month. Part time employees hired at less than 20 (twenty) hours per week are ineligible for sick pay benefits. Part time Employees working twenty plus (20+) hours per week will be prorated per hours hired to work. Twenty (20) hours is four (4) hours per month (0.5 employee) Twenty eight (28) hour per week is five. six (5.6) hours per month (0.7 employee). Thirty four (34) hours per week is six/eight (6.8) per month (0.85 employee). This determination is based on hours per week hired, not hours per week worked, so if a part time person is employed at twenty (20) hours per week and works more than the twenty hours per week, the sick time is earned at the hire hours of twenty (20) hours per week at four (4) hours per month. In the

event that there is a status change, mandated by the Town Council changing the weekly hours scheduled for an employee for an extended period of time, the benefits will change accordingly to reflect this change. Per Ordinance of 2005-F after three days of sick leave is taken, a written note from the employee's physician shall be required before additional sick leave days may be taken. The current provision allowing for one half (1/2) day for doctor appointments shall be amended to provide that employees may use their sick leave in one (1) hour increments. Sick time maximum accrual is for a total of three hundred and twenty hours (320). Sick time may not be cashed in except for the use of sick or medical leave. Sick leave pay will not automatically be granted unless a physician's note has been obtained will any sick leave lasting three or more days.

7.12 SICK PAY

7.12.1 NOTIFICATION OF ILLNESS. The employee's supervisor must be called at least 30 minutes before the scheduled starting time on the day of the absence the reason for the absence, except in the case of public safety where the departmental schedule will be followed. An employee who fails to so notify the supervisor shall not be paid for the day(s) taken prior to notification.

7.12.2 Status is requested. If the absence extends beyond three days, keep the supervisor advised as to the employee's condition and anticipated date of return.

7.12.3 Statement of illness. Submit a statement from the attending physician(s) for any illness of three days or longer as to the nature and duration of the illness is required before returning to work. A statement from the physician will be needed if inadequate notice (less the seventy-two {72} hours) given for physicians appointments resulting in being late or missing appointed hours of work.

7.12.4 Holiday during sick leave. When a paid holiday occurs during the period an employee is on sick leave with pay, the employee shall receive only his/her regular holiday and that day shall not be charged against his/her sick leave earnings.

7.13 Sick Leave Transfer Upon approval of the Town Council any member of the Town can transfer earned sick leave for the use of another employee who is out of work due to their illness, or medical leave. The employee receiving the transferred sick leave must have exhausted all sick and annual leave and have completed probation before receiving transferred sick leave. Forty (40) hours may be donated at a time, and two hundred (200) hours must be retained in donors bank of sick leave.

SUMMARY OF SICK LEAVE PROCEDURE

- Each employee shall notify (call) his/her immediate supervisor in accordance with the Town attendance policy to report his/her sickness.
- When an employee returns to work he/she shall complete the leave request form. Before sick leave with pay is officially granted, this form must be signed (approved) by his/her department head.

- If an employee wishes to use sick leave for a doctor, dentist or optical appointment, then the leave form must be submitted and approved before the sick leave is taken. Notice must be given when appointment is booked.
- If a supervisor feels that an employee has abused this policy concerning minor illness, the supervisor, with permission of the Town Council Member assigned to oversee that particular department, may refuse to pay benefits.

7.14 EMERGENCY OR ILLNESS Employees who are absent due to an emergency or illness should call or have someone call his/her supervisor to report such an absence.

7.14.1 EMPLOYEE RESPONSIBILITY. It is the employee's responsibility to ensure that proper notification is made when absent due to an emergency or illness. This must be done by phone or personal note and, if possible, by the employee. At times, utilizing e-mail to notify the Council Member assigned to oversee that particular department may be necessary but only as a last resort, when unable to notify anyone by phone.

7.14.2 PHYSICIAN'S STATEMENT REQUIRED. An employee who has been absent under any of the following conditions, must have a doctor's statement that indicates no work restrictions when returning to work.

- Employee has been hospitalized.
- Employee has been granted personal leave which is in reality for medical reasons, i.e., employee is hospitalized or undergoing a surgical procedure which could be disabling, even though the employee, for personal reasons, does not file a claim for group insurance benefits.
- Employee has a non-work related accident, even if no time is lost from his/her regularly schedule work shift, i.e., weekend or after-hours accident.
- Employee is absent three (3) or more consecutive work days.

7.14.3 PHYSICIANS EXAMINATION An employee shall submit to an examination by a physician or supply a work release by a physician upon returning to active duty after an extended chronic illness.

7.15 EMPLOYEE UNDER SUSPENSION NOT ELIGIBLE FOR SICK LEAVE An employee under suspension forfeits all claim to sick leave for the duration of such suspension and must be returned to active duty before sick leave credit is restored.

7.16 BREAK IN SERVICE CANCELS ALL SICK LEAVE A break in service permanently cancels all sick leave accrued to an employee's record and in the event of subsequent reappointment such employee begins a new sick leave accumulation.

7.17 ILLNESS DURING VACATION LEAVE When sickness occurs within a period of vacation leave, the period of illness may be charged as sick leave and the charge against vacation leave reduced accordingly. Application for such substitution should be made within two days after return to active duty and shall be supported by a medical certificate.

7.18 MILITARY DUTY EFFECT ON SICK LEAVE When an employee enters active military duty, either by induction or for training purposes or for national or state emergencies, sick leave accumulated shall remain to that Employee's account pending return from military leave. However, no further sick leave credits will be accumulated for the period of absence while on military leave.

7.19 FAMILY AND MEDICAL LEAVE The Town provides leave pursuant to the Provisions of the Family and Medical Leave Act of 1993

7.19.1 ELIGIBLE EMPLOYEES Employees who have been employed for at least 12 months and have worked at least 1,250 hours during the preceding 12-month period are eligible for unpaid family or medical leave. If a leave is requested for an employee's own serious health condition, the employee must first use all of his or her accrued vacation leave, sick or personal leave. If leave is requested for any other reason listed below, an employee must first use all of his or her accrued paid vacation or personal leave. The remainder of the leave period will then consist of unpaid leave.

7.19.2 LEAVE PERIOD An eligible employee is entitled to take up to 12 weeks of family or medical leave in any 12-month period. The 12-month period shall be a rolling 12-month period measured backward from the date leave is used. Entitlement to leave for the birth or placement of a child for adoption or foster care will expire 12 months from the date of birth placement.

7.19.3 REASONS FOR LEAVE An employee who meets the applicable eligibility requirements will be granted a total of up to 12 weeks of unpaid leave for the following reasons:

- The birth of the employee's child in order to care for that child.
- The placement of a child with the employee for adoption or foster care.
- The care for a spouse, child, or parent who has a serious health condition; or
- A serious health condition that renders the employee incapable of performing the functions of his or her job.

7.19.4 APPLICATION FOR LEAVE An employee requesting family or medical leave must complete an application and return it to the Supervisor. The completed application must state the reason for the leave, the duration of the leave and the starting and ending dates of the leave.

7.19.5 NOTICE OF LEAVE An employee intending to take family or medical leave must submit an application for leave at least 30 days before the leave is to begin, or as soon as the reason requiring the leave is known.

7.19.6 INTERMITTENT OR REDUCED LEAVE Employees may not take intermittent or reduced leave in case of birth or placement of a child, unless the Town

Council agrees. In the case of serious health conditions, leave may be taken intermittently or on a reduced leave schedule when medically necessary. Employees are expected to make a reasonable effort to schedule intermittent leave so as not to disrupt the operations of the Town.

7.19.7 MEDICAL CERTIFICATION OF LEAVE The application for leave based on the “serious health condition” of the employee or the employee’s spouse, child or parent must be accompanied by a “Medical Certification Statement” completed by the health care provider. The certification must state the date on which the serious health condition commenced, probably duration of the condition and the appropriate medical facts regarding the condition. If an employee is requesting leave to care for a spouse, child or parent with a serious health condition the medical certification must state an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the medical certification must state that the employee cannot perform the functions of his or her job.

7.19.8 NOTIFICATION OF LEAVE ASSIGNMENTS After receiving notice from the employee regarding the need to take family or medical leave, the Town will discuss the leave requirements with the employee and will issue a memorandum outlining the basic information regarding the leave.

7.19.9 BENEFITS COVERAGE DURING LEAVE During a family or medical leave, the employee will be retained on the town’s health plan under the same conditions that applied before the leave began. To continue health coverage, the employee must continue to make any contributions that he or she made for group insurance during the leave. Failure of the employee to pay his or her share of the health insurance premium, if any, may result in loss of coverage.

7.20 RESTORATION TO EMPLOYMENT An employee who completes a family or medical leave will be returned to the same position held when the leave began or to a position equivalent in pay, benefits and other terms and conditions of employment. However, the highest paid 10-percent of employees are not guaranteed reinstatement if reinstatement will cause the Town economic injury. In such case the Town will notify the employee as soon as it determines that reinstatement is not available. The Town cannot guarantee that an employee will be returned to his or her same former job.

7.21 RETURN FROM LEAVE The Town will require an employee taking a family or medical leave to report every 30 days on his or her status and intent to return to work upon completion of the leave. Employees returning from a medical leave are required to provide certification from a health care provider indicating that the employee is able to resume work with no limitations. Employees who do not return to work upon the expiration of a family or medical leave will be treated as having voluntarily terminated their employment. An employee who requests an extension of family or medical leave must submit his or her request for an extension in a writing that includes the reason for the requested extension.

7.22 BEREAVEMENT LEAVE. In the event of a death in the immediate family of a full time or permanent part-time employee, the employee may be granted bereavement leave of absence with pay. Employees will receive three (3) days of pay to **attend the funeral of the deceased.** The amount of time authorized shall be determined by the Town Council Member assigned to that particular department and shall be allowed as circumstances warrant. Such leave shall not be chargeable to other types of leave, but shall be in addition to accrued annual or sick leave. Such employees may also apply for additional accrued annual leave if they desire additional time for bereavement purposes. The additional leave will be chargeable to sick leave and/or vacation leave, and may only be granted at the discretion of the Mayor with input from Department Head, or supervisor.

CHAPTER EIGHT

8.0 JURY AND WITNESS DUTY LEAVE

8.1 JURY DUTY All full-time town employees selected for jury duty shall be entitled to civil leave with pay for the period of absence required. Such leave shall not be charged to annual or sick leave earnings. Eligibility commences on the first day of active employment. If an employee is called for jury duty on a regular working day or days and the jury pool is released by noon, he should report for work for the afternoon unless that causes some hardship.

8.2 OFFICIAL COURT ATTENDANCE All employees subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the Town shall be entitled to leave with pay for such period as his court attendance may require.

8.3 PRIVATE LITIGATION Absence of an employee to appear in private litigation in which he/she is a principal party shall be charged to annual leave or to leave without pay

8.4 DURATION OF JURY SERVICE When called for jury duty, the employee must show the summons to the supervisor prior to the date of service so that authorization and plans for the absence can be made. Failure to advise the supervisor in advance may be cause for the employee not to receive jury duty pay. In addition, the employee must complete the application for leave of absence form.

- When released from jury duty for any day, the employee will be expected to return to work for that day. If released from jury duty two hours or more before the end of a regularly scheduled work day, an employee is required to return to work.
- Upon return to work (after having been released by the court), the employee must submit to the supervisor a statement from the Clerk of the Court indicating the dates and amount paid for serving as a juror.
- The supervisor will turn the statement over to the department head in order that the payroll department may be notified to pay the employee for jury duty.

CHAPTER NINE

9.0 LEAVE WITHOUT PAY

9.1 LEAVE FOR MEDICAL REASONS For any extended period of disability due to illness, injury or maternity exceeding the amount of accrued sick or an annual leave by ten days, the employee may apply for leave without pay status which, along with any paid leave that has been taken, shall not exceed 180 days. The written request shall not be denied for bona fide illness or disability for employees who have served satisfactorily with reinstatement privileges to the same position or one of comparable grade for which the employee is qualified. If an employee is eligible for Family and Medical Leave for the same medical reason, leave without pay and Family and Medical Leave must be taken concurrently up to the Family and Medical Leave maximum of 12 weeks.

The application for leave without pay shall be in writing and shall include a physician's certification of the condition and the period of time the employee will be incapacitated. Dates set forth by the physician shall be strictly adhered to; however, they may be amended by the physician. In cases of apparent abuse the Town may require additional documentation from the physician issuing the certificate or may secure additional medical opinions from other physicians. The amount of leave authorized shall not exceed the end of the period for which leave was requested or certified by a physician, provided that it shall not exceed: 180 calendar days of combined leave with pay and leave without pay. Otherwise, the employee shall forfeit reinstatement privileges and be separated from the Town. In extenuating circumstances, the Town Council may extend the period of leave up to a total of 365 days.

9.2 LEAVE FOR PERSONAL REASONS Leave without pay for up to ten (10) days may be approved by the supervisor. Leave without pay from (10) to ninety (90) days may be approved by the supervisor with the approval of the Town Council. Leave without pay will only be approved if that period of absence will not be granted until the employee has used all accumulated annual leave. Leave without pay for more than thirty (30) days will be deducted from length of service record.

9.3 DEDUCTION OF LEAVE TIME. All leave time without pay will deduct time from length of service.

CHAPTER TEN

10.0 ADMINISTRATIVE LEAVE

10.1 LEAVE - When it is in the best interest of the Town, the Town Council may place an employee on administrative leave for a period of time not to exceed thirty (30) days. The employee shall not be allowed to be at his/her worksite during administrative leave unless there is a specific authority from the supervisor or Town Council.

CHAPTER ELEVEN

11.0 PERSONNEL MANAGEMENT

11.1 ATTENDANCE RECORDS An attendance record shall be maintained for each employee. This record shall reflect all absences and shall be made available to the employee for inspection upon request. Copies of all leave request forms must be forwarded by department heads to the Town Hall office. An official leave record file will be maintained in Town Hall. Time sheets shall contain signed department head approval upon submittal for payment.

11.2 TRAVEL AND SUBSISTENCE ALLOWANCE When an employee of the Town is required to travel on official business, the Town will pay reasonable amounts for transportation, meals and lodging. These reasonable costs will be the current Government Standard Allowance. All travel must be authorized in advance by the Town Council. All expenses must be supported by an expense report with all receipts attached.

11.2.1 TRANSPORTATION COSTS

- The Town may purchase tickets in advance for employees traveling by common carrier
- All employees shall travel in tourist class whenever possible.
- Employees who with proper authorization use their personal vehicles for official business may be reimbursed at a rate per mile, in accordance with the rate set in Florida Statutes.
- Employees may be reimbursed for all bridge, road and parking tolls with proper documentation/receipts. Receipts for taxi fares are not required but taxi expenses must be itemized on the expense report.

11.2.2 MEAL ALLOWANCE Employees on official travel status during any of the three meal periods may be reimbursed for reasonable meal expenses. The amount paid will adhere to the Government Standard Allowance. Receipts must be presented to substantiate all meal reimbursement requests.

11.2.3 LODGING When lodging is required, employees are expected to utilize standard, medium priced hotels and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he/she may stay at the hotel or motel where the meeting is held. In all cases, the Town will pay no more than regular single room rate and adhering to the Government Standard Allowance. Receipts must be presented for all lodging.

11.2.4 ADVANCES Travel advances may be made to cover anticipated travel expenses with the approval of the Town Council. Expenditure and advance shall be accounted for within 3 working days after completion of travel.

11.3 HOURS OF WORK The established work schedule for all full time hourly employees is 40 hours per week with the exception of firefighters and police officers who work

assigned shifts. However, the department head, with the approval of the Town Council Member assigned to oversee that particular department., may establish a different work schedule which would better meet the needs of the department and/or provide proper service to the community.

11.3.1 Police Department The Police Department will set their hours of work. They have specific assigned shifts established to provide 24/7 coverage for the Town of Astatula.

11.4 PROBATION PERIOD The probationary period shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his/her position, and for rejecting any employees whose performance does not meet the required work standards. The probationary period for general employees is six (6) months, whereas the probationary period for police officers and firefighters is twelve (12) months.

During the probationary period, the department head shall report to the Town Council Member assigned to oversee the particular department his/ her observation of the employee's work and his/ her judgments to the employee's willingness and ability to perform his/her duties satisfactorily and as to his duties, habits and dependability. At any time during the probationary period, the department head, after advising the appropriate Town Council Member, may remove an employee if in his/her opinion the employee is unable or unwilling to perform the duties of the position satisfactorily or that his/her habits and dependability do not merit his/her continued employment with the Town.

Prior to the expiration of an employee's probationary period, the employees department head shall notify the appropriate Town Council Member by submitting a personnel action sheet, stating whether the service of the employee has been satisfactory and whether he/she desires to continue the employee in his/her position. Upon satisfactory completion of the probationary period, the employee will become a permanent employee of the Town.

11.4.1 PAY DURING PROBATION The normal beginning pay rate for a probationary employee will be the initial pay within the pay range established for his job classification.

11.5 PERFORMANCE EVALUATIONS The purpose of periodic evaluation of employee performance shall be to measure as objectively as possible both the quality and quantity of an employee's work and other such factors as deemed necessary to determine the manner in which this service is rendered, and to serve as a feedback to the employee concerning his or her performance strengths and weaknesses.

11.5.1 PROBATIONARY PERFORMANCE New employees are on probation as outlined in paragraph 11.4. At a minimum, performance reports indicating their progress in their job will be completed as follows:

General Employees

- At the end of the second month (60 days)
- At the end of the fourth month (120 days)
- At the end of the sixth month (180 days)

Police Officers and Firefighters

- At the end of the second month (60 days)
- At the end of the sixth month (180 days)
- At the end of the ninth month (270 days)
- At the end of the twelfth month (360 days)

11.5.2 REVIEW PROBATION PERFORMANCE Each probationary report will be signed by the employee indicating that he/she has seen the report, not that he/she agrees or disagrees with its contents.

11.5.3 ANNUAL REPORT FOR PERMANENT EMPLOYEES All employees shall have at least one annual performance evaluation completed by May of each year. Supervisors, person(s) designated by the Town Council and department heads are responsible for completing the forms on a timely basis and returning them to the individual personnel files. Annual performance evaluation reports must be signed by the employee indicating that he/she has seen the report, not that he/she agrees or disagrees with its contents. The Town Council Members are to complete annual performance evaluations for the Police Chief and the Town Clerk. Council Members assigned to oversee a particular department are required to evaluate performance of employees in that department, i.e. the Public Works Department evaluated by Town Council Member assigned to oversee the Public Works, and Code Enforcer evaluated by Town Council Member assigned to over that particular department.

11.5.4 PERFORMANCE REPORT REVIEW Any employee who receives an unsatisfactory annual report will have a special performance report completed on him/her at the end of 90 days after the date of the unsatisfactory report. At any time when an employee's performance has changed radically from that of the previous reporting period, a department head may require a special performance report. All special reports must be signed by the employee being reported on indicating that he/she has seen the report, not that he/she agrees or disagrees with its contents

11.5.5 PREPARING PERFORMANCE EVALUATION REPORTS Performance evaluation reports will normally be completed by an employee's immediate Supervisor (i.e., the rater). The performance evaluation reports will be signed by the department head, with comments if necessary. If a department head disagrees with a raters rating of any particular item, the department head may circle the number which is more appropriate and initial the change.

11.5.6 REVIEWING PERFORMANCE REPORTS The evaluator shall discuss each performance evaluation with the employee being evaluated. The department head shall furnish the employee an official copy of the employee evaluation form. The employee may record any comments he may have, including statements of disagreement with the evaluation. A permanent employee shall also be given the opportunity to appeal the rating in the manner set forth by the Town Council member assigned to oversee that particular department.

11.6 PROMOTIONS It is the policy of the Town to employ and promote the most qualified individual available for any given position. Promotion from the Town is a desirable practice in that positions can be filled with individuals who are knowledgeable about the operations of the jurisdiction and the orientation period is significantly shortened. Vacancies in positions above the lowest rank in any category within the town personnel system shall be filled by promotion of employees in the town service when possible and practical. When a vacancy is to be filled by promotion the following factors will be considered:

- Qualification for the position (i.e., knowledge, skills, and, abilities)
- Service record with the Town.
- Physical fitness (if appropriate to the position)

Upon promotion, the employee's pay rate shall be adjusted to the appropriate position. The employee's annual performance evaluation date shall be changed to the effective date of the promotion. The employee will receive performance reviews at the same intervals as a new employee. The employee may be eligible for consideration for a merit increase after six (6) months in the new position only if Town Council has approved the merit increase (dependent on budgetary funds).

If for any reason an employee cannot or does not perform satisfactorily in the new position, he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to either return him/her to their previous job, or to reassign him/her to a position for which they are better qualified. The employee's rate of pay will be adjusted to that rate of pay prior to the promotion. If no appropriate position is available, however, the employee may be laid off or dismissed.

11.7 DEMOTION Demotion occurs when an employee is placed in a position with a lower pay grade. The employee must possess the necessary qualifications to perform the required duties of the new position which he/she is demoted to. Demotions must be approved by the department head and Town Council Member assigned to that particular department. Demotions may occur in the following situations.

- When a position has been abolished or reclassified to a lower pay grade and the employee cannot be transferred to a position with a pay grade equivalent to the one already held.
- When an employee requests being transferred to a position with a lower pay grade.

- When an employee has been determined to be physically unqualified to perform the duties of the new position, based on a medical examination by a physician selected by the Town.
- When an employee's supervisor has determined that he/she is not performing the duties of the job adequately.

A demoted employee's pay rate will be adjusted to the average pay rate of other employees in the same or similar position with similar years of experience. If the employee was recently promoted, his/ her pay rate shall be adjusted to the pay rate in effect immediately prior to the promotion. A demoted employee's annual evaluation performance date will be changed to the effective date of the demotion. The employee will receive performance evaluations at the same intervals as a new employee. The employee may be eligible for consideration for a merit increase after six (6) months in the new position.

11.8 UNSATISFACTORY PERFORMANCE If for any reason an employee cannot or does not perform satisfactorily in the new position, he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to either assign him/her to a position for which he is better qualified. If no appropriate position is available, however, the employee may be laid off or dismissed.

CHAPTER TWELVE

12.0 STATUS CLASSIFICATION

12.1 STATUS CHANGES It is the Town's policy to place employees on a job which their interests and those of the Town are best served. Every reasonable effort to place employees on a job of their preference is made if there is an opening and they have the necessary qualifications. Whenever possible, an employee's wishes shall be respected.

12.1 TRANSFERS A transfer is when an employee moves from one position to another in the same pay grade. The employee's pay rate will not change. The employee's annual performance evaluation date shall be changed to the effective date of the transfer. The employee will receive performance reviews at the same intervals as a new employee. The employee will be eligible for consideration for a merit increase after six (6) months in the new position. If for any reason an employee cannot or does not perform satisfactorily in the new position, he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to either return him/her to a position for which they are better qualified. If no appropriate position is available, however, the employee may be laid off or dismissed.

12.2 POSITION RECLASSIFICATIONS A position reclassification is a change in an employee's position classification due to an increase or decrease in assigned duties and responsibilities of the position or to correct inequities created by the reclassification of other positions. If the reclassification is a higher pay grade, the employee's rate of pay shall be adjusted. If the reclassification is to a lower pay grade, the employee's rate of pay shall be adjusted to the rate of pay of other employees in the same or similar positions with similar years of experience. The employee's annual performance evaluation date shall be changed to the effective date of the reclassification. The employee will receive performance reviews at the same intervals as a new employee. The employee will also be eligible for consideration for a merit increase after six (6) months in the new position (if budget allows). If for any reason an employee cannot or does not perform satisfactorily in the new position he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to reassign him/her to a position for which they are better qualified. If no appropriate position is available, however, the employee may be laid off or dismissed.

12.3 TERMINATION OF EMPLOYMENT

12.3.1 VOLUNTARY RESIGNATION Employees are expected to provide at least two (2) weeks written notice of resignation to their department head or the Town Council Member assigned to oversee that particular department. Employees who do not give the required notice will not be eligible for re-hire except as approved by the Town Council. Once a resignation is submitted, the Town has no obligation to allow withdrawal of the resignation, but may consider a request to rescind the resignation depending on the circumstances.

12.3.1.1 TWO WEEKS WRITTEN RESIGNATION No vacation or leave time of any manner may be taken in the last two weeks of employment.

12.3.2 TERMINATION FOR MISCONDUCT A misconduct is considered to be a willful violation of a Town policy, rule, or working instruction. It also includes acts of gross negligence or willful acts that are not in the best interest of the Town. Typically, the Town will attempt to provide warning or reprimand in an attempt to avoid further misconduct, but does not guarantee a specific sequence of warnings and may dismiss for misconduct upon a first serious offense. Permanent employees shall be provided notice of the department heads intention to terminate and reasons for such action. The employee will be immediately placed on administrative leave and will be given the opportunity to respond to the department heads concern within five (5) working days of receipt of the intent to terminate letter. Upon consideration of the employee's responses, the department head shall make his/her decision regarding the termination issue.

12.3.3 TERMINATION FOR POOR PERFORMANCE An employee who does not meet performance standards in his/her job or who no longer is able to perform the job for

any reason including, for example, loss of license, may be dismissed. Prior to dismissal for poor performance, the Town will typically attempt to assist the employee in improvement of performance or attempt to place the employee in a position in which he/she can perform, but does not guarantee that the employee will be retained.

12.3.4 REDUCTION IN The Town Council will, because of lack of funds, be required to reduce the working force in a department or division. If a reduction in force is required, the Town will select the department in which the reduction will come from, and the Head of that department will select the employees affected in an equitable and non-discriminatory manner in accordance with the criteria detailed below. Affected employees shall be giving two weeks notice prior to dismissal.

12.3.4.1 LAYOFF of an EMPLOYEE Within the affected work group, an employees will be laid off on the basis of

- 1) Length of service within the Town. If length of service is equal, selection for layoff will be based on the employee's average performance rating for the last three years of service or the entire service period, whichever is shorter?
- 2) Length of service in the affected position.

If an employee is scheduled to be laid off, the employee shall be offered another position for which he/she qualifies if a suitable vacancy exists. However, bumping is not allowed. (Discharging or demoting an employee to make room for the employee to be laid off.)

12.3.4.2 OTHER EMPLOYEES LAYOFF Within the affected work group, temporary, emergency, and provisional employees, followed by probationary employees will be terminated without recall rights prior to the layoff of personnel...

12.3.4.3 ESSENTIAL EMPLOYEES If certain individuals are deemed by a department head to be essential to the efficient operation of the department or the organizational unit because of special skills or abilities, the department head may request an exception to the layoff order. The request must be in writing and must set forth in detail the specific skills and abilities possessed by the individual and the reasons why the individual is essential to the effective operation of the department or organizational unit. The Town Council has the sole authority to approve or reject the request, and must further approve and confirm the names of all employees scheduled for layoff prior to the layoffs occurring. Employees shall be notified in writing by the department head of their layoff at least fourteen (14) calendar days prior to the effective date of the layoff.

12.4 RECALL FROM LAYOFF Employees who are laid off will have recall rights for up to six months, and will be recalled in the reverse order of layoff. An employee who is not recalled within six months of layoff will be considered terminated and will be eligible for re-hire as position vacancies occur. An employee who declines recall will be considered to have voluntarily resigned as of the date he/she declined.

- 12.5 APPEAL OF INVOLUNTARY TERMINATION** Employees may appeal the termination decision of a department head to the Town Council, in accordance with the Appeals Section of this policy. However, probationary employees and temporary employees may not participate in the appeals process.
- 12.6 ELIGIBILITY FOR RE-EMPLOYMENT** An employee whose employment ends for any reason other than misconduct may re-apply for employment and be considered for vacancies for which he/she qualifies. While the past service for the Town can be considered favorable experience, prior service does not grant any right of re-employment or preferential consideration. Re-hire of any employee terminated for misconduct must be approved in writing by the Town Council.
- 12.7 DEATH** All compensation due to the employee as of the date of death shall be paid to the beneficiary, surviving spouse, or to the estate of the employee as determined by law or by executed forms in the employee's personnel folder.
- 12.8 DISABILITY** If there is a question of employee disability, a department head, with the approval of the Town Council Member assigned to that particular department, may direct any employee under his/her jurisdiction to be examined by a physician designated by the Town. When a disability of any kind is discovered which impairs the effectiveness of an employee or makes his/her continuance on the job a danger to himself/herself or others, the following action shall be taken
- 12.8.1 Correctable Disabilities** If the disability is correctable, the employee shall be allowed a specified time as determined by the Town Council to have it corrected. Such time may be charged to sick or annual leave or, if no leave has been accrued, to leave without pay. If the employee fails to take steps to have the disability corrected within the specified time, he/she shall be subject to disciplinary action or layoff.
- 12.8.2. Permanent Disabilities** If, in the opinion of the examining physician, the disability cannot be corrected, the Town shall provide reasonable accommodation, to the extent provided by the Americans with Disability Act, in order that the employee can perform the essential functions of the job. Reasonable accommodation may include, but is not limited to, modified work schedules, job restructuring, facility and equipment modification, job reassignment, etc.

CHAPTER THIRTEEN

13.0 ANNUAL PHYSICAL EXAMINATIONS

- 13.1 EXAM SCHEDULE** All police officers/firefighters will be required to have an annual physical examination by December 31st of each year. The physical must be administered and funded by the Town of Astatula with the employee's local (Lake County) physician of choice. Employees will be permitted leave with pay to take the annual physical examination. Volunteer firefighters shall be paid at a rate of a fire drill. Refusal to take an annual physical examination shall be grounds for termination

- 13.2 EXAM RESULTS.** The specific results of the annual physical examination will not be made available to the Town unless some condition is diagnosed that may affect performance in the employee's work assignment. However, in the case of firefighters, the physical examination provider must certify to the Town that the firefighter is medically qualified to perform all functions of a firefighter, in accordance with the guidelines as set forth by the Florida State Fire Marshal Bureau of Fire Standards and Training and NFPA 1582. In the case of police officers, the physical examination provider must inform the Town of medical conditions that could affect the individual performing as a police officer.

CHAPTER FOURTEEN

14.0 EMPLOYEE DISCIPLINARY AND GRIEVANCE PROCEDURES

It shall be the duty of all employees to comply with and to assist in carrying into effect the provisions of the personnel rules and regulations. Employees should be made aware of the seriousness of regulation violations that may result in disciplinary action. Disciplinary actions become a permanent written record and are placed in the employee's personnel file. Such details may be considered during review when an increase in pay or advancement is being addressed.

- 14.1 RESPONSIBILITIES OF ALL EMPLOYEES** It is the duty of every employee to attempt to correct any faults in performance when called to the employee's attention and to make every effort to avoid conflict with the rules and regulations.
- 14.2 RESPONSIBILITIES OF SUPERVISORS** It is the duty of every supervisor to discuss improper or inadequate performance with the employee in order to correct deficiencies and to avoid the need to exercise disciplinary action. Discipline shall be, whenever needed, of an increasingly serious nature, in the following order of severity corresponding to the offense.
- 14.3 DISCIPLINARY ACTIONS** The following disciplinary actions affecting employees in town service define the scope of such action. A department head, subject to the appellate rights of the permanent employee as stated herein, shall have the following alternatives for disciplinary action:
- 14.3.1 REPRIMANDS** Unless the incident, action or behavior of the employee is such as to initially warrant a more severe type of disciplinary action, a written reprimand shall usually be issued for first offenses. Depending upon the circumstances or seriousness of the offense, one additional written reprimand may be given for repetition of the same type of offense. Written reprimands should state the necessary corrective action and a warning that repeated offenses may lead to sterner measures. A copy should be filed in the employee's personal records. Serious reprimands may be grounds for immediate dismissal.

14.3.2 SUSPENSION A department head, with the Town Council Member's (assigned to oversee that particular department) approval, may suspend without pay any employee under the department head's supervision for such length of time as is considered appropriate, but not to exceed thirty (30) days in any twelve (12) month period. A written statement specifically setting forth reasons for and the length of time of such suspension shall be forwarded to the affected employee. Notice of the charge or charges against the employee shall be specific and include the date, time, place and nature of the violation or misconduct charged in sufficient detail to provide the employee an opportunity to prepare a defense. Such notice shall be signed by the department head and the mayor.

The written statement shall be submitted to the employee within five (5) working days of the time the suspension becomes effective. Upon proper hearing, the Town Council may require the Town to pay the employee who has been suspended or dismissed for the number of days in excess of five (5) by which the effective date of the suspension or dismissal preceded the notice. Otherwise, variance from this rule shall not affect the validity of the action.

When court action, an investigation, or a trial of any charges is pending against an employee and he/she is suspended, such suspension without pay may be extended by the department head until final court action is taken or disposition of the charges has been made.

14.3.3 DEMOTION OR TRANSFER The procedure involved for calling for suspension is also used for demotion except the end result is demotion in grade. This may be initiated by a department head with a maximum demotion of one grade. If the demotion is for more than one grade, the action shall be approved by the Town Council Member assigned to oversee that particular department before becoming effective. Demotion may be implemented by transfer to another position (of lower grade) if any openings exist.

14.3.4 DISMISSAL A department head may recommend dismissal of an employee after following all necessary procedures. It will be the Town Council's responsibility to review the disciplinary action and procedures and take the action he/she deems necessary. The Town Council will follow all guidelines and procedures set forth by this personnel policy, ordinances, resolutions and State and Federal law. (See Chapter 1, 1.30)

14.4 NOTICE OF DISCIPLINARY ACTION Notice of disciplinary action against an employee shall be made by delivering a copy of such notice to the employee in person or by legal service of process, or, if the employee is absent without leave from his employment by mailing a copy of such notice by certified mail to the last known address of the employee as reflected on the records of the Town.

14.5 CODE OF CONDUCT

The following list consists of examples of actions that will result in disciplinary action, and/or termination.

GROUP 1 OFFENSE These offences can be documented verbally and retraining offered. Disciplinary action includes instructions and cautioning. Repeat offenses, or additional offences must be documented in writing resulting in one day suspension without pay, or five days suspension without pay or discharge/termination.

- a) Productivity or workmanship not up to required standards of performance.
- b) Mistake due to carelessness
- c) Operating, using, or possessing tools, equipment or machines to which the employee has not been assigned.
- d) Tardiness: three (3) times in thirty (30) day period.
- e) Excessive absenteeism: three (3) separate times in a thirty (30) day period
- f) Absent without permission or leave
- g) Failure to work overtime, special hours, or special shifts when scheduled in advance.
- h) Quitting work, wasting time, or loitering.
- i) Where the operations are continuous, an employee shall not leave his/her post at the end of his/hers scheduled shift unit that person is relieved by their supervisor or a relieving employee on the oncoming shift.
- j) Taking more than specified time for meals or rest periods
- k) Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, catcalls, demonstrations on the job or similar types of disorderly conduct.
- l) Violating a safety rule or safety practice.
- m) Using town vehicle to transport family members or unauthorized persons not on official town business.
- n) Creating or contributing to unsafe or unsanitary conditions or poor housekeeping.
- o) Failure to report an accident or personal injury in which the employee was involved while on the job.
- p) Failure to keep the department notified of proper address and telephone number
- q) Having been the cause of an accident resulting in personal injury or injury to others.

GROUP 11 OFFENSES These offenses will be written documentation. The disciplinary action is more severe. Time will be given off without pay. Any repeat in this category will result in discharge/termination.

- a) **DISCOURTESY TO PERSONS WITH WHOM THE EMPLOYEE COMES IN CONTACT WHILE IN THE PERFORMANCE OF DUTIES**
- b) Sleeping during working hours.
- c) Reporting for work or working while unfit for duty-either physically or mentally.
- d) Mistakes due to carelessness, which affect the safety of personnel, equipment, tools, or property.
- e) Mistakes due to carelessness, which cause material, parts, or equipment to be damaged or scrapped.
- f) Threatening, intimidating, coercing, or interfering with fellow employees, supervisors or the public,
- g) Operating a Town owned or other vehicle used in the service of the Town in wanton disregard for the safety of others.

- h) Using or possessing another employee's tools or equipment without the employee's consent.
- i) Gambling or engaging in a game of chance such as a lottery at Town work stations at any time
- j) Posting or removing any matter on bulletin boards or Town property at any time, unless authorized.
- k) Distributing written or printed matter of any description on town premises, unless authorized.
- l) Leaving the job during regular working hours without prior authorization.
- m) Vending, soliciting, or collecting contributions for any purpose whatsoever at any time on Town property, unless authorized.
- n) Failure to report a request for information or receipt of a subpoena from a law firm or an attorney, pertaining to Town equipment or functions.
- o) Political activity while on duty

GROUP 111 OFFENSES This is grounds for immediate dismissal/termination.

- a) Incompetence in the performances of assigned duties in an employee's position.
- b) Insubordination in the refusal to perform work assigned or to comply with written or verbal instructions of the supervisor/Mayor and/or Council Members.
- c) Deliberately misusing, destroying or damaging any Town property or property of an employee
- d) Theft or removal from Town locations without proper authorizations or any Town property or property of an employee
- e) Unauthorized possession of firearms, explosives or weapons
- f) Intoxication or possession or alcoholic beverages on Town premises or on Town time, or being under the influence of alcohol while on duty.
- g) Drug addiction or unauthorized use of drugs, this includes possession and or use of controlled medications while on duty.
- h) Smoking in prohibited area
- i) Intentional waste of material
- j) Engaging during non-duty hours in activity or enterprise that is illegal or immoral
- k) Provoking or instigating a fight, or fighting at any time on Town property, or during working hours.
- l) Conviction or guilt of a felony, a misdemeanor of the first degree as defined by Florida Statutes, or conviction of any crime involving moral turpitude, while either on or off duty.
- m) Knowingly altering the attendance record of another employee, knowingly allowing one's own attendance record to be altered, or altering one's own attendance record.
- n) Being absent from duty for a period of three (3) consecutive work days without proper authorization, including failure to call in for three (3) consecutive working days, which shall be considered a voluntary resignation
- o) Failure to return from an authorized leave of absence
- p) Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits, or Workers Compensation.
- q) Use or attempted use of political influence or bribery to secure an advantage of any manner.

- r) Misappropriation of Town funds or Town property for personal use or illegally disposing of Town property. Falsifying personnel or Town records, including employment applications, accident records, work records, purchase orders, or any other report, record, or application.
- s) Refusal to testify before a Grand Jury, or any other legally constituted investigating committee, involving the Town or employee's duties.
- t) Refusal to cooperate fully in any administrative and non-criminal investigation, involving the Town or the employee's duties.
- u) Failure to report medical conditions, which may hamper the employee's performance of duties.
- v) Having been refused surety bond, when the employee applies for one, as a requirement for the job
- w) Failing to qualify on an examination required for job classification.
- x) Refusal to take or failure to pass, an employment physical required for all employees.
- y) Participation in a strike against the Town as established in the Florida Statutes. Concerted curtailment or restriction of production or interference with work in or about the Town's work stations including, but not limited to, instigating, leading, or participating in any walk-outs,, sit-downs, stand-in, low-down, refusal to return to work at the scheduled time for the scheduled shift.
- z) Having a driver's license suspended or revoked in the performance of one's duties when the employee's position requires operation of a Town motor vehicle, or being removed from the fleet insurance carrier as an operation when the employee's position requires operation of a Town/County motor vehicle.
- aa) Failure to receive or continue treatment for alcoholism or drug dependence after being reported to obtain this treatment by employee's supervisor.
- bb) Physical or verbal mistreatment of the public.
- cc) Insubordination.
- dd) Willful destruction or Town buildings, equipment, records, signs, or other property.
- ee) Engaging in personal work on Town time.
- ff) Political activity while on duty

It shall be the duty of each employee to maintain high standards of conduct, cooperation, efficiency and economy in their work for the Town. Whenever work habits, attitude, production or personal conduct of any employee falls below a desirable standard, supervisors should point out the deficiencies at the time they are observed. Corrections and suggestions should be presented in a constructive and helpful manner in an effort to elicit the cooperation and goodwill of the employee.

14.6 GRIEVANCE PROCEDURE

It is the policy of the Town that all employees shall be treated fairly and consistently in all matters related to their employment. When an employee feels that he/she has not been so treated, he/she shall have the right to present a grievance or appeal free from interference, restraint, coercion, discrimination or reprisal. The employee shall be entitled to such time off from his regular duties as may be necessary and reasonable for the presentation and processing of a grievance or appeal without loss of pay, vacation or other credits.

14.6.1 SCOPE OF GRIEVANCE PROCEDURE

Grievances may include, but are not necessarily limited to; reprimand, dismissal, suspension, involuntary transfer, promotion and demotion. Regular compensation shall not be deemed a proper subject for consideration under the grievance procedure.

14.6.2 APPEALS PROCEDURE

The employee may request a hearing to appeal the decision of the department head to the Town Council within five days from the date of written notification. The request must be in writing. The employee may have the hearing before the Town Council Member assigned to oversee that particular department in the presence of the department head or any other person(s) the Town Council Member may select. When the employee appeals to the Town Council, the Town Council will grant a hearing to the employee within a reasonable time and render a decision. The decision of the Town Council may confirm, reverse, or modify the decision of the department head.

14.6.2.1 Police Department Appeals The Police Department appeals procedure shall adhere to Law Enforcement Bill of Rights Statute 112.532

APPROVED AND ADOPTED BY THE TOWN COUNCIL, TOWN OF ASTATULA

ON March 8, 2010

_____ **Mayor Hillard Shepard**

_____ **Mary K.Cooper, Town Clerk**

_____ **Beth Ann Gause, Town Attorney**

Employee Acknowledgement Form

The employee handbook describes important information about The Town of Astatula and I understand that I should consult the Town Council regarding any questions not answered in the handbook. I have entered into my employment relationship with the Town of Astatula voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the Town of Astatula can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the Town of Astatula policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Town Council has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed):

EMPLOYEE'S SIGNATURE:

DATE: _____

Copy to be maintained in Employees Personnel File

LEAVE REQUEST FORM

Name _____ **Date of Request** _____

Date(s) requested off

Beginning Date _____

Return to Work Date _____

Alternative Beginning Date _____

Alternative Return to Work Date _____

Reason for leave; Family Medical Leave, personal, vacation, appointment, school function, et. cetera (May require a physicians statement).

Total hours of leave time requested _____

(not to exceed 40 hours per week)

Approved by: _____

Title: _____

WRITTEN REPRIMAND

TOWN OF ASTATULA

MEMORANDUM

To: _____ From: _____

Title: _____ Title: _____

SUBJECT: Written Reprimand

List conduct standard (s) violated:

Describe the incident:

Suspension recommended per policy ____yes____no

State corrective behavior and consequences of continued behavior: Continue of separate sheet if necessary.

Employee's

Signature: _____ Date _____

Cc: Personnel file

Out of City Limits Travel Written Log

Date and time leaving city limits	Destination, include all stops	Purpose of trip	Passenger(s)	Date and time returning to city limits

Submitted by: _____ (Signature)

Vehicles used (Chief's squad car, town truck #1, town truck #2, mower, and tractor) or indicate by use of license number on vehicle or type of vehicle.

Copy to be included in reports to Town Council on a Monthly basis

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Article I. Department Purposes and Mission

The mission of this department is to serve and protect persons and property and the Constitutional Rights of all persons who live within the Town of Astatula, Lake County, Florida.

The responsibilities associated with this mission are many. They include enforcement of county ordinances, federal and state law, maintaining the peace and order for the city and generally assisting citizens in urgent situations.

In joining this department, officers make its responsibilities their own. They are expected to carry out these responsibilities diligently and courteously, and to take pride in the services they provide.

It is the primary objective of this department's role to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority and the Constitutional Rights of all persons.

It is not the role of the department to legislate, to render legal judgment, or to punish.

Article II. Department Authority and Jurisdiction

The Astatula Police Department is established by the act of the Town Council for the purpose of enforcing the peace and safety of the citizens of Astatula.

Officers are responsible for law enforcement, public safety, and other assigned duties within the jurisdiction of Astatula.

The authority of all officers derives from their commission issued by the Chief of Police in accordance with City Charter Section 16.

Article III. Department Organization of Command Structure

This department consists of three divisions: 1. Operations, 2. Investigations, 3. Administration.

The operation division carries the burden of the department's workload. It consists of officers assigned to patrol units and who are responsible for responding to calls and conducting preliminary investigations.

The investigations division handles follow-up and long term investigations.

The Administrative division provides services including records system, property, and evidence processing, and dispatch. Dispatch can also be activated by notifying Lake County Sheriff Department.

Chief of Police is appointed by Town Council in accordance with provisions of the City Charter Section 16. The Chief of Police is the chief executive of the department and exercises command over all police personnel. Officers are appointed by the Chief of Police. Officers will carry out such duties as indicated by their job description as directed by this manual and as ordered by higher ranking personnel.

Article IV. Personnel Matters

Employees Residence-The location of an officer's residence must be such that upon being called back to duty in emergency situations, the officer can report to the station, ready for duty, within sixty minutes of being contacted.

Telephone Requirements-No member of the department will be without a telephone in the member's residence. Every member's phone number is on file with the department.

Physical Fitness-Officers are required to maintain a level of physical fitness which will allow them to perform their duties effectively. If a question arises as to an officer's ability to perform regular duties due to an apparent low level of fitness, that officer may be required to submit to a physician's examination and if possible bring the fitness level to an acceptable standard. An employee may be directed to be examined by a qualified physician if it appears that an employee's health interferes with the performance of assigned duties.

Reporting for Duty- Officers shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and aware of information required for proper performance of duties for their shift. If, due to illness or other circumstances, an officer cannot report for duty at the assigned time, that officer will contact the supervisor or the shift commander before the start of the shift. The officer will indicate the estimated time of arrival for duty and briefly state the reason for being late. The same procedure will apply when the officer must be unexpectedly absent from duty due to illness or emergency.

Working Full Shift-Employees are expected to remain on duty during their entire work shift unless excused by their supervisor or higher ranking personnel. During this time, employees will carry out their sworn and assigned duties to the best of their ability. If, for any reason, an employee must leave duty before the end of shift due to illness or other circumstances, the employee must inform a supervisor before leaving. Leaving early without authorizations will be grounds for disciplinary action.

Meal Periods/Coffee Breaks-Officers will be permitted one half hour break per meal and two 15 minutes rest breaks in the course of their shift. 15 minute rest breaks are not automatic and cannot be added on to meal breaks. These breaks should be taken only after contacting the dispatcher. Officers will be required to be available for immediate call any time during their tour of duty, including the lunch and/or dinner breaks.

Absenteeism-Employees are expected to report for duty on their assigned shifts except when illness or emergency situations prevent them from doing so. Any employee who fails to report and does not have a bona fide excuse will be subject to disciplinary action.

Sick Leave-Any officer who is unable to report for duty because of illness or injury must notify their immediate supervisor of their absence at least two hours prior to their scheduled duty time. Any officer who is absent from duty in excess of three working days must provide a physician's written statement concerning ability to return to work. Abuse of sick leave benefits by reporting off ill or injured when not ill or injured will be grounds for disciplinary action.

Overtime-When an officer is called back to work outside of regular scheduled hours to handle emergency situations which could not be anticipated shall receive two hours

pay. In addition the actual time worked will be compensated at time and one half. Members of the department should be prepared to respond immediately if they are called back to duty.

Vacations-Annual leave is earned at the rate of eight hours per month. Annual leave is not available to the employee until he has completed six consecutive months of employment which amounts to 182 days past hire date. At that point, it is the responsibility of the employee to apply for annual leave utilizing the annual leave request. Annual leave choices will be assigned based on date of request submitted and by order of seniority in the event several applicants requests same leave time.

Article V. Uniforms and Equipment

1. Uniforms

- 1.1. All shoulder patches will be worn centered on the outer shoulder and one half inch down from the top of the sleeve.
- 1.2. Name plate will be centered over and one quarter inch above the right pocket.
- 1.3. Officers will wear plain toe shoes or boots, black in color with no ornate stitching or extreme heel or toe styles. Boots will be no more than 12 inches in height.
- 1.4. A gun belt of black basket-stamped leather will be worn with the buckle centered in the front of the body. Gun belt keepers will be worn as necessary to keep the gun belt from sagging down or slipping.
- 1.5. Holsters will be of the approved type and will be mounted on the belt so that the butt of the weapon is place to the rear. Holsters will be worn on the strong-hand side with the strap securely fastened to secure the weapon in the holster.
- 1.6. Officers are required to carry an accurate watch while on duty. Officers will be required to supply the watch themselves.

2. Equipment

- 2.1 Officers should utilize department equipment only for its intended purpose in accordance with established departmental procedures and shall not abuse, damage, or lose department equipment.
- 2.2 Officers will be responsible for proper care and handling of department equipment and property.
- 2.3 Officers shall immediately report any damage to the departmental property assigned to them. In addition, officers will notify the commanding officer of any inoperative, defective, or hazardous conditions found in any department property or equipment.
- 2.4 Losing, damaging, or wasting department or equipment through negligence, carelessness, or improper use will be grounds for disciplinary action. The employee responsible for such loss, damage, or waste will be charged for the property in question
- 2.5 Upon termination of employment, all departments owned property will be returned.

3. Vehicle Operation

- 3.1 All personnel will operate their vehicles with due regard for safety. Even when responding to emergency situations or when in pursuit of another vehicle, personnel will be mindful of road conditions, surrounding traffic, and other hazards.

3.2 All officers will at the end of every shift remove from their patrol units, and all waste, non essential materials, things to be discarded, i.e. paper, cups, glasses, food, plates, candy wrappers, food containers, straws, bent and chewed paperclips, non uniform clothing, building material, found property, evidence, contraband. Things that are not issued, needed, useable for law enforcement, necessary to job performance will be removed. Things that are not condense to our line of work, i.e. televising sets, games, things of entertainment, puzzles, toys, unauthorized items of any type will not be allowed in the department's patrol units.

3.3 All officers will come to work rested and mentally and physically fit for duty. Officers will be dressed in their uniforms in a clean, pressed and presentable fashion. Shoes will be clean, shined, and presentable. Hair will be trimmed and face shaved in accordance with departmental policy.

3.4 Patrol vehicles are to be washed on the first day of your shift at the start of your shift. If working a two day shift, upon your return to work, your vehicle will be washed as stated above, if working a three day shift, patrol vehicles will be washed the first day and the last day of the three day shift at the start of the shift.

3.5 Nightshift will vacuum and make the patrol room presentable to the public on the last night of assigned shifts.

3.6 Dayshift will keep the patrol room in neat orderly condition.

3.7 Officers will not transport persons in patrol cars unless such transport is in connection with official department business

3.8 Off duty use of patrol cars will be done in full accordance with all city, county, state, and federal laws and/or ordinances.

3.9 All department rules and regulations concerning officer conduct and standard operation of departmental vehicles are to be adhered to at all times.

3.10 Patrol vehicles may be used for approved purposes, i.e. Law Enforcement operations, transportation for police activities, attending classes.

3.11 Off duty use of patrol vehicles is discouraged. When using patrol vehicles while off duty officers are to be equipped with an approved handgun, Law Enforcement identification and shield are to worn and used in a professional manner. Officers using patrol vehicles while conduction police operation will wear their issued gun belt and its equipment, with their department shield attached to the front of the gun belt. Exceptions may be made only with the Chief of Police approval. Officers are to be appropriately dressed and equipped. Officers to wear long pants, black police shirt, or clothing provided by the police department and portray a professional appearance and attitude while using patrol vehicles.

4. Use of vehicle

4.1 Officers are prohibited from leaving city jurisdiction in police vehicles unless on official police business, with the approval of their immediate supervisor, in pursuit situations, or in responding in an authorized manner to emergency situations.

Any Officers residing within the town limits may take town issued vehicles to their residence when off duty, if the Officer resides outside the town limits the officer may only take the vehicle to his residence if scheduled to attend court on their day(s) off duty. The required written log should indicate time, distance traveled when the vehicle is taken to the officers residence. The logs should be

presented to the Town Council Member assigned or oversee the Police Department on a monthly basis. The guidelines in Section One should be followed for use of town vehicles. (See Section One, 2.10.3 and 2.10.4)

4.2 Except when in immediate pursuit, traffic control devices such as boulevard stop signs should be observed and due care should be used at all times regardless of the assignment.

4.3 The first car ordered to the scene of an accident or emergency will be the only car to run under emergency conditions (siren and blue lights). If, in the opinion of the first officer to arrive, more help is needed, he will request aide and also state if it is of an emergency nature.

4.4 Pursuit policy of this department at high speeds is justified only when the officer knows or has reasonable grounds to believe the violator has committed or attempted to commit a serious felony. A serious felony is one that involves an actual or threatened attack when the officer has reasonable cause to believe could result or has resulted in death or serious bodily injury.

4.5 Department vehicles will not be used to push or tow other vehicles except in an emergency situation.

5. Conduct

5.1 Within the city, employees of the department, based on their individual assignment shall, at all times take appropriate action to protect and preserve life and property, preserve and enhance the peace and safety of the community, enforce all municipal ordinances and federal and state laws within jurisdiction. All employees shall perform their duties as required or directed by law.

5.2 Officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their position. They shall know local, state, and federal laws a they apply to their duties and enforce those laws. Improper enforcement of the laws due to incompetence will lead to disciplinary procedures.

5.3 Courtesy and civility towards the public are demanded of all officers of the department, and any conduct to the contrary will not be tolerated. Officers in their conduct shall be quiet, civil, and orderly, and at all times be attentive and zealous in the discharge of their duties.

5.4 Officers will refrain from making wisecracks and sharp retorts when dealing with the public. Officers will not make disparaging remarks about persons who are handicapped, nor voice prejudices concerning race, ethnic, origin, or religion.

5.5 Commissioned officers off duty shall perform necessary police services in the Town of Astatula whenever public safety will so require.

5.6 Because off duty officers may need to take official action when a crime or hazardous situation comes to their attention. All officers are required to carry official department identification at all times.

5.7 It recommended that off duty officers be armed within the limits of the Town of Astatula. The weapon and ammunition carried off duty will be approved by department head or Chief of Police.

5.8 Officers will not exercise their official authority in disputes to which they are a parry except in case where there is an immediate danger to themselves or others.

Article VI. Personal Appearance and Code of Conduct

All officers shall main maintain their uniforms and uniform accessories in good condition, keeping them clean and in good repair at all times.

1. Hair Styles

- 1.1. Officers will keep their hair neat, clean, trimmed and will present a well groomed appearance.
- 1.2. The hair of an officer may be either tapered or block cut. The back may extend to the shirt collar.
- 1.3. Sideburns may extend to the base of the ear and will be trimmed horizontally. No extreme hairstyles within these guidelines will be permitted.

2. Moustache

- 2.1. If worm, mustaches will be kept neatly trimmed. The moustache may extend one quarter inch beyond but not below the corners of the mouth. The remainder of the face is to be clean shaven.

Poor grooming habits or improper wearing of uniform or its accessories will be grounds for disciplinary action.

Officers shall promptly obey any lawful order of a superior officer. Any officer who refuses to obey a lawful order will be considered insubordinate,

Officers of the department are forbidden to malingering or shirk their responsibilities while on duty. This is considered a serious dereliction of duty and an officer or employee of the department found guilty of such misconduct will be subject to charges of neglect of duty

Officers will appear in court when subpoenaed to testify. Failure to appear will result in disciplinary action. Should an officer know of circumstances that would not permit him to appear, he must inform the supervisor immediately.

Officers shall submit all necessary reports on time and in accordance with department procedure. Reports submitted late or not submitted will considered neglect of duty. All reports filed will be accurate and complete.

Officers shall not under any circumstances solicit or accept any gift, gratuity, loan, or fee where there is any direct or indirect connection between solicitation and their official position.

Officers will not verbally or otherwise abuse their fellow officer or the public

Officers will not use coarse, insolent, or profane language toward any member of the department or public.

Any officer found to be engaging in criminal conduct will be subject to arrest and persecution as well as disciplinary action up to and including dismissal/termination.

Officers will not consume alcohol while on duty or be under the influence of alcohol on duty.

Sleeping on duty is prohibited; the officer shall remain awake while on duty. If unable to remain awake, they shall report to their superior officer.

Article VII. Use of Force, Restraints

In making an arrest, the officer should use only such force as is reasonable necessary to secure and detain the offender. What may be reasonable force under one set of circumstances may be unreasonable force under a different, though similar, set of circumstances. Where the arrest is for a felony, the officer may use such force as is necessary to affect the arrest. When the arrest is for a misdemeanor, the seriousness of the crime does not justify endangering the accused's life in affecting the arrest.

1. Use of restraints

- 1.1. Handcuffing procedure. Suspects should be handcuffed before being searched to provide greater safety to the officer.
- 1.2. Handcuffing regulations. Except under exceptional circumstances, do not handcuff a prisoner to a fixed object.
- 1.3. Always handcuff a prisoner with his hands behind him
- 1.4. Never handcuff yourself to a prisoner
- 1.5. Do not use handcuffs as a come along

2. Use of baton

- 2.1. The baton should be carried in the belt rings, and should not be unnecessarily brandished.
- 2.2. Baton regulations required proper use. Except in circumstances where an officer's life or life of another person is threatened, the officer will not hit a subject in the head or the groin.

3. Firearms, Use of

- 3.1. An officer may use his service weapon in defense of himself from death or serious injury.
- 3.2. In defense of another person, unlawfully attacked, from death or serious injury.
- 3.3. To kill a dangerous animal or to kill an animal seriously injured when it is not practical to secure the services of an animal control officer.
- 3.4. Loaded shotguns will not be brought into any department building or facility except in emergency situations. Shotguns will not be carried in the vehicle with a round in the chamber. Shotguns will always be carried with the safety catch in the on position.
- 3.5. Shotguns are to be used in accordance with the same conditions pertaining to the use of the service weapon
- 3.6. Whenever a firearm is discharged either by accident or purposeful discharge by an officer, the officer will immediately notify a supervisor of the incident. The Officer will then file a detailed report of the incident no later than the end of the shift in which the incident occurred.

4. Verbal Command

- 4.1. A verbal command used by an officer who is affecting an arrest should be made in a clear and sufficiently audible voice.
- 4.2. Profanity is not permitted.

5. Physical Control

- 5.1. Physical control during an arrest should be sufficient to achieve the arrest, but not exceed any physical control beyond that point.
- 5.2. Physical control should be accomplished in a manner that is safe for the officer and the subject being arrested.
- 5.3. In the event that a subject being arrested resists, the next step in the use of force should be application of a departmental chemical agent.

6. Chemical Agent

- 6.1. The deployment of departmental chemical agent to a subject being arrested should be done only after verbal commands and an attempted physical arrest have been applied without success, or if the subject's physical threat is too great to achieve arrest without injury to the arresting officer.
- 6.2. All officers' application of chemical agent will be done as instructed during chemical agent certification. Chemical agents are not authorized by uncertified employees/officers.
- 6.3. Chemical agents should not be used on arrested subjects who have been restrained by handcuffs, or who have been placed in a patrol unit, except in extremely combative circumstances.
- 6.4. After the use of chemical agent on an arrested subject, the arresting officer should attempt to remove the chemical agent after the arrested subject had been safely restrained. If the subject requests to be treated by emergency medical technicians, the subject should be afforded this opportunity.

In summation of verbal, chemical, baton, firearm force, the officer in order to affect an arrest, should attempt this arrest by first using a verbal command. If the suspect or a person to be arrested refuses to comply with an officer's lawful command and resists a physical attempt by an officer, the arresting officer should apply the use of Departmental issued chemical agent. If after the deployment of verbal command and chemical agent, the subject to be arrested continues to be combative and poses a threat, the arresting officer at this time should escalate his use of force by deploying his Department approved baton.

If at any point during an arrest attempt a threat of death or life-threatening injury to the officer or a citizen occurs, an officer should exhaust every reasonable means and attempt to apprehend the subject to be arrested before the deployment of his firearm; however, when in the commission of his lawful duties an officer's life or the life of innocent persons is in imminent danger, the officer should deploy his firearm in order to prevent his or an innocent person's death.

7. Tasers

- 7.1. All officers of the Astatula Police Department prior to being issued and deploying a Taser will be properly instructed, trained, educated, and certified on its usage by a certified Taser instructor.

- 7.2. The officer will be required to pass a written and practical examination in order to establish proficiency with the Taser
- 7.3. Officers will only carry, exhibit, use and or deploy, department issued Tasers. No other devices (facsimiles thereof- will be carried, exhibited, used, and/or deployed.
- 7.4. The Taser is an alternative to physical control technique and the use of intermediate weapon.
- 7.5. As with any other use of force, the Taser must not be used indiscriminately or without just cause. The Taser is permitted under the follow conditions:
 - 7.5.1. Subject who can be lawfully arrested for obstruction or resisting arrest, with or without violence, and who continue to obstruct justice or resist arrest.
 - 7.5.2. Whenever necessary to immediately cease or prevent physical combat, violation acts against other persons or property or self –inflicted injuries.
- 7.6. The use of a Taser is not usually a justified response to passive physical resistance. Therefore, unless a person is obstructing justice, resisting arrest, or who is interpreted to display violent tendencies, a Taser should not be used in the field on person who is only passively refusing to comply with verbal commands.
- 7.7. The use of a Taser is not usually a justified response to a person already handcuffed unless the person is combative and poses a physical danger to the office, despite being handcuffed. The exigent circumstances that require the Taser use must be articulated in the officer's report.
- 7.8. An incident report will be completed any time a Taser is discharged either tactically or accidentally. Officers must be mindful that they must be able to articulate the reason a Taser was used on a person.
- 7.9. A verbal warning will be issued except when such warning could provide a tactical advantage to the person being taken into custody or is otherwise impractical.
 - 7.9.1. Officer will use the least amount of force necessary to achieve the desired effect of temporarily immobilizing the subject.
 - 7.9.2. The maximum effect of a properly applied Taser last approximately five seconds. The subject should be advised that the Taser will not be applied again if instructions are followed.
 - 7.9.3. After a person has been exposed to the Taser, the officer will inform the subject that there are no long lasting effects from the Taser and they will recover in about five minutes as the effects subside.
 - 7.9.4. Officers will remove the Taser prongs at the earliest and safest time in order to minimize the threat of injury. If the Taser prongs have penetrated the face, groin, females' breast, or buttocks they shall only be removed by fire/rescue or medical personnel.

7.9.5. Officers removing Taser prongs will wear protective latex gloves when removing the prongs. All prongs are to be treated as a biological hazard and shall be handled as such.

7.9.6. A visual inspection of the penetrated area will be made to determine if any injuries were sustained. All injuries will be photographed and recorded in the officer's report. The subject who had been exposed to the Taser will be monitored for any abnormal behavior; if abnormal behavior is detected, medical personnel are to be informed and summoned immediately and a report of the incident completed.

8. Evidence Collection

8.1. Taser probes should be recovered and retained if at all possible.

8.2. The probes shall be placed inverted in the air cartridge portholes from where they originally deployed. The wires will be wrapped around the air cartridge. Tape will be placed around the probes in order to secure them in the portholes. The air cartridge, probes and wires will then be placed in an evidence bag and marked biohazard and submitted for evidence according to the department evidence submission procedures. Anytime that the Taser is deployed, be it intentional or accidental, a report will be generated regarding the incident.

9. Booking Prisoners

9.1. The transporting officer will immediately advise booking personnel upon arrival at the jail that a Taser was used on the prisoner being booked.

9.2. Tasers as well as all other weapons will not be taken into the jail facility.

10. Training

10.1. Only officers who have successfully completed agency training and annual recertification training each year thereafter in the use of Taser are authorized to carry and/or deploy agency approved Tasers.

10.2. Officers who at first fail to successfully complete initial Taser training must successfully complete remedial training in order to carry and/or deploy Tasers.

10.3. Recertification will be issued after successfully completing Taser recertification training.

10.3.1. If the officer fails to successfully complete the recertification training session that officer's Taser will be collected.

10.3.2. The Taser can only be reissued after a promptly rescheduled recertification training session and successfully completed verifying proficiency with the Taser.

Article VIII. Arrests, Searching, Custody, Transporting, Reports and Investigations

1. Arrests

1.1. When a crime has been committed, it shall be the responsibility of the office on duty to initiate a prompt and thorough investigation to identify and arrest the violator, collect and preserve all necessary evidence, and cooperate in the disposition of the case. In the apprehension of offenders, member of the department shall conduct themselves in a manner consistent with freedoms secured by the Federal and State Constitutions.

1.1. Arrest procedure.

1.1.1. The arresting officer must advise a suspect of their Constitutional Rights at the time of the arrest.

1.1.2. Officers will search all suspects at the time of arrest.

1.1.3. Officers will handcuff all adult suspects with their hands behind them.

1.1.4. Officers when transporting suspects will place them in the back seat and place the safety belt around them.

1.2. Searches

1.2.1. All persons who are taken into custody will be searched for weapons. Evidence of any crime discovered in such a search will be used to support whatever charge is appropriate providing that the evidence is admissible.

1.2.2. All females will be searched by another female officer or female agent.

1.2.3. If a female is arrested for a dangerous crime and a female officer or agent is unable to be obtained, for the safety of the arresting officer he will conduct a search by patting the suspect with the backs of his hands only. If any weapon is found, the officer will restrain the suspect and transport subject to the county jail and will advise the jail personnel.

1.2.4. If for any reason a prisoner cannot be thoroughly searched before being turned over to a receiving officer, the arresting officer shall, without fail, notify the officer receiving the prisoner.

2. Custody

2.1. Officers should constantly be alert for the safety of themselves, bystanders, and persons in custody. They should be in control of the situation at all times and assume whatever physical and psychological advantages are necessary to maintain that control.

2.2. Transporting prisoners are responsibility of the officer making the arrests, and the prisoner transported to the police department shall be booked without delay.

2.3. After all paperwork on a suspect is complete, the arresting officer will transport subject to the county jail with the proper forms.

2.4. Handcuffs shall be used while prisoner is being transported.

2.5. The driver of the vehicle used to transport a prisoner shall immediately after such delivery search the transporting vehicle for weapons and evidence.

2.6. At the time of the arrest and transporting of a female prisoner, the beginning mileage will be radioed into the dispatcher and upon arriving at the police

department; the ending mileage will be given. This procedure will be followed any time a female is transported.

2.6.1. Sick or injured prisoners will have an inner perimeter established to contain and minimize the movement of the suspect.

2.6.2. An outer perimeter is to be established to prevent unauthorized persons and vehicles from entering the area.

2.6.3. The department does not have the ability to protect the safety of a hostage who is moved from the presence of officers; therefore, suspects will not be allowed to move hostages from the place of containment.

3. Release of information. Officers will not release any information that will jeopardize an investigation or which might jeopardize the witness or complainant.

4. Public Statement will not be made by officers for publication concerning the plans, policies, or administration of the department unless authorized to do so.

5. Reports for simple arrests

5.1. A simple arrest as used in this policy is considered to be any arrest where there is no complainant and/or victim other than the State of Florida, i.e. misdemeanors and or traffic offences.

5.2. Arrests for misdemeanors and traffic offenses will require general booking forms, traffic citation if required.

5.3. The only time that additional report forms will be necessary for the above stated offenses will be if there is Officer use of force, property damage, or injury to someone.

5.4. Witness statements will continue to be taken if applicable. Evidence records will be completed if evidence is collected.

5.5. Cost recovery forms will be completed if cost to the agency is incurred.

6. Conducting DUI Investigation

6.1. Any person who is under arrest and whose injuries are sufficiently serious, shall be transported to the nearest emergency hospital

7. Evidence and found property coming into an officer's possession will be promptly tagged and a property form will be filled out prior to its being placed into one of the property lockers. Small items will be placed in the bags provided and property tags will be attached to the bags.

8. Reports. Officers will complete all reports in an accurate, legible manner and will submit them through the proper channels immediately upon completion.

8.1. No officer shall falsify, destroy, or alter or remove any report or records of this department.

9. Communications

9.1. The radio is to be used by all personnel in a clear, courteous manner.

9.2. Officers will first give their assigned unit number when communication with dispatch.

- 9.3. Officers responding to a dispatched call will advise dispatcher of their arrival at the assigned location
- 9.4. The radio will be used for official business only, and messages shall be brief and impersonal. Messages not involving official business are forbidden. Use of first names or nicknames and personal messages will not be given over the radio.

10. Barricaded suspect

- 10.1. Officers will seal avenues of escape and call for assistance. Once the suspect is isolated, if possible, an effort shall be made to contact the suspect in an attempt to persuade him to voluntarily surrender before force is used
- 10.2. Hostage situations require maintaining safety of the hostage as the department's main concern.

Article IX Detection and Traffic Stop. Arresting.

- 1. When a violator has been detected operating a motor vehicle while presumed impaired, the Officer if at all possible will activate the car video camera (if vehicle is so equipped and camera operational) at the most opportune time in order to capture as much driving history as possible prior to the suspect vehicle being stopped without causing undue safety concerns.
 - 1.1. The officer who is operating the patrol vehicle stopping the suspect will place the vehicle in a position that will allow the patrol vehicle's camera (if so equipped) to capture and record the entire suspect vehicle and a portion of the driver's side of the suspect vehicle that is adequate to conduct and perform field sobriety procedures.
 - 1.1.1. This is done if the geographic terrain, traffic, and other hazardous conditions so allow.
 - 1.1.2. The patrol vehicle should be positioned to provide maximum visibility and protection to both the Officer and the suspect(s).
 - 1.1.3. It should not be placed so as to cause a traffic hazard.
 - 1.1.4. After the traffic stop has been made, the Officer who is responsible for conducting the field sobriety procedure will, if so equipped and possesses operational recording equipment that works in conjunction with the patrol vehicle's in car camera, have stated equipment on and in order to collect Any and all video and audio evidence that may be useful during prosecution during criminal trial and/or civil litigations.
 - 1.1.4.1. Field sobriety will be performed after obtaining the suspect's identification i.e. driver's license, identification cards, or personal information, vehicle registration, and insurance card, the investigating Officer will request the operator of the suspect vehicle to exit the vehicle

and stand in the area of their vehicle's front driver's side wheel, facing the patrol vehicle being used for evidence collection (camera).

- 1.1.4.2. The investigating Officer will instruct the subject being evaluated that a field sobriety exercise test will be performed. The Officer will verbally instruct and physically illustrate how the evaluation procedures are to be performed. The investigating Officer will only instruct the subject being evaluation on one test as a time and in the order that they are to be performed.
- 1.1.4.3. If a suspect being evaluated requests that the instruction be repeated, the investigating Officer will repeat the procedure instruction so as a reasonable person could understand them.
- 1.1.4.4. However the investigating Officer should not allow the subject being evaluated to use the repeating of instructions as a stall tactic. The subject being evaluated will be asked if there are any physical impairments or limitations prior to performing any tasks set forth.
 - 1.1.4.4.1. The first procedure to be conducted will be the walking heel-to-toe procedure. The will be done from position stated above. The subject being evaluated will be instructed to listen to all instructions being given and view the instructing Office as an example of the procedure is being demonstrated.
 - 1.1.4.4.2. The instructing Officer will inform the subject being evaluated to walk heel-to-toe for nine steps in a straight line, counting each step out loud, hands down to sides and upon the ninth step, the subject will pivot as instructed and repeat the procedure in the opposite direction, again counting out loud each step returning to the origin of the stated procedure, again on the ninth step the subject will pivot, ending up where the procedure was initiated facing the patrol vehicle ending that portion of the first procedure.
 - 1.1.4.4.3. The second procedure to be conducted will be the one leg stand. This will be conducted in the area of the suspect's driver's side rear wheel. The subject will be requested to listen to all instructions and view all physical examples given by the investigating Officer concerning the requested procedure prior to the subject commencing the requested procedure. The subject will be instructed to stand on one foot (foot of subject's choosing) hands hanging completely down to sides with one foot elevated four to six inches off the ground while counting out loud to thirty. The subject will be instructed to not place the elevated foot on the ground at any time prior to completion of the count to thirty.

1.1.4.4.4. The third procedure to be conducted will be the finger to nose procedure. This procedure will be conducted from an area located at the rear of the subject's vehicle or trunk area, while facing the patrol vehicle. The subject will be requested to listen to all instructions being given and view all examples being performed as explanation on how to perform the finger touch to nose procedure. The investigating Officer will instruct the subject being evaluated to stand facing the patrol car with hands at sides' then, with head tilted back and eyes closed, with their right hand and index finger extended, raise their right arm out to their side level with the shoulder and bring their right arm directly in front of them, are remaining level bending arm at the elbow and touching the tip of their nose with the tip of their index finger that is already extended, then bringing their arm again out level directly in front of them and returning it level to right and then back down to side. This exercise will be conducted six times in order with both index fingers extended, the first two times with the right arm, the third time with the left arm, the fourth time with the right arm, and the fifth and sixth time with the left arm..

2. Arresting Subject

- 2.1. When the investigating Officer has reasonable belief that the subject being reviewed is impaired and an arrest need be made, the Officer will follow all arrest procedures set forth in the arresting section of the agency policy and procedure manual.
- 2.2. The arrested subject will be, prior to any questioning, informed of their Miranda Rights. After being arrested, the subject will be afforded the opportunity to utilize an approved testing procedure in order to determine their blood alcohol content.
- 2.3. Any and all alcohol, alcoholic beverage containers, controlled substances, and controlled substance paraphernalia will be collected, packaged, cataloged, and placed into evidence.
- 2.4. The video recordings from the in car cameras (if available) will also be collected, packaged, cataloged and placed into evidence for successful prosecution of the criminal case.
- 2.5. The subject's vehicle will be inventoried and inspected for damage then towed by existing procedure or released to a responsible person of legal age and in possession of a valid Driver's license and not wanted by this or any other Law Enforcement Agency for violation of any criminal act and of the arrested subject's choosing.
- 2.6. Any and all firearms and or weapons of any type will be collected and a computer check will be done on them in order to determine if they are stolen.

After the stated has been completed, the firearms and/or weapons will be placed in evidence or property for safe keeping. A property form will be completed and issued to the owner or subject in possession of stated property.

- 2.7. If a large amount of cash is discovered (\$1000.00 or more) in the vehicle, it is to be impounded. The owner is given a property receipt for the discovered case. The money is to be packaged, cataloged, and placed into property for safekeeping. Smaller amounts of cash are to be placed in the arrested subject's property at the jail when booked in for stated offenses.
- 2.8. When out of the ordinary or extraordinary circumstances or hindrances may exist so as to press on with assigned duties.

Article X Police Education

1. The agency is responsible for the funding all required education. Only education required by members of the agency will be paid for by the agency.
2. The above stated will include fees associated with the required training, this includes travel, travel expenses (see Section I Government Standard Allowances Town of Astatula Policies and Procedures), salary if necessary during the time of training.
3. Spouse, family members expenses are not covered if traveling with Astatula's agent(s).
4. Advanced education will be provided to full time Officers of this agency on a first come first serve basis if money is available and budgeted in the Town Budget for advanced education.
5. Applications for advanced Educational Assistance must be submitted to the Town Council for approval and will follow the Town of Astatula's Section One Policy and Procedure manual.
6. One seminar (no longer than three days) is the annual limit for seminars not mandatory but desired for information and only if the budget allows. Seminars can be attended but will not be reimbursed. The seminar will be permitted if work load permits and adequate coverage of shifts maintained without overtime usage.

Please read both Section One and Section Two regarding advanced education. Seminars are not automatically reimbursed. Prior approval for any seminar or training sessions not mandatory for position must be submitted to the Town Council prior to attending before any reimbursement will be considered.

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Town of Astatula

Minutes of Regular Meeting
March 8th, 7:00 P.M.

Mayor Hillard Shepard called the meeting to order.

Pledge of allegiance to flag followed by prayer

Welcome and Introduction of Guests

Roll Call

Present when called were Mayor Hillard Shepard, Vice Mayor Judy Tice, Councilman Katherine Morgan, Councilman Jake Farley and Councilmen Laura Sokolowski.

Approval of Council Minutes

1. A motion was made to approve the Minutes of the Regular Meeting of February 8th, 2010 by Vice Mayor Tice and Councilperson Morgan seconded that motion, which was approved unanimously by the Council.

Councilpersons' Department Report

Mayor Hillard Shepard – Public Works

Vice Mayor–Judy Tice- Office - Finances

Councilperson –Laura Sokolowski– Office- Legal, Grants, Land Dev, Regulation, Ordinances

Code Enforcement Councilperson Robert Jake Farley –

Councilperson Tatty Morgan – Police Department made the recommendation to not have the Police Officers who live out of town take their Vehicles home with them. She also wanted a gas log report from the first of the month to the end from all of the vehicles. Councilman Morgan made the motion and Councilman Sokolowski seconded it.

Roll Call Mayor Shepard	Yeah
Vice Mayor Tice	Yeah
Councilmen Sokolowski	Yeah
Councilmen Morgan	Yeah
Councilmen Farley	Yeah

Council Morgan asked the Police Officers be supportive of Code Enforcement.

Attorney Report Interim Attorney Beth Ann Gause gave her report. She reported on the Kucharek Case, the Mack case and the Adult Video question.

Council Member' Comments (limited to comments requiring attorney advice/input only)

PUBLIC COMMENT:

Please note that public comment can be taken after each item on the Agenda.

Old Business

1. **Veolia Contract** Regina Caronia from Veolia spoke and said that the changes in the contract were fine with Veolia, the Clerk said she would email the contract to the Town Attorney immediately, Vice Mayor Tice made a motion to approve the final contract with Veolia, Councilmen Farley seconded it and it passed.
2. **Ordinance 2010-A- First Reading Special Magistrate for Code Enforcement** – Councilman Morgan made a motion to read the ordinance by title only, it was seconded by Vice Mayor Tice. The ordinance was read by Title.

Roll Call

Mayor Shepard	Yeah
Vice Mayor Tice	Yeah
Councilmen Sokolowski	Yeah
Councilmen Morgan	Yeah
Councilmen Farley	Yeah

Vice Mayor Tice made the motion that the Ordinance 2010A First reading be approved, seconded by Councilmen Sokolowski.

Roll Call

Mayor Shepard	Yeah
Vice Mayor Tice	Yeah
Councilmen Farley	Yeah
Councilmen Morgan	Yeah
Councilmen Sokowloski	Yeah

3. **Resolution 2010-A- A Resolution of the Town of Astatula supporting the Redesignation of the Lake-Sumter Metropolitan Planning Organization.**

Vice Mayor Tice made a motion that Resolution 2010-A be read by Title only. It was seconded by Jake Farley.

It was then read by Vice Mayor Tice..and she explained that it was a letter of support. It was passed unanimously by the Council.

4. **Resolution 2010-B - A Resolution Amending the Policies and Procedures Manual for Town Employees. Vice Mayor Tice** Made the motion that the resolution be read by title only, it was seconded by Councilmen Morgan. The Resolution was read by Title. Vice Mayor Tice made the motion that it be approved, it was seconded by Councilmen Sokolowski and approved unanimously.
5. **Planning and Zoning** - The Town Clerk stated that Mrs. Nyquist had stopped by and was available to serve on the Planning and Zoning Board, leaving only 1 vacancy. The Board had that person's application and she stepped up and introduced herself, Susan Richert. Vice Mayor Tice made the motion that she be appointed to the Planning and Zoning Board and it was seconded by Councilmen Morgan and passed by the Council
6. **Communications Sign** - The Council determined to rent a sign until the LDR's Sign ordinance has been updated, it is in the process now.

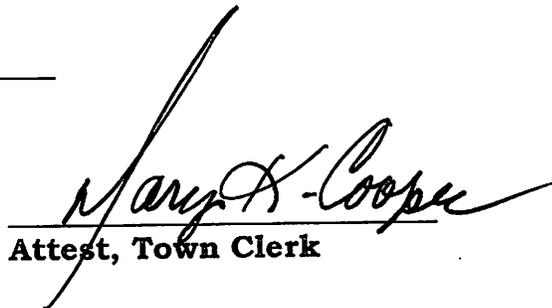
Reports given:

**Police Activity
Public Works Report
Code Enforcement Report
Town Clerks Report**

The meeting adjourned at 8:50 P.M.



Mayor Hillard Shepard



Attest, Town Clerk

Town of Astatula

**Minutes of Regular Meeting
April 12th, 7:00 P.M.**

Mayor Hillard Shepard called the meeting to order.

Pledge of allegiance to flag followed by prayer

Welcome and Introduction of Guests

Roll Call

Present when called were Mayor Hillard Shepard, Vice Mayor Judy Tice, Councilman Jake Farley and Councilmen Laura Sokolowski. Councilmen Katherine Morgan was absent.

Approval of Council Minutes

1. A motion was made to approve the Minutes of the Regular Meeting of March 8th, 2010. Vice Mayor Tice made a motion to approve the Council Minutes of March 8th, 2010 and Councilperson Sokolowski seconded that motion, which was approved unanimously by the Council.

Councilpersons' Department Report

**Mayor Hillard Shepard – Public Works
Vice Mayor–Judy Tice- Office - Finances
Councilperson –Laura Sokolowski– Office- Legal, Grants, Land Dev,
Regulation, Ordinances
Code Enforcement Councilperson Robert Jake Farley –
Councilperson Tatty Morgan – Police Department**

Attorney Report

Council Member' Comments (limited to comments requiring attorney advice/input only)

PUBLIC COMMENT:

Please note that public comment can be taken after each item on the Agenda.

Old Business

1. **Use of Golf Carts crossing 561Jim Stivender**
Director of Lake County Public works spoke to the request and explained the Traffic study that had been requested to look at the possibility of crossing CR48 and CR 561 with Golf Carts. (See

detail attached to Meetings Files) He explained how that request was being denied.

2. **Ordinance 2010 A.** A Special Magistrate to replace the Code Enforcement Board. Councilperson Tice made the motion to read the Ordinance by Title only. Councilperson Farley seconded the motion and it was approved by Council. The Ordinance was read by Title Only. Councilperson Tice made a motion to approve the Ordinance and it was seconded by Councilperson Farley.

ROLL CALL

Mayor Shepard	Yeah
Vice Mayor Tice	Yeah
Councilperson Sokolowski	Yeah
Councilperson Morgan	Absent
Councilperson Farley	Yeah

3. **Hiring of a Special Magistrate** - Discussion of hiring the Special Magistrate and Denise Lyn of Inverness, FL was the Council's choice from the Interviews held. Councilperson Farley made the motion to hire Denise Lyn as the Town's Special Magistrate at \$175.00 per hour which did not include travel time. The motion was seconded by Laura Sokolowski. It was approved unanimously by the Council.
4. Code Enforcement Officer Sandra Swaffar requested that the Town Council designate June 7th thru June 11th as Code Enforcement Appreciation week. Councilperson Tice made a motion to do so and it was seconded by Councilperson Sokolowski. The Council passed the motion unanimously.

Reports given:

Police Activity
Public Works Report
Code Enforcement Report
Town Clerks Report

Mary A. Cooper

Attest

ORDINANCE: 2012-1

AN ORDINANCE OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, REPEALING IN ITS ENTIRETY ORDINANCE 2005-F; AMENDING CHAPTER 7 OF THE POLICY AND PROCEDURE MANUAL; AMENDING ARTICLE IV OF SECTION TWO POLICE DEPARTMENT OF THE POLICY AND PROCEDURE MANUAL; PROVIDING FOR CONFLICT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council desires to amend its current Policy and Procedure Manual by repealing Ordinance 2005-F; and

WHEREAS, the Town Council wishes to clarify the Town's Policy on accrual of leave and use of leave for regular employees and police officers; and

WHEREAS, the Town Council has determined that amending the Policy and Procedure Manual is in the best interest of the Town and its employees.

NOW, THEREFORE, be it enacted by the people of the Town Council of the Town of Astatula, Lake County, Florida, that:

SECTION 1. Ordinance 2005-F of the Town of Astatula, Florida, is hereby repealed in its entirety.

SECTION 2. Chapter 7 of the Policy and Procedure Manual is hereby amended as follows: **SEE ATTACHMENT "A"**.

SECTION 3. Article IV of Section Two Police Department of the Policy and Procedure Manual is hereby amended as follows: **SEE ATTACHMENT "B"**.

SECTION 4. All ordinances or parts of ordinances which are in conflict with this ordinance are hereby repealed, to the extent necessary to alleviate the conflict, which shall continue in affect in so far as they are not in conflict herewith, unless repeal of the conflicting

portion destroys the overall intent and affect of any of the conflicting ordinances, in which case those ordinances so affected shall hereby be repealed in their entirety.

SECTION 5. If any portion of this ordinance is declared invalid or unenforceable, to the extent that it is possible to do so without destroying the overall intent and affect of this ordinance, that portion deemed invalid or unenforceable shall be severed herefrom and the remainder of this ordinance shall continue in full force and affect as if it were enacted without including the portion found to be invalid or unenforceable.

SECTION 6. This ordinance shall become effective ten (10) days after its passage, pursuant to Section 166.041(4), Florida Statutes.

PASSED AND ADOPTED at the regular meeting of the Town Council of the Town of Astatula, Florida, held on the 8th day of October, 2012.

for Robert Jake Farley

HONORABLE ROBERT JAKE FARLEY, MAYOR
Town of Astatula, Florida

ATTEST:

Mary K. Cooper

Mary Cooper
Town Clerk

Mark A. Brionez
Town Attorney

First Reading September 10, 2012

Second Reading October 8th, 2012

Attachment A to Town of Astatula Ordinance 2012-I

CHAPTER SEVEN

7.0 EMPLOYEE BENEFITS

7.1 ELIGIBILITY AND ACCRUAL OF LEAVE AND VACATION Part-time employees are those employees who work less than 32 hours per week. Part-time employees are not entitled to any Employee Benefits. For full time employees who are not police officers, the following hours apply for leave benefits:

<u>Years of Service</u>	<u>Hours of Leave</u>
0-5	8 hours per month
6-10	10 hours per month
11-15	12 hours per month
16 plus	16 hours per month

Full time Police Officers shall accrue leave as follows:

<u>Years of Service</u>	<u>Hours of Leave</u>
0-5	12 hours per month
6-10	15 hours per month
11-15	18 hours per month
16-20	21 hours per month
20 plus	24 hours per month

Annual leave may be accumulated over a two (2) year period (730 days). Employees must use accumulated leave within 3 years (1,095 days). Any leave not used within the 3 year time period shall be forfeited in an amount to ensure that the employee only maintains 2 years' worth of leave at any given time. In no event shall any employee be entitled to accumulate any leave over and above the 2 year limit prescribed by this Policy and Procedure Manual. Part time employees are not eligible for paid leave time. The Town Council has the final determination on use of accrual leave time.

Vacation credit may be used as accrued after the employee has completed twelve (12) consecutive calendar months of employment. Previous employment with the Town will not count towards years of full-time service. Vacation leave may not be taken in periods of less than four (4) hours per shift.

7.2 PAYMENT IN LIEU OF LEAVENACATION TIME No employee shall be permitted to forego his/her vacation and receive pay in lieu thereof, except that an employee who is separated from the Town payroll, for any reason, before receiving all of the vacation for which he/she has become eligible prior to the time of his/her termination, shall receive

pay for that portion of his/her vacation due but not received, at the discretion of the Town Council.

7.3 EXCHANGE OF LEAVENACATION TIME Absence on account of sickness, injury or disability in excess of that hereinafter authorized for such purposes, shall at the request of the employee and within the discretion of the department head be charged against vacation allowance with the approval of the Town Council. When a regularly scheduled holiday occurs during the period of an employee's leave, the holiday will be granted.

7.4 SCHEDULING AND USE OF VACATION TIME Each department head shall keep record of vacation allowance and use and shall schedule annual leave with particular regard to the seniority of employees, to accord with operating requirements and, insofar as possible, with the requests of the employees. Employees are to outline the desired dates of vacation the first month of the new calendar year and submit the schedule to their supervisor. An employee who is eligible for vacation may take it at any time agreeable to the employee and supervisor. The employee must complete a Leave Request Form.

Each supervisor may use whatever methods of compiling and scheduling leave requests he/she wants to, as long as the methods are reasonable, fair, consistent and not discriminatory against any individual or group. Supervisors shall not schedule vacation in such a way that departmental operations are adversely affected. Supervisors shall respond to an employee's request for vacation as quickly as possible.

7.5 HOLIDAY LEAVE Holidays will be paid providing the employee works the scheduled shift the day before and the scheduled shift the day after unless special circumstances have been pre-approved.

Holidays may be designated annually by Town Council Resolution.

OFFICIAL HOLIDAYS

The following are holidays which shall be observed by all Departments in which functions can be discontinued without adversely affecting required services to the public: New

Year Day	Labor Day
Martin Luther King's Day	Veteran's Day
Presidents Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
4th of July	Christmas Day

7.6 HOLIDAY ON NON-WORKING DAY When a holiday observed by the Town falls on Sunday, such holiday shall be observed on Monday after the holiday. When a holiday observed by the Town falls on Saturday, such holiday shall be observed on Friday before the holiday.

7.7 HOLIDAY PAY ELIGIBILITY All eligible employees who meet the holiday pay requirements noted in this section shall be paid holiday pay equivalent to eight (8) hours at the employee's regular rate of pay regardless of the number of hours the employee normally works in a shift. In addition, any employee who is required to work on the holiday and meets the holiday pay eligibility requirements noted in this section

Shall be paid for all hours worked on the holiday at the rate of one and one-half times the employee's regular rate of pay. To be eligible for holiday pay, an employee must meet the following requirements:

- be a full-time employee.
- must work on the scheduled days prior to and after the holiday. However, if the absence on the day before or after the holiday was due to the reasons listed below, the employee would receive holiday pay.
- the day of absence was previously approved.
- the employee is absent because of an accident.
- the employee is absent due to a current on-the-job injury
- an employee who reports in on the scheduled work date prior to the holiday would be considered to have worked that day, even though he/she is unable, due to emergency or illness, to complete the normal work day. The same will apply to the first scheduled workday after the holiday.

7.8 MILITARY LEAVE

7.8.1 ACTIVE SERVICE a leave of absence without pay will be granted to any employee who is serving in the Uniformed Services even if such period of military service may be for more than 12 months. Health insurance coverage (for the employee and his/her dependents) will end on the date the employee enters military service or on the last day of the month in which the leave commences, whichever occurs first, but may be continued at the employee's election in accordance with the terms of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). Upon honorable discharge, the employee will be reinstated with the Town in accordance with the USERRA.

7.8.2 NATIONAL GUARD MEMBER An employee who is a member of the National Guard or who is a reservist in any branch of the Uniformed Services shall be granted military leave not in excess of seventeen (17) reserve/working days per year. It is the employee's responsibility to notify his/her supervisor as far in advance as possible so that arrangements can be made for the employee's absence, but in no case no more than 3 days after receiving orders. If an employee fails to provide notice to the town prior to the date he is to report for duty, the town can decline to reinstate that employee.

The above provisions exist as stated if an employee is activated by the Governor for a State Emergency. Employees do not have to be paid by Town but must have reinstatement of a job when they come back under the USERRA Statute.

7.9 SICK LEAVE It is the policy of the town to provide reasonable time off with pay, up to the amount of unused sick leave earnings, to employees who are unable to work due to illness or injury. Sick leave with pay is not a right which an employee may demand, but a privilege granted by the Town. There is no monetary payoff for accrued sick leave per Ordinance 2005-F.

7.10 USE OF SICK LEAVE: Sick leave may be used as follows:

7.10.1 APPROVAL The department head or Town Council Member assigned to oversee the department can officially approve employee sick leave. Only an employee who has completed six months of full-time employment may be paid for sick leave. Accumulation of Sick Pay may be determined annually by Town Council Resolution.

7.10.2 SICK LEAVE PAY Sick leave may be paid when an employee is unable to work due to a personal/family illness or injury, or when the employee's presence may endanger the health of fellow workers. A family member for this purpose is defined as spouse, children, step children, parents, siblings or grandparents of the employee.

7.10.3 SICK LEAVE Sick leave may be taken for medical, optical and dental appointments and it may be taken for attendance of a funeral or for bereavement of a family member.

7.10.4 SICK PAY UNITS Sick leave will be charged in units of whole hours.

7.11 SICK PAY ELIGIBILITY. Eligibility is determined as follows. Full time employees earn sick time at a rate of eight (8) hours per month. Part time employees hired at less than 20 (twenty) hours per week are ineligible for sick pay benefits. Part time Employees working twenty plus (20+) hours per week will be prorated per hours hired to work. Twenty (20) hours is four (4) hours per month (0.5 employee) Twenty eight (28) hour per week is five. six (5.6) hours per month (0.7 employee). Thirty four (34) hours per week is six/eight (6.8) per month (0.85 employees). This determination is based on hours per week hired, not hours per week worked, so if a part time person is employed at twenty (20) hours per week and works more than the twenty hours per week, the sick time is earned at the hire hours of twenty (20) hours per week at four (4) hours per month. In the event that there is a status change, mandated by the Town Council changing the weekly hours scheduled for an employee for an extended period of time, the benefits will change accordingly to reflect this change. Per Ordinance of 2005-F after three days of sick leave is taken, a written note from the employee's physician shall be required before additional sick leave days may be taken. The current provision allowing for one half (1/2) day for doctor appointments shall be amended to provide that employees may use their sick leave in one (1) hour increments. Sick time maximum accrual is for a total of three hundred and twenty hours (320). Sick time may not be cashed in except for the use of sick or medical leave. Sick leave pay will not automatically be granted unless a physician's note has been obtained will any sick leave lasting three or more days.

7.12 SICK PAY

7.12.1 NOTIFICATION OF ILLNESS. The employee's supervisor must be called at least 30 minutes before the scheduled starting time on the day of the absence the reason for the absence, except in the case of public safety where the

departmental schedule will be followed. An employee who fails to so notify the supervisor shall not be paid for the day(s) taken prior to notification.

7.12.2 Status is requested. If the absence extends beyond three days, keep the supervisor advised as to the employee's condition and anticipated date of return.

7.12.3 Statement of illness. Submit a statement from the attending physician(s) for any illness of three days or longer as to the nature and duration of the illness is required before returning to work. A statement from the physician will be needed if inadequate notice (less the seventy-two {72} hours) given for physicians appointments resulting in being late or missing appointed hours of work.

7.12.4 Holiday during sick leave. When a paid holiday occurs during the period an employee is on sick leave with pay, the employee shall receive only his/her regular holiday and that day shall not be charged against his/her sick leave earnings.

7.13 Sick Leave Transfer Upon approval of the Town Council any member of the Town can transfer earned sick leave for the use of another employee who is out of work due to their illness, or medical leave. The employee receiving the transferred sick leave must have exhausted all sick and annual leave and have completed probation before receiving transferred sick leave. Forty (40) hours may be donated at a time, and two hundred (200) Hours must be retained in donor's bank of sick leave.

SUMMARY OF SICK LEAVE PROCEDURE

- Each employee shall notify (call) his/her immediate supervisor in accordance with the Town attendance policy to report his/her sickness.
- When an employee returns to work he/she shall complete the leave request form. Before sick leave with pay is officially granted, this form must be signed (approved) by his/her department head.
- If an employee wishes to use sick leave for a doctor, dentist or optical appointment, then the leave form must be submitted and approved before the sick leave is taken. Notice must be given when appointment is booked.
- If a supervisor feels that an employee has abused this policy concerning minor illness, the supervisor, with permission of the Town Council Member assigned to oversee that particular department, may refuse to pay benefits.

7.14 EMERGENCY OR ILLNESS Employees who are absent due to an emergency or illness should call or have someone call his/her supervisor to report such an absence.

7.14.1 EMPLOYEE Responsibility. It is the employee's responsibility to ensure that proper notification is made when absent due to an emergency or illness. This must be done by phone or personal note and, if possible, by the employee. At times, utilizing e-mail to notify the Council Member assigned to oversee that particular department may be necessary but only as a last resort, when unable to notify anyone by phone.

7.14.2 PHYSICIAN'S STATEMENT REQUIRED. An employee who has been absent under any of the following conditions, must have a doctor's statement that indicates no work restrictions when returning to work.

- Employee has been hospitalized.
- Employee has been granted personal leave which is in reality for medical reasons, i.e., employee is hospitalized or undergoing a surgical procedure which could be disabling, even though the employee, for personal reasons, does not file a claim for group insurance benefits.
- Employee has a non-work related accident, even if no time is lost from his/her regularly schedule work shift, i.e., weekend or after-hours accident.
- Employee is absent three (3) or more consecutive work days.

7.14.3 PHYSICIANS EXAMINATION An employee shall submit to an examination by a physician or supply a work release by a physician upon returning to active duty after an extended chronic illness.

7.15 EMPLOYEE UNDER SUSPENSION NOT ELIGIBLE FOR SICK LEAVE An employee under suspension forfeits all claim to sick leave for the duration of such suspension and must be returned to active duty before sick leave credit is restored.

7.16 BREAK IN SERVICE CANCELS ALL SICK LEAVE A break in service permanently cancels all sick leave accrued to an employee's record and in the event of subsequent reappointment such employee begins a new sick leave accumulation.

7.17 ILLNESS DURING VACATION LEAVE When sickness occurs within a period of vacation leave, the period of illness may be charged as sick leave and the charge against vacation leave reduced accordingly. Application for such substitution should be made within two days after return to active duty and shall be supported by a medical certificate.

7.18 MILITARY DUTY EFFECT ON SICK LEAVE When an employee enters active military duty, either by induction or for training purposes or for national or state emergencies, sick leave accumulated shall remain to that Employee's account pending return from military leave. However, no further sick leave credits will be accumulated for the period of absence while on military leave.

7.19 FAMILY AND MEDICAL LEAVE The Town provides leave pursuant to the Provisions of the Family and Medical Leave Act of 1993

7.19.1 ELIGIBLE EMPLOYEES Employees who have been employed for at least 12 months and have worked at least 1,250 hours during the preceding 12-month period are eligible for unpaid family or medical leave. If a leave is requested for an employee's own serious health condition, the employee must first use all of his or her accrued vacation leave, sick or personal leave. If leave is requested for any other reason listed below, an employee must first use all of his or her accrued paid vacation

or personal leave. The remainder of the leave period will then consist of unpaid leave.

7.19.2 LEAVE PERIOD An eligible employee is entitled to take up to 12 weeks of family or medical leave in any 12-month period. The 12-month period shall be a rolling 12-month period measured backward from the date leave is used. Entitlement to leave for the birth or placement of a child for adoption or foster care will expire 12 months from the date of birth placement.

7.19.3 REASONS FOR LEAVE An employee who meets the applicable eligibility requirements will be granted a total of up to 12 weeks of unpaid leave for the following reasons:

- The birth of the employee's child in order to care for that child.
- The placement of a child with the employee for adoption or foster care.
- The care for a spouse, child, or parent who has a serious health condition; or
- A serious health condition that renders the employee incapable of performing the functions of his or her job.

7.19.4 APPLICATION FOR LEAVE An employee requesting family or medical leave must complete an application and return it to the Supervisor. The completed application must state the reason for the leave, the duration of the leave and the starting and ending dates of the leave.

7.19.5 NOTICE OF LEAVE An employee intending to take family or medical leave must submit an application for leave at least 30 days before the leave is to begin, or as soon as the reason requiring the leave is known.

7.19.6 INTERMITTENT OR REDUCED LEAVE Employees may not take intermittent or reduced leave in case of birth or placement of a child, unless the Town Council agrees. In the case of serious health conditions, leave may be taken intermittently or on a reduced leave schedule when medically necessary. Employees are expected to make a reasonable effort to schedule intermittent leave so as not to disrupt the operations of the Town.

7.19.7 MEDICAL CERTIFICATION OF LEAVE The application for leave based on the "serious health condition" of the employee or the employee's spouse, child or parent must be accompanied by a "Medical Certification Statement" completed by the health care provider. The certification must state the date on which the serious health condition commenced, probably duration of the condition and the appropriate medical facts regarding the condition. If an employee is requesting leave to care for a spouse, child or parent with a serious health condition the medical certification must state an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the medical certification must state that the employee cannot perform the functions of his or her job.

- 7.19.8 NOTIFICATION OF LEAVE ASSIGNMENTS** After receiving notice from the employee regarding the need to take family or medical leave, the Town will discuss the leave requirements with the employee and will issue a memorandum outlining the basic information regarding the leave.
- 7.19.9 BENEFITS COVERAGE DURING LEAVE** During a family or medical leave, the employee will be retained on the town's health plan under the same conditions that applied before the leave began. To continue health coverage, the employee must continue to make any contributions that he or she made for group insurance during the leave. Failure of the employee to pay his or her share of the health insurance premium, if any, may result in loss of coverage.
- 7.20 RESTORATION TO EMPLOYMENT** An employee who completes a family or medical leave will be returned to the same position held when the leave began or to a position equivalent in pay, benefits and other terms and conditions of employment. However, the highest paid 10-percent of employees are not guaranteed reinstatement if reinstatement will cause the Town economic injury. In such case the Town will notify the employee as soon as it determines that reinstatement is not available. The Town cannot guarantee that an employee will be returned to his or her same former job.
- 7.21 RETURN FROM LEAVE** The Town will require an employee taking a family or medical leave to report every 30 days on his or her status and intent to return to work upon completion of the leave. Employees returning from a medical leave are required to provide certification from a health care provider indicating that the employee is able to resume work with no limitations. Employees who do not return to work upon the expiration of a family or medical leave will be treated as having voluntarily terminated their employment. An employee who requests an extension of family or medical leave must submit his or her request for an extension in a writing that includes the reason for the requested extension.
- 7.22 BEREAVEMENT LEAVE.** In the event of a death in the immediate family of a full time or permanent part-time employee, the employee may be granted bereavement leave of absence with pay. Employees will receive three (3) days of pay to attend the funeral of the deceased. The amount of time authorized shall be determined by the Town Council Member assigned to that particular department and shall be allowed as circumstances warrant. Such leave shall not be chargeable to other types of leave, but shall be in addition to accrued annual or sick leave. Such employees may also apply for additional accrued annual leave if they desire additional time for bereavement purposes. The additional leave will be chargeable to sick leave and/or vacation leave, and may only be granted at the discretion of the Mayor with input from Department Head, or supervisor.

Attachment B to Town of Astatula Ordinance 2012-I

Article IV. Personnel Matters

Employees Residence-The location of an officer's residence must be such that upon being called back to duty in emergency situations, the officer can report to the station, ready for duty, within sixty minutes of being contacted.

Telephone Requirements-No member of the department will be without a telephone in the member's residence. Every member's phone number is on file with the department.

Physical Fitness-Officers are required to maintain a level of physical fitness which will allow them to perform their duties effectively. If a question arises as to an officer's ability to perform regular duties due to an apparent low level of fitness, that officer may be required to submit to a physician's examination and if possible bring the fitness level to an acceptable standard. An employee may be directed to be examined by a qualified physician if it appears that an employee's health interferes with the performance of assigned duties.

Reporting for Duty- Officers shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and aware of information required for proper performance of duties for their shift. If, due to illness or other circumstances, an officer cannot report for duty at the assigned time, that officer will contact the supervisor or the shift commander before the start of the shift. The officer will indicate the estimated time of arrival for duty and briefly state the reason for being late. The same procedure will apply when the officer must be unexpectedly absent from duty due to illness or emergency.

Working Full Shift-Employees are expected to remain on duty during their entire work shift unless excused by their supervisor or higher ranking personnel. During this time, employees will carry out their sworn and assigned duties to the best of their ability. If, for any reason, an employee must leave duty before the end of shift due to illness or other circumstances, the employee must inform a supervisor before leaving. Leaving early without authorizations will be grounds for disciplinary action.

Meal Periods/Coffee Breaks-Officers will be permitted one half hour break per meal and two 15 minutes rest breaks in the course of their shift. 15 minute rest breaks are not automatic and cannot be added on to meal breaks. These breaks should be taken only after contacting the dispatcher. Officers will be required to be available for immediate call any time during their tour of duty, including the lunch and/or dinner breaks.

Absenteeism-Employees are expected to report for duty on their assigned shifts except when illness or emergency situations prevent them from doing so. Any employee who fails to report and does not have a bona fide excuse will be subject to disciplinary action.

Sick Leave-Any officer who is unable to report for duty because of illness or injury must notify their immediate supervisor of their absence at least two hours prior to their scheduled duty time. Any officer who is absent from duty in excess of three working days must provide a physician's written statement concerning ability to return to work.

Abuse of sick leave benefits by reporting off ill or injured when not ill or injured will be grounds for disciplinary action.

Overtime-When an officer is called back to work outside of regular scheduled hours to handle emergency situations which could not be anticipated shall receive two hours pay. In addition the actual time worked will be compensated at time and one half. Members of the department should be prepared to respond immediately if they are called back to duty.

Vacations-Annual leave is earned as follows:

Full time Police Officers shall accrue leave as follows:

<u>Years of Service</u>	<u>Hours of Leave</u>
0-5	12 hours per month
6-10	15 hours per month
11-15	18 hours per month
16-20	21 hours per month
20 plus	24 hours per month

Annual leave is not available to the employee until he has completed six consecutive months of employment which amounts to 182 days past hire date. At that point, it is the responsibility of the employee to apply for annual leave utilizing the annual leave request. Annual leave choices will be assigned based on date of request submitted and by order of seniority in the event several applicants requests same leave time.

Town of Astatula Policy and Procedure Manual



Town Council

Reviewed 2012

Revised, 2012

Personnel Rules and Regulations
For
The Town of Astatula

TOWN OF ASTATULA
POLICY AND PROCEDURE HANDBOOK
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**TOWN OF ASTATULA
POLICY AND PROCEDURE HANDBOOK**

CHAPTER ONE

1.0 GENERAL

- 1.1 PURPOSE** This manual was prepared to establish consistent and equitable policies for Town employment and to acquaint new personnel with the policies and regulations of the Town of Astatula.
- 1.2 SCOPE** These regulations shall apply to all employees of the Town of Astatula. Volunteer firefighters, the elected Mayor and Council Members are not covered unless specifically indicated otherwise.
- 1.3 TOWN RESPONSIBILITIES AND AUTHORITY** The Town is governed by the **Council/Weak Mayor plan of government**. Astatula residents elect the Mayor and Town Council. The Council has the final responsibility for hiring and firing Town employees and establishes policies and procedures related to education and training. The Town Council and Mayor work together to establish operations and services of the Town under the budget established yearly by the Council with the assistance of the Town Clerk. The Town Council reserves the right to reprimand, suspend, and discharge or otherwise discipline employees for cause; to hire, promote, transfer, layoff and recall employees to work, and to determine the number of employees and the duties to be performed as established by Council budget. The Town Council must manage the Town, attain and maintain full operating efficiency and optimum service and direct the work force in accordance with the needs and requirements of the Town as set by precedent, resolution or ordinance until such time as a Town Manager is hired.
- 1.4 EMPLOYMENT AT WILL** Within the limits of any constitutional or statutory limitations applicable, employment with the Town is considered “at will” and may be ended either by the employee or by the Town at any time. The Town has herewith established guidelines for disciplinary action and performance improvement which provide the employee an opportunity to address and respond to issues of discipline or performance.
- 1.5 AMENDMENTS TO PERSONNEL POLICY** Amendments to the personnel policy may be proposed from time to time (reviewed biannually on even numbered years) for approval by the Council.
- 1.6 PERSONNEL POLICY REVISIONS** This personnel policy and its attachments shall be periodically (every other year which is year ending in an even number) reviewed and updated by the Town Council . A copy of this policy will be made available to all present and future Town employees. Any deviation from this policy will be made only by the Council, in writing, to the department head of the employee or department affected. All policy updates must be approved by the Town Council.

1.7 DEPARTMENT RULES Department Heads are authorized to establish rules additional and supplemental to this policy provided they are not in conflict with regulations herein. To become effective or not effective the Town Council must approve, amend or revoke all such rules.

1.7.1 Name Badges Name badges are to be displayed/worn at all times when performing town duties. The badge is to be worn and to be displayed on upper chest area to include name and title. If name and position is embroidered on shirt, this will count as a name badge as long as it is clearly visible and not covered in any manner.

1.7.2 Phone Courtesy. When answering the town's phone, identify by stating good morning (afternoon, evening, day), You have reached the Town of Astatula, my name is _____ (state your name and title) continue with how may I help you or how may I be of service and have a smile in your voice.

1.7.3 Office Procedure. Unauthorized person(s) are not to be in the Clerk's office at any time. Only the Clerk, Town Code Enforcer, the Mayor, and/or Council Members are permitted in the Clerk's office unless Town business is being conducted. Our town citizens/residents will be allowed to use the phone while conduction town business if necessary.

CHAPTER TWO

2.0 EMPLOYEE CONDUCT

2.1 SERVICE TO THE PUBLIC All employees shall at all times render prompt and courteous service to the public.

2.2 EMPLOYEE COURTESY The attitude of a Town employee should at all times promote the good will and favorable attitude of the public toward the Town administration and its programs.

2.3 COMMUNICATIONS FACILITIES Town of Astatula telephone and electronic communications are for Town business. Unauthorized or excessive personal use will not be permitted and may be cause for reprimand.

2.4 LUNCH PERIOD Employee lunch periods will be determined by the department head as required for efficient departmental functions.

2.5 CONFLICT OF INTEREST Conflicts of interest must be avoided by all employees pursuant to Florida State Law.

- 2.6 SOLICITATION** Solicitation during working hours on Town property or in public areas by any Town employee or by non-employees is prohibited. Bulletin Boards are Town property and materials posted thereon must be approved by the Town Council or a department head. Council meetings, workshops, agendas, minutes of previous meeting, notices pertinent to safety and well being of Town Residents may be posted by the Town Clerk. There shall be no distribution of literature during working hours or on Town property without permission of the Town Council. Examples of solicitations for purposes of this rule include, but are not limited to solicitation for magazines or periodical subscriptions, memberships in organizations and solicitation for political contributions. Exceptions to the solicitation policy must be approved by the Town Council. This section shall not apply to union activity protected by Florida Law.
- 2.7 GIFTS AND GRATUITIES** No employee shall accept gifts, gratuities, or loans from organizations, business concerns or individuals with whom he/she has official relationships on Town business. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally, or to prohibit employees from accepting social courtesies which promote good public relations, or to prohibit employees from obtaining loans from regular lending institutions.
- 2.8 OUTSIDE EMPLOYMENT** Any employee wishing to engage in outside employment must submit a request in writing to his/her department head. The request should outline in detail the duties to be performed and the amount of time, stating specific hours to be devoted to these duties. Department heads are authorized to approve outside employment consistent with the guidelines above. Department heads are also authorized to direct an employee to discontinue outside employment if it is later found to be inconsistent with the guidelines.

2.9 POLITICAL ACTIVITY

2.9.1 FREE EXPRESSION NOT INFRINGED Every employee shall have the right to freely express his views as a citizen and to cast his vote.

2.9.2 COERCION PROHIBITED Coercion for political purposes of and by employees and use of their positions for political purposes is prohibited.

2.9.2.1 No employee or official of the Town shall, directly or indirectly, coerce, attempt to coerce, or advise an employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes.

2.9.2.2 No employee or official of the Town shall use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.

2.9.3 HATCH ACT GOVERNS Participation in partisan political activity by employees shall be permitted to the extent provided under the Federal Hatch Political Activities Act, as amended and any subsequent amendments which may be made thereto.

2.9.4 POLITICAL DISCUSSIONS Political discussions and political activities by employees shall be prohibited during work hours.

2.9.5 PENALTY FOR VIOLATION Any person violating the provision of this section may be subject to discipline, including possible dismissal by the Town Council.

2.10 USE OF TOWN PROPERTY

2.10.1 Tools and Equipment The Town attempts to provide each employee with adequate tools, equipment and vehicles for the job being performed and expects each employee to observe courteous operation of vehicles and equipment in compliance with all municipal, county and state vehicular regulations.

2.10.2 Proper Use of Equipment Employees who are assigned tools or equipment or vehicles by their departments are responsible for them and their proper use and maintenance.

2.10.3 The use of Town Property All use of town material, supplies, tools, equipment or vehicles for personal or private business use is prohibited unless approved by employment agreement by the Town Council. Violations may result in discharge and possible prosecution. City owned vehicles or equipment are not to leave the town/city limits unless it is official Town business. Under no circumstances should town vehicles or equipment be used for personal or private business.

2.10.4 The use of Town vehicles are to adhere to rules and laws of the state of Florida. Any vehicle leaving the city limits shall maintain a written log as to date and time leaving the city limits, nature of the trip, mileage and date and time returning to the city limits. The log is to include a list of passengers if applicable. A copy of all logs shall be presented to the Council at the monthly meetings. Town vehicles are not to be used to transport family members or unauthorized persons except during or for official town business. If a police officer resides outside the town limits, the police officer may only take their town owned vehicle home if scheduled to appear in court the following day and must complete the written log in a timely manner. Police officers residing within the town limits are permitted to take the town owned vehicles home.

2.11 E-MAIL/INTERNET USAGE E-Mail and internet services are provided to certain employees for the purpose of conducting their job duties in the most efficient manner possible and not intended for personal use. All electronic communications generated by employees with Town equipment, or stored on Town equipment, are the property of the Town and therefore not considered private. Employees are prohibited from using the Town's e-mail and internet system to transmit or receive any improper communication, including but not limited to inappropriate comments or jokes, cartoons, or any other communication which is political, derogatory, vulgar, obscene, offensive or sexually explicit. The Town shall periodically access and monitor communications and files on the Town's e-mail/internet system as deemed to be necessary or appropriate in the

enforcement of the acceptable use of Town equipment and systems. The Police Department is an exception to this rule as they have specific rules and regulations regarding use of their computers. The Police Department computers are not subject to monitoring as they must adhere to specific laws governing use and monitoring of said equipment.

- 2.12 PENALTY FOR MISUSE** Employees who use the Town's e-mail/internet System inappropriately or illegally shall be subject to discipline up to and including termination and civil or criminal prosecution, if deemed appropriate.
- 2.13 VALID DRIVER'S LICENSE** All operators of Town vehicles and equipment are required to have a valid State of Florida operating endorsement as applicable, and to keep supervisors informed of any change of status in their license. Certain job classifications require a commercial license as a condition of employment.
- 2.14 SUSPENSION OF LICENSE** Suspension or revocation of the driver's license of an employee who is assigned as a vehicle or equipment operator may result in a demotion or discharge.
- 2.15 SAFETY** It is the policy of the Town to maintain a work environment for all employees that is both healthy and safe.
- 2.16 HARASSMENT** It is the policy of the Town to maintain a work environment for all employees which is free of conduct which can be considered harassing, coercive or disruptive. As defined broadly in the 1080 Equal Opportunity commission Guidelines on Sexual Harassment, sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature," such as intentional patting, pinching or touching, leering, or obscene gestures. Sexual Harassment occurs when such conduct has "the purpose or effect of unreasonable interfering with an individual's work performance or creating or intimidating, hostile or offensive working environment, when submission to such conduct is "made either explicitly or implicitly a term or condition of an individual's employment, or when submission to or rejection of such conduct is the basis for employment decisions affecting a worker.
- 2.17 DRESS CODE** The Town expects all employees to dress in a manner which is appropriate for the type of work performed and have a neat and orderly appearance. All employees are to wear an Identification Badge with full name and position clearly displayed above the waist line preferably worn on chest area. Employee dress (uniforms, shoes, hats, identification badges, etc.) must be worn in a manner consistent with the job and duties, office personnel to portray professional attire, police to wear uniforms provided, fire fighters to wear clothing to adhere to Lake County Fire Departments rules and regulation and all other employees to wear clothing suitable to their position, duties and to wear appropriate protective gear when indicated. Employees who have been issued uniforms and/or shoes must wear them at all times while on the job; any employee who appears for work without issued uniforms/shoes shall be returned home to correct

the situation and may be subject to disciplinary action. The period of absence due to inappropriate dress shall be treated as unpaid leave. Name pins, badges, or identification as to name and position is to be worn at all times while on duty, preferable visible above the waist line.

- 2.18 SUBSTANCE ABUSE** It is the policy of the Town to maintain a work environment that is free from the influence of alcohol and illegal drugs. Steps will be taken to enforce this policy, including testing (scheduled or random) as deemed necessary at and during employment and by executive request. The Town has adopted an Ordinance to cover and enforce this policy.

CHAPTER THREE

3.0 EMPLOYMENT PRACTICES

- 3.1 EQUAL EMPLOYMENT OPPORTUNITY** In order to provide equal employment and advancement opportunities to all individuals, employment decisions with the Town will be based on merit, qualifications and abilities. The Town does not discriminate in employment opportunities or practices on the basis of race, color, religion, creed, sex, pregnancy, national origin, age, disability, marital status, military service or any other characteristic protected by law. The Town will make reasonable accommodations for qualified individuals with disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including recruitment, selection, hiring, job assessment, promotion, transfer, training, compensation, discipline, termination and benefits.
- 3.2 RECRUITMENT** It shall be the policy of the Town to employ the most qualified individual available. However, preference shall be given to Town employees who best meet the qualifications for the position. Each job vacancy shall be advertised in the appropriate media as well as official notices posted throughout Town offices in public areas. All advertisements will communicate essential information about the position to the prospective applicant.

CHAPTER FOUR

4.0 HIRING POLICY

- 4.1 EMPLOYEE APPLICATIONS** Applicants seeking employment with the Town should file an employment application form provided by the Town.
- 4.2 FRAUDULENT CONDUCT BY AN APPLICANT** Fraudulent conduct or false or omitted statements of material fact by an applicant shall be deemed cause for exclusion of the applicant from consideration for the position or termination from Town employment.

- 4.3 SCREENING AND SELECTION** As determined by the Town Council, the selection process may include one or more of all of the following: oral interviews, evaluation of experience and training, reference checks, written examinations, performance tests.
- 4.4 PRE-EMPLOYMENT BACKGROUND INVESTIGATION** It is the policy of the Town that as a condition of employment, all employees and volunteer firefighters must submit to a complete background investigation.
- 4.5 PRE-EMPLOYMENT DRUG TESTING** It is the policy of the Town that as a condition of employment all employees and volunteer firefighters must successfully pass a drug tests that screens for the presence of illegal drugs or unacceptable alcohol levels. The Town has adopted a separate Ordinance that sets forth the Town's formal policies and procedures regarding pre-employment drug testing and random drug testing, and blood alcohol testing.
- 4.6 PRE-EMPLOYMENT PHYSICAL EXAMINATION** It is the policy of the Town that as a condition of employment all employees and volunteer firefighters must successfully pass a physical examination. The physical examination shall be administered by a licensed medical provider. The physical exam results shall be retained according to Florida State Statute.
- 4.7 QUALIFIED APPLICANTS** The Town Council may appoint a member of the Council to categorize those persons eligible for a position as being qualified. The Town Council shall make the selection from such persons.
- 4.8 NEPOTISM** No Town official, department head or supervisor may appoint, employ, promote, advance or be influential in any way in the employment of any individual who is a relative of the Town official, department head or supervisor. Further, no relative of an employee may be hired by the Town to fill a position which would cause the current employee to either have jurisdiction over or be subject to the jurisdiction of the relative.
- 4.9 EMPLOYMENT LAWS** All applicable Federal, State and Local laws pertaining to employment practices will be complied with in the Town's employment procedures.
- 4.10 AGE REQUIREMENTS** Applicants for full-time employment must be 18 years of age or older. Persons who have reached their 16th birthday may be considered for employment within the limits of State and Federal Laws.
- 4.11 EMERGENCY EMPLOYMENT** It shall be the policy of the Town to provide for emergency employment with the consent of the Town Council and for provisional employment without open evaluation when there is no appropriate eligible list available. No such provisional or emergency employment shall continue longer than three (3) months.
- 4.12 VETERAN'S PREFERENCE** The Town shall comply with the Florida Administrative Code which requires that Veteran's Preference be given to eligible veterans and spouses

of veterans in all positions of employment except those that are exempt such as department heads, policy makers or managers or temporary employees. An applicant who meets the criteria for receiving Veterans Preference must also meet the minimum qualifications of the position and submit the appropriate documentation to substantiate the claim.

CHAPTER FIVE

5.0 EMPLOYEE TRAINING

5.1 TRAINING OBJECTIVE The Town encourages employees to attend educational conferences and to take self-improvement and job improvement courses which are directly related to their work. Additional educational training will be one measure used in making recommendations for advancement and promotion. Employees in good standing and indicating an extremely high degree of potential for advancement may be considered for educational leave with one-half of the cost to be reimbursed by the Town upon successful completion of the courses, with the approval of the Town Council. Supervisors shall assist employees in gaining capability through on-the-job training as required.

5.1.1 PAY DURING REQUIRED TRAINING Employees attending required educational courses shall be granted leave with pay with the approval of the Town Council. Should the required course be scheduled at some time other than the employee's normal working hours, the employee shall be given time off to compensate for the hours required to complete the course or paid for the hours at the regular pay rate if approved by the Town Council.

5.1.2 CLOTHING ALLOWANCE Office personnel may purchase two polo collared shirts with the town logo and engraved with name and title upon hire and be replaced every two years if necessary due to normal wear and tear. Police will have their uniforms provided and replaced by the Chief of Police's recommendation. Public Works personnel to have uniforms supplied appropriate for type of work, with town logo and engraved with name and title upon hire and replaced as deemed necessary by the uniform service. All provided clothing articles to be returned to Town of Astatula upon termination of employment.

5.2 EDUCATIONAL CONFERENCES An employee may be granted leave with pay to attend an education conference up to three (3) working days upon approval by the Town Council. Educational conferences to qualify may be conducted by colleges, universities, technical schools, manufacturers as an operation or service clinic or state and national association specifically related to a Town department and its operations. A leave of absence for educational conferences must be recommended in writing by the department head to the Town Council for approval.

5.3 TUITION ASSISTANCE Tuition assistance is available for courses directly related to the job being performed by the employee as a part of the job. The Town Council is the approval authority for tuition assistance requests. Fees or tuition for required courses shall be paid by the Town. No tuition assistance will be paid prior to the successful completion of an approved course, and reimbursement is for tuition only. No blanket approval of courses or programs will be granted. Only specific courses for a specific time will be approved. The assistance amount of fifty (50%) of the tuition fee is based on the employee attaining a final grade of B or higher. As a part of applying for tuition assistance, employees must agree that if he/she voluntarily terminates employment within one year of receiving tuition reimbursement, she/he will reimburse the Town the total amount received toward any course(s) taken within the year prior to termination.

CHAPTER SIX

6.0 SALARY ADMINISTRATION

6.1 SALARY MANAGEMENT DETAILS The salary of all employees at the time of employment as well as increases which result from promotions or decreases which result from discipline or other adverse actions shall be approved by the Town Council. The Town Council, shall be primarily responsible for the overall administration of Town personnel policies and procedures. However, the department head shall be responsible for ensuring that the personnel policies and procedures are carried out day-by-day in their department.

6.2 OVERTIME PAY Overtime work shall be kept at a minimum. However, the requirements of a specific department may make it necessary for an employee to sometimes work beyond his regularly scheduled working hours. Employees shall be required to work overtime when assigned unless excused by supervisor. Employees considered exempt in accordance with the Fair Labor Standards Act, are not entitled to overtime pay for hours worked in excess of their regular work period. All other employees shall be paid overtime pay for hours worked in excess of their regular work period.

CHAPTER SEVEN

7.0 EMPLOYEE BENEFITS

7.1 ELIGIBILITY AND ACCRUAL OF LEAVE AND VACATION Part-time employees are those employees who work less than 32 hours per week. Part-time employees are not entitled to any Employee Benefits. For full time employees who are not police officers, the following hours apply for leave benefits:

Years of Service	Hours of Leave
0-5	8 hours per month
6-10	10 hours per month
11-15	12 hours per month
16 plus	16 hours per month

Full time Police Officers shall accrue leave as follows:

Years of Service	Hours of Service
0-5	12 hours per month
6-10	15 hours per month
11-15	18 hours per month
16-20	21 hours per month
20 plus	24 hours per month

Annual leave may be accumulated over a two (2) year period (730 days). Employees must use accumulated leave within 3 years (1,095 days). Any leave not used within the 3 year time period shall be forfeited in an amount to ensure that the employee only maintains 2 years' worth of leave at any given time. In no event shall any employee be entitled to accumulate any leave over and above the 2 year limit prescribed by this Policy and Procedure Manual. Part time employees are not eligible for paid leave time. The Town Council has the final determination on use of accrual leave time.

Vacation credit may be used as accrued after the employee has completed twelve (12) consecutive calendar months of employment. Previous employment with the Town will not count towards years of full-time service. Vacation leave may not be taken in periods of less than four (4) hours per shift.

7.2 PAYMENT IN LIEU OF LEAVENACATION TIME No employee shall be permitted to forego his/her vacation and receive pay in lieu thereof, except that an employee who is separated from the Town payroll, for any reason, before receiving all of the vacation for which he/she has become eligible prior to the time of his/her termination, shall receive pay for that portion of his/her vacation due but not received, at the discretion of the Town Council.

7.3 EXCHANGE OF LEAVENACATION TIME: Absence on account of sickness, injury or disability in excess of that hereinafter authorized for such purposes, shall at the request of the employee and within the discretion of the department head be charged against vacation allowance with the approval of the Town Council. When a regularly scheduled holiday occurs during the period of an employee's leave, the holiday will be granted.

7.4 SCHEDULING AND USE OF VACATION TIME Each department head shall keep record of vacation allowance and use and shall schedule annual leave with

particular regard to the seniority of employees, to accord with operating requirements and, insofar as possible, with the requests of the employees. Employees are to outline the desired dates of vacation the first month of the new calendar year and submit the schedule to their supervisor. An employee who is eligible for vacation may take it at any time agreeable to the employee and supervisor. The employee must complete a Leave Request Form.

Each supervisor may use whatever methods of compiling and scheduling leave requests he/she wants to, as long as the methods are reasonable, fair, consistent and not discriminatory against any individual or group. Supervisors shall not schedule vacation in such a way that departmental operations are adversely affected. Supervisors shall respond to an employee's request for vacation as quickly as possible.

7.5 HOLIDAY LEAVE Holidays will be paid providing the employee works the scheduled shift the day before and the scheduled shift the day after unless special circumstances have been pre-approved.

Holidays may be designated annually by Town Council Resolution.

OFFICIAL HOLIDAYS

The following are holidays which shall be observed by all Departments in which functions can be discontinued without adversely affecting required services to the public:

New Year's Day	Memorial Day	Veterans Day	Christmas Day
Martin Luther King Day	July 4 th	Thanksgiving Day	
Presidents Day	Labor Day	Day after Thanksgiving	

7.6 HOLIDAY ON NON-WORKING DAY When a holiday observed by the Town falls on Sunday, such holiday shall be observed on Monday after the holiday. When a holiday observed by the Town falls on Saturday, such holiday shall be observed on Friday before the holiday.

7.7 HOLIDAY PAY ELIGIBILITY All eligible employees who meet the holiday pay requirements noted in this section shall be paid holiday pay equivalent to eight (8) hours at the employee's regular rate of pay regardless of the number of hours the employee normally works in a shift. In addition, any employee who is required to work on the holiday and meets the holiday pay eligibility requirements noted in this section shall be paid for all hours worked on the holiday at the rate of one and one-half times the employee's regular rate of pay. To be eligible for holiday pay, an employee must meet the following requirements:

- be a full-time employee.
- must work on the scheduled days prior to and after the holiday. However, if the absence on the day before or after the holiday was due to the reasons listed below, the employee would receive holiday pay.
- The day of absence was previously approved.
- The employee is absent because of an accident.
- The employee is absent due to a current on-the-job injury

- an employee who reports in on the scheduled work date prior to the holiday would be considered to have worked that day, even though he/she is unable, due to emergency or illness, to complete the normal work day. The same will apply to the first scheduled workday after the holiday.

7.8 MILITARY LEAVE

7.8.1 ACTIVE SERVICE a leave of absence without pay will be granted to any employee who is serving in the Uniformed Services even if such period of military service may be for more than 12 months. Health insurance coverage (for the employee and his/her dependents) will end on the date the employee enters military service or on the last day of the month in which the leave commences, whichever occurs first, but may be continued at the employee's election in accordance with the terms of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). Upon honorable discharge, the employee will be reinstated with the Town in accordance with the USERRA.

7.8.2 NATIONAL GUARD MEMBER An employee who is a member of the National Guard or who is a reservist in any branch of the Uniformed Services shall be granted military leave not in excess of seventeen (17) reserve/working days per year. It is the employee's responsibility to notify his/her supervisor as far in advance as possible so that arrangements can be made for the employee's absence, but in no case no more than 3 days after receiving orders. If an employee fails to provide notice to the town prior to the date he is to report for duty, the town can decline to reinstate that employee. The above provisions exist as stated if an employee is activated by the Governor for a State Emergency. Employees do not have to be paid by Town but must have reinstatement of a job when they come back under the USERRA Statute.

7.9 SICK LEAVE It is the policy of the town to provide reasonable time off with pay, up to the amount of unused sick leave earnings, to employees who are unable to work due to illness or injury. Sick leave with pay is not a right which an employee may demand, but a privilege granted by the Town. There is no monetary payoff for accrued sick leave per Ordinance 2005-F.

7.10 USE OF SICK LEAVE: Sick leave may be used as follows:

7.10.1 APPROVAL The department head or Town Council Member assigned to oversee the department can officially approve employee sick leave. Only an employee who has completed six months of full-time employment may be paid for sick leave. Accumulation of Sick Pay may be determined annually by Town Council Resolution.

7.10.2 SICK LEAVE PAY Sick leave may be paid when an employee is unable to work due to a personal/family illness or injury, or when the employee's presence may endanger the health of fellow workers. A family member for this purpose is defined as spouse, children, step children, parents, siblings or grandparents of the employee.

7.10.3 SICK LEAVE Sick leave may be taken for medical, optical and dental appointments and it may be taken for attendance of a funeral or for bereavement of a family member.

7.10.4 SICK PAY UNITS Sick leave will be charged in units of whole hours.

7.11 SICK PAY ELIGIBILITY. Eligibility is determined as follows. Full time employees earn sick time at a rate of eight (8) hours per month. Part time employees hired at less than 20 (twenty) hours per week are ineligible for sick pay benefits. Part time Employees working twenty plus (20+) hours per week will be prorated per hours hired to work. Twenty (20) hours is four (4) hours per month (0.5 employee) Twenty eight (28) hour per week is five. Six (5.6) hours per month (0.7 employee). Thirty four (34) hours per week is six/eight (6.8) per month (0.85 employees). This determination is based on hours per week hired, not hours per week worked, so if a part time person is employed at twenty (20) hours per week and works more than the twenty hours per week, the sick time is earned at the hire hours of twenty (20) hours per week at four (4) hours per month. In the event that there is a status change, mandated by the Town Council changing the weekly hours scheduled for an employee for an extended period of time, the benefits will change accordingly to reflect this change. Per Ordinance of 2005-F after three days of sick leave is taken, a written note from the employee's physician shall be required before additional sick leave days may be taken. The current provision allowing for one half (1/2) day for doctor appointments shall be amended to provide that employees may use their sick leave in one (1) hour increments. Sick time maximum accrual is for a total of three hundred and twenty hours (320). Sick time may not be cashed in except for the use of sick or medical leave. Sick leave pay will not automatically be granted unless a physician's note has been obtained will any sick leave lasting three or more days.

7.12 SICKPAY

7.12.1 NOTIFICATION OF ILLNESS. The employee's supervisor must be called at least 30 minutes before the scheduled starting time on the day of the absence the reason for the absence, except in the case of public safety where the departmental schedule will be followed. An employee who fails to so notify the supervisor shall not be paid for the day(s) taken prior to notification.

7.12.2 Status is requested. If the absence extends beyond three days, keep the supervisor advised as to the employee's condition and anticipated date of return.

7.12.3 Statement of illness. Submit a statement from the attending physician(s) for any illness of three days or longer as to the nature and duration of the illness is required before returning to work. A statement from the physician will be needed if inadequate notice (less the seventy-two {72} hours) given for physicians appointments resulting in being late or missing appointed hours of work.

7.12.4 Holiday during sick leave. When a paid holiday occurs during the period an employee is on sick leave with pay, the employee shall receive only his/her regular holiday and that day shall not be charged against his/her sick leave earnings.

7.13 Sick Leave Transfer Upon approval of the Town Council any member of the Town can transfer earned sick leave for the use of another employee who is out of work due to their illness, or medical leave. The employee receiving the transferred sick leave must have exhausted all sick and annual leave and have completed probation before receiving transferred sick leave. Forty (40) hours may be donated at a time, and two hundred (200) Hours must be retained in donor's bank of sick leave.

SUMMARY OF SICK LEAVE PROCEDURE

- Each employee shall notify (call) his/her immediate supervisor in accordance with the Town attendance policy to report his/her sickness.
- When an employee returns to work he/she shall complete the leave request form. Before sick leave with pay is officially granted, this form must be signed (approved) by his/her department head.
- If an employee wishes to use sick leave for a doctor, dentist or optical appointment, then the leave form must be submitted and approved before the sick leave is taken. Notice must be given when appointment is booked.
- If a supervisor feels that an employee has abused this policy concerning minor illness, the supervisor, with permission of the Town Council Member assigned to oversee that particular department, may refuse to pay benefits.

7.14 EMERGENCY OR ILLNESS Employees who are absent due to an emergency or illness should call or have someone call his/her supervisor to report such an absence.

7.14.1 EMPLOYEE Responsibility. It is the employee's responsibility to ensure that proper notification is made when absent due to an emergency or illness. This must be done by phone or personal note and, if possible, by the employee. At times, utilizing e-mail to notify the Council Member assigned to oversee that particular department may be necessary but only as a last resort, when unable to notify anyone by phone.

7.14.2 PHYSICIAN'S STATEMENT REQUIRED. An employee who has been absent under any of the following conditions, must have a doctor's statement that indicates no work restrictions when returning to work.

- Employee has been hospitalized.
- Employee has been granted personal leave which is in reality for medical reasons, i.e., employee is hospitalized or undergoing a surgical procedure which could be disabling, even though the employee, for personal reasons, does not file a claim for group insurance benefits.
- Employee has a non-work related accident, even if no time is lost from his/her regularly schedule work shift, i.e., weekend or after-hours accident.
- Employee is absent three (3) or more consecutive work days.

7.14.3 PHYSICIANS EXAMINATION An employee shall submit to an examination by a physician or supply a work release by a physician upon returning to active duty after an extended chronic illness.

7.15 EMPLOYEE UNDER SUSPENSION NOT ELIGIBLE FOR SICK LEAVE An employee under suspension forfeits all claim to sick leave for the duration of such suspension and must be returned to active duty before sick leave credit is restored.

7.16 BREAK IN SERVICE CANCELS ALL SICK LEAVE A break in service permanently cancels all sick leave accrued to an employee's record and in the event of subsequent reappointment such employee begins a new sick leave accumulation.

7.17 ILLNESS DURING VACATION LEAVE When sickness occurs within a period of vacation leave, the period of illness may be charged as sick leave and the charge against vacation leave reduced accordingly. Application for such substitution should be made within two days after return to active duty and shall be supported by a medical certificate.

7.18 MILITARY DUTY EFFECT ON SICK LEAVE When an employee enters active military duty, either by induction or for training purposes or for national or state emergencies, sick leave accumulated shall remain to that Employee's account pending return from military leave. However, no further sick leave credits will be accumulated for the period of absence while on military leave.

7.19 FAMILY AND MEDICAL LEAVE The Town provides leave pursuant to the Provisions of the Family and Medical Leave Act of 1993

7.19.1 ELIGIBLE EMPLOYEES Employees who have been employed for at least 12 months and have worked at least 1,250 hours during the preceding 12-month period are eligible for unpaid family or medical leave. If a leave is requested for an employee's own serious health condition, the employee must first use all of his or her accrued vacation leave, sick or personal leave. If leave is requested for any other reason listed below, an employee must first use all of his or her accrued paid vacation leave.

7.19.2 LEAVE PERIOD An eligible employee is entitled to take up to 12 weeks of family or medical leave in any 12-month period. The 12-month period shall be a rolling 12-month period measured backward from the date leave is used. Entitlement to leave for the birth or placement of a child for adoption or foster care will expire 12 months from the date of birth placement.

7.19.3 REASONS FOR LEAVE An employee who meets the applicable eligibility requirements will be granted a total of up to 12 weeks of unpaid leave for the following reasons:

- The birth of the employee's child in order to care for that child.
- The placement of a child with the employee for adoption or foster care.

- The care for a spouse, child, or parent who has a serious health condition; or
- A serious health condition that renders the employee incapable of performing the functions of his or her job.

An employee requesting family or medical leave must complete an application and return it to the Supervisor. The completed application must state the reason for the leave, the duration of the leave and the starting and ending dates of the leave.

7.19.5 NOTICE OF LEAVE An employee intending to take family or medical leave must submit an application for leave at least 30 days before the leave is to begin, or as soon as the reason requiring the leave is known.

7.19.6 INTERMITTENT OR REDUCED LEAVE Employees may not take intermittent or reduced leave in case of birth or placement of a child, unless the Town Council agrees. In the case of serious health conditions, leave may be taken intermittently or on a reduced leave schedule when medically necessary. Employees are expected to make a reasonable effort to schedule intermittent leave so as not to disrupt the operations of the Town.

7.19.7 MEDICAL CERTIFICATION OF LEAVE The application for leave based on the "serious health condition" of the employee or the employee's spouse, child or parent must be accompanied by a "Medical Certification Statement" completed by the health care provider. The certification must state the date on which the serious health condition commenced, probably duration of the condition and the appropriate medical facts regarding the condition. If an employee is requesting leave to care for a spouse, child or parent with a serious health condition the medical certification must state an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the medical certification must state that the employee cannot perform the functions of his or her job.

The employee regarding the need to take family or medical leave, the Town will discuss the leave requirements with the employee and will issue a memorandum outlining the basic information regarding the leave.

7.19.9 BENEFITS COVERAGE DURING LEAVE During a family or medical leave, the employee will be retained on the town's health plan under the same conditions that applied before the leave began. To continue health coverage, the employee must continue to make any contributions that he or she made for group insurance during the leave. Failure of the employee to pay his or her share of the health insurance premium, if any, may result in loss of coverage.

7.20 RESTORATION TO EMPLOYMENT An employee who completes a family or medical leave will be returned to the same position held when the leave began or to a position equivalent in pay, benefits and other terms and conditions of employment. However, the highest paid 10-percent of employees are not guaranteed reinstatement if reinstatement will cause the Town economic injury. In such case the Town will notify the employee as soon as it determines that reinstatement is not available. The Town cannot guarantee that an employee will be returned to his or her same former job.

7.21 RETURN FROM LEAVE The Town will require an employee taking a family or medical leave to report every 30 days on his or her status and intent to return to work upon completion of the leave. Employees returning from a medical leave are required to provide certification from a health care provider indicating that the employee is able to resume work with no limitations. Employees who do not return to work upon the expiration of a family or medical leave will be treated as having voluntarily terminated their employment. An employee who requests an extension of family or medical leave must submit his or her request for an extension in a writing that includes the reason for the requested extension.

7.22 BEREAVEMENT LEAVE. In the event of a death in the immediate family of a full time or permanent part-time employee, the employee may be granted bereavement leave of absence with pay. Employees will receive three (3) days of pay to attend the funeral of the deceased. The amount of time authorized shall be determined by the Town Council Member assigned to that particular department and shall be allowed as circumstances warrant. Such leave shall not be chargeable to other types of leave, but shall be in addition to accrued annual or sick leave. Such employees may also apply for additional accrued annual leave if they desire additional time for bereavement purposes. The additional leave will be chargeable to sick leave and/or vacation leave, and may only be granted at the discretion of the Mayor with input from Department Head, or supervisor.

CHAPTER EIGHT

8.0 JURY AND WITNESS DUTY LEAVE

8.1 JURY DUTY All full-time town employees selected for jury duty shall be entitled to civil leave with pay for the period of absence required. Such leave shall not be charged to annual or sick leave earnings. Eligibility commences on the first day of active employment. If an employee is called for jury duty on a regular working day or days and the jury pool is released by noon, he should report for work for the afternoon unless that causes some hardship.

8.2 OFFICIAL COURT ATTENDANCE All employees subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the Town shall be entitled to leave with pay for such period as his court attendance may require.

8.3 PRIVATE LITIGATION Absence of an employee to appear in private litigation in which he/she is a principal party shall be charged to annual leave or to leave without pay

8.4 DURATION OF JURY SERVICE When called for jury duty, the employee must show the summons to the supervisor prior to the date of service so that authorization and plans for the absence can be made. Failure to advise the supervisor in advance may be cause for the employee not to receive jury duty pay. In addition, the employee must complete the application for leave of absence form.

- When released from jury duty for any day, the employee will be expected to return to work for that day. If released from jury duty two hours or more before the end of a regularly scheduled work day, an employee is required to return to work.
- Upon return to work (after having been released by the court), the employee must submit to the supervisor a statement from the Clerk of the Court indicating the dates and amount paid for serving as a juror.
- The supervisor will turn the statement over to the department head in order that the payroll department may be notified to pay the employee for jury duty.

CHAPTER NINE

9.0 LEAVE WITHOUT PAY

9.1 LEAVE FOR MEDICAL REASONS For any extended period of disability due to illness, injury or maternity exceeding the amount of accrued sick or an annual leave by ten days, the employee may apply for leave without pay status which, along with any paid leave that has been taken, shall not exceed 180 days. The written request shall not be denied for bona fide illness or disability for employees who have served satisfactorily with reinstatement privileges to the same position or one of comparable grade for which the employee is qualified. If an employee is eligible for Family and Medical Leave for the same medical reason, leave without pay and Family and Medical Leave must be taken concurrently up to the Family and Medical Leave maximum of 12 weeks.

The application for leave without pay shall be in writing and shall include a physician's certification of the condition and the period of time the employee will be incapacitated. Dates set forth by the physician shall be strictly adhered to; however, they may be amended by the physician. In cases of apparent abuse the Town may require additional documentation from the physician issuing the certificate or may secure additional medical opinions from other physicians. The amount of leave authorized shall not exceed the end of the period for which leave was requested or certified by a physician, provided that it shall not exceed: 180 calendar days of combined leave with pay and leave without pay. Otherwise, the employee shall forfeit reinstatement privileges and be separated from the Town. In extenuating circumstances, the Town Council may extend the period of leave up to a total of 365 days.

9.2 LEAVE FOR PERSONAL REASONS Leave without pay for up to ten (10) days may be approved by the supervisor. Leave without pay from (10) to ninety (90) days may be approved by the supervisor with the approval of the Town Council. Leave without pay will only be approved if that period of absence will not be granted until the employee has used all accumulated annual leave. Leave without pay for more than thirty (30) days will be deducted from length of service record.

9.3 DEDUCTION OF LEAVE TIME. All leave time without pay will deduct time from length of service.

CHAPTER TEN

10.0 ADMINISTRATIVE LEAVE

10.1 LEAVE - When it is in the best interest of the Town, the Town Council may place an employee on administrative leave for a period of time not to exceed thirty (30) days. The employee shall not be allowed to be at his/her worksite during administrative leave unless there is a specific authority from the supervisor or Town Council.

CHAPTER ELEVEN

11.0 PERSONNEL MANAGEMENT

11.1 ATTENDANCE RECORDS An attendance record shall be maintained for each employee. This record shall reflect all absences and shall be made available to the employee for inspection upon request. Copies of all leave request forms must be forwarded by department heads to the Town Hall office. An official leave record file will be maintained in Town Hall. Time sheets shall contain signed department head approval upon submittal for payment.

11.2 TRAVEL AND SUBSISTENCE ALLOWANCE When an employee of the Town is required to travel on official business, the Town will pay reasonable amounts for transportation, meals and lodging. These reasonable costs will be the current Government Standard Allowance. All travel must be authorized in advance by the Town Council. All expenses must be supported by an expense report with all receipts attached.

11.2.1 TRANSPORTATION COSTS

- The Town may purchase tickets in advance for employees traveling by common carrier
- All employees shall travel in tourist class whenever possible.
- Employees who with proper authorization use their personal vehicles for official business may be reimbursed at a rate per mile, in accordance with the rate set in Florida Statutes.

- Employees may be reimbursed for all bridge, road and parking tolls with proper documentation/receipts. Receipts for taxi fares are not required but taxi expenses must be itemized on the expense report.

11.2.2 MEAL ALLOWANCE Employees on official travel status during any of the three meal periods may be reimbursed for reasonable meal expenses. The amount paid will adhere to the Government Standard Allowance. Receipts must be presented to substantiate all meal reimbursement requests.

11.2.3 LODGING When lodging is required, employees are expected to utilize standard, medium priced hotels and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he/she may stay at the hotel or motel where the meeting is held. In all cases, the Town will pay no more than regular single room rate and adhering to the Government Standard Allowance. Receipts must be presented for all lodging.

11.2.4 ADVANCES Travel advances may be made to cover anticipated travel expenses with the approval of the Town Council. Expenditure and advance shall be accounted for within 3 working days after completion of travel.

11.3 HOURS OF WORK The established work schedule for all full time hourly employees is 40 hours per week with the exception of firefighters and police officers who work assigned shifts. However, the department head, with the approval of the Town Council Member assigned to oversee that particular department., may establish a different work schedule which would better meet the needs of the department and/or provide proper service to the community.

11.3.1 Police Department The Police Department will set their hours of work. They have specific assigned shifts established to provide 24/7 coverage for the Town of Astatula.

11.4 PROBATION PERIOD The probationary period shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his/her position, and for rejecting any employees whose performance does not meet the required work standards. The probationary period for general employees is six (6) months, whereas the probationary period for police officers and firefighters is twelve (12) months.

During the probationary period, the department head shall report to the Town Council Member assigned to oversee the particular department his/ her observation of the employee's work and his/ her judgments to the employee's willingness and ability to perform his/her duties satisfactorily and as to his duties, habits and dependability. At any time during the probationary period, the department head, after advising the appropriate Town Council Member, may remove an employee if in his/her opinion the employee is unable or unwilling to perform the duties of the position satisfactorily or that

his/her habits and dependability do not merit his/her continued employment with the Town.

Prior to the expiration of an employee's probationary period, the employees department head shall notify the appropriate Town Council Member by submitting a personnel action sheet, stating whether the service of the employee has been satisfactory and whether he/she desires to continue the employee in his/her position. Upon satisfactory completion of the probationary period, the employee will become a permanent employee of the Town.

11.4.1 PAY DURING PROBATION The normal beginning pay rate for a probationary employee will be the initial pay within the pay range established for his job classification.

11.5 PERFORMANCE EVALUATIONS The purpose of periodic evaluation of employee performance shall be to measure as objectively as possible both the quality and quantity of an employee's work and other such factors as deemed necessary to determine the manner in which this service is rendered, and to serve as a feedback to the employee concerning his or her performance strengths and weaknesses.

11.5.1 PROBATIONARY PERFORMANCE New employees are on probation as outlined in paragraph 11.4. At a minimum, performance reports indicating their progress in their job will be completed as follows:

General Employees

- At the end of the second month (60 days)
- At the end of the fourth month (120 days)
- At the end of the sixth month (180 days)

Police Officers and Firefighters

- At the end of the second month (60 days)
- At the end of the sixth month (180 days)
- At the end of the ninth month (270 days)
- At the end of the twelfth month (360 days)

11.5.2 REVIEW PROBATION PERFORMANCE Each probationary report will be signed by the employee indicating that he/she has seen the report, not that he/she agrees or disagrees with its contents.

11.5.3 ANNUAL REPORT FOR PERMANENT EMPLOYEES All employees shall have at least one annual performance evaluation completed by May of each year. Supervisors, person(s) designated by the Town Council and department heads are responsible for completing the forms on a timely basis and returning them to the individual personnel files. Annual performance evaluation reports must be signed by the employee indicating

that he/she has seen the report, not that he/she agrees or disagrees with its contents. The Town Council Members are to complete annual performance evaluations for the Police Chief and the Town Clerk. Council Members assigned to oversee a particular department are required to evaluate performance of employees in that department, i.e. the Public Works Department evaluated by Town Council Member assigned to oversee the Public Works, and Code Enforcer evaluated by Town Council Member assigned to over that particular department.

11.5.4 PERFORMANCE REPORT REVIEW Any employee who receives an unsatisfactory annual report will have a special performance report completed on him/her at the end of 90 days after the date of the unsatisfactory report. At any time when an employee's performance has changed radically from that of the previous reporting period, a department head may require a special performance report. All special reports must be signed by the employee being reported on indicating that he/she has seen the report, not that he/she agrees or disagrees with its contents

11.5.5 PREPARING PERFORMANCE EVALUATION REPORTS Performance evaluation reports will normally be completed by an employee's immediate Supervisor (i.e., the rater). The performance evaluation reports will be signed by the department head, with comments if necessary. If a department head disagrees with a raters rating of any particular item, the department head may circle the number which is more appropriate and initial the change.

11.5.6 REVIEWING PERFORMANCE REPORTS The evaluator shall discuss each performance evaluation with the employee being evaluated. The department head shall furnish the employee an official copy of the employee evaluation form. The employee may record any comments he may have, including statements of disagreement with the evaluation. A permanent employee shall also be given the opportunity to appeal the rating in the manner set forth by the Town Council member assigned to oversee that particular department.

11.6 PROMOTIONS It is the policy of the Town to employ and promote the most qualified individual available for any given position. Promotion from the Town is a desirable practice in that positions can be filled with individuals who are knowledgeable about the operations of the jurisdiction and the orientation period is significantly shortened. Vacancies in positions above the lowest rank in any category within the town personnel system shall be filled by promotion of employees in the town service when possible and practical. When a vacancy is to be filled by promotion the following factors will be considered:

- Qualification for the position (i.e., knowledge, skills, and, abilities)
- Service record with the Town.
- Physical fitness (if appropriate to the position)

Upon promotion, the employee's pay rate shall be adjusted to the appropriate position. The employee's annual performance evaluation date shall be changed to the effective date of the promotion. The employee will receive performance reviews at the same intervals as a new employee. The employee may be eligible for consideration for a merit

increase after six (6) months in the new position only if Town Council has approved the merit increase (dependent on budgetary funds).

If for any reason an employee cannot or does not perform satisfactorily in the new position, he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to either return him/her to their previous job, or to reassign him/her to a position for which they are better qualified. The employee's rate of pay will be adjusted to that rate of pay prior to the promotion. If no appropriate position is available, however, the employee may be laid off or dismissed.

11.7 DEMOTION Demotion occurs when an employee is placed in a position with a lower pay grade. The employee must possess the necessary qualifications to perform the required duties of the new position which he/she is demoted to. Demotions must be approved by the department head and Town Council Member assigned to that particular department. Demotions may occur in the following situations.

- When a position has been abolished or reclassified to a lower pay grade and the employee cannot be transferred to a position with a pay grade equivalent to the one already held.
- When an employee requests being transferred to a position with a lower pay grade.
- When an employee has been determined to be physically unqualified to perform the duties of the new position, based on a medical examination by a physician selected by the Town.
- When an employee's supervisor has determined that he/she is not performing the duties of the job adequately.

A demoted employee's pay rate will be adjusted to the average pay rate of other employees in the same or similar position with similar years of experience. If the employee was recently promoted, his/ her pay rate shall be adjusted to the pay rate in effect immediately prior to the promotion. A demoted employee's annual evaluation performance date will be changed to the effective date of the demotion. The employee will receive performance evaluations at the same intervals as a new employee. The employee may be eligible for consideration for a merit increase after six (6) months in the new position.

11.8 UNSATISFACTORY PERFORMANCE If for any reason an employee cannot or does not perform satisfactorily in the new position, he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to either assign him/her to a position for which he is better qualified. If no appropriate position is available, however, the employee may be laid off or dismissed.

CHAPTER TWELVE

12.0 STATUS CLASSIFICATION

12.1 STATUS CHANGES It is the Town's policy to place employees on a job which their interests and those of the Town are best served. Every reasonable effort to place employees on a job of their preference is made if there is an opening and they have the necessary qualifications. Whenever possible, an employee's wishes shall be respected.

12.1 TRANSFERS A transfer is when an employee moves from one position to another in the same pay grade. The employee's pay rate will not change. The employee's annual performance evaluation date shall be changed to the effective date of the transfer. The employee will receive performance reviews at the same intervals as a new employee. The employee will be eligible for consideration for a merit increase after six (6) months in the new position. If for any reason an employee cannot or does not perform satisfactorily in the new position, he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to either return him/her to a position for which they are better qualified. If no appropriate position is available, however, the employee may be laid off or dismissed.

12.2 POSITION RECLASSIFICATIONS A position reclassification is a change in an employee's position classification due to an increase or decrease in assigned duties and responsibilities of the position or to correct inequities created by the reclassification of other positions. If the reclassification is a higher pay grade, the employee's rate of pay shall be adjusted. If the reclassification is to a lower pay grade, the employee's rate of pay shall be adjusted to the rate of pay of other employees in the same or similar positions with similar years of experience. The employee's annual performance evaluation date shall be changed to the effective date of the reclassification. The employee will receive performance reviews at the same intervals as a new employee. The employee will also be eligible for consideration for a merit increase after six (6) months in the new position (if budget allows). If for any reason an employee cannot or does not perform satisfactorily in the new position he/she may be removed and either reassigned or terminated. If an employee who has been assigned to a different position has a previous record of good performance but is unable to perform the new position satisfactorily, the Town will attempt to reassign him/her to a position for which they are better qualified. If no appropriate position is available, however, the employee may be laid off or dismissed.

12.3 TERMINATION OF EMPLOYMENT

12.3.1 VOLUNTARY RESIGNATION Employees are expected to provide at least two (2) weeks written notice of resignation to their department head or the Town Council Member assigned to oversee that particular department. Employees who do not give the

required notice will not be eligible for re-hire except as approved by the Town Council. Once a resignation is submitted, the Town has no obligation to allow withdrawal of the resignation, but may consider a request to rescind the resignation depending on the circumstances.

12.3.1.1 TWO WEEKS WRITTEN RESIGNATION No vacation or leave time of any manner may be taken in the last two weeks of employment.

12.3.2 TERMINATION FOR MISCONDUCT A misconduct is considered to be a willful violation of a Town policy, rule, or working instruction. It also includes acts of gross negligence or willful acts that are not in the best interest of the Town. Typically, the Town will attempt to provide warning or reprimand in an attempt to avoid further misconduct, but does not guarantee a specific sequence of warnings and may dismiss for misconduct upon a first serious offense. Permanent employees shall be provided notice of the department heads intention to terminate and reasons for such action. The employee will be immediately placed on administrative leave and will be given the opportunity to respond to the department heads concern within five (5) working days of receipt of the intent to terminate letter. Upon consideration of the employee's responses, the department head shall make his/her decision regarding the termination issue.

12.3.3 TERMINATION FOR POOR PERFORMANCE An employee who does not meet performance standards in his/her job or who no longer is able to perform the job for any reason including, for example, loss of license, may be dismissed. Prior to dismissal for poor performance, the Town will typically attempt to assist the employee in improvement of performance or attempt to place the employee in a position in which he/she can perform, but does not guarantee that the employee will be retained.

12.3.4 REDUCTION IN The Town Council will, because of lack of funds, be required to reduce the working force in a department or division. If a reduction in force is required, the Town will select the department in which the reduction will come from, and the Head of that department will select the employees affected in an equitable and non-discriminatory manner in accordance with the criteria detailed below. Affected employees shall be giving two weeks notice prior to dismissal.

12.3.4.1 LAYOFF of an EMPLOYEE Within the affected work group, an employees will be laid off on the basis of

- 1) Length of service within the Town. If length of service is equal, selection for layoff will be based on the employee's average performance rating for the last three years of service or the entire service period, whichever is shorter?
- 2) Length of service in the affected position.

If an employee is scheduled to be laid off, the employee shall be offered another position for which he/she qualifies if a suitable vacancy exists. However, bumping is not allowed. (Discharging or demoting an employee to make room for the employee to be laid off.)

12.3.4.2 OTHER EMPLOYEES LAYOFF Within the affected work group, temporary, emergency, and provisional employees, followed by probationary employees will be terminated without recall rights prior to the layoff of personnel...

12.3.4.3 ESSENTIAL EMPLOYEES If certain individuals are deemed by a department head to be essential to the efficient operation of the department or the organizational unit because of special skills or abilities, the department head may request an exception to the layoff order. The request must be in writing and must set forth in detail the specific skills and abilities possessed by the individual and the reasons why the individual is essential to the effective operation of the department or organizational unit. The Town Council has the sole authority to approve or reject the request, and must further approve and confirm the names of all employees scheduled for layoff prior to the layoffs occurring. Employees shall be notified in writing by the department head of their layoff at least fourteen (14) calendar days prior to the effective date of the layoff.

12.4 RECALL FROM LAYOFF Employees who are laid off will have recall rights for up to six months, and will be recalled in the reverse order of layoff. An employee who is not recalled within six months of layoff will be considered terminated and will be eligible for re-hire as position vacancies occur. An employee who declines recall will be considered to have voluntarily resigned as of the date he/she declined.

12.5 APPEAL OF INVOLUNTARY TERMINATION Employees may appeal the termination decision of a department head to the Town Council, in accordance with the Appeals Section of this policy. However, probationary employees and temporary employees may not participate in the appeals process.

12.6 ELIGIBILITY FOR RE-EMPLOYMENT An employee whose employment ends for any reason other than misconduct may re-apply for employment and be considered for vacancies for which he/she qualifies. While the past service for the Town can be considered favorable experience, prior service does not grant any right of re-employment or preferential consideration. Re-hire of any employee terminated for misconduct must be approved in writing by the Town Council.

12.7 DEATH All compensation due to the employee as of the date of death shall be paid to the beneficiary, surviving spouse, or to the estate of the employee as determined by law or by executed forms in the employee's personnel folder.

12.8 DISABILITY If there is a question of employee disability, a department head, with the approval of the Town Council Member assigned to that particular department, may direct any employee under his/her jurisdiction to be examined by a physician designated by the Town. When a disability of any kind is discovered which impairs the effectiveness of an employee or makes his/her continuance on the job a danger to himself/herself or others, the following action shall be taken

12.8.1 Correctable Disabilities If the disability is correctable, the employee shall be allowed a specified time as determined by the Town Council to have it corrected. Such time may be charged to sick or annual leave or, if no leave has been accrued, to leave without pay. If the employee fails to take steps to have the disability corrected within the specified time, he/she shall be subject to disciplinary action or layoff.

12.8.2. Permanent Disabilities If, in the opinion of the examining physician, the disability cannot be corrected, the Town shall provide reasonable accommodation, to the extent provided by the Americans with Disability Act, in order that the employee can perform the essential functions of the job. Reasonable accommodation may include, but is not limited to, modified work schedules, job restructuring, facility and equipment modification, job reassignment, etc.

CHAPTER THIRTEEN

13.0 ANNUAL PHYSICAL EXAMINATIONS

13.1 EXAM SCHEDULE All police officers/firefighters will be required to have an annual physical examination by December 31st of each year. The physical must be administered and funded by the Town of Astatula with the employee's local (Lake County) physician of choice. Employees will be permitted leave with pay to take the annual physical examination. Volunteer firefighters shall be paid at a rate of a fire drill. Refusal to take an annual physical examination shall be grounds for termination

13.2 EXAM RESULTS. The specific results of the annual physical examination will not be made available to the Town unless some condition is diagnosed that may affect performance in the employee's work assignment. However, in the case of firefighters, the physical examination provider must certify to the Town that the firefighter is medically qualified to perform all functions of a firefighter, in accordance with the guidelines as set forth by the Florida State Fire Marshal Bureau of Fire Standards and Training and NFPA 1582. In the case of police officers, the physical examination provider must inform the Town of medical conditions that could affect the individual performing as a police officer.

CHAPTER FOURTEEN

14.0 EMPLOYEE DISCIPLINARY AND GRIEVANCE PROCEDURES

It shall be the duty of all employees to comply with and to assist in carrying into effect the provisions of the personnel rules and regulations. Employees should be made aware of the seriousness of regulation violations that may result in disciplinary action. Disciplinary actions become a permanent written record and are placed in the employee's personnel file. Such details may be considered during review when an increase in pay or advancement is being addressed.

14.1 RESPONSIBILITIES OF ALL EMPLOYEES It is the duty of every employee to attempt to correct any faults in performance when called to the employee's attention and to make every effort to avoid conflict with the rules and regulations.

14.2 RESPONSIBILITIES OF SUPERVISORS It is the duty of every supervisor to discuss improper or inadequate performance with the employee in order to correct deficiencies and to avoid the need to exercise disciplinary action. Discipline shall be, whenever needed, of an increasingly serious nature, in the following order of severity corresponding to the offense.

14.3 DISCIPLINARY ACTIONS The following disciplinary actions affecting employees in town service define the scope of such action. A department head, subject to the appellate rights of the permanent employee as stated herein, shall have the following alternatives for disciplinary action:

14.3.1 REPRIMANDS Unless the incident, action or behavior of the employee is such as to initially warrant a more severe type of disciplinary action, a written reprimand shall usually be issued for first offenses. Depending upon the circumstances or seriousness of the offense, one additional written reprimand may be given for repetition of the same type of offense. Written reprimands should state the necessary corrective action and a warning that repeated offenses may lead to sterner measures. A copy should be filed in the employee's personal records. Serious reprimands may be grounds for immediate dismissal.

14.3.2 SUSPENSION A department head, with the Town Council Member's (assigned to oversee that particular department) approval, may suspend without pay any employee under the department head's supervision for such length of time as is considered appropriate, but not to exceed thirty (30) days in any twelve (12) month period. A written statement specifically setting forth reasons for and the length of time of such suspension shall be forwarded to the affected employee. Notice of the charge or charges against the employee shall be specific and include the date, time, place and nature of the violation or misconduct charged in sufficient detail to provide the employee an opportunity to prepare a defense. Such notice shall be signed by the department head and the mayor.

The written statement shall be submitted to the employee within five (5) working days of the time the suspension becomes effective. Upon proper hearing, the Town Council may require the Town to pay the employee who has been suspended or dismissed for the number of days in excess of five (5) by which the effective date of the suspension or dismissal preceded the notice. Otherwise, variance from this rule shall not affect the validity of the action.

When court action, an investigation, or a trial of any charges is pending against an employee and he/she is suspended, such suspension without pay may be extended by the department head until final court action is taken or disposition of the charges has been made.

14.3.3 DEMOTION OR TRANSFER The procedure involved for calling for suspension is also used for demotion except the end result is demotion in grade. This may be initiated by a department head with a maximum demotion of one grade. If the demotion is for more than one grade, the action shall be approved by the Town Council Member assigned to oversee that particular department before becoming effective. Demotion may be implemented by transfer to another position (of lower grade) if any openings exist.

14.3.4 DISMISSAL A department head may recommend dismissal of an employee after following all necessary procedures. It will be the Town Council's responsibility to review the disciplinary action and procedures and take the action he/she deems necessary. The Town Council will follow all guidelines and procedures set forth by this personnel policy, ordinances, resolutions and State and Federal law. (See Chapter 1, 1.30)

14.4 NOTICE OF DISCIPLINARY ACTION Notice of disciplinary action against an employee shall be made by delivering a copy of such notice to the employee in person or by legal service of process, or, if the employee is absent without leave from his employment by mailing a copy of such notice by certified mail to the last known address of the employee as reflected on the records of the Town.

14.5 CODE OF CONDUCT

The following list consists of examples of actions that will result in disciplinary action, and/or termination.

GROUP 1 OFFENSE These offenses can be documented verbally and retraining offered. Disciplinary action includes instructions and cautioning. Repeat offenses, or additional offenses must be documented in writing resulting in one day suspension without pay, or five days suspension without pay or discharge/termination.

- a) Productivity or workmanship not up to required standards of performance.
- b) Mistake due to carelessness
- c) Operating, using, or possessing tools, equipment or machines to which the employee has not been assigned.
- d) Tardiness: three (3) times in thirty (30) day period.
- e) Excessive absenteeism: three (3) separate times in a thirty (30) day period
- f) Absent without permission or leave
- g) Failure to work overtime, special hours, or special shifts when scheduled in advance.
- h) Quitting work, wasting time, or loitering.
- i) Where the operations are continuous, an employee shall not leave his/her post at the end of his/hers scheduled shift unit that person is relieved by their supervisor or a relieving employee on the oncoming shift.
- j) Taking more than specified time for meals or rest periods

- k) Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, catcalls, demonstrations on the job or similar types of disorderly conduct.
- l) Violating a safety rule or safety practice.
- m) Using town vehicle to transport family members or unauthorized persons not on official town business.
- n) Creating or contributing to unsafe or unsanitary conditions or poor housekeeping.
- o) Failure to report an accident or personal injury in which the employee was involved while on the job.
- p) Failure to keep the department notified of proper address and telephone number
- q) Having been the cause of an accident resulting in personal injury or injury to others.

GROUP 11 OFFENSES These offenses will be written documentation. The disciplinary action is more severe. Time will be given off without pay. Any repeat in this category will result in discharge/termination.

- a) **DISCOURTESY TO PERSONS WITH WHOM THE EMPLOYEE COMES IN CONTACT WHILE IN THE PERFORMANCE OF DUTIES**
- b) Sleeping during working hours.
- c) Reporting for work or working while unfit for duty-either physically or mentally.
- d) Mistakes due to carelessness, which affect the safety of personnel, equipment, tools, or property.
- e) Mistakes due to carelessness, which cause material, parts, or equipment to be damaged or scrapped.
- f) Threatening, intimidating, coercing, or interfering with fellow employees, supervisors or the public,
- g) Operating a Town owned or other vehicle used in the service of the Town in wanton disregard for the safety of others.
- h) Using or possessing another employee's tools or equipment without the employee's consent.
- i) Gambling or engaging in a game of chance such as a lottery at Town work stations at any time
- j) Posting or removing any matter on bulletin boards or Town property at any time, unless authorized.
- k) Distributing written or printed matter of any description on town premises, unless authorized.
- l) Leaving the job during regular working hours without prior authorization.
- m) Vending, soliciting, or collecting contributions for any purpose whatsoever at any time on Town property, unless authorized.
- n) Failure to report a request for information or receipt of a subpoena from a law firm or an attorney, pertaining to Town equipment or functions.
- o) Political activity while on duty

GROUP 111 OFFENSES This is grounds for immediate dismissal/termination.

- a) Incompetence in the performances of assigned duties in an employee's position.
- b) Insubordination in the refusal to perform work assigned or to comply with written or verbal instructions of the supervisor/Mayor and/or Council Members.
- c) Deliberately misusing, destroying or damaging any Town property or property of an employee

- d) Theft or removal from Town locations without proper authorizations or any Town property or property of an employee
- e) Unauthorized possession of firearms, explosives or weapons
- f) Intoxication or possession of alcoholic beverages on Town premises or on Town time, or being under the influence of alcohol while on duty.
- g) Drug addiction or unauthorized use of drugs, this includes possession and or use of controlled medications while on duty.
- h) Smoking in prohibited area
- i) Intentional waste of material
- j) Engaging during non-duty hours in activity or enterprise that is illegal or immoral
- k) Provoking or instigating a fight, or fighting at any time on Town property, or during working hours.
- l) Conviction or guilt of a felony, a misdemeanor of the first degree as defined by Florida Statutes, or conviction of any crime involving moral turpitude, while either on or off duty.
- m) Knowingly altering the attendance record of another employee, knowingly allowing one's own attendance record to be altered, or altering one's own attendance record.
- n) Being absent from duty for a period of three (3) consecutive work days without proper authorization, including failure to call in for three (3) consecutive working days, which shall be considered a voluntary resignation
- o) Failure to return from an authorized leave of absence
- p) Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits, or Workers Compensation.
- q) Use or attempted use of political influence or bribery to secure an advantage of any manner.
- r) Misappropriation of Town funds or Town property for personal use or illegally disposing of Town property. Falsifying personnel or Town records, including employment applications, accident records, work records, purchase orders, or any other report, record, or application.
- s) Refusal to testify before a Grand Jury, or any other legally constituted investigating committee, involving the Town or employee's duties.
- t) Refusal to cooperate fully in any administrative and non-criminal investigation, involving the Town or the employee's duties.
- u) Failure to report medical conditions, which may hamper the employee's performance of duties.
- v) Having been refused surety bond, when the employee applies for one, as a requirement for the job
- w) Failing to qualify on an examination required for job classification.
- x) Refusal to take or failure to pass, an employment physical required for all employees.
- y) Participation in a strike against the Town as established in the Florida Statutes. Concerted curtailment or restriction of production or interference with work in or about the Town's work stations including, but not limited to, instigating, leading, or participating in any walk-outs,, sit-downs, stand-in, low-down, refusal to return to work at the scheduled time for the scheduled shift.
- z) Having a driver's license suspended or revoked in the performance of one's duties when the employee's position requires operation of a Town motor vehicle, or being

- removed from the fleet insurance carrier as an operation when the employee's position requires operation of a Town/County motor vehicle.
- aa) Failure to receive or continue treatment for alcoholism or drug dependence after being reported to obtain this treatment by employee's supervisor.
 - bb) Physical or verbal mistreatment of the public.
 - cc) Insubordination.
 - dd) Willful destruction or Town buildings, equipment, records, signs, or other property.
 - ee) Engaging in personal work on Town time.
 - ff) Political activity while on duty

It shall be the duty of each employee to maintain high standards of conduct, cooperation, efficiency and economy in their work for the Town. Whenever work habits, attitude, production or personal conduct of any employee falls below a desirable standard, supervisors should point out the deficiencies at the time they are observed. Corrections and suggestions should be presented in a constructive and helpful manner in an effort to elicit the cooperation and goodwill of the employee.

14.6 GRIEVANCE PROCEDURE

It is the policy of the Town that all employees shall be treated fairly and consistently in all matters related to their employment. When an employee feels that he/she has not been so treated, he/she shall have the right to present a grievance or appeal free from interference, restraint, coercion, discrimination or reprisal. The employee shall be entitled to such time off from his regular duties as may be necessary and reasonable for the presentation and processing of a grievance or appeal without loss of pay, vacation or other credits.

14.6.1 SCOPE OF GRIEVANCE PROCEDURE

Grievances may include, but are not necessarily limited to; reprimand, dismissal, suspension, involuntary transfer, promotion and demotion. Regular compensation shall not be deemed a proper subject for consideration under the grievance procedure.

14.6.2 APPEALS PROCEDURE

The employee may request a hearing to appeal the decision of the department head to the Town Council within five days from the date of written notification. The request must be in writing. The employee may have the hearing before the Town Council Member assigned to oversee that particular department in the presence of the department head or any other person(s) the Town Council Member may select. When the employee appeals to the Town Council, the Town Council will grant a hearing to the employee within a reasonable time and render a decision. The decision of the Town Council may confirm, reverse, or modify the decision of the department head.

14.6.2.1 Police Department Appeals The Police Department appeals procedure shall adhere to Law Enforcement Bill of Rights Statute 112.532

APPROVED AND ADOPTED BY THE TOWN COUNCIL, TOWN OF ASTATULA

ON October 8th, 2013.

_____ **Mayor Robert “Jake” Farley**

_____ **Mary K.Cooper, Town Clerk**

_____ **Mark Brionez, Town Attorney**

Employee Acknowledgement Form

The employee handbook describes important information about The Town of Astatula and I understand that I should consult the Town Council regarding any questions not answered in the handbook. I have entered into my employment relationship with the Town of Astatula voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the Town of Astatula can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the Town of Astatula policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Town Council has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed):

EMPLOYEE'S SIGNATURE:

DATE: _____

Copy to be maintained in Employees Personnel File

LEAVE REQUEST FORM

Name _____ **Date of Request** _____

Date(s) requested off

Beginning Date _____

Return to Work Date _____

Alternative Beginning Date _____

Alternative Return to Work Date _____

Reason for leave; Family Medical Leave, personal, vacation, appointment, school function, et. cetera (May require a physicians statement).

Total hours of leave time requested _____

(not to exceed 40 hours per week)

Approved by: _____

Title: _____

Copy to be maintained in Employees file for five years.

WRITTEN REPRIMAND

TOWN OF ASTATULA

MEMORANDUM

To: _____ From: _____

Title: _____ Title: _____

SUBJECT: Written Reprimand

List conduct standard (s) violated:

Describe the incident:

Suspension recommended per policy ____yes____no

State corrective behavior and consequences of continued behavior: Continue of separate sheet if necessary.

Employee's

Signature: _____ Date _____

Cc: Personnel file

Out of City Limits Travel Written Log

Date and time leaving city limits	Destination, include all stops	Purpose of trip	Passenger(s)	Date and time returning to city limits

Submitted by: _____ (Signature)

Vehicles used (Chief's squad car, town truck #1, town truck #2, mower, and tractor) or indicate by use of license number on vehicle or type of vehicle.

 Copy to be included in reports to Town Council on a Monthly basis

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Article I. Department Purposes and Mission

The mission of this department is to serve and protect persons and property and the Constitutional Rights of all persons who live within the Town of Astatula, Lake County, Florida.

The responsibilities associated with this mission are many. They include enforcement of county ordinances, federal and state law, maintaining the peace and order for the city and generally assisting citizens in urgent situations.

In joining this department, officers make its responsibilities their own. They are expected to carry out these responsibilities diligently and courteously, and to take pride in the services they provide.

It is the primary objective of this department's role to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority and the Constitutional Rights of all persons.

It is not the role of the department to legislate, to render legal judgment, or to punish.

Article II. Department Authority and Jurisdiction

The Astatula Police Department is established by the act of the Town Council for the purpose of enforcing the peace and safety of the citizens of Astatula.

Officers are responsible for law enforcement, public safety, and other assigned duties within the jurisdiction of Astatula.

The authority of all officers derives from their commission issued by the Chief of Police in accordance with City Charter Section 16.

Article III. Department Organization of Command Structure

This department consists of three divisions: 1. Operations, 2. Investigations, 3. Administration.

The operation division carries the burden of the department's workload. It consists of officers assigned to patrol units and who are responsible for responding to calls and conducting preliminary investigations.

The investigations division handles follow-up and long term investigations.

The Administrative division provides services including records system, property, and evidence processing, and dispatch. Dispatch can also be activated by notifying Lake County Sheriff Department.

Chief of Police is appointed by Town Council in accordance with provisions of the City Charter Section 16. The Chief of Police is the chief executive of the department and exercises command over all police personnel. Officers are appointed by the Chief of Police. Officers will carry out such duties as indicated by their job description as directed by this manual and as ordered by higher ranking personnel.

Article IV. Personnel Matters

Employees Residence-The location of an officer's residence must be such that upon being called back to duty in emergency situations, the officer can report to the station, ready for duty, within sixty minutes of being contacted.

Telephone Requirements-No member of the department will be without a telephone in the member's residence. Every member's phone number is on file with the department.

Physical Fitness-Officers are required to maintain a level of physical fitness which will allow them to perform their duties effectively. If a question arises as to an officer's ability to perform regular duties due to an apparent low level of fitness, that officer may be required to submit to a physician's examination and if possible bring the fitness level to an acceptable standard. An employee may be directed to be examined by a qualified physician if it appears that an employee's health interferes with the performance of assigned duties.

Reporting for Duty- Officers shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and aware of information required for proper performance of duties for their shift. If, due to illness or other circumstances, an officer cannot report for duty at the assigned time, that officer will contact the supervisor or the shift commander before the start of the shift. The officer will indicate the estimated time of arrival for duty and briefly state the reason for being late. The same procedure will apply when the officer must be unexpectedly absent from duty due to illness or emergency.

Working Full Shift-Employees are expected to remain on duty during their entire work shift unless excused by their supervisor or higher ranking personnel. During this time, employees will carry out their sworn and assigned duties to the best of their ability. If, for any reason, an employee must leave duty before the end of shift due to illness or other circumstances, the employee must inform a supervisor before leaving. Leaving early without authorizations will be grounds for disciplinary action.

Meal Periods/Coffee Breaks-Officers will be permitted one half hour break per meal and two 15 minutes rest breaks in the course of their shift. 15 minute rest breaks are not automatic and cannot be added on to meal breaks. These breaks should be taken only after contacting the dispatcher. Officers will be required to be available for immediate call any time during their tour of duty, including the lunch and/or dinner breaks.

Absenteeism-Employees are expected to report for duty on their assigned shifts except when illness or emergency situations prevent them from doing so. Any employee who fails to report and does not have a bona fide excuse will be subject to disciplinary action.

Sick Leave-Any officer who is unable to report for duty because of illness or injury must notify their immediate supervisor of their absence at least two hours prior to their scheduled duty time. Any officer who is absent from duty in excess of three working days must provide a physician's written statement concerning ability to return to work. Abuse of sick leave benefits by reporting off ill or injured when not ill or injured will be grounds for disciplinary action.

Overtime-When an officer is called back to work outside of regular scheduled hours to handle emergency situations which could not be anticipated shall receive two hours

pay. In addition the actual time worked will be compensated at time and one half. Members of the department should be prepared to respond immediately if they are called back to duty.

Vacations-Annual leave is earned at the rate of eight hours per month. Annual leave is not available to the employee until he has completed six consecutive months of employment which amounts to 182 days past hire date. At that point, it is the responsibility of the employee to apply for annual leave utilizing the annual leave request. Annual leave choices will be assigned based on date of request submitted and by order of seniority in the event several applicants requests same leave time.

Article V. Uniforms and Equipment

1. Uniforms

- 1.1. All shoulder patches will be worn centered on the outer shoulder and one half inch down from the top of the sleeve.
- 1.2. Name plate will be centered over and one quarter inch above the right pocket.
- 1.3. Officers will wear plain toe shoes or boots, black in color with no ornate stitching or extreme heel or toe styles. Boots will be no more than 12 inches in height.
- 1.4. A gun belt of black basket-stamped leather will be worn with the buckle centered in the front of the body. Gun belt keepers will be worn as necessary to keep the gun belt from sagging down or slipping.
- 1.5. Holsters will be of the approved type and will be mounted on the belt so that the butt of the weapon is place to the rear. Holsters will be worn on the strong-hand side with the strap securely fastened to secure the weapon in the holster.
- 1.6. Officers are required to carry an accurate watch while on duty. Officers will be required to supply the watch themselves.

2. Equipment

- 2.1 Officers should utilize department equipment only for its intended purpose in accordance with established departmental procedures and shall not abuse, damage, or lose department equipment.
- 2.2 Officers will be responsible for proper care and handling of department equipment and property.
- 2.3 Officers shall immediately report any damage to the departmental property assigned to them. In addition, officers will notify the commanding officer of any inoperative, defective, or hazardous conditions found in any department property or equipment.
- 2.4 Losing, damaging, or wasting department or equipment through negligence, carelessness, or improper use will be grounds for disciplinary action. The employee responsible for such loss, damage, or waste will be charged for the property in question
- 2.5 Upon termination of employment, all departments owned property will be returned.

3. Vehicle Operation

- 3.1 All personnel will operate their vehicles with due regard for safety. Even when responding to emergency situations or when in pursuit of another vehicle, personnel will be mindful of road conditions, surrounding traffic, and other hazards.

3.2 All officers will at the end of every shift remove from their patrol units, and all waste, non essential materials, things to be discarded, i.e. paper, cups, glasses, food, plates, candy wrappers, food containers, straws, bent and chewed paperclips, non uniform clothing, building material, found property, evidence, contraband. Things that are not issued, needed, useable for law enforcement, necessary to job performance will be removed. Things that are not condense to our line of work, i.e. televising sets, games, things of entertainment, puzzles, toys, unauthorized items of any type will not be allowed in the department's patrol units.

3.3 All officers will come to work rested and mentally and physically fit for duty. Officers will be dressed in their uniforms in a clean, pressed and presentable fashion. Shoes will be clean, shined, and presentable. Hair will be trimmed and face shaved in accordance with departmental policy.

3.4 Patrol vehicles are to be washed on the first day of your shift at the start of your shift. If working a two day shift, upon your return to work, your vehicle will be washed as stated above, if working a three day shift, patrol vehicles will be washed the first day and the last day of the three day shift at the start of the shift.

3.5 Nightshift will vacuum and make the patrol room presentable to the public on the last night of assigned shifts.

3.6 Dayshift will keep the patrol room in neat orderly condition.

3.7 Officers will not transport persons in patrol cars unless such transport is in connection with official department business

3.8 Off duty use of patrol cars will be done in full accordance with all city, county, state, and federal laws and/or ordinances.

3.9 All department rules and regulations concerning officer conduct and standard operation of departmental vehicles are to be adhered to at all times.

3.10 Patrol vehicles may be used for approved purposes, i.e. Law Enforcement operations, transportation for police activities, attending classes.

3.11 Off duty use of patrol vehicles is discouraged. When using patrol vehicles while off duty officers are to be equipped with an approved handgun, Law Enforcement identification and shield are to worn and used in a professional manner. Officers using patrol vehicles while conduction police operation will wear their issued gun belt and its equipment, with their department shield attached to the front of the gun belt. Exceptions may be made only with the Chief of Police approval. Officers are to be appropriately dressed and equipped. Officers to wear long pants, black police shirt, or clothing provided by the police department and portray a professional appearance and attitude while using patrol vehicles.

4. Use of vehicle

4.1 Officers are prohibited from leaving city jurisdiction in police vehicles unless on official police business, with the approval of their immediate supervisor, in pursuit situations, or in responding in an authorized manner to emergency situations.

Any Officers residing within the town limits may take town issued vehicles to their residence when off duty, if the Officer resides outside the town limits the officer may only take the vehicle to his residence if scheduled to attend court on their day(s) off duty. The required written log should indicate time, distance traveled when the vehicle is taken to the officers residence. The logs should be

presented to the Town Council Member assigned or oversee the Police Department on a monthly basis. The guidelines in Section One should be followed for use of town vehicles. (See Section One, 2.10.3 and 2.10.4)

4.2 Except when in immediate pursuit, traffic control devices such as boulevard stop signs should be observed and due care should be used at all times regardless of the assignment.

4.3 The first car ordered to the scene of an accident or emergency will be the only car to run under emergency conditions (siren and blue lights). If, in the opinion of the first officer to arrive, more help is needed, he will request aid and also state if it is of an emergency nature.

4.4 Pursuit policy of this department at high speeds is justified only when the officer knows or has reasonable grounds to believe the violator has committed or attempted to commit a serious felony. A serious felony is one that involves an actual or threatened attack when the officer has reasonable cause to believe could result or has resulted in death or serious bodily injury.

4.5 Department vehicles will not be used to push or tow other vehicles except in an emergency situation.

5. Conduct

5.1 Within the city, employees of the department, based on their individual assignment shall, at all times take appropriate action to protect and preserve life and property, preserve and enhance the peace and safety of the community, enforce all municipal ordinances and federal and state laws within jurisdiction. All employees shall perform their duties as required or directed by law.

5.2 Officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their position. They shall know local, state, and federal laws that apply to their duties and enforce those laws. Improper enforcement of the laws due to incompetence will lead to disciplinary procedures.

5.3 Courtesy and civility towards the public are demanded of all officers of the department, and any conduct to the contrary will not be tolerated. Officers in their conduct shall be quiet, civil, and orderly, and at all times be attentive and zealous in the discharge of their duties.

5.4 Officers will refrain from making wisecracks and sharp retorts when dealing with the public. Officers will not make disparaging remarks about persons who are handicapped, nor voice prejudices concerning race, ethnic, origin, or religion.

5.5 Commissioned officers off duty shall perform necessary police services in the Town of Astatula whenever public safety will so require.

5.6 Because off duty officers may need to take official action when a crime or hazardous situation comes to their attention. All officers are required to carry official department identification at all times.

5.7 It is recommended that off duty officers be armed within the limits of the Town of Astatula. The weapon and ammunition carried off duty will be approved by department head or Chief of Police.

5.8 Officers will not exercise their official authority in disputes to which they are a party except in case where there is an immediate danger to themselves or others.

Article VI. Personal Appearance and Code of Conduct

All officers shall main maintain their uniforms and uniform accessories in good condition, keeping them clean and in good repair at all times.

1. Hair Styles

- 1.1. Officers will keep their hair neat, clean, trimmed and will present a well groomed appearance.
- 1.2. The hair of an officer may be either tapered or block cut. The back may extend to the shirt collar.
- 1.3. Sideburns may extend to the base of the ear and will be trimmed horizontally. No extreme hairstyles within these guidelines will be permitted.

2. Moustache

- 2.1. If worm, mustaches will be kept neatly trimmed. The moustache may extend one quarter inch beyond but not below the corners of the mouth. The remainder of the face is to be clean shaven.

Poor grooming habits or improper wearing of uniform or its accessories will be grounds for disciplinary action.

Officers shall promptly obey any lawful order of a superior officer. Any officer who refuses to obey a lawful order will be considered insubordinate,

Officers of the department are forbidden to malingering or shirk their responsibilities while on duty. This is considered a serious dereliction of duty and an officer or employee of the department found guilty of such misconduct will be subject to charges of neglect of duty

Officers will appear in court when subpoenaed to testify. Failure to appear will result in disciplinary action. Should an officer know of circumstances that would not permit him to appear, he must inform the supervisor immediately.

Officers shall submit all necessary reports on time and in accordance with department procedure. Reports submitted late or not submitted will considered neglect of duty. All reports filed will be accurate and complete.

Officers shall not under any circumstances solicit or accept any gift, gratuity, loan, or fee where there is any direct or indirect connection between solicitation and their official position.

Officers will not verbally or otherwise abuse their fellow officer or the public

Officers will not use coarse, insolent, or profane language toward any member of the department or public.

Any officer found to be engaging in criminal conduct will be subject to arrest and persecution as well as disciplinary action up to and including dismissal/termination.

Officers will not consume alcohol while on duty or be under the influence of alcohol on duty.

Sleeping on duty is prohibited; the officer shall remain awake while on duty. If unable to remain awake, they shall report to their superior officer.

Article VII. Use of Force, Restraints

In making an arrest, the officer should use only such force as is reasonable necessary to secure and detain the offender. What may be reasonable force under one set of circumstances may be unreasonable force under a different, though similar, set of circumstances. Where the arrest is for a felony, the officer may use such force as is necessary to affect the arrest. When the arrest is for a misdemeanor, the seriousness of the crime does not justify endangering the accused's life in affecting the arrest.

1. Use of restraints

- 1.1. Handcuffing procedure. Suspects should be handcuffed before being searched to provide greater safety to the officer.
- 1.2. Handcuffing regulations. Except under exceptional circumstances, do not handcuff a prisoner to a fixed object.
- 1.3. Always handcuff a prisoner with his hands behind him
- 1.4. Never handcuff yourself to a prisoner
- 1.5. Do not use handcuffs as a come along

2. Use of baton

- 2.1. The baton should be carried in the belt rings, and should not be unnecessarily brandished.
- 2.2. Baton regulations required proper use. Except in circumstances where an officer's life or life of another person is threatened, the officer will not hit a subject in the head or the groin.

3. Firearms, Use of

- 3.1. An officer may use his service weapon in defense of himself from death or serious injury.
- 3.2. In defense of another person, unlawfully attacked, from death or serious injury.
- 3.3. To kill a dangerous animal or to kill an animal seriously injured when it is not practical to secure the services of an animal control officer.
- 3.4. Loaded shotguns will not be brought into any department building or facility except in emergency situations. Shotguns will not be carried in the vehicle with a round in the chamber. Shotguns will always be carried with the safety catch in the on position.
- 3.5. Shotguns are to be used in accordance with the same conditions pertaining to the use of the service weapon
- 3.6. Whenever a firearm is discharged either by accident or purposeful discharge by an officer, the officer will immediately notify a supervisor of the incident. The Officer will then file a detailed report of the incident no later than the end of the shift in which the incident occurred.

4. Verbal Command

- 4.1. A verbal command used by an officer who is affecting an arrest should be made in a clear and sufficiently audible voice.
- 4.2. Profanity is not permitted.

5. Physical Control

- 5.1. Physical control during an arrest should be sufficient to achieve the arrest, but not exceed any physical control beyond that point.
- 5.2. Physical control should be accomplished in a manner that is safe for the officer and the subject being arrested.
- 5.3. In the event that a subject being arrested resists, the next step in the use of force should be application of a departmental chemical agent.

6. Chemical Agent

- 6.1. The deployment of departmental chemical agent to a subject being arrested should be done only after verbal commands and an attempted physical arrest have been applied without success, or if the subject's physical threat is too great to achieve arrest without injury to the arresting officer.
- 6.2. All officers' application of chemical agent will be done as instructed during chemical agent certification. Chemical agents are not authorized by uncertified employees/officers.
- 6.3. Chemical agents should not be used on arrested subjects who have been restrained by handcuffs, or who have been placed in a patrol unit, except in extremely combative circumstances.
- 6.4. After the use of chemical agent on an arrested subject, the arresting officer should attempt to remove the chemical agent after the arrested subject had been safely restrained. If the subject requests to be treated by emergency medical technicians, the subject should be afforded this opportunity.

In summation of verbal, chemical, baton, firearm force, the officer in order to affect an arrest, should attempt this arrest by first using a verbal command. If the suspect or a person to be arrested refuses to comply with an officer's lawful command and resists a physical attempt by an officer, the arresting officer should apply the use of Departmental issued chemical agent. If after the deployment of verbal command and chemical agent, the subject to be arrested continues to be combative and poses a threat, the arresting officer at this time should escalate his use of force by deploying his Department approved baton.

If at any point during an arrest attempt a threat of death or life-threatening injury to the officer or a citizen occurs, an officer should exhaust every reasonable means and attempt to apprehend the subject to be arrested before the deployment of his firearm; however, when in the commission of his lawful duties an officer's life or the life of innocent persons is in imminent danger, the officer should deploy his firearm in order to prevent his or an innocent person's death.

7. Tasers

- 7.1. All officers of the Astatula Police Department prior to being issued and deploying a Taser will be properly instructed, trained, educated, and certified on its usage by a certified Taser instructor.

- 7.2. The officer will be required to pass a written and practical examination in order to establish proficiency with the Taser
- 7.3. Officers will only carry, exhibit, use and or deploy, department issued Tasers. No other devices (facsimiles thereof- will be carried, exhibited, used, and/or deployed.
- 7.4. The Taser is an alternative to physical control technique and the use of intermediate weapon.
- 7.5. As with any other use of force, the Taser must not be used indiscriminately or without just cause. The Taser is permitted under the follow conditions:
 - 7.5.1. Subject who can be lawfully arrested for obstruction or resisting arrest, with or without violence, and who continue to obstruct justice or resist arrest.
 - 7.5.2. Whenever necessary to immediately cease or prevent physical combat, violation acts against other persons or property or self –inflicted injuries.
- 7.6. The use of a Taser is not usually a justified response to passive physical resistance. Therefore, unless a person is obstructing justice, resisting arrest, or who is interpreted to display violent tendencies, a Taser should not be used in the field on person who is only passively refusing to comply with verbal commands.
- 7.7. The use of a Taser is not usually a justified response to a person already handcuffed unless the person is combative and poses a physical danger to the office, despite being handcuffed. The exigent circumstances that require the Taser use must be articulated in the officer's report.
- 7.8. An incident report will be completed any time a Taser is discharged either tactically or accidentally. Officers must be mindful that they must be able to articulate the reason a Taser was used on a person.
- 7.9. A verbal warning will be issued except when such warning could provide a tactical advantage to the person being taken into custody or is otherwise impractical.
 - 7.9.1. Officer will use the least amount of force necessary to achieve the desired effect of temporarily immobilizing the subject.
 - 7.9.2. The maximum effect of a properly applied Taser last approximately five seconds. The subject should be advised that the Taser will not be applied again if instructions are followed.
 - 7.9.3. After a person has been exposed to the Taser, the officer will inform the subject that there are no long lasting effects from the Taser and they will recover in about five minutes as the effects subside.
 - 7.9.4. Officers will remove the Taser prongs at the earliest and safest time in order to minimize the threat of injury. If the Taser prongs have penetrated the face, groin, females' breast, or buttocks they shall only be removed by fire/rescue or medical personnel.

7.9.5. Officers removing Taser prongs will wear protective latex gloves when removing the prongs. All prongs are to be treated as a biological hazard and shall be handled as such.

7.9.6. A visual inspection of the penetrated area will be made to determine if any injuries were sustained. All injuries will be photographed and recorded in the officer's report. The subject who had been exposed to the Taser will be monitored for any abnormal behavior; if abnormal behavior is detected, medical personnel are to be informed and summoned immediately and a report of the incident completed.

8. Evidence Collection

8.1. Taser probes should be recovered and retained if at all possible.

8.2. The probes shall be placed inverted in the air cartridge portholes from where they originally deployed. The wires will be wrapped around the air cartridge. Tape will be placed around the probes in order to secure them in the portholes. The air cartridge, probes and wires will then be placed in an evidence bag and marked biohazard and submitted for evidence according to the department evidence submission procedures. Anytime that the Taser is deployed, be it intentional or accidental, a report will be generated regarding the incident.

9. Booking Prisoners

9.1. The transporting officer will immediately advise booking personnel upon arrival at the jail that a Taser was used on the prisoner being booked.

9.2. Tasers as well as all other weapons will not be taken into the jail facility.

10. Training

10.1. Only officers who have successfully completed agency training and annual recertification training each year thereafter in the use of Taser are authorized to carry and/or deploy agency approved Tasers.

10.2. Officers who at first fail to successfully complete initial Taser training must successfully complete remedial training in order to carry and/or deploy Tasers.

10.3. Recertification will be issued after successfully completing Taser recertification training.

10.3.1. If the officer fails to successfully complete the recertification training session that officer's Taser will be collected.

10.3.2. The Taser can only be reissued after a promptly rescheduled recertification training session and successfully completed verifying proficiency with the Taser.

Article VIII. Arrests, Searching, Custody, Transporting, Reports and Investigations

1. Arrests

1.1. When a crime has been committed, it shall be the responsibility of the office on duty to initiate a prompt and thorough investigation to identify and arrest the violator, collect and preserve all necessary evidence, and cooperate in the disposition of the case. In the apprehension of offenders, member of the department shall conduct themselves in a manner consistent with freedoms secured by the Federal and State Constitutions.

1.1. Arrest procedure.

1.1.1. The arresting officer must advise a suspect of their Constitutional Rights at the time of the arrest.

1.1.2. Officers will search all suspects at the time of arrest.

1.1.3. Officers will handcuff all adult suspects with their hands behind them.

1.1.4. Officers when transporting suspects will place them in the back seat and place the safety belt around them.

1.2. Searches

1.2.1. All persons who are taken into custody will be searched for weapons.

Evidence of any crime discovered in such a search will be used to support whatever charge is appropriate providing that the evidence is admissible.

1.2.2. All females will be searched by another female officer or female agent.

1.2.3. If a female is arrested for a dangerous crime and a female officer or agent is unable to be obtained, for the safety of the arresting officer he will conduct a search by patting the suspect with the backs of his hands only. If any weapon is found, the officer will restrain the suspect and transport subject to the county jail and will advise the jail personnel.

1.2.4. If for any reason a prisoner cannot be thoroughly searched before being turned over to a receiving officer, the arresting officer shall, without fail, notify the officer receiving the prisoner.

2. Custody

2.1. Officers should constantly be alert for the safety of themselves, bystanders, and persons in custody. They should be in control of the situation at all times and assume whatever physical and psychological advantages are necessary to maintain that control.

2.2. Transporting prisoners are responsibility of the officer making the arrests, and the prisoner transported to the police department shall be booked without delay.

2.3. After all paperwork on a suspect is complete, the arresting officer will transport subject to the county jail with the proper forms.

2.4. Handcuffs shall be used while prisoner is being transported.

2.5. The driver of the vehicle used to transport a prisoner shall immediately after such delivery search the transporting vehicle for weapons and evidence.

2.6. At the time of the arrest and transporting of a female prisoner, the beginning mileage will be radioed into the dispatcher and upon arriving at the police

department; the ending mileage will be given. This procedure will be followed any time a female is transported.

2.6.1. Sick or injured prisoners will have an inner perimeter established to contain and minimize the movement of the suspect.

2.6.2. An outer perimeter is to be established to prevent unauthorized persons and vehicles from entering the area.

2.6.3. The department does not have the ability to protect the safety of a hostage who is moved from the presence of officers; therefore, suspects will not be allowed to move hostages from the place of containment.

3. Release of information. Officers will not release any information that will jeopardize an investigation or which might jeopardize the witness or complainant.

4. Public Statement will not be made by officers for publication concerning the plans, policies, or administration of the department unless authorized to do so.

5. Reports for simple arrests

5.1. A simple arrest as used in this policy is considered to be any arrest where there is no complainant and/or victim other than the State of Florida, i.e. misdemeanors and or traffic offences.

5.2. Arrests for misdemeanors and traffic offenses will require general booking forms, traffic citation if required.

5.3. The only time that additional report forms will be necessary for the above stated offenses will be if there is Officer use of force, property damage, or injury to someone.

5.4. Witness statements will continue to be taken if applicable. Evidence records will be completed if evidence is collected.

5.5. Cost recovery forms will be completed if cost to the agency is incurred.

6. Conducting DUI Investigation

6.1. Any person who is under arrest and whose injuries are sufficiently serious, shall be transported to the nearest emergency hospital

7. Evidence and found property coming into an officer's possession will be promptly tagged and a property form will be filled out prior to its being placed into one of the property lockers. Small items will be placed in the bags provided and property tags will be attached to the bags.

8. Reports. Officers will complete all reports in an accurate, legible manner and will submit them through the proper channels immediately upon completion.

8.1. No officer shall falsify, destroy, or alter or remove any report or records of this department.

9. Communications

9.1. The radio is to be used by all personnel in a clear, courteous manner.

9.2. Officers will first give their assigned unit number when communication with dispatch.

- 9.3. Officers responding to a dispatched call will advise dispatcher of their arrival at the assigned location
- 9.4. The radio will be used for official business only, and messages shall be brief and impersonal. Messages not involving official business are forbidden. Use of first names or nicknames and personal messages will not be given over the radio.

10. Barricaded suspect

- 10.1. Officers will seal avenues of escape and call for assistance. Once the suspect is isolated, if possible, an effort shall be made to contact the suspect in an attempt to persuade him to voluntarily surrender before force is used
- 10.2. Hostage situations require maintaining safety of the hostage as the department's main concern.

Article IX Detection and Traffic Stop. Arresting.

- 1. When a violator has been detected operating a motor vehicle while presumed impaired, the Officer if at all possible will activate the car video camera (if vehicle is so equipped and camera operational) at the most opportune time in order to capture as much driving history as possible prior to the suspect vehicle being stopped without causing undue safety concerns.
 - 1.1. The officer who is operating the patrol vehicle stopping the suspect will place the vehicle in a position that will allow the patrol vehicle's camera (if so equipped) to capture and record the entire suspect vehicle and a portion of the driver's side of the suspect vehicle that is adequate to conduct and perform field sobriety procedures.
 - 1.1.1. This is done if the geographic terrain, traffic, and other hazardous conditions so allow.
 - 1.1.2. The patrol vehicle should be positioned to provide maximum visibility and protection to both the Officer and the suspect(s).
 - 1.1.3. It should not be placed so as to cause a traffic hazard.
 - 1.1.4. After the traffic stop has been made, the Officer who is responsible for conducting the field sobriety procedure will, if so equipped and possesses operational recording equipment that works in conjunction with the patrol vehicle's in car camera, have stated equipment on and in order to collect Any and all video and audio evidence that may be useful during prosecution during criminal trial and/or civil litigations.
 - 1.1.4.1. Field sobriety will be performed after obtaining the suspect's identification i.e. driver's license, identification cards, or personal information, vehicle registration, and insurance card, the investigating Officer will request the operator of the suspect vehicle to exit the vehicle

and stand in the area of their vehicle's front driver's side wheel, facing the patrol vehicle being used for evidence collection (camera).

- 1.1.4.2. The investigating Officer will instruct the subject being evaluated that a field sobriety exercise test will be performed. The Officer will verbally instruct and physically illustrate how the evaluation procedures are to be performed. The investigating Officer will only instruct the subject being evaluation on one test as a time and in the order that they are to be performed.
- 1.1.4.3. If a suspect being evaluated requests that the instruction be repeated, the investigating Officer will repeat the procedure instruction so as a reasonable person could understand them.
- 1.1.4.4. However the investigating Officer should not allow the subject being evaluated to use the repeating of instructions as a stall tactic. The subject being evaluated will be asked if there are any physical impairments or limitations prior to performing any tasks set forth.
 - 1.1.4.4.1. The first procedure to be conducted will be the walking heel-to-toe procedure. The will be done from position stated above. The subject being evaluated will be instructed to listen to all instructions being given and view the instructing Office as an example of the procedure is being demonstrated.
 - 1.1.4.4.2. The instructing Officer will inform the subject being evaluated to walk heel-to-toe for nine steps in a straight line, counting each step out loud, hands down to sides and upon the ninth step, the subject will pivot as instructed and repeat the procedure in the opposite direction, again counting out loud each step returning to the origin of the stated procedure, again on the ninth step the subject will pivot, ending up where the procedure was initiated facing the patrol vehicle ending that portion of the first procedure.
 - 1.1.4.4.3. The second procedure to be conducted will be the one leg stand. This will be conducted in the area of the suspect's driver's side rear wheel. The subject will be requested to listen to all instructions and view all physical examples given by the investigating Officer concerning the requested procedure prior to the subject commencing the requested procedure. The subject will be instructed to stand on one foot (foot of subject's choosing) hands hanging completely down to sides with one foot elevated four to six inches off the ground while counting out loud to thirty. The subject will be instructed to not place the elevated foot on the ground at any time prior to completion of the count to thirty.

- 1.1.4.4.4. The third procedure to be conducted will be the finger to nose procedure. This procedure will be conducted from an area located at the rear of the subject's vehicle or trunk area, while facing the patrol vehicle. The subject will be requested to listen to all instructions being given and view all examples being performed as explanation on how to perform the finger touch to nose procedure. The investigating Officer will instruct the subject being evaluated to stand facing the patrol car with hands at sides' then, with head tilted back and eyes closed, with their right hand and index finger extended, raise their right arm out to their side level with the shoulder and bring their right arm directly in front of them, are remaining level bending arm at the elbow and touching the tip of their nose with the tip of their index finger that is already extended, then bringing their arm again out level directly in front of them and returning it level to right and then back down to side. This exercise will be conducted six times in order with both index fingers extended, the first two times with the right arm, the third time with the left arm, the fourth time with the right arm, and the fifth and sixth time with the left arm..

2. Arresting Subject

- 2.1. When the investigating Officer has reasonable belief that the subject being reviewed is impaired and an arrest need be made, the Officer will follow all arrest procedures set forth in the arresting section of the agency policy and procedure manual.
- 2.2. The arrested subject will be, prior to any questioning, informed of their Miranda Rights. After being arrested, the subject will be afforded the opportunity to utilize an approved testing procedure in order to determine their blood alcohol content.
- 2.3. Any and all alcohol, alcoholic beverage containers, controlled substances, and controlled substance paraphernalia will be collected, packaged, cataloged, and placed into evidence.
- 2.4. The video recordings from the in car cameras (if available) will also be collected, packaged, cataloged and placed into evidence for successful prosecution of the criminal case.
- 2.5. The subject's vehicle will be inventoried and inspected for damage then towed by existing procedure or released to a responsible person of legal age and in possession of a valid Driver's license and not wanted by this or any other Law Enforcement Agency for violation of any criminal act and of the arrested subject's choosing.
- 2.6. Any and all firearms and or weapons of any type will be collected and a computer check will be done on them in order to determine if they are stolen.

After the stated has been completed, the firearms and/or weapons will be placed in evidence or property for safe keeping. A property form will be completed and issued to the owner or subject in possession of stated property.

- 2.7. If a large amount of cash is discovered (\$1000.00 or more) in the vehicle, it is to be impounded. The owner is given a property receipt for the discovered case. The money is to be packaged, cataloged, and placed into property for safekeeping. Smaller amounts of cash are to be placed in the arrested subject's property at the jail when booked in for stated offenses.
- 2.8. When out of the ordinary or extraordinary circumstances or hindrances may exist so as to press on with assigned duties.

Article X Police Education

1. The agency is responsible for the funding all required education. Only education required by members of the agency will be paid for by the agency.
2. The above stated will include fees associated with the required training, this includes travel, travel expenses (see Section I Government Standard Allowances Town of Astatula Policies and Procedures), salary if necessary during the time of training.
3. Spouse, family members expenses are not covered if traveling with Astatula's agent(s).
4. Advanced education will be provided to full time Officers of this agency on a first come first serve basis if money is available and budgeted in the Town Budget for advanced education.
5. Applications for advanced Educational Assistance must be submitted to the Town Council for approval and will follow the Town of Astatula's Section One Policy and Procedure manual.
6. One seminar (no longer than three days) is the annual limit for seminars not mandatory but desired for information and only if the budget allows. Seminars can be attended but will not be reimbursed. The seminar will be permitted if work load permits and adequate coverage of shifts maintained without overtime usage.

Please read both Section One and Section Two regarding advanced education. Seminars are not automatically reimbursed. Prior approval for any seminar or training sessions not mandatory for position must be submitted to the Town Council prior to attending before any reimbursement will be considered.

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Town of Astatula

Minutes of Workshop

Monday July 16th, 2012, 6:00 PM

Mayor Farley called the meeting to order at 6:10 PM.

Invocation

Pledge of Allegiance

Roll Call: Present when called were Mayor Farley, Councilperson Collier and Councilperson Koskey. Councilperson Lanoue was absent and Vice Mayor Mack arrived at 6:18 PM.

Meeting Notice: The town clerk confirmed that the meeting was properly advertised.

Agenda Review: Nothing on the agenda was changed.

WORKSHOP

1. Policy and Procedure Manual – Personnel

a. **Ordinance 2005F – Change** – Mayor Farley explained that the vacation for the police officers was not set up properly. The financial part of the issue has been settled and now the ordinance needs to be corrected. Ms. Cooper explained the new suggested leave accrual schedule. After discussion the council agreed to move forward with the changes.

2. Charter Ordinance – changes – The date the referendum question must be to the Lake County Supervisor of Elections was discussed. The attorney will make corrections and the ordinance will be brought to the next council meeting.

3. Occupational License Ordinance 2012D – The ordinance was presented and Attorney Brionez said occupational licenses are now known as business tax receipts and the only thing they needed to discuss was the fees. The need for such a tax was discussed.

4. Miscellaneous Items – Ms. Cooper introduced someone who was there that was willing to serve on the Citizens' Advisory Committee. The following Monday night the clerk will bring the revenue and police department budgets to the council.

The meeting was adjourned at 7:35 PM.

Minutes approved by Town Council this 11th day of March, 2013.

Judith A. Tice
Judith A. Tice, Mayor

ATTEST:

Mary K. Cooper
Mary K. Cooper, Town Clerk

Town of Astatula

Minutes of Regular Meeting

Monday October 8th, 2012, 6:00 PM

Mayor Farley called the meeting to order at 6:00 PM.

Invocation

Pledge of Allegiance

Welcome and Introduction of Guests – Mayor Farley thanked everyone for coming tonight.

Roll Call: Present when called were Mayor Farley, Vice Mayor Mack, Councilperson Lanoue, Councilperson Collier, and Councilperson Koskey.

Meeting Notice: The Clerk confirmed that the meeting had been properly advertised.

Agenda Review: No changes were made to the agenda.

ATTORNEY'S REPORT: Attorney Brionez gave an update on the M & K Paving case. They now have an attorney and we are waiting on some information to send back to them.

Council Reports:

Mayor Farley – Office Finances – Mayor Farley had nothing to report.

Vice Mayor Mack – Public Works – Vice Mayor Mack reported we are still working on the Fall Festival.

Councilperson Lanoue – Economic Development – Mr. Lanoue reported the grand opening of Coyote Mud Bog. Increased sales were reported for other businesses in town.

Councilperson Koskey – Office – Mr. Koskey reported they are still working on the problem with the copier in the office. He asked to add a discussion of office help and vendor permits to the agenda.

Councilperson Collier – Public Safety – Ms. Collier had nothing to report on the police department. She asked to add discussion of the noise complaints she has received on Coyote Mud to the agenda.

Staff Reports

1. **Police Activity Report** – Chief Hoagland presented the report. There were 351 total calls for service. He informed everyone that he was at Coyote Mud all weekend and asked everyone to remember this was the first weekend and there were some bugs. He will continue working with them to get to where they need to be.

2. **Public Works Report** – Mr. Junior Mauldin reported the mowing season has slowed down for the season. They have scheduled cleaning on other town facilities. He has provided Vice Mayor Mack with a quote to have reflective surfaces added to the town entry signs. Mayor Farley asked that the original quote from PRIDE Enterprises be researched to see if the signs were supposed to be reflective. If so, they need to fix the problem. Councilperson Koskey questioned the requirements for the signs based on those in other communities.

3. **Town Clerk's Report** – Ms. Cooper covered her printed report.

BUSINESS

4. **Second Reading of Ordinance 2012I Repealing Ordinance 2005F** – Attorney Brionez corrected a typographical error on Attachment A, which refers to Ordinance 2012G. It should be 2012I. **Motion** by Councilperson Lanoue, second by Vice Mayor Mack, to read by title only Ordinance 2012I with stated amendment of changing 2012G to 2012I. Councilperson

✓

Lanoué read the ordinance title. Mayor Farley called for discussion. There was none. **Motion** by Councilperson Lanoué, second by Councilperson Koskey, to accept Ordinance 2012I. Mayor Farley called for public comment. There was none.

ROLL CALL

Mayor Farley	Yes
Vice Mayor Mack	Yes
Councilperson Lanoué	Yes
Councilperson Koskey	Yes
Councilperson Collier	Yes

Motion carried by a vote of five to zero.

5. Miscellaneous Items – Councilperson Koskey said he had reviewed the resumes of the two applicants. One stood out as being the outstanding applicant. This is an urgent need and he asked the council to please move forward. **Motion** by Councilperson Lanoué to hire an office assistant at minimum wage for a temporary period not to exceed 60 days and to reopen the office on Fridays if we hire that person with a maximum of 20 hours per week. Councilperson Koskey said because this is extremely temporary he could agree and he seconded the motion. Attorney Brionez asked if this person would be an employee or a contractor. The consensus was for a contractor. Councilperson Koskey stated that the going rate for a contract employee was \$14 per hour, while an employee could be minimum wage. He pointed out that under contract the person would pay their own taxes. Attorney Brionez suggested the council tell him the specifications so he can prepare the contract and the council can then vote on accepting the contract. Councilperson Lanoué withdrew his motion. Mayor Farley asked that the council approve the attorney contacting Councilperson Koskey regarding preparation of the contract. The parameters were set at a maximum of \$8 per hour, 20 hours per week, for a term of 45 days with a termination notice of one week if no progress is seen. Ms. Linda Grabowski commented that if the town pays minimum wage the town needs to figure in the taxes. Ms. Laura Sokolowski pointed out that the person could write off expenses. Ms. Judy Stewart said that she knew that someone transcribing minutes takes more skill than a dishwasher. If you go for something less you are going to get what you pay for. Mr. Harry Tice asked about the hours. The attorney was directed to prepare a contract for council consideration.

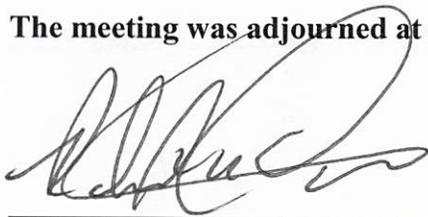
Councilperson Koskey said there was an ongoing misunderstanding about who was a vendor. He read the definition of a vendor from Ordinance 2012E and confirmed a fee schedule for vendors had been adopted by the council. Last week a question was raised as to whether a business in town was required to get a vendor permit. Someone suggested that if a business is in town that they should not be required to have a permit. He disagreed with this suggestion. He asked the council to consider waiving the permit fee if the vendor operates a business in town. Allowing such would ensure the permit was applied for and issued, but since the vendor is already a contributor to the town, they would not be asked to pay more. He felt this solution would avoid a lot of conflict. He also said after speaking with various vendors he has discovered that the town's fees are exorbitant. He suggested they do a little more research on what other towns charge and revisit the fee structure. Mayor Farley gave some history on the situation. Mr. Dave Kucharek spoke on the issue. Ms. Laura Sokolowski referred Councilperson Koskey's comment that the revenue was not an issue. She suggested charging \$1. Mr. Koskey responded that his suggestion was no charge. Councilperson Lanoué said he supported lower the fee. Councilperson Collier said she did not have a problem with a low fee, but it does take the clerk's time to issue the permits.

Mayor Farley opened the floor for comments about Coyote Mud. Ms. Judy Stewart of Delaware Avenue, said she was disappointed with one of the council member's outburst during a meeting two weeks ago. Councilperson Lanoue renewed his apology for the event. Ms. Eloise Brumbaugh Kandel complained about how she was treated in a meeting three weeks ago. Councilperson Collier spoke on the noise from Coyote Mud at her residence and her request to the police department to respond to a late night complaint she had made. She understood it was the first weekend and they are working out the bugs, but it took until at least 1:30 AM before she stopped hearing the engine noise. She requested they deal with this problem very quickly. Mr. Will Deaver of Tennessee Avenue, Mr. Craig Acorn of Tennessee Avenue, Ms. Leslie Griffin of Courtwood Lane, Ms. Luvon Silvernell of Robbins Road, Ms. Vera Deaver of Tennessee Avenue, Ms. Linda Grabowski of Ranch Road, Mr. Bob Stewart of Delaware Avenue, Ms. Laura Sokolowski, Ms. Leah Ann Fleugh of Georgia Avenue, and Ms. Judy Stewart spoke against, commented on, or made suggestions concerning Coyote Mud.

Ms. Christine Smith of Maryland Avenue spoke in appreciation of having Coyote Mud in the community, as did Mr. Dave Kucharek who said it was great for the kids and commented it was week one so give them a break. Mr. Harley Farley said the noise was no worse than that on 561A. Ms. Cecelia Talbot of Tennessee Avenue spoke in support as did Ms. Eloise Kandel, but supported stopping the noise at 10 PM.

Mayor Farley said there would be a workshop with town staff and Coyote Mud to work on alleviating these problems.

The meeting was adjourned at approximately 7:37 PM.



Mayor Robert Jake Farley



Wendy D Wickwire for
Attest, Town Clerk *Mary K. Cooper*

Town of Astatula

Minutes of Sine Die Meeting

Monday, January 14th, 2013 at 6:00 PM

Mayor Farley called the meeting to order at 6:00 PM.

Pledge of Allegiance

Welcome and Introduction of Guests: Mayor Farley welcomed Mr. Tim Green, Town Planner.

Roll Call: Present when called were Mayor Farley, Vice Mayor Mack, Councilperson Lanoue, Councilperson Collier, and Councilperson Koskey.

Meeting Notice: The clerk confirmed the meeting had been properly advertised.

Approval of Minutes: **Motion** by Councilperson Lanoue, second by Councilperson Koskey, to approve the minutes of the regular meetings of July 10, 2012, October 8, 2012, November 13, 2012, and December 10, 2012. Motion carried by a vote of five to zero. **Motion** by Councilperson Lanoue, second by Councilperson Collier, to approve the minutes of the special meetings of April 23, 2012, October 29, 2012, and January 3, 2013. Motion carried by a vote of five to zero. **Motion** by Councilperson Lanoue, second by Councilperson Koskey, to approve the minutes of the special meetings and workshops of May 29, 2012, June 25, 2012, and July 23, 2012. Motion carried by a vote of five to zero.

Agenda Review: There were no changes made to the agenda.

Council Reports:

Mayor Farley – Office – Finances – Nothing to report.

Vice Mayor Mack – Public Works – Nothing to report.

Councilperson Lanoue – Economic Development – Mr. Lanoue reported an upcoming 5K foot race at Coyote Mud on March 30th.

Councilperson Koskey – Office – Legal, Grants, Land Development Regulations & Ordinances – Mr. Koskey provided an update on the status of the town clerk who is currently out for personal reasons.

Councilperson Collier – Nothing to report.

Old Business:

1. Request from City of Minneola for Groveland ISBA Approval – Mr. Tim Green reminded the council that Mr. Mark Johnson, City Manager of Minneola, had come before them back in December with a map of Minneola's 180 Utility Service District. The ISBA (Interlocal Service Boundary Agreement) under discussion is for Groveland, but because Minneola touches Groveland, Minneola is required to establish a planning boundary. Minneola's planning boundary touches Astatula, who is not a part of Groveland's ISBA, but the county attorney has requested that a sign-off come from the Town of Astatula about that boundary as part of Groveland's agreement. Most members of the council objected to the boundary crossing County Road 455. Mr. Johnson addressed the council on the issue. **Motion** by Councilperson Lanoue, second by Councilperson Collier, to deny the request from the City of Minneola for Groveland ISBA approval. Motion carried by a vote of four to one with Mayor Farley voting against.

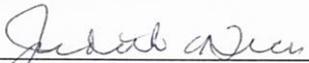
2. Contract Extension for Temporary Town Hall Building – Vice Mayor Mack explained a delay with getting the temporary town hall building delivered. The owner has need of the building until the end of February. He presented an extension until June 3, 2013 to the contract with AAA Affordable Structures, Inc. for relocating the building. **Motion** by Councilperson Lanoue, second by Vice Mayor Mack, to approve the contract extension for the temporary town hall building. Motion carried by a vote of five to zero.



Additional Council Comments: Councilman Koskey thanked Mayor Farley and Councilman Lanoue for their service to the town. Mayor Farley asked the citizens, council and staff to put their full support behind Mayor Tice and Councilman Sokolowski. Councilperson Lanoue thanked everyone for the time he has had over the past two years.

Meeting Adjourned: The meeting was adjourned at 6:35 PM.

Respectfully submitted,

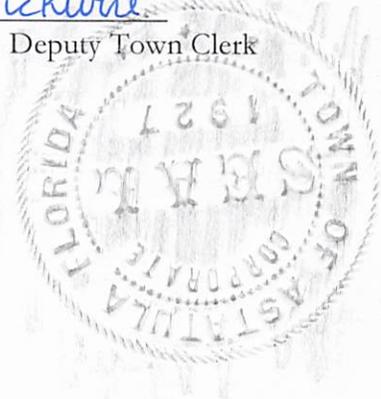


Judith A. Tice, Mayor

ATTEST:



Wendy S. Wickwire, Deputy Town Clerk



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RESOLUTION 2019-32

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, AMENDING THE POLICY AND PROCEDURE MANUAL.

WHEREAS, the Town of Astatula, Florida, uses its Policy and Procedure Manual of 2012 to govern the employment conditions of Town employees; and

WHEREAS, the Town Council has determined that the definition of “part-time employee” should be clarified and amended to ensure the integrity of and fairness to the Town’s workforce.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA:

Section 1. Amendment to Policy and Procedure Manual. The first sentence of Section 7.1 of the Town of Astatula Policy and Procedure Manual of 2012 is amended to read as follows:

7.1 ELIGIBILITY AND ACCRUAL OF LEAVE AND VACATION. Part-time employees are those employees who are normally and regularly scheduled to work less than 36 hours per week.

All other parts of Section 7.1 of the Policy and Procedure Manual remain in effect and unchanged.

Section 2. Effective Date. This amendment to Section 7.1 shall take effect upon approval of this Resolution by the Town Council. The Town Clerk is authorized and directed to modify the Policy and Procedure Manual accordingly.

DONE AND RESOLVED this 12th day of November 2019, by the Town Council of the Town of Astatula, Florida.

TOWN COUNCIL OF THE
TOWN OF ASTATULA, FLORIDA


By: Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk

Council Member Cross moved the passage and adoption of the above and foregoing

Resolution. Motion was seconded by Council Member Kobera and upon roll call on the motion the vote was as follows:

COUNCIL MEMBER	YEA	NAY
Mayor Mack	✓	
Vice-Mayor Kobera	✓	
Councilman Cross	✓	
Councilwoman Sikkema	✓	



RESOLUTION 2020-12

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, AMENDING THE POLICY AND PROCEDURE MANUAL.

WHEREAS, the Town of Astatula, Florida, uses its Policy and Procedure Manual of 2012 to govern the employment conditions of Town employees; and

WHEREAS, the Town Council has determined that the definition of “part-time employee” should be clarified and amended to ensure the integrity of and fairness to the Town’s workforce.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA:

Section 1. Amendment to Policy and Procedure Manual. The first sentence of Section 7.1 of the Town of Astatula Policy and Procedure Manual of 2012 is amended to read as follows:

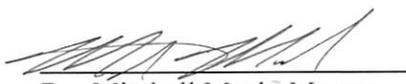
7.1 ELIGIBILITY AND ACCRUAL OF LEAVE AND VACATION. Part-time employees are those employees who are normally and regularly scheduled to work less than 40 hours per week.

All other parts of Section 7.1 of the Policy and Procedure Manual remain in effect and unchanged.

Section 2. Effective Date. This amendment to Section 7.1 shall take effect upon approval of this Resolution by the Town Council. The Town Clerk is authorized and directed to modify the Policy and Procedure Manual accordingly.

DONE AND RESOLVED this 24th day of August 2020, by the Town Council of the Town of Astatula, Florida.

TOWN COUNCIL OF THE
TOWN OF ASTATULA, FLORIDA


By: Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk



Council Member Cross moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member SIKKEMA and upon roll call on the motion the vote was as follows:

COUNCIL MEMBER	YEA	NAY
Mayor Mack	✓	
Vice-Mayor Kobera	ABSENT	
Councilman Cross	✓	
Councilwoman Sikkema	✓	
Councilwoman Issartel	ABSENT	

RESOLUTION 2023-08

A RESOLUTION OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 7 OF THE TOWN'S POLICY AND PROCEDURE MANUAL TO ADD VACATION TIME FOR CERTAIN PART-TIME EMPLOYEES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Whereas, the Town of Astatula, Florida, uses its Policy and Procedure Manual of 2012 to govern the employment conditions of Town employees.

Whereas, part-time employees in the Town are currently not eligible for vacation, and the Town Council desires to amend the Policy and Procedure Manual to specify when part-time employees can be eligible for vacation.

Whereas, the Town Council finds that these amendments to the Town's Policy and Procedure Manual for part-time employees will promote and benefit the Town's recruitment and retention of part-time employees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA:

Section 1. Amendments to Policy and Procedure Manual. Sections 7.1 of the Town of Astatula Policy and Procedure Manual of 2012 (as amended) is amended as shown by the addition of the underlined language and the deletion of the strike-through language to read as follows:

- 7.1 ELIGIBILITY AND ACCRUAL OF LEAVE AND VACATION.** Part-time employees are those employees who are normally and regularly scheduled to work less than 40 hours per week. Part-time employees may be ~~are not~~ entitled to ~~any Employee Benefits-sick pay~~ if they meet the eligibility requirements in Section 7.11. Part-time employees working twenty plus hours per week are entitled to the hours of leave listed below, prorated on the same basis outlined in Section 7.11, and based on the hours per week hired, not worked. Unless otherwise required by law, part-time employees are not entitled to benefits under this personnel policy other than sick pay and leave benefits.

For full time employees who are not police officers, the following hours apply for leave benefits:

Years of Service	Hours of Leave
0-5	8 hours per month
6-10	10 hours per month
11-15	12 hours per month
16 plus	16 hours per month

Full time Police Officers shall accrue leave as follows:

Years of Service	Hours of Service
0-5	12 hours per month
6-10	15 hours per month
11-15	18 hours per month
16-20	21 hours per month
20 plus	24 hours per month

Annual leave may be accumulated over a two (2) year period (730 days). Employees must use accumulated leave within 3 years (1,095 days). Any leave not used within the 3 year time period shall be forfeited in an amount to ensure that the employee only maintains 2 years' worth of leave at any given time. In no event shall any employee be entitled to accumulate any leave over and above the 2 year limit prescribed by this Policy and Procedure Manual. Part time employees are not eligible for paid leave time. The Town Council has the final determination on use of accrual leave time.

Vacation credit may be used as accrued after the employee has completed twelve (12) consecutive calendar months of employment. Previous employment with the Town will not count towards years of full-time service. Vacation leave may not be taken in periods of less than four (4) hours per shift.

Section 2. Severability. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of the Resolution.

Section 3. Effective Date. Amendments to Section 7 of the Policy and Procedure Manual shall take effect upon approval of this resolution by the Town Council. The Town Clerk is authorized and directed to modify the Policy and Procedure Manual accordingly.

DONE AND RESOLVED May 9, 2023, by the Town of Astatula, Florida.



Mitchell Mack, Mayor

ATTEST TO:



Graham Wells, CMC, Town Clerk

Approved as to form and legality:



Heather Ramos, Town Attorney

Council Member Cross moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member SIKKEMA and upon roll call on the motion the vote was as follows:

COUNCIL MEMBER	YEA	NAY
Mayor Mack	✓	
Vice-Mayor Cross	✓	
Council Member Issartel	✓	
Council Member Sikkema	✓	
Council Member Teters		✓

RESOLUTION 2023-26

A RESOLUTION OF THE TOWN COUNCIL OF ASTATULA, LAKE COUNTY, FLORIDA, PERMITTING FULL-TIME EMPLOYEES TO ELECT MEDICARE COVERAGE INSTEAD OF ELECTING INSURANCE COVERAGE PROVIDED BY THE TOWN; PROVIDING FOR REIMBURSEMENT FOR ELIGIBLE EMPLOYEES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Whereas, the Town of Astatula, Florida, provides group health insurance plans to eligible employees and their dependents.

Whereas, in some instances an employee may desire to elect utilize Medicare coverage in lieu of the Town's group health insurance plans and such election will result in a cost saving to the Town.

Whereas, at a workshop held on October 19, 2023, the Town Council determined that if an employee wants to elect to utilize Medicare instead of the Town insurance, and the cost of Medicare is less than the Town insurance, the Town will reimburse the employee for the cost of Medicare, subject to the terms and conditions outlined in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA:

Section 1. Amendments to the Town's Policy and Procedure for Employee Health Insurance Coverage. The Town's Policy and Procedure for Employee Health Insurance Coverage is hereby amended to include the following:

Medicare Coverage Policy for Salaried and Hourly Employees

Salaried and hourly employees working 40 hours or more per week (each an "Eligible Employee") may elect to apply for and receive, if qualified, Medicare benefits instead of receiving insurance coverage from the Town's health insurance carrier. If Medicare is elected and the Eligible Employee ends Town insurance coverage, the Eligible Employee will be reimbursed by the Town for the cost that the Eligible Employee pays for Medicare Part B, Medigap, Part D, and/or an Advantage Plan. Such reimbursement shall not exceed the Town's coverage cost for the Eligible Employee's health insurance under the current Town plan options. The Town may at any time request documentation evidencing that the Eligible Employee has enrolled in and is paying for Medicare coverage. Reimbursement for each Eligible Employee shall be made through the Town's expense report process.

Section 2. Severability. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of the Resolution.

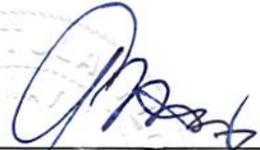
Section 3. Effective Date. This Resolution shall take effect upon approval of this resolution by the Town Council. The Town Clerk is authorized and directed to modify the Policy and Procedure Manual accordingly.

DONE AND RESOLVED December 12, 2023, by the Town of Astatula, Florida.

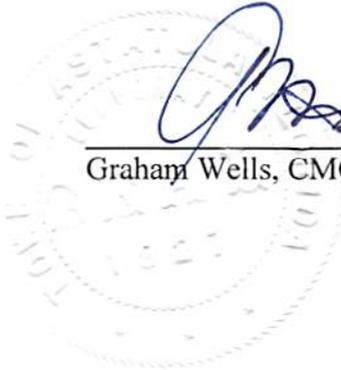


Mitchell Mack, Mayor

ATTEST TO:



Graham Wells, CMC, Town Clerk



Approved as to form and legality:



Heather Ramos, Town Attorney

Council Member CROSS moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member ISSARTEL and upon roll call on the motion the vote was as follows:

COUNCIL MEMBER	YEA	NAY
Mayor Mack	✓	
Vice-Mayor Cross	✓	
Council Member Issartel	✓	
Council Member Quiros	✓	
Council Member Tetter	✓	

RESOLUTION 2024-07

A RESOLUTION OF THE TOWN COUNCIL OF ASTATULA, LAKE COUNTY, FLORIDA, AMENDING THE POLICY AND PROCEDURE MANUAL REGARDING WORK-HOUR REQUIREMENTS FOR PART-TIME AND FULL-TIME EMPLOYEES; PROVIDING AN EFFECTIVE DATE.

Whereas, the Town Council adopted Resolution 2019-32 on November 12, 2019 to amend Section 7.1 of the Town’s Policy and Procedure Manual to provide that part-time employees consists of employees normally scheduled to work less than 36 hours per week.

Whereas, the Town Council adopted Resolution 2020-12 on August 24, 2020 to amend Section 7.1 of the Town’s Policy and Procedure Manual to provide that part-time employees consist of employees normally scheduled to work less than 40 hours per week.

Whereas, to more efficiently operate and conduct Town business, the Town Council has determined that part-time employees should be employees that are normally scheduled to work less than 36 hours per week.

NOW, THEREFORE, BE IT RESOLVED by the Astatula Town Council, Lake County, Florida, that:

Section 1. Amendment to the Town’s Policy and Procedure Manual. The first sentence of Section 7.1 of the Town of Astatula Policy and Procedure Manual is amended to read as follows:

7.1 ELIGIBILITY AND ACCRUAL OF LEAVE AND VACATION. Part-time employees are those employees who are normally and regularly scheduled to work less than 36 hours per week. Full-time employees are those employees who are normally and regularly scheduled to work 36 hours or more per week.

All other parts of Section 7.1 of the Policy and Procedure Manual remain in effect and unchanged.

Section 2. Effective Date. This amendment to Section 7.1 shall take effect upon approval of this Resolution by the Town Council. The Town Clerk is authorized and directed to modify the Policy and Procedure Manual accordingly.

Section 3. Repeal of Conflicting Resolutions. All previous resolutions which conflict with the provisions of this Resolution, are hereby repealed to the extent of such conflict.

DONE AND RESOLVED on April 9, 2024 by the Town of Astatula, Florida.

[signatures on the following page]



Mitchell Mack, Mayor

ATTEST TO:



Graham Wells, CMC, Town Clerk

Approved as to form and legality:



Heather Ramos, Town Attorney

Council Member QUIROS moved the passage and adoption of the above and foregoing Resolution. Motion was seconded by Council Member TEETERS and upon roll call on the motion the vote was as follows:

COUNCIL MEMBER	YEA	NAY
Mayor Mack	ABSENT	
Vice-Mayor Cross	✓	
Council Member Issartel	ABSENT	
Council Member Quiros	✓	
Council Member Teeters		✓