

**From:** Bernice Wendland <[bwendland@volusia.org](mailto:bwendland@volusia.org)>  
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**Cc:** Dave Byron <[DByron@volusia.org](mailto:DByron@volusia.org)>, Pamela Renfro <[PRenfro@volusia.org](mailto:PRenfro@volusia.org)>  
**Subject:** Re: PRR: 121112: VolusiaExposed (re Capt. Michelle Newman)  
**Date:** Mon, 31 Dec 2012 08:36:26 -0500

In checking with the Personnel Department, I am informed the only thing they have is the notice of demotion/suspension. No documents exist relating to a review of this case.

Thanks.

>>> VolusiaExposed <[volusiaexposed@cfl.rr.com](mailto:volusiaexposed@cfl.rr.com)> 12/28/2012 1:40 PM >>>

Bernice:

Need your assistance - as per 86-452 (see below) - does the county personnel director (Tom Motes) have any documents (emails, memos, sticky notes, etc) (public records) that would memorialize his concurrence with the disciplinary action taken against Deputy Newman? If so, we request a copy.

Thanks  
VX

On Thu, 2012-12-27 at 13:04 -0500, Bernice Wendland wrote:

> In response to your Public Records Request, identified above, the legal department has advised no documents exist relating to a review of this case.

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> Thank you.

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> >>> VolusiaExposed <[volusiaexposed@cfl.rr.com](mailto:volusiaexposed@cfl.rr.com)> 12/12/2012 5:29 PM

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FYI - As per our discussion (see below)

County Legal and the Personnel Director must concur with any adverse disciplinary action. We seek, who in the particular, in county legal concurred with the demotion of VCSO Captain Michelle Newman.

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> As always, thanks for all you do

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> VX

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> Sec. 86-452. Authority for disciplinary action.

Generally, the appointing authority is authorized to apply such disciplinary measures as may be appropriate and necessary. In the cases of reduction in pay, suspensions, demotions and dismissals, the appointing authority shall first consult and gain the concurrence of the legal department and the personnel director before taking final action. This requirement for concurrence is not intended to relieve the appointing authority of responsibility nor to preclude the immediate suspension of an employee when an emergency situation or other circumstances make it impractical to obtain prior concurrence.

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> Complete copy of County Merit Rules

> [www.volusiaexposed.com/beachsafety/gardnerpay/meritrules.pdf](http://www.volusiaexposed.com/beachsafety/gardnerpay/meritrules.pdf)

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