

Montevillo City Council
Special Called Meeting
February 12, 2020
6:00 p.m. at City Hall

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Mayor Hollie Cost, Council Member Rusty Nix, Council Member Jason Peterson, Council Member Arthur Herbert, Council Member Tiffany Bunt and Council Member Willie Goldsmith were in attendance.

Meeting Call to Order

Mayor Cost called the meeting to order at 6:00 p.m.

New Business:

Personnel Hearing -

A complete transcript of the hearing is attached hetero and is entered as part of the official Minutes from this meeting. In summary, the meeting proceeded as follows:

Mayor Cost explained that, pursuant to Article 9, Section 5, C of our Employee Handbook, the purpose of this meeting was to hear an appeal from Debby Raymond, whose employment with the city was terminated on January 8, 2020. The Mayor noted she will perform her duty as chair of the meeting. However, because she was the one who has the final determination on this matter, she would recuse herself from discussions and votes. She will only answer questions asked of her as part of the hearing process.

City Attorney, Bent Owens, explained his role in the proceedings. He said he was there to protect the interests of the City Council and to help guide them through the legal, procedural matters. He said there really isn't a guide for how this hearing should operate. He noted there was already a Personnel Board hearing. They recommended Ms. Raymond be reinstated. However, Mayor Cost upheld with her decision to terminate. Ms. Raymond has subsequently appealed that decision. The Council's role is to hear the evidence provided by the Mayor and Ms. Raymond, and to make a recommendation to the Mayor. They may recommend ratifying the mayor's decision, rescinding the decision, or modifying the decision. Their recommendation will then be communicated to the Mayor, and she will have the final decision regarding the appeal. The City will present its case first, followed by Ms. Raymond. After that, the Council will deliberate and make their recommendation.

Next, Mayor Cost made her statement, followed by questions from the City Council, Whitney Brown, our employment law attorney, and Ms. Raymond.

Following that, as reflected in the transcripts, Karen Evans testified. She was also questioned.

Next, Lisa Terrill made her statement and answered questions.

After that, Mayor Cost explained that Chief Littleton had a family medical emergency and could not attend the meeting. However, she asked the council to consider his statement is the transcripts from the Personnel Board Hearing. Council Member Peterson asked that statement be entered into the minutes. Chief Littleton's statement from the January 23, 20-20 Montevallo Personnel Board Hearing transcripts is entered as follows:

1/23/2020

Pages 49 to 52

<p style="text-align: right;">Page 49</p> <p>1 a personalized Easter gift? 2 MS. EVANS: Yes, you did. 3 MS. RAYMOND: I mean, to 4 me, that doesn't sound like a bad 5 supervisor. It sounds like I've tried 6 everything to be nice and agreeable. 7 MS. BROWN: Objection. 8 MR. GLOSSON: Debby, 9 please, direct your remarks as questions. 10 MS. RAYMOND: Okay. 11 MR. GLOSSON: Would that be 12 all right, Ms. Brown, that she just 13 direct them as questions? 14 MS. BROWN: If she will 15 just ask questions. 16 MR. GLOSSON: Right. 17 MS. BROWN: She does have 18 an opportunity to rebut. 19 MS. RAYMOND: Are you 20 saying that you didn't know what your 21 work hours were? 22 MS. EVANS: I know that I 23 was supposed to be here from 8:00 to 24 4:30. 25 MS. RAYMOND: Okay. That's</p>	<p style="text-align: right;">Page 51</p> <p>1 Council? 2 MR. LITTLETON: During a 3 November Council meeting, there was a 4 discussion about Debby Raymond using her 5 personal vehicle for work use and the 6 reimbursement amount she would receive 7 for mileage. After hearing the dis- 8 cussion, I approached Mayor Cost and 9 offered the use of a 2007 Honda minivan 10 that the Police Department had for Debby 11 to use for business purposes. I informed 12 Mayor Cost that we were not using the van 13 at the time, and that I would have it 14 checked out by a mechanic to ensure 15 everything was okay and there were no 16 issues with it. 17 The van was taken to Brown 18 Automotive in Calera, and I asked them to 19 check it out thoroughly and make sure it 20 was okay. They did some repairs to the 21 air conditioner and replaced the 22 battery. We use Brown Automotive for a 23 lot of our patrol vehicle maintenance. 24 The van was checked, and deemed safe and 25 to be in good working order.</p>
<p style="text-align: right;">Page 50</p> <p>1 not what I understood you to say. 2 MS. EVANS: I was not given 3 a specific lunch hour or anything like 4 that, which is what I usually took for 5 going to get Allison and/or Jessie. 6 MS. RAYMOND: Right. At 7 your convenience, yes, that's what I 8 allowed. 9 I have nothing else at this 10 time. 11 MR. GLOSSON: That's all? 12 MS. RAYMOND: Yes. Thank 13 you. 14 MR. GLOSSON: Ms. Brown, do 15 you have any other witnesses. 16 MS. BROWN: We now call 17 Chief Littleton. 18 (Whereupon, CHIEF JEREMY LITTLETON 19 approached the Board at this time.) 20 MS. BROWN: Mr. Littleton, 21 I understand that you've prepared a 22 statement in this matter? 23 MR. LITTLETON: I have. 24 MS. BROWN: If you would, 25 please, proceed to share that with the</p>	<p style="text-align: right;">Page 52</p> <p>1 After the van was checked, 2 a set of keys was turned over to City 3 Hall. I offered the van for Debby to use 4 so it would reduce the wear and tear on 5 her personal vehicle, and reduce the 6 chance of her damaging her own vehicle 7 while using it for City business. I 8 assumed Debby would be excited about this 9 because most employees consider it a job 10 benefit when they have a City vehicle to 11 drive, instead of their own. 12 I noticed that the van was 13 not being driven and asked Mayor Cost 14 about it. Because I had just spent money 15 out of my budget to make sure it was in 16 good working order. Mayor Cost informed 17 me that Debby had been instructed to use 18 the van for business purposes and it 19 should be -- and should be driving it. 20 Later, Mayor Cost informed 21 me that Debby refused to drive the van 22 because it was old, dangerous and had 23 been used in drug operations that would 24 put her life in danger. I told Mayor 25 Cost that that was ridiculous and I found</p>

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1 it disturbing that such an accusation
 2 would be made.

3 I informed Mayor Cost that
 4 I have dedicated over twenty-five years
 5 of my life protecting and serving, and
 6 that there was no way that I would
 7 recommend anything that would jeopardize
 8 someone's safety, much less a City
 9 employee. Debby and I have also been
 10 friends for over twenty years and I would
 11 never consider putting her in jeopardy.

12 The van has only been used
 13 in a -- has only been used a couple of
 14 times for surveillance and that has been
 15 over three years ago. The van was never
 16 seen or identified, in any way, as being
 17 affiliated with the Police Department.
 18 For the last three years, the van has
 19 been driven from time to time by our
 20 Investigative Assistant, Vicki Martin,
 21 who is a civilian employee, to pick up
 22 supplies and run errands. Vicki is like
 23 a second mother to me and I would never
 24 let her drive something that would
 25 jeopardize her safety.

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1 I told Mayor Cost that if
 2 Debby was going to refuse to drive the
 3 van for this reason, she needed to make
 4 sure she had her facts correct and that
 5 she had never spoken to me about this
 6 concern, which I could have easily
 7 cleared up.

8 I certainly did not see an
 9 issue with the van's age because my
 10 School Resource Officer drives a 2005
 11 Ford Expedition. Sergeant Philip Thomas
 12 drives a 2008 Ford Crown Victoria, and we
 13 have a 2005 Nissan Armada and a 2009
 14 Dodge Ram that are driven by our Code
 15 Enforcement Officer.

16 I have driven older
 17 vehicles many times throughout my career
 18 and have never had an issue with it. I
 19 have been in supervision for over sixteen
 20 years of my career with hundreds of hours
 21 of training in liability and employee
 22 issues. As I mentioned earlier, I would
 23 never put an employee at risk.

24 I had also informed Mayor
 25 Cost in the past that I was concerned

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1 with Debby's safety because I, as well as
 2 other Police Department employees, had
 3 observed her sitting around on the side
 4 of the road and following people around
 5 like she was an undercover Police officer
 6 in her personal vehicle. I told Mayor
 7 Cost I had never heard of anyone in a
 8 position of Debby's acting that way, and
 9 I was afraid that she was going to
 10 approach or irritate someone and get
 11 injured.

12 Mayor Cost also informed me
 13 that Debby had spoken to her and said
 14 that I would not speak to her, anymore,
 15 and felt she was being treated badly.
 16 This really disturbed me. As I said
 17 earlier, Debby and I have been friends
 18 for over twenty years and have always
 19 been close. I told Mayor Cost that Debby
 20 had avoided me and would not speak to me
 21 since she had her last Personnel hearing
 22 with the City. I told Mayor Cost that I
 23 had not done anything to Debby for her to
 24 be mad at me about.

25 Debby, Sarah Hogan and I

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1 used to text each other all the time
 2 during Alabama football games because
 3 Debby -- but Debby had quit responding to
 4 me and would not speak to me unless I
 5 spoke to her, and it was obvious to me
 6 that she was trying to avoid me any time
 7 she could.

8 I even wished Debby a
 9 "happy birthday" this year -- this past
 10 year and she asked me how I knew it was
 11 her birthday. I informed her that I had
 12 always kept up with her birthday, as I do
 13 for many other of my friends. And if no
 14 one is speaking to Debby, it is an
 15 environment that she has created for
 16 herself.

17 I do not have any tolerance
 18 for insubordination or failure to follow
 19 orders. If Debby did refuse to drive the
 20 van that Mayor Cost instructed her to
 21 drive, she is wrong and deserves
 22 disciplinary action. There is no
 23 legitimate reason to refuse this order
 24 and if it was one of my employees, they
 25 would receive disciplinary action, up to

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1 and including suspension or termination.
 2 I think Mayor Cost has been very patient
 3 with Debby, and I do believe Debby has
 4 tried to antagonize her and push things
 5 to the limit.
 6 I care a lot for Debby, but
 7 I do think she is wrong in the way she
 8 has handled this situation. I know Debby
 9 gets really upset if she does not get her
 10 way and has a tough time admitting she is
 11 wrong about something. Sometimes, a
 12 devoted friend lets us know when we are
 13 wrong. Debby is wrong and has brought
 14 this unfortunate situation upon herself.
 15 The van has currently been assigned to
 16 Sarah Hogan, our Impact Team Coordinator.
 17 MS. BROWN: Thank you,
 18 Chief. I have no further questions for
 19 you.
 20 MS. RAYMOND: Chief, if you
 21 felt that me doing my job and going
 22 out -- going to construction sites, and
 23 sitting in the parking lots and watching
 24 businesses, which is what a Revenue
 25 Officer does, to get Business Licenses,

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1 why wouldn't you come to me? If you
 2 thought -- as such a good friend, if you
 3 thought I was doing something that would
 4 put me in danger, why wouldn't you come
 5 to me?
 6 MR. LITTLETON: The reason
 7 I didn't come to you is because your
 8 behavior has been very strange since the
 9 last Personnel hearing and it's obvious
 10 that you didn't want to speak to me. So,
 11 I didn't want to offend you, so I spoke
 12 to Mayor Cost.
 13 And what I was referring to
 14 is: I personally seen you tearing out of
 15 a parking lot chasing after people that
 16 you -- I assume, you think are
 17 contractors and I was concerned that you
 18 were going to get injured with this
 19 behavior. I think it's highly unusual.
 20 I've worked with other cities and that's
 21 why I expressed my concern to Mayor Cost.
 22 MS. RAYMOND: What is the
 23 last city that you worked for that had a
 24 Revenue Officer?
 25 MR. LITTLETON: The City of

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1 Clanton. And I've also had officers that
 2 worked for other cities, and they have
 3 also brought it to my attention and they
 4 have had concerns about the issue, as
 5 well.
 6 MS. RAYMOND: So, you've
 7 discussed the way I do my job with
 8 others?
 9 MR. LITTLETON: I do not.
 10 They had come to me with the concern.
 11 MS. RAYMOND: So, someone
 12 from another city came to you with the
 13 way -- how I do my job in Montevallo?
 14 MR. LITTLETON: No. My
 15 officers had come to me about you
 16 following vehicles and sitting on the
 17 side of the road because they were
 18 concerned for your safety, also.
 19 MS. RAYMOND: That is my
 20 job.
 21 MR. LITTLETON: I'm just
 22 telling you the way I see it, Debby.
 23 MS. RAYMOND: And I came to
 24 your office to chat with you after this
 25 time and you let me know, by throwing

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1 your hands up, that: I can't have any
 2 part of this, which let me know that you
 3 didn't want to talk. So, I have avoided
 4 that because --
 5 MS. BROWN: Again, please
 6 --
 7 MR. GLOSSON: Debby, we're
 8 asking questions right now.
 9 MS. RAYMOND: How long has
 10 the van been parked in the Police parking
 11 lot?
 12 MR. LITTLETON: The van has
 13 been parked in the Police parking lot
 14 since you left it until Sarah Hogan
 15 started driving it.
 16 MS. RAYMOND: No. I mean,
 17 prior to the Mayor asking me to drive it?
 18 MR. LITTLETON: I don't
 19 know, Debby. I mean, Vicki Martin has
 20 used it from time to time. I don't have
 21 a record of how many times it's been
 22 driven.
 23 MS. RAYMOND: Why was the
 24 van purchased?
 25 MR. LITTLETON: The van was

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1 purchased initially to be used as
 2 surveillance in drug operations. Shortly
 3 after we purchased the van, that fell
 4 through. It was used maybe twice in
 5 surveillance operations, as stated
 6 earlier, and it was never remotely
 7 recognized as being involved in that
 8 operation. The reason we purchased the
 9 Honda minivan is because there's fifteen
 10 dozen on the road and I, myself, do not
 11 recognize it as a Police Department
 12 vehicle, unless I see an employee in it
 13 that I recognize.
 14 MS. RAYMOND: That's it for
 15 now.
 16 MR. GLOSSON: Any
 17 questions?
 18 MS. BROWN: I don't have
 19 any questions.
 20 MR. GLOSSON: Anybody else?
 21 MR. FERGUSON: Chief, what
 22 color is the van?
 23 MR. LITTLETON: It's like a
 24 tan/beige color.
 25 MR. FERGUSON: Thank you.

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1 MR. LITTLETON: It was
 2 immediately before it was assigned to
 3 her. Because we brought it back from the
 4 shop, and I come directly over to Mayor
 5 Cost's office and give her the keys to
 6 the van.
 7 MR. LEE: And it was in
 8 tip-top shape?
 9 MR. LITTLETON: Yes, sir.
 10 I had the mechanic -- I told him to check
 11 it out thoroughly. I wanted to make sure
 12 there were no issues, no safety issues
 13 with it, and they give me the clear. I'm
 14 not a mechanic; I'm just going by what
 15 the mechanic told me.
 16 MR. GLOSSON: What repairs
 17 did they do to it before they released it
 18 back to you again?
 19 MR. LITTLETON: They put a
 20 battery replacement in it and replaced
 21 some kind of pulley on the air
 22 conditioning because the air conditioner
 23 was not working.
 24 MR. GLOSSON: And when it
 25 got back, was the air conditioner, the

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1 MR. GLOSSON: How many
 2 miles are on the van, Chief?
 3 MR. LITTLETON: It's
 4 probably -- the last record I have is,
 5 like, around a hundred and eighty
 6 thousand, but other vehicles that I --
 7 that I mentioned in my statement have
 8 comparable mileage.
 9 MR. GLOSSON: And did I
 10 hear you correctly saying that -- was it
 11 Brown Automotive in Calera that actually
 12 checked it out? It was not a City
 13 mechanic that checked it out: it was an
 14 independent garage?
 15 MR. LITTLETON: Yes, sir.
 16 We've never used a City mechanic for our
 17 Police vehicles since I've been here.
 18 We've always used an independent garage
 19 and we use Brown Automotive in Calera for
 20 most vehicles, unless it's under factory
 21 warranty and we use Ford.
 22 MR. GLOSSON: Was it
 23 checked out just prior to being assigned
 24 to her or had it been sometime before it
 25 was assigned to her?

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1 heater and all of that working in it?
 2 MR. LITTLETON: Yes, sir.
 3 The only thing that was not working on
 4 the radio was the AM/FM radio, which,
 5 sometimes, we have Police cars that don't
 6 have a radio, also.
 7 MR. GLOSSON: Anymore
 8 questions?
 9 MS. RAYMOND: No.
 10 MS. BROWN: Thank you,
 11 Chief.
 12 MR. LITTLETON: Thank you.
 13 MS. BROWN: The City calls
 14 Herman Lehman.
 15 (Whereupon, HERMAN LEHMAN approached the
 16 Board at this time.)
 17 MR. LEHMAN: Can you hear
 18 me?
 19 MR. GLOSSON: Yes. You can
 20 go ahead.
 21 MR. LEHMAN: Members of the
 22 Personnel Board: I was hired by the City
 23 of Montevallo as its City Clerk and
 24 Treasurer in April of 2007. As a result,
 25 I have had to deal with Ms. Raymond and

The City Clerk then made his statement and answered questions as reflected in the attached transcripts. Ms. Raymond then presented her comments and answered questions as also detailed in the transcripts. As further detailed in the attached, Mayor Cost then made her closing statement.

Council Member Peterson made a motion to ratify the Mayor's decision to terminate Ms. Raymond. Council Member Herbert seconded.

Council Member Nix noted that Ms. Raymond mentioned she planned to retire in September. He asked if there was some way the City could agree to compensate her for the lost time and vacation days, if she would agree to drop all present and future plans to sue the City.

The Council then discussed a number of similar options.

Because a settlement would necessitate the expenditure of public funds, Mr. Owens cautioned that would need to be considered at another properly noticed meeting. He suggested that could be done regardless of the outcome of tonight's vote.

Hearing no further discussion, a motion and a second being made, Mayor Cost called for the vote. In a roll call vote, the results were as follows: **Council Member Rusty Nix – NAY; Council Member Willie Goldsmith – ABSTAIN; Council Member Tiffany Bunt – AYE; Mayor Hollie Cost – ABSTAIN; Council Member Jason Peterson – AYE; Council Member Arthur Herbert – AYE . . . MOTION APPROVED.**

The recommendation of the majority of the Council was to uphold the Mayor's decision to terminate Ms. Raymond.

There being no further business before the Council, Council Member Nix made a motion to adjourn. Council Member Peterson seconded. **ALL AYES . . . MOTION APPROVED.**

Submitted by:



**Herman Lehman
City Clerk**

ORIGINAL

COUNCIL MEETING OF
DEBBY RAYMOND

DATE: February 12th, 2020

TIME: 6:00 P.M.

PLACE: Montevallo City Hall

541 Main Street

Montevallo, Alabama 35115

COURT REPORTER: Lindsey Duckett

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A P P E A R A N C E S

ATTORNEYS FOR CITY OF MONTEVALLO:

J. Bentley Owens, III
Ellis Head Owens Justice & Arnold
113 North Main Street
Columbiana, Alabama 35051

Whitney Brown
Lehr Middlebrooks Vreeland &
Thompson, PC
2021 Third Avenue North
Birmingham, Alabama 35203

MAYOR FOR THE CITY OF MONTEVALLO:

Hollie Cost Ph.D.

CITY CLERK AND TREASURER:

Herman Lehman

1 MEMBERS OF THE BOARD:

2 Rusty Nix

3 Willie Goldsmith

4 Tiffany Bunt

5 Jason Peterson

6 Arthur Herbert

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I N D E X

WITNESSES FOR THE CITY:

Karen Evans

Lisa Terrill

Herman Lehman

WITNESSES FOR MS. RAYMOND:

Courtney Bennett

1 P R O C E E D I N G S

2
3 February 12th, 20204 6:00 P.M.
5

6 MS. COST: We're going to call
7 this meeting to order, and I just wanted to
8 let everyone know we are here for a
9 personnel hearing -- or we are here to --
10 at the request of Ms. Raymond. Now while I
11 am officiating the meeting, I will abstain
12 from the vote, and I will abstain from
13 deliberation discussions unless I'm asked a
14 question by the Council. But I will call
15 the meeting to order. I will maintain the
16 order and -- but we do we have our attorney
17 here that's representing us. We have our
18 city attorney that will give us guidance.
19 And we do have an order here as far as the
20 agenda goes. So this is for our -- I'll go
21 ahead and call on Bent Owens as our city
22 attorney to open up the personnel hearing.

23 MR. OWENS: How is everybody

1 doing tonight? What I wanted to explain
2 and the reason I'm here, I'm -- I am not
3 prosecuting the case, but I am here as the
4 city attorney to provide the City Council
5 with advice that they may have as far as
6 process is concerned. The employee
7 handbook and the rules of the employee
8 handbook specify the steps that you go
9 through, but it doesn't necessarily go into
10 great detail about the process for
11 tonight's hearing.

12 Montevallo is somewhat unique.
13 There are a few cities that do it this way,
14 but most every city will have a personnel
15 board of some type as does Montevallo. But
16 the ordinance establishing personnel rules
17 and -- for the city, also allow the City
18 Council to participate. Now the City
19 Council's participation is limited to a
20 recommendation to the Mayor. The purpose
21 of this hearing tonight is to make that
22 recommendation. It has to be done in
23 writing within seven days of the hearing

1 opportunity to cross-examine the witnesses,
2 and the City Council will have an
3 opportunity to ask questions of the
4 witness. Then Ms. Raymond will present her
5 case with the same format of
6 cross-examination, and at any time, City
7 Council -- it's not -- this is not -- we're
8 not following the Alabama Rules of Civil
9 Procedure so there's not a formal process.
10 But at any time City Council has questions,
11 certainly since you're the body that going
12 to be deliberating to make a
13 recommendation, you're able to ask
14 questions. If you have a question for me,
15 that's what I'm here for during the
16 process. And I can help you through that
17 process based on, you know, working with
18 other cities in terms of personnel matters.
19 And then both the City and Ms. Raymond will
20 have an opportunity to make a closing
21 statement or closing presentation once all
22 the evidence has been received.

23 Does anybody have any questions

1 tonight. There are no -- so it's somewhat
2 unique in the sense that you've got both
3 the Personnel Board and the City Council
4 participating in the process. Some cities
5 have one or the other but not both. There
6 are a few cities that have both. But it's
7 your opportunity tonight to weigh in and to
8 hear the evidence that has been presented
9 tonight and to make a decision and a
10 recommendation to the Mayor at the
11 conclusion of the hearing.

12 The rules do provide that you can
13 ratify the decision in this case with the
14 termination of Ms. Raymond. You can resend
15 it, or you can modify it. And in modifying
16 it, you can increase the penalty or
17 decrease the penalty. So those are the
18 three options that are available to you.

19 The process that was used at the
20 Personnel Board and the process that I
21 would recommend using tonight, the City
22 will go first and present their evidence at
23 which time Ms. Raymond will have an

1 about that process or how we operate? I
2 know some of you are relatively new to City
3 Council, so I'll be glad to answer any
4 questions now or as they come up during the
5 hearing.

6 MR. HERBERT: It seems
7 straightforward at the moment so.

8 MR. OWENS: Well, good.

9 MR. HERBERT: It may get more
10 complicated as we move on.

11 MR. OWENS: Maybe it'll stay that
12 way.

13 MS. COST: Okay. Next item on
14 the agenda is my opening statement. I'm
15 going to move to the microphone by Rusty so
16 I can look at all of the council members as
17 I'm speaking.

18 Council members, I'd like to
19 start by thanking you for your service to
20 the City of Montevallo. As you all know
21 from our years of experience together, not
22 -- maybe months of experience when we look
23 at Arthur, but I highly regard the fair

1 treatment of our employees. And I have
2 always been committed to providing you with
3 the best supervision possible. In fact,
4 you can ask employees in this room about
5 the treatment that I've provided them.
6 That's why this particular case is so
7 concerning to me. It's incredibly awkward
8 to address some of these issues publicly.
9 But because we are a public entity, this is
10 a requirement. And once again, as I did
11 before, I want attendees to understand this
12 in the hopes that they don't think that I
13 would ever voluntarily choose to discuss
14 these personnel matters in an open format.

15 As noted in the documentation
16 you've been provided, on December 6th,
17 2019, I informed Ms. Raymond that I
18 intended to terminate her employment
19 pending the results of her determination
20 hearing. This decision was based upon her
21 most recent stream of refusals to follow
22 basic and very reasonable directives as
23 well as her mistreatment of coworkers. In

1 short, Ms. Raymond was terminated due to
2 insubordination, harassment, abuse, and
3 bullying of coworkers. It is critical for
4 the Council to understand that these are
5 not new behaviors. As you will hear from
6 others who will testify, and you've read
7 the transcripts, Ms. Raymond has a long
8 history of bullying her coworkers. She
9 also has a pattern of attacking her
10 immediate supervisor, insubordination, and
11 creating a toxic work environment.

12 At Ms. Raymond's request, we held
13 the determination hearing January 4th.
14 During this hearing, Ms. Raymond did not
15 provide any evidence countering the reasons
16 for her dismissal, so I decided to uphold
17 my decision to terminate. I informed her
18 of this decision in an e-mail as requested.

19 Since I've been mayor, I've
20 consistently ranked Ms. Raymond's
21 interpersonal relationships as an area in
22 which she needed to show improvement.
23 However, she has never demonstrated the

1 needed improvement. In fact, Ms. Raymond's
2 tenure has been marked by interpersonal
3 conflicts that are outside the norms of any
4 professional setting in which I've ever
5 worked. These are just a few examples. In
6 January 2015, Ms. Raymond verbally attacked
7 our city receptionist, Ms. Sandy Byrd, for
8 making errors, waving and pointing her
9 finger in Ms. Byrd's face. In fact, our
10 police chief witnessed this behavior.
11 Ms. Byrd responded with tears in talking to
12 Mr. Lehman and I about this. I verbally
13 reprimanded Ms. Raymond and let her know
14 this was an inappropriate way to address an
15 error with an employee. Ms. Raymond's
16 response was, Sandy cries all the time.
17 What's the big deal? And while Ms. Byrd
18 may or may not cry often, I was very
19 disturbed by the fact that Ms. Raymond did
20 not express any remorse for her behavior or
21 any concern at all over Ms. Byrd's
22 feelings.

23 In June of 2018, Ms. Lisa Terrill

1 complained that Ms. Raymond harassed her
2 based on yelling at her in her office with
3 the door closed. Another employee
4 overheard the yelling and confirmed
5 Ms. Terrill's complaint. After talking
6 with Ms. Terrill and Ms. Raymond, it was
7 apparent that Ms. Terrill responded in an
8 angry-toned voice. Albeit in defense, but
9 nevertheless, in order to be fair, rather
10 than provide Ms. Raymond with a
11 disciplinary action, I issued verbal
12 reprimands to both employees.

13 But due to this conflict and
14 other personnel issues, it was apparent
15 that city hall needed restructuring.
16 Therefore, in June, I restructured city
17 hall to be more efficient with recourses
18 and reduce the stresses of interpersonal
19 interactions and a heavy workload on
20 Ms. Raymond. She expressed great
21 displeasure at this action and responded by
22 refusing to speak to me, her supervisor,
23 for about six months. Let me point out

1 that she would refuse to initiate any
2 conversation. I would speak, and she would
3 speak back, but she would never -- she
4 literally did not initiate a conversation
5 with me for six months. I continued to
6 address her kindly and even organized a
7 standing weekly meeting for her check-ins.
8 During each meeting, I made it a practice
9 to ask her if I could support her in any
10 way.

11 In October 2018, another employee
12 complained that she felt untrained and
13 attacked for suspected disloyalty to
14 Ms. Raymond. After being investigated by a
15 committee comprised of Council Member Nix,
16 Council Member Walker, and myself, that
17 complaint was substantiated. And although
18 we considered termination based on similar
19 reports from other employees of bullying by
20 Ms. Raymond, we elected to suspend her for
21 a week and require an anti-bully training
22 course. Unfortunately, Ms. Raymond's poor
23 attitude continued. Including her refusal

1 to speak to Ms. Terrill, which was not only
2 bullying but also insubordinate, as was her
3 refusal to speak to me.

4 I've also provided you with
5 information related to her most recent
6 stream of insubordinate behaviors. In
7 November 2019, I had a conversation with
8 Ms. Raymond regarding her inappropriate
9 purchasing actions. She had purchased
10 materials without going through our
11 purchasing agent, Ms. Lisa Terrill. This
12 resulted in the City being charged in
13 excess of \$100 for the materials she
14 ordered. Ms. Raymond responded that she
15 had no knowledge of this policy. I
16 reminded her that she'd set this policy
17 when Lisa was reporting to her.
18 Ms. Raymond still vehemently denied this
19 and requested a copy of this policy. In
20 fact, she demanded it. I drafted
21 documentation of this interaction, and I
22 placed it in Ms. Raymond's file purely as
23 documentation. Ms. Raymond considered this

1 a disciplinary action and requested to
2 appear before the Personnel Board. This
3 request was denied because documentation in
4 and of itself is not considered a
5 disciplinary action. Ms. Raymond continued
6 to ask to appear before the board even
7 after being denied. Each request was
8 denied based on city policy.

9 Because this seemed to be a bone
10 of contention that Ms. Raymond could not
11 moved past, I opened up a dialogue with Ms.
12 Raymond in her office on December 4th. The
13 sole purpose of this discussion was, once
14 again, to try to establish a more peaceful
15 relationship. In a show of good faith, I
16 even told her I'd remove the letter
17 referencing her purchasing error, which I
18 did. It is noteworthy that two days after
19 this meeting, I found an e-mail from Ms.
20 Raymond to all department heads outlining
21 the very policy that she, herself, had
22 established. During our conversation, I
23 asked what it would take for a new

1 beginning so that she would feel better
2 working for the City. She indicated that
3 the only way she could move forward was for
4 her to return her position -- to her
5 position as finance director supervising
6 Lisa. I let her know this position was not
7 available, that it would be totally
8 inappropriate for her to supervise someone
9 to whom she refuses to speak. I also
10 reminded her that her position was changed
11 in an effort to take a large burden off her
12 and segregate duties as recommended by our
13 auditors. She regularly complained that
14 her workload was extensive, and she spent
15 an inordinate number of hours at city hall.

16 Another example of
17 insubordination is Mr. Raymond constantly
18 challenging my direction to use the city
19 vehicle provided to her. Prior to being
20 assigned the city vehicle, Ms. Raymond
21 alleged that driving her own vehicle was
22 costing her money above and beyond the \$250
23 monthly travel allowance provided to her

1 that she herself had arranged. She asked
2 for an increase in this amount to \$416 a
3 month. In response, as you all may
4 remember, the Council directed her to keep
5 up with a representative sample of her
6 mileage so that we could be sure to
7 compensate her appropriately. We were very
8 specific in our discussion as noted in the
9 Council minutes that this would only be
10 necessary until we could provide her with a
11 vehicle.

12 Prior to the next council
13 meeting, Chief Littleton worked diligently
14 to prepare a vehicle from his department
15 for her to use during her site visits in
16 town. When I provided the keys to
17 Ms. Raymond, she expressed no gratitude,
18 but simply asked how old it was and how
19 many miles it had on it. I assured her
20 that it had been thoroughly vetted through
21 a mechanic for safety. She continued to
22 challenge this directive. And to date, I'm
23 unsure if Ms. Raymond ever used the van as

1 directed. Ms. Raymond will tell you that
2 warning lights came on that related to low
3 tire pressure. The same lights come on my
4 car regularly when the temperature drops.
5 Chief Littleton indicated that this is a
6 probable explanation for the tire pressure
7 issue, although admittedly he's not a
8 mechanic.

9 Ms. Raymond may also allude to an
10 increase in revenue during her years as
11 revenue director. While it is true that
12 revenues have increased, it is also true
13 that our Main Street Program has brought in
14 numerous new businesses and that our
15 athletic program has brought in numerous
16 tournaments and that the University has
17 added more sporting events and
18 performances. It truly takes a team effort
19 to make the progress we've made as a city,
20 and we truly are a team.

21 Ms. Raymond has no concept of
22 teamwork, but let's look at this a
23 different way. What if Ms. Raymond were

1 the sole person responsible for this
2 revenue increase? In fact, what if our
3 revenues doubled or even tripled because --
4 solely because of her efforts? Does this
5 give her the right to refuse the directives
6 of her supervisor or to torment her
7 coworkers? If a police officer issued more
8 tickets than any other officer, could he
9 refuse to follow policies established by
10 his chief or mouth off at his fellow
11 officers? But let's look higher. Does
12 Harvey Weinstein's genius at filmmaking
13 give him the freedom to sexually harass
14 young females for decades? I deeply hope
15 you see the correlation here. As I've
16 stated, my decision to terminate was not
17 related to work performance. I also need
18 to emphasize that my decision to terminate
19 was completely unrelated to past,
20 attempted, or future grievances Ms. Raymond
21 has filed or plans to file against me.

22 In summary, I genuinely wish it
23 didn't have to come to this. I've done

1 everything within my authority to retain
2 Ms. Raymond, including providing
3 Ms. Raymond with very specific feedback in
4 an ongoing basis, including, but not
5 limited to, her annual evaluations. I've
6 also provided her with internal and
7 external supports in an attempt to provide
8 her with strategies to change her
9 behaviors. We even instituted an employee
10 assistance program to better support her
11 and others, but unfortunately, she chose a
12 different path. She refused to acknowledge
13 how her behaviors affected others. She
14 refused to comply with reasonable work
15 instructions. That is the basis of her
16 termination.

17 In spite of all of this, I
18 sincerely wish Ms. Raymond only the best.
19 I want her to be happy in the next chapter
20 of her life, and I'm looking forward to
21 brighter days for all of us. So with this,
22 I guess I'll invite if anyone has questions
23 for me. Is this the appropriate time for

1 that, Bent?

2 MR. OWENS: Yeah, you can do it
3 now if you want to.

4 MS. COST: Okay. If anyone has
5 questions for me, I will gladly respond to
6 them.

7

8 BY MR. HERBERT:

9 Q. You mentioned the evaluations?

10 A. Uh-huh.

11 Q. I know we've got copies of those
12 here. And the opportunity for development
13 was interpersonal skills; is that right?

14 A. Yes.

15 Q. What -- how do we work with Debby
16 to address that, like what's the process
17 for addressing --

18 A. Well, initially it was --

19 Q. -- help her get better?

20 A. Yeah. It was verbal feedback.
21 It was discussions within these meetings.
22 And then we had the employee assistance
23 program implemented. And we did provide

1 her with some directives as far as what she
2 needed to do to reach out in that respect.

3 Q. What is the employee assistance
4 program?

5 A. Well, the employee assistance
6 program is a -- it's a -- I guess Herman
7 might be able to explain that a little
8 better than me, but it's an assistance
9 program we have through our insurance
10 that's afforded to -- and here I go
11 explaining it. I'll let you do it.

12 MR. LEHMAN: Well, it's a program
13 we pay extra for that allows anybody that
14 has any kind of issue like marital problems
15 or financial problems or anything --

16 MS. COST: Substance abuse.

17 MR. LEHMAN: -- substance --

18 MR. HERBERT: Oh, okay.

19 MR. LEHMAN: It gives them
20 somebody to go talk to, so it's a resource.
21 It also allows supervisors to refer
22 somebody into the program. And when you
23 refer them, they get a longer period of

1 help than if they just go on their own. So
2 it's there to benefit the employees that
3 are going through difficult moments.
4

5 BY MR. HERBERT:

6 Q. And Ms. Raymond used that or
7 didn't use that you said?

8 A. She did. Yes. She did use that.
9 And it was ordered for her to use that, and
10 it was by the committee that investigated
11 the complaint. And it was -- actually, it
12 was Council Member Nix, Council Member
13 Walker, and myself. Yeah, we -- that was
14 part of the recommendation.

15 MR. NIX: But also in that with
16 Matt and Mayor Hollie and myself, we did
17 recommend the training, but also I recall
18 recommending training for other employees
19 too that I don't know was done or not. Do
20 you know if that was taken care of?

21 MR. LEHMAN: I can tell you that
22 the letter that was written and delivered
23 based on the decision, which I wrote at

1 y'all's directive, did not include anything
2 regarding other employees --

3 MR. NIX: But it was discussed
4 when --

5 MR. LEHMAN: Well, I wasn't in
6 the meeting --

7 MR. NIX: I know you wasn't in
8 there.

9 MR. LEHMAN: -- but what y'all
10 brought to me and told me to do and what
11 was approved by y'all was -- didn't include
12 that. So I don't know what -- it might
13 have been discussed in your meeting, but it
14 didn't end up with me.

15 MR. NIX: Okay.

16 MS. COST: Any other questions
17 from the Council for me?

18

19 BY MR. HERBERT:

20 Q. Well, I mean, as far as the first
21 evaluation that had interpersonal skills
22 and opportunity, what's the time length of
23 that and when Ms. Raymond took advantage of

1 the program?

2 A. The employee assistance program?

3 Q. Yeah, the employee assistance
4 program?

5 A. That was implemented in 2018, I
6 believe, after Ms. Evans complained her
7 grievance that she filed against --

8 MS. RAYMOND: October of 2018.

9 Q. When was the first evaluation to
10 improve interpersonal skills? That's what
11 I wanted to know.

12 A. Oh, the first that we have
13 documented, I believe, is 2015.

14 Q. '15, okay. Cool.

15 A. Yes.

16 Q. That's what I needed.

17 A. Okay. And with respect to that,
18 we began meeting -- we've begun meeting
19 more frequently and providing feedback
20 along the way.

21 MS. RAYMOND: Can I have the
22 opportunity to speak now or not?

23 MR. HERBERT: I had another

1 question for the Mayor if that's all right.

2 MS. RAYMOND: Okay.

3 Q. In those meetings, what was the
4 result of the weekly meetings? Did you
5 cover that?

6 A. Well, those particular meetings
7 were strictly, you know, typically just to
8 discuss issues related to her job. If she
9 had any, you know, business license
10 updates, any way that I could be supportive
11 of her in her job. So that was what I
12 wanted to do was just be more supportive by
13 meeting with her weekly. And we didn't
14 meet every single week, but we did kind of
15 have a standing -- that we had that time
16 set aside. So it was really just looking
17 at how I could support her in her workload
18 more so than anything else. I wasn't
19 counseling her because I'm not a counselor,
20 and that's not my job, so.

21 Q. But that was to help support her
22 in the workload?

23 A. Right. Exactly.

1 MR. HERBERT: Okay. Thank you.

2 MS. COST: Certainly.

3

4 BY MR. NIX:

5 Q. So her first evaluation for needs
6 improvement was 2000 -- I mean -- yeah,
7 2015?

8 A. That's the first one that we have
9 on file.

10 Q. And then 2016 also?

11 A. Whatever we have in the file.

12 Q. But yet she was up for
13 reappointment of her position November of
14 2016? I mean, why was the recommendation
15 to reappoint her in that position?

16 A. At the time, it had not come to
17 ahead the way that it was before. So she
18 would get along with others for a while.
19 And so at the time that she was being
20 reappointed, that was not an issue. I
21 mean, it's come to ahead now, and we wanted
22 to continue to use the progressive
23 discipline and to be supportive. And

1 that's where -- that's what we did.

2 MR. NIX: Okay.

3 MS. RAYMOND: Can you note in
4 that meeting --

5 MS. COST: Well, procedurally,
6 how -- what is your advice with respect to
7 Ms. Raymond asking questions right now?
8 When does she have the opportunity?

9 MR. OWENS: Well, if she has
10 questions of you now, it would be the
11 appropriate time to do it I think rather
12 than later.

13 MS. COST: Okay.

14 MS. BROWN: But let's let the
15 Council ask all their questions and then
16 turn it over to Ms. Raymond so that it's
17 not so --

18 MR. OWENS: You know, there's no
19 hard and fast rule here, but there does
20 need to be some sequencing of that. And,
21 you know, if there's -- she'll have an
22 opportunity to present her case. So if
23 there's a particular question, that's one

1 thing. But just to make general statements
2 would probably not be appropriate now for
3 Ms. Raymond.

4 MS. COST: Okay. Does the
5 Council have any other questions at this
6 time?

7 MR. HERBERT: What was that
8 reappointment date? And I know Rusty said.
9 I didn't write it down.

10 MR. NIX: It would have been
11 November 2016.

12 MS. COST: When the Council got
13 reappointed.

14 MR. HERBERT: Yes.

15 MS. COST: Any others?

16 MR. HERBERT: Just checking. I
17 don't want to take too long.

18 MS. COST: No, that's fine.
19 That's what we're here for.

20

21 BY MR. HERBERT:

22 Q. After taking assistance --
23 advantage of the employee assistance

1 program, did we see any changes in the
2 behavior -- Ms. Raymond's interpersonal --

3 A. In 2018?

4 Q. Yeah.

5 A. No.

6 MR. HERBERT: All right. Okay.

7 MS. BROWN: And does the Council
8 have that October 2018 letter in front of
9 them?

10 MR. HERBERT: This one?

11 MS. BROWN: Yes. Okay.

12 MS. COST: Other questions from
13 Council? Ms. Raymond, did you have
14 questions for me?

15 MS. RAYMOND: I do. I'd just
16 like to note, first of all, in the meeting
17 of you and Mr. -- Council Person Walker,
18 Nix, and yourself that the grievance was
19 against you, and you led --

20 MS. BROWN: As Mr. Owens stated,
21 this is not the place for argument. This
22 is a place for questions.

23 MS. RAYMOND: Okay. I'll save

1 that for later.

2

3 BY MS. RAYMOND:

4 Q. 2018, when you sent me to the
5 psychologist, you just told Council Person
6 Herbert that there was no change. Can you
7 tell me since October of 2018, any specific
8 event where I have been rude,
9 disrespectful, unkind, anything since
10 October of 2018 because -- to yourself or
11 any employee? Because I have done exactly
12 what that counselor directed me to do. I
13 have kept my head down, did my job, and
14 avoided conflict at all cost. So if you
15 can give me any specific date or event that
16 I was rude to anyone.

17 A. As I indicated, refusal to
18 initiate a conversation with your immediate
19 supervisor for over six months is rude and
20 inappropriate. Refusal to speak to
21 coworkers as directed is rude and
22 inappropriate.

23 Q. So did you also direct those

1 coworkers to speak to me?

2 A. That is not a question that is
3 relevant to this case at all. This is --

4 Q. How is it not?

5 A. This case is specifically related
6 to your termination. So my interactions
7 with other employees are strictly to be
8 kept between myself and the other
9 employees.

10 Q. So what you're saying is that you
11 directed me to speak to other employees,
12 but the other employees don't have the same
13 -- they don't have to reciprocate? And I'm
14 the one that's going to be --

15 A. That's not what I'm saying at
16 all, Ms. Raymond. I'm answering the
17 question. I've answered your question.

18 Q. Again, specifically after 2018 of
19 October, a specific event, one time, that I
20 was rude to anybody or disrespectful, one
21 time that I yelled at anybody, one time
22 that I did anything?

23 A. Again, I've answered that

1 question. Refusal to initiate a
2 conversation with your immediate
3 supervisor, walking toward the back of the
4 -- the back -- in the door, not speaking to
5 other coworkers, not looking at other
6 coworkers, those are all rude and
7 inappropriate.

8 Q. I have went in the same door
9 since the day we opened this city hall.
10 The exact same door from day one.

11 MS. BROWN: Again, this is a time
12 for questions. We do need to keep the
13 procedure of evidence.

14 MR. OWENS: Keep it to a question
15 and answer format. I realize your lawyer
16 is not here.

17 MS. RAYMOND: I'll save mine --

18 MS. BROWN: Does the Council have
19 any further questions for Mayor Cost before
20 she resumes her seat? The City will next
21 call Ms. Karen Evans. If you'll sit up by
22 Council Member Nix, please. Ms. Evans, I
23 understand you have prepared a statement

1 for the Council.

2 MS. EVANS: Yes.

3 MS. BROWN: If you'll begin by
4 reading that, please.

5 MS. EVANS: When I started
6 working at the City of Montevallo, I was
7 hired as the assistant to the revenue
8 officer. I was given a lot of busy work to
9 do. Nothing that was very complicated or
10 time consuming. I was always asking for
11 additional work. I never really felt that
12 I was properly trained by Debby on revenue
13 or assets, which was a part of what I was
14 hired to do. She never acted like she
15 wanted me to do the full job, just bits and
16 pieces.

17 Even the parts that I worked on
18 for so long to get them right with Incode,
19 which is the program we use, she never
20 would use or change the formulas so that it
21 would not work appropriately. For example,
22 deliveries under 10,000 should not have to
23 pay anything and over 10,000 should be \$100

1 plus a \$10 issuance fee. I worked with
2 Incode for an hour or longer. Finally get
3 that to work when you plugged in the dollar
4 amount that the company had given us, it
5 would figure their rates. Then after Debby
6 worked with it for a while, it no longer
7 worked.

8 Not longer after I started, I
9 heard loud voices from the next office.
10 Debby had gone into Lisa's office and was
11 yelling at her, and Lisa telling her to
12 stop several times. This caused a lot of
13 tension in the office. Prior to this, Lisa
14 and Debby had gone to lunch several times
15 during the week, and several times I have
16 actually gone with them. After this
17 episode, the atmosphere in the office
18 changed, and it was like walking on
19 eggshells at times. Debby got to where she
20 would walk up the hall -- not walk up the
21 hallway towards the copier. She would go
22 out the back door next to the conference
23 room and go around even to use the copier.

1 Also the machines next to the copier for
2 the mailman, the letter folding machine,
3 she would seem to get mad at them and slam
4 things around next to them. She was always
5 complaining that the computer and printer
6 in her office never worked right, and she
7 always fussed about how long it took when
8 she called Incode about the program. I
9 have had to be on hold with Incode in the
10 past. But usually after I talk with
11 someone and explain my problems, we could
12 get it figured out in a little while, and
13 if necessary, they would call me back. I
14 don't think I was ever on the phone with
15 them for hours at a time.

16 I was told after three months, I
17 would have a review of my work. After
18 seven months went by, I still did not have
19 a review. And when I asked about it, I was
20 yelled at and a copy of my write-up to
21 Mayor Cost and Herman concerning this is
22 attached or was given to you. After this
23 happened, I was always worried about taking

1 a wrong step or being confronted or yelled
2 at for something else. I was moved from
3 Debby being my supervisor to Herman, and
4 that took some pressure off because I knew
5 I would talk to Herman or Hollie about
6 these problems.

7 I continued working with revenue
8 up until recently. I did not have much
9 contact with Debby. I tried to stay to
10 myself, and she did as well. I would ask
11 her to sign business licenses and to
12 contact or talk to people about their
13 business licenses. I felt that she, as the
14 revenue officer, should be responsible for
15 those things.

16 When we had the Christmas
17 luncheon for 2018, I made sure to
18 personally say something to Debby because I
19 felt at this time we were trained to work
20 things out, and we needed to try and work
21 together as a team. She made sure to tell
22 me that she knew she was not wanted at this
23 luncheon. I told her it was an office get

1 together, and she was a part of the office.
2 She was not at work on the day of our
3 luncheon.

4 I had car problems one morning.
5 I called to tell Debby that I may be a few
6 minutes late getting back to work. She
7 came and got me, making sure that I got the
8 car to the repair shop and back to work.
9 She made sure to bring this to my attention
10 several months after the episode in October
11 of 2018. She also informed me that she was
12 very disappointed in me. When I asked why
13 she said that, she went out of her -- she
14 said she went out of her way to help me by
15 coming to get me when my car broke down,
16 yet I cost her money. When I asked her to
17 explain because I knew nothing of costing
18 her money, she informed me that after the
19 episode in October, her pay was cut by a
20 lot. I told her I had no idea about this.
21 I was not informed of the ways her actions
22 affected her pay.

23 After moving to the front desk to

1 work, my contact with Debby included her
2 letting me know when she was leaving or in
3 the office so that I would know how to
4 handle her calls or walk-ins that needed
5 help with business licences. Most of this
6 included just nods or quick motion of the
7 head or hand to let me know she was either
8 in or out. One morning, she came out of
9 the back door. She never seemed to come up
10 the hall inside the office, always going
11 around. And you could hear the tap of her
12 shoes on the tile in the lobby. She got to
13 where she could see who was dispatching,
14 and I'm not sure who that was at this time.
15 But when she saw them, she made a hasty
16 retreat back into her office. I never
17 found out what she wanted that morning, but
18 it was a strange occurrence like she wanted
19 to inform me of something then thought
20 better of it when she saw the dispatcher
21 was watching. I still never wanted to be
22 left alone with Debby. I always felt it
23 was better to have someone in the office or

1 at least where there was someone close by.
2 Debby did not interact with employees.
3 Maybe a good morning, but unless you were
4 right in front of her, she did not speak.
5 She did not seem to want to be the one
6 training our new employee that was going to
7 be helping with revenue. It took a while
8 for her to even let her stuff envelopes
9 with renewals for business licenses.

10 MS. BROWN: Thank you, Ms. Evans.
11 I'm handing you a copy of the statement as
12 well as the attachment referenced therein
13 that's being passed down the members of the
14 Council. Also giving a copy to
15 Ms. Raymond.

16 MS. RAYMOND: Thank you.

17 MS. COST: At this time, does the
18 Council have any questions --

19 MS. BROWN: Hang on.

20 MS. COST: Oh, sorry. Do you do
21 that?

22 MS. BROWN: Well, you can do it.
23 I just wanted to answer a couple clarifying

1 questions first.

2

3 BY MS. BROWN:

4 Q. Ms. Evans, is this a copy of the
5 statement you just read?

6 A. Yes.

7 Q. And the attached statement to it
8 is something you prepared around
9 October 2018; is that correct?

10 A. Yes. That I gave to Hollie and
11 to Herman.

12 Q. Pardon?

13 A. That I gave to Hollie and to
14 Herman.

15 Q. Yes, ma'am. In there you state,
16 among other things, that this is the worst
17 working environment that you have ever been
18 in. Was that accurate?

19 A. Yes.

20 Q. And how long have you been in the
21 work force total?

22 A. Over 35 years.

23 Q. Is it still the worse work

1 environment you've ever been in?

2 A. It's very stressful.

3 Q. But currently?

4 A. Right now, no. It's been fairly
5 peaceful in the last couple -- you know,
6 last month or so.

7 MS. BROWN: I'm glad to hear
8 that. I will turn you over to the Council.
9 I have no further questions for you. Thank
10 you for your time.

11

12 BY MR. NIX:

13 Q. Where were you employed before
14 the City?

15 A. At Cahaba Government Benefit
16 Administrators and BlueCross BlueShield. I
17 was with them, between the two companies,
18 35 years.

19 Q. Okay. So between them and the
20 City?

21 A. Well, with the City two -- well,
22 two years with the City.

23 Q. Okay.

1 A. So 37 years plus.

2 Q. But you were with Cahaba for --

3 A. 35.

4 Q. -- 35? Okay. Thank you.

5

6 BY MR. HERBERT:

7 Q. I had a question. You said you
8 saw change in Ms. Raymond's behavior of
9 avoidance. So you're saying before that,
10 how did she come down the hallway versus
11 after that?

12 A. Well, if she needed to go to the
13 copier, she'd go straight to the copier.
14 But at times, she'd just go out the back
15 door all the way around. It was like she
16 didn't want to go past our offices.

17 Q. Like this little corridor right
18 down here. Is that what you're saying?

19 A. Yes. This side part.

20 Q. Okay. And you said you saw --
21 you perceived that change after she --

22 A. Well, after the confrontation
23 with Lisa.

1 Q. Okay. And then you said Debby
2 yelled at you about asking about your
3 evaluation; is that right? That's
4 Ms. Raymond.

5 A. Yes.

6 Q. Why did she do that you think? I
7 don't know if you can answer that or not,
8 but what was the purpose of that?

9 A. I really don't know. I can't
10 even remember all of her conversation. I
11 remember asking about the evaluation.

12 Q. Uh-huh.

13 A. And when she told me no, she was
14 not going to do the evaluation, she came
15 back into my office and said something.
16 And the next thing I know, the door was
17 closed, and she was yelling at me. And to
18 be honest with you, I do not know -- I
19 don't know what all was said because I was
20 in shock. I had never been talked to like
21 that.

22 Q. Did anyone hear that besides the
23 two of you?

1 A. Yes. We had Ivy Krukowski and
2 also Katie Howard, and Lisa was next door
3 as well. So they all heard the yelling,
4 and they all saw my expression when the
5 door opened. And I think they were in
6 shock as well.

7 MR. HERBERT: All right. That's
8 all I've got.

9 MS. BROWN: Are there any further
10 council questions for Ms. Evans?

11 Ms. Raymond, do you have any questions --

12 MR. OWENS: Ms. Raymond, have you
13 got questions?

14 MS. RAYMOND: Yes.

15

16 BY MS. RAYMOND:

17 Q. So are you saying that if I took
18 a different -- the same -- are you saying I
19 took a different route to and from my
20 office after the confrontation? That I
21 took a different way to my office than I
22 had from day one when I came in here?

23 A. Yes, ma'am. Most of the time,

1 you would go up the hallway past my office,
2 past Lisa's office, all the way up to the
3 copier. But after that time, you would go
4 out the back door and go around to the
5 copier.

6 Q. Is that considered bullying? Is
7 that -- was that being disrespectful?

8 A. I never said that was bullying.

9 Q. Well, that's why we're here.

10 MS. BROWN: You've got to ask
11 questions and let her answer, Ms. Raymond

12 --

13 Q. Is that rude, disrespectful, a
14 reason for termination?

15 A. It was just an odd behavior after
16 all that had happened because, to me, that
17 is avoidance of your coworkers. I mean, to
18 go past --

19 Q. That's what I was advised to do
20 by the psychologist, so.

21 MS. BROWN: Ms. Raymond --

22 Q. Have I been rude, disrespectful
23 for you -- with you -- rude, disrespectful,

1 anything since October 2008[sic]?

2 A. I have had very little contact
3 with you since then.

4 Q. That wasn't the question. Have I
5 been rude or disrespectful in any way?

6 A. Not directly to me, no, ma'am.

7 Q. Have I come in and waved and let
8 you know every single time I come in and
9 out of this building?

10 A. That's a part of the job, yes,
11 ma'am.

12 Q. But not ugly, not rude, not --
13 just made a point to let you know --

14 A. Yes.

15 Q. -- when I was in and out. Is my
16 foot tapping coming across the lobby, is
17 that a terminating issue or a bullying
18 issue, or, I mean, why is that relevant
19 here that you heard my feet tapping?

20 MS. BROWN: I do want to be clear
21 that Ms. Evans had nothing to do with that
22 decision, and this question is not
23 appropriately directed to her as to what

1 went into the City's decision.

2 MS. RAYMOND: But I'm questioning
3 her statement.

4 MS. BROWN: But you're asking how
5 did it play into the City's decision.
6 She's not the City's decision-maker.

7 MS. RAYMOND: Exactly. I'm
8 asking her why is it relevant to being --
9 to being here now, being a bully because
10 she hears my foot tapping on the lobby --

11 Q. Is it possible that when I got to
12 the lobby that maybe I thought, oh, I
13 forgot my handbag. Oh, I better use the
14 bathroom before I leave. Oh, I need a new
15 pen. Is it possible -- I mean, you're
16 stating that I simply walked to the lobby,
17 turned around, and come back.

18 A. I have no idea what -- that's
19 what I said. I do not know why you turned
20 around, but it was like you got to the
21 dispatcher, saw her, and turned around and
22 went back.

23 Q. Well, I've probably done that

1 dozens of times.

2 MS. BROWN: You've got to ask
3 questions and avoid argument, please.

4 MS. RAYMOND: I'm not arguing.
5 I'm just trying to find the relevance in
6 these statements because none of them
7 reflect --

8 MS. BROWN: You're free to
9 address relevance concerns in your
10 statement.

11 MS. RAYMOND: Oh well. Thank
12 you. Bear with me for just a second.
13 Okay. Nothing further at the time.

14 MS. EVANS: Does anyone else have
15 any questions for me? I'll be glad to
16 answer.

17 MS. BROWN: Seeing no further
18 questions from the Council, Ms. Evans,
19 you're free to go.

20 MS. EVANS: Thank you.

21 MS. BROWN: The City next calls
22 Ms. Lisa Terrill. Ms. Terrill, I
23 understand you also have prepared a

1 statement for the Council.

2 MS. TERRILL: Uh-huh. I have.

3 MS. BROWN: If you'll read that,
4 please.

5 MS. TERRILL: To council members,
6 I feel it necessary to share my working
7 knowledge with Ms. Debby Raymond for this
8 hearing. I began employment on 9/30 of
9 2017. It was mentioned to me by
10 Ms. Raymond that my prior experience with a
11 municipality played a large role in her
12 offering me the position in my interview.

13 MS. COST: Can you slow down just
14 a little bit?

15 MS. TERRILL: Yeah.

16 MS. COST: I'm sorry.

17 MS. TERRILL: Sorry. I'm
18 nervous.

19 MS. COST: It's okay. I
20 understand.

21 MS. TERRILL: I worked
22 independently with little supervision,
23 researching information to train myself as

1 little knowledge was shared. We had a few
2 issues in the beginning, and I attributed
3 those to growing pains. Overall, we worked
4 well together. Ms. Raymond indicated a
5 favorable work performance in my
6 three-month evaluation completed on 2/9 of
7 '18. Our friendship and working
8 relationship began to deteriorate shortly
9 after my evaluation. As I developed other
10 friendships within the office, our working
11 relationship began to take a negative turn.

12 As I have may -- as I have many
13 examples of unfavorable experiences with
14 Ms. Raymond, I will share my worst with you
15 at this time. Ms. Raymond directed me to
16 hold a department head to a different
17 standard from the others for which I
18 refused and insisted I would be fair and
19 impartial. At that time, Ms. Raymond
20 berated me for several minutes in my office
21 behind the closed door for my refusal to
22 follow her directive. I insisted she stop.
23 After several failed attempts, she finally

1 complied. That was in June of 2018. I
2 waited more than 24 hours assuming, as my
3 supervisor and the sitting HR director,
4 that she would attempt to rectify and
5 discuss the situation. She did not. At
6 that time, I felt the need to notify Mr.
7 Lehman of the situation. The Mayor took my
8 complaint under advisement and restructured
9 the office duties. She also reassigned my
10 supervisor to Mr. Lehman. At that same
11 time, Mr. Lehman became active HR director,
12 and I was assigned additional duties to
13 maintain and manage the daily
14 correspondence for HR.

15 Mayor Cost insisted we reconcile
16 on several occasions. Debby came to my
17 office shortly after stating -- shortly
18 after stating Mayor Cost informed her to
19 apologize. However, she, in fact, did not.
20 Therefore, to remove the awkwardness, I
21 stated we should just move on from this and
22 put it behind us. She agreed and walked
23 out. She still made no effort to speak to

1 me even with work-related items. Mayor
2 Cost brought us together with Karen Evans
3 to mediate and ease the tension. I asked
4 Debby why she had a problem with me, and
5 she became extremely agitated and responded
6 because I'm a liar. I immediately stood up
7 to leave the office. I apologized to Mayor
8 Cost but shared I could not be part of this
9 again. Mayor Cost spoke regarding the
10 unwillingness of Ms. Raymond to rectify the
11 situation again, and we left.

12 Mayor Cost asked on several
13 occasions for me to speak to Ms. Raymond,
14 even if it was just a good morning
15 greeting. I attempted and tried that on
16 numerous occasions and was ignored. I
17 stopped trying to speak to her when I
18 noticed how agitated she became when I did.
19 I have asked her direct questions for which
20 she has ignored that I have even spoken to
21 her. She turned her back toward me in
22 meetings and in general areas of the office
23 and avoided eye contact.

1 I began e-mailing her office
2 questions, and they would go either
3 unanswered. Or she could direct a response
4 to Mr. Lehman, and he would have to forward
5 them to me. Anything work related that she
6 should -- that should come to me, she would
7 continue to give to Mr. Lehman, and he has
8 to forward it to me. If she has a question
9 for me to answer, she would direct those,
10 again, to Mr. Lehman, and he would have to
11 forward it again to me.

12 She avoided contact with me in
13 every possible way. Her constant
14 distasteful, immature attitude toward me
15 has perpetuated a constant toxic work
16 environment for the entire office. Her
17 hatred toward me has reflected toward other
18 employees which resulted in her isolating
19 herself from the entire office and refusing
20 to work with anyone. Regards, Lisa
21 Terrill.

22 MS. BROWN: Thank you,
23 Ms. Terrill. I've supplied copies for the

1 Council members coming down the line. I'll
2 hand you too an initial copy of your own.
3 Ms. Terrill, there -- and I'll deliver
4 Ms. Raymond a copy.
5

6 BY MS. BROWN:

7 Q. Is this a true and accurate copy
8 of the statement you just read?

9 A. It is.

10 Q. I noticed that you have one
11 sentence in red. Can you tell me the
12 significance of that?

13 A. I'll be frank, I felt when I
14 handed this to you and the Personnel Board
15 last night, I felt like there was one
16 isolated incident between her and I when
17 clearly it was more than one.

18 Q. Thank you for that clarification.
19 Before coming to the City, how much
20 experience did you have in the work force?

21 A. I have worked for 34 years.

22 Q. Have you ever worked at a place
23 with this level of toxicity before?

1 A. Never.

2 MS. BROWN: I have no further
3 questions. I'll turn it over to the
4 Council.

5 MR. HERBERT: I'm just wondering
6 if I'm the only one going to ask questions
7 tonight? I mean, Rusty has some, right.

8
9 BY MR. NIX:

10 Q. I'll ask you a question on the
11 other municipality. What municipality was
12 that?

13 A. It was the Village of Lore in
14 Ohio.

15 Q. Ohio? Okay.

16
17 BY MS. BUNT:

18 Q. I have one question about the
19 statement. So when you said she responded
20 because I'm a liar, she was saying she was
21 a liar?

22 A. She was saying I was a liar.

23 Q. She was calling you a liar?

1 A. Yes.

2 Q. Okay. And when you were asked --
3 when you were telling us about things being
4 forwarded -- things being sent to Herman
5 and having to be forwarded to you in her
6 e-mail responses, what time frame was that?

7 A. Well, that was the most recent.

8 Q. Okay.

9 A. From 2018 until present.

10 Q. So was it still going on after
11 October 2018?

12 A. Yes.

13 Q. Okay.

14

15 BY MR. HERBERT:

16 Q. When did that start? Was it that
17 time frame, the October?

18 A. It started in June.

19 Q. June of 2018?

20 A. Yeah. That's when our incident
21 was, June of '18.

22 Q. So a year and a half?

23 A. Uh-huh.

1 Q. Anytime you needed a question
2 from Ms. Raymond, you had to send an e-mail
3 to Herman?

4 A. No. I would send her the e-mail
5 --

6 Q. Okay.

7 A. -- and she would respond to
8 Herman, then he would have to give it to
9 me. Sometimes she'd respond directly to
10 me. Normally she would give whatever I
11 asked for to Herman, and he would have to
12 give it to me.

13 Q. So in that period of time you
14 said sometimes, how many times would you
15 say that she would respond directly to you?

16 A. Probably two out of five. Mainly
17 -- there wasn't a lot of questions I had
18 for her because she did revenue, and I did
19 other things.

20 Q. Sure.

21 A. If she had questions for me, she
22 would go to Herman.

23 Q. I'm curious about holding the

1 department head to a different standard. I
2 mean, I know what that means, but --

3 A. In this instance, it was golf.
4 Our golf manager didn't follow the protocol
5 for POs, the purchase orders, and Debby
6 wanted me to force him to follow them to
7 the T. And the other departments didn't
8 follow the policy to a T either, so I
9 refused to make them follow the policy and
10 -- if I didn't make everyone follow it. So
11 either everyone followed it or it stayed.

12 Q. Okay. Okay.

13

14 BY MR. NIX:

15 Q. Who was over the golf course at
16 that time?

17 A. Wade Rider.

18 Q. Wade? Okay.

19

20 BY MR. HERBERT:

21 Q. Has Ms. Raymond ever apologized
22 to you? I forgot to ask Ms. Evans the same
23 question.

1 A. No.

2 Q. No? Okay. Did we elaborate on
3 the liar statement? Why she called you a
4 liar?

5 A. She felt that when I went to
6 Herman and Hollie about the incidents, that
7 I lied to them.

8 Q. Okay.

9 A. So she was referring to that.

10 Q. Oh, okay. Thank you.

11 MS. BROWN: Seeing no further
12 questions from the Council, Ms. Raymond,
13 you're free to ask Ms. Terrill questions.
14

15 BY MS. RAYMOND:

16 Q. Is it possible the questions that
17 I sent to Herman and cc'd you and vice
18 versa were HR questions?

19 A. No, not all of them.

20 Q. I didn't say all of them. I said
21 some --

22 A. Yeah. There were HR questions.

23 Q. And Herman is the HR director,

1 so. Do you remember the conversation on
2 June 6th the day that we were talking about
3 the golf?

4 A. Yes.

5 Q. You remember that specifically
6 that we were talking about purchase order
7 policy?

8 A. Yes.

9 Q. And you were a new employee of
10 only six, seven months, and you were trying
11 -- and your very words -- did you say to
12 me, you're being unfair to golf?

13 A. Yes.

14 Q. You're picking on golf?

15 A. I may have, but I also said
16 everyone is to be held at the same standard
17 if I force golf to do it.

18 Q. Do you feel as a new employee of
19 six months, you knew everything you need to
20 know to argue with your supervisor?

21 A. I wasn't arguing with you. After
22 six months, I had been paying bills for six
23 months. Yeah, I felt at that point -- I

1 also was never given the purchasing policy
2 after I've asked for several times, but no
3 other department followed the policy you
4 wanted me to have golf follow.

5 Q. That -- that's not true. Of
6 course that's not a question, but we'll
7 leave that alone. And you worked -- your
8 last job in municipality -- well, it wasn't
9 a municipality. It was a village. Okay.
10 What was the population there?

11 A. Oh, I don't remember. That was
12 several years ago.

13 Q. Approximately?

14 A. Under 1,000.

15 Q. How many employees were there?

16 A. Five.

17 Q. And did -- was there a municipal
18 building?

19 A. Yes.

20 Q. And did you work from that
21 building, or did you work from home?

22 A. I worked from home because it was
23 in the police department.

1 Q. And your husband worked there?

2 A. He was the police chief.

3 Q. Okay. When I looked it up, it
4 was a population of 300. Okay. How often
5 have you spoke to me and made eye contact
6 with me?

7 A. Hollie had asked me to speak to
8 you early on, and I would say good morning
9 or I would say hi, and you would completely
10 ignore me. And you became -- you clearly
11 get very agitated around me, so I stopped.
12 I felt like I was poking at you if I tried
13 to speak to you. But when you came to my
14 office that day that you said Hollie told
15 you to apologize, I said let's just get
16 past it and move on. And you clearly
17 didn't get past it.

18 Q. I did, and I did speak to you,
19 but I would like to play something right
20 now if possible.

21 MS. BROWN: I don't feel that
22 this is likely appropriate unless you have
23 questions for the witness.

1 MR. RAYMOND: It actually
2 substantiates the fact that she did
3 apologize because we have a recording of
4 that apology.

5 MS. RAYMOND: Well, we'll wait
6 until I can -- we'll wait until it's my --

7 MR. RAYMOND: We'll present it at
8 -- in a little while.

9 MS. RAYMOND: We will. We'll
10 wait. Okay. Nothing further yet, now.

11 MS. TERRILL: Is that it?
12 Anybody else?

13 MS. BROWN: And why don't you
14 stick around, Ms. Terrill, in case there's
15 a need for rebuttal on whatever this
16 recording is.

17 MS. TERRILL: Okay.

18 MS. BROWN: At this point, the
19 City would have called Chief Littleton. I
20 do want you to know that due to a family
21 issue late arising, that he is not able to
22 appear before you today. And we apologize
23 for that. I urge you to read, and reread

1 to the extent that you've skimmed the
2 transcript already, his statement and
3 testimony to the Personnel Board. I have
4 copies of the transcript here, and I've
5 flagged where his statement begins. These
6 are the thoughts of a civil servant, a 20
7 plus year friend of Ms. Raymond and a
8 supervisor. His fairness and concern for
9 Ms. Raymond are evident in his statement
10 and his responses to Ms. Raymond's
11 questions at that hearing, and so I commend
12 those to you for your careful review. The
13 City now calls Mr. Herman Lehman.

14 MR. PETERSON: Can we have
15 Chief's statement entered into our minutes?

16 MR. LEHMAN: Yeah.

17 MS. BROWN: Yeah. We can pull
18 the transcript and --

19 MR. PETERSON: If everybody's
20 okay with that.

21 MR. NIX: These?

22 MR. PETERSON: Uh-huh.

23 MR. NIX: Okay. Yeah.

1 MR. PETERSON: Yeah, I'm okay.

2 MS. COST: Is there a need to
3 read that aloud and have Whitney -- what
4 would be --

5 MR. NIX: Does Debby get a copy
6 of this too?

7 MR. LEHMAN: She's been provided
8 with a copy, but she can have another one
9 if she wants it.

10 MS. RAYMOND: I have it.

11 MR. NIX: Well, it's the whole
12 transcript.

13 MS. RAYMOND: Oh, thank you.

14 MS. COST: Would it be
15 appropriate for someone to read that at
16 this time, to read Chief's statement? We
17 have Harrelson here who's representing the
18 police department.

19 MS. BROWN: Would you care to
20 read it?

21 MR. HARRELSON: I can do that if
22 y'all would like.

23 MR. BROWN: Great.

1 MR. RAYMOND: Can you answer
2 questions?

3 MR. HARRELSON: That would be
4 very limited.

5 MR. RAYMOND: Exactly.

6 MS. BROWN: Yeah. He wouldn't be
7 able to answer questions on behalf --

8 MR. RAYMOND: So how can that be
9 part of the procedure if you can't
10 question --

11 MS. BROWN: He would just be
12 reading the transcript which would be no
13 different than the Council reading the
14 transcript to themselves. If it's going to
15 be an issue for Ms. Raymond, then we'll
16 withdraw that.

17 MR. LEHMAN: It can be entered as
18 it was.

19 MS. BROWN: We'll withdraw having
20 a third party reader. I don't want that to
21 be a bone of contention that delays us
22 tonight.

23 MS. COST: Certainly

1 understandable.

2 MS. BROWN: All right. In light
3 of that, again, I do commend that to your
4 close review. All right. In light of
5 that, I call Mr. Lehman. Are you going to
6 stay here?

7 MR. LEHMAN: Yeah.

8 MS. BROWN: All right. I
9 understand you've also prepared a
10 statement.

11 MR. LEHMAN: I have.

12 MS. BROWN: All right. If you'll
13 provide that, please.

14 MR. LEHMAN: Council, you can
15 read -- you can all read the transcripts
16 from the last hearing for yourself, so I
17 won't bore you by rehashing all the points
18 I made before the Personnel Board. In
19 short, I stress that Ms. Raymond was warned
20 about her inappropriate behaviors and given
21 every opportunity by Mayor Cost to improve.
22 Unfortunately, Debby chose to take a
23 different route. Her poor choice is what

1 ultimately led to her rightful termination.
2 Mayor Cost did what she had to do to
3 protect everyone who works at city hall.

4 If you read the transcripts and
5 listen to the testimony presented here
6 tonight, I think you'll come to that same
7 conclusion. The truth is evident in the
8 testimony of the Mayor. It is evident in
9 the testimony of the people who have worked
10 most closely with Ms. Raymond over the
11 years. And it is evident in the testimony
12 of someone who has known her for over 20
13 years, and that's Chief Littleton. It is
14 also evident in my testimony.

15 I never imagined that the word of
16 the Mayor and five employees at city hall
17 would be so easily discounted and
18 disregarded, especially after the Personnel
19 Board heard all of our testimony during the
20 appeal including the mindless ramblings and
21 finger pointing offered by Ms. Raymond as a
22 defense. As the hearing transcripts
23 demonstrates, no employees of the City

1 spoke in support of Ms. Raymond that night.
2 Moreover, the Personnel Board's
3 recommendation failed to include any sort
4 of justification or reasoning to support
5 it. As such, the Mayor had no reason or
6 justification to change her initial ruling.
7 She did the right thing.

8 Giving the overwhelming evidence
9 before you, your decision here tonight
10 should be straightforward as well. I urge
11 you to set aside Ms. Raymond's attempts to
12 blame others for her situation and set
13 aside her baseless claims, unfounded
14 accusations. Instead, I urge you to focus
15 on the substance and credibility of the
16 testimony. Focus on the truth. Doing so,
17 I have every confidence that you will
18 uphold the Mayor's decision. Thank you.

19 MS. BROWN: Any questions for
20 Mr. Lehman from the Council?

21 MS. COST: Am I allowed to ask
22 Mr. Lehman questions? Just a point of
23 clarifications regarding something I heard

1 him say. I mean, if I don't need to,
2 that's fine.

3 MR. OWENS: I think -- yeah.
4 During this phase, this is not a
5 deliberative process. This is the
6 fact-finding process --

7 MS. COST: This was a -- it's a
8 factual question, but I'll --

9 MR. OWENS: Yeah, I would say
10 that'd be appropriate.

11 MS. COST: You think it would be
12 appropriate?

13 MR. OWENS: Yeah, I do.

14

15 MS. COST:

16 Q. Okay. This is just for
17 clarification. Ms. Evans was told that
18 Ms. Raymond's salary changed significantly
19 after Ms. Raymond's -- after Ms. Raymond
20 filed the grievance -- or after Ms. Evans
21 filed the grievance. Did Ms. Raymond's
22 salary change dramatically?

23 A. I think she was probably

1 referring to the fact that she was sent
2 home for seven days without pay. So she
3 would have been docked seven days worth of
4 pay, but her salary did not change.

5 Q. Okay.

6

7 BY MS. BUNT:

8 Q. Herman, Ms. Terrill mentioned
9 that when she asked Debby questions, that
10 it would go through you.

11 A. Yeah.

12 Q. I wanted to confirm that with
13 you.

14 A. Yeah. Pretty much every time,
15 yeah. I mean, I don't -- other
16 conversations, but I would get a response
17 from -- Debby would send me a question that
18 she should have sent to Lisa. I would then
19 forward it to Lisa. Lisa would then answer
20 it to me. I would then send it back to
21 Debby. Debby would have something that she
22 should just give directly to Lisa. She
23 would come into my office and sit down and

1 hand it to me. I would have to pick up the
2 phone, call Lisa and have Lisa come in and
3 hand it to Lisa. It was the most childish
4 thing I've ever seen in my life.

5 Q. And has that change any since --

6 A. It's changed in the last month
7 because Debby hasn't been employed by the
8 City.

9 Q. Has it -- and did it change any
10 after the October --

11 A. No. No. It was -- up until the
12 point right before Debby was terminated,
13 this was going on.

14 Q. Okay.

15 A. And I actually even spoke to her
16 and said, you know, you've got to get along
17 with people. You've got to talk to people.
18 And she -- as she pointed out earlier, she
19 said that, you know, I'm not going to speak
20 to her. And I said well, you've got to
21 speak to her. And she said well, she
22 doesn't speak to me. I said well, I've
23 talked to her before about it, and I'm

1 talking to you. You know, you've both got
2 to speak to each other.

3

4 BY MR. NIX:

5 Q. I'm just puzzled that if this all
6 went down in October of '18, why did it
7 take over a year? Because evidently,
8 according to testimony that I'm hearing
9 tonight that nothing changed to the better.
10 So why was it put up with for over a year?

11 A. Oh, good Lord, Rusty. It's been
12 put up with since I got here 13 years ago.
13 In 2007, she had a run in with Jenny
14 McElroy. Same sort of circumstances as
15 what you hear in all these other things.
16 There's -- I've got two e-mails that I sent
17 to Mayor Anderson, you know, about Debby's
18 behavior, toxic behavior and treatment of
19 people, the bullying nature that she did in
20 two different times in 2007. I told, on
21 multiple occasions, Mayor McCrory about it,
22 and he wasn't able to do anything about it.
23 And then when Mayor Cost came in, I've got

1 evidence of an e-mail about her treatment
2 of Sandy in 2015, and then I think the next
3 one is Lisa in 2017 and then Karen in 2018.
4 And, I mean, it's just been an ongoing
5 thing for as long as I've been here.

6 Q. But yet she was reappointed every
7 time?

8 A. Well, she kept her job. Hers was
9 not an appointed position. She was -- she
10 worked as the accountant. She did
11 whatever. She didn't become revenue
12 officer until -- officially 2016 when we
13 thought that that person had to be
14 appointed or authorized by the City
15 Council.

16 Q. 2012, I thought I remember it
17 then --

18 A. She was -- I don't remember the
19 exact date she was sworn in, but I thought
20 it was 2016 that we swore her in as a
21 revenue officer. But prior to that, she
22 served in that function, but we sort of
23 formally -- formalized the thing at that

1 point. I thought that that meant that she
2 was appointed the same way I am, which
3 means anytime y'all get tired of me, you
4 can get rid of me. But that's not true.
5 Bent looked it up in the state code, and
6 the state code only applies to me and the
7 fire chief in certain circumstances, but
8 not us because -- as volunteer and the
9 police chief. So it doesn't include the
10 revenue officer, so I was wrong about that
11 in the earlier e-mails.

12 Q. Okay.

13 A. So this has been something that's
14 been going on for as long as I've been
15 around, and everybody in one way or another
16 has tried to address it. Mayor Cost was
17 the first person that really got down to
18 the brass tax of it and tried to do it in a
19 professional manner. She instituted the
20 performance evaluations and tried to do
21 things that way. She would put in a
22 performance evaluation, a comment that
23 would say, you know, you need to improve

1 your interpersonal skills. And Debby would
2 freak out thinking that was some sort of
3 punishment or whatever. It's not. It's
4 the way you manage people and get people to
5 improve. The goal is not to punish people.
6 It's to make them better so that they can
7 survive within the institution. And, you
8 know, in 2018 when Karen wrote me that
9 letter as I state -- you remember from my
10 statements to you all at that time? If she
11 would have been working for me directly,
12 she would have been fired that very day.

13 So this has been going on for a
14 long, long time, and it's been a problem
15 that Mayor Cost is the first one that tried
16 to do anything about. And even up until
17 six months ago, she was trying to do
18 something about it or six weeks -- or not
19 six weeks but two months ago, she was
20 trying to do something about it. And every
21 step of the way, Debby fought her. So, I
22 mean, it didn't just happen yesterday or
23 whatever. It's been going on forever.

1 MR. OWENS: Any more questions
2 from the Council? Ms. Raymond, do you have
3 questions for Herman?
4

5 BY MS. RAYMOND:

6 Q. Herman, since October 2018, can
7 you give me any specific time, date, event
8 anything that's happened where I was rude,
9 disrespectful in any way to anyone?

10 A. I can't recall right now.

11 Q. So why are we here if I haven't
12 done anything since 2018? Now we're here
13 to terminate me, but I haven't done
14 anything.

15 A. I'm not your supervisor, Debby.
16 You made sure of that.

17 Q. And you mentioned Jenny McElroy.
18 This is something from 13 years ago.

19 A. That's right, 2007.

20 Q. 13 -- yes. That has no relevance
21 to now.

22 A. It did to the question that
23 Councilman Nix asked me.

1 Q. Okay. That's to me -- first of
2 all, that's news to me. In my
3 understanding, Jenny came -- Jenny was a
4 short-term employee --

5 MS. BROWN: Is there a question?

6 MS. RAYMOND: There's no way to
7 address this.

8 MS. BROWN: You have an
9 opportunity to give a full statement and
10 rebut every witness. This is the
11 opportunity for exposition by question.

12

13 BY MS. RAYMOND:

14 Q. Is it true that Jenny actually
15 left because she was a CPA and was driving
16 from Gardendale down here and she got a
17 position closer to home and got married?
18 Is that not why she left?

19 A. No, Debby. The reason she left
20 was because I suggested that she go ahead
21 and resign because I knew that you would
22 never leave her alone and never let her do
23 her job.

1 Q. You were her supervisor, not me.

2 A. She worked for you at the time,
3 and you did everything you could to
4 undermine her. You didn't like the fact
5 that she was a CPA, and she knew more about
6 accounting than you did. You wouldn't
7 listen to anything she tried to tell you.
8 You wouldn't let her have -- go to the
9 meeting with the auditors. So you were out
10 -- you were on her like white on rice as
11 they say and --

12 Q. How long did she work here?

13 A. Maybe a year, year and a half.

14 Q. How often do you use the F word
15 in daily routine?

16 A. Probably about 10 to 12 times a
17 day.

18 MS. BROWN: Objection. Not
19 relevant.

20 MS. RAYMOND: It is. That's
21 atmosphere. If we're talking --

22 MS. BROWN: We're talking about
23 Ms. Raymond's contributions to the

1 atmosphere, not Mr. Lehman's influence on
2 the atmosphere.

3 MS. RAYMOND: Okay. So I
4 understand. It's okay for everyone else to
5 curse and carry on, but if I say something,
6 I'm terminated.

7 MS. BROWN: I don't think --

8

9 BY MS. RAYMOND:

10 Q. Is it true that you talk about
11 other mayors? Is it true that Mayor
12 McCrory -- actually, I was offered another
13 position with another municipality as
14 finance director, and he gave me a
15 retaining raise to keep me?

16 A. That's my understanding, but --
17 that's what you told me, but I never knew
18 that firsthand, no.

19 Q. You were the treasurer. He --

20 A. He did it independently of me,
21 and I was informed that I was to give you a
22 raise at that time and whatever else, but I
23 didn't know what was going on the back end.

1 You never explained that to me on the front
2 end or anything.

3 MS. RAYMOND: That's all for the
4 time being. Thank you.

5 MS. BROWN: Thank you.

6 MS. RAYMOND: Thank you.

7 MS. BROWN: The City has no
8 further witnesses.

9 MR. OWENS: All right.

10 Ms. Raymond, you may proceed. Have you got
11 witnesses?

12 MS. RAYMOND: I'm going to follow
13 the same protocol as the City did last time
14 and read my responses to their -- to their
15 witnesses. I don't -- if I don't have a
16 witness here, can I ask someone in the
17 auditorium a question?

18 MR. OWENS: Wait a minute. If
19 you don't have witnesses here?

20 MS. RAYMOND: Can I ask anybody
21 in the auditorium a question that's an
22 employee?

23 MR. OWENS: If they're here, you

1 can ask an employee a question. They don't
2 have to be under subpoena if they're
3 voluntarily here.

4 MS. RAYMOND: Ms. Bennett.

5 MS. BENNETT: Oh, God. Yes.

6 MS. BROWN: Let's get Ms. Bennett
7 up in front of the mic if she's calling her
8 as a witness. This needs to be on the
9 record.

10

11 BY MS. RAYMOND:

12 Q. Since you've been here, have we
13 worked well together?

14 MR. OWENS: Can we -- for the
15 court reporter, can we identify the
16 witness?

17 MS. BROWN: Please state your
18 name and job title for the record for the
19 court reporter.

20 MS. BENNETT: My name is Courtney
21 Bennett, the Executive Director of
22 Montevallo Main Street.

23

1 BY MS. RAYMOND:

2 Q. Have I ever been rude or
3 disrespectful to you?

4 A. Not to me personally, but, I
5 think --

6 Q. Well, that's the question.

7 MS. BROWN: Let her complete her
8 answer.

9 MR. OWENS: Let her answer the
10 question.

11 A. Not necessarily to me personally,
12 no.

13 Q. Have we had meetings to discuss
14 Main Street, met with the fire marshal, and
15 had a good relationship? Is that true?

16 A. Yes. But it was kind of like
17 pulling teeth to get those together, but we
18 did.

19 Q. Yeah. It's always kind of
20 pulling teeth to get different departments
21 together, especially with the fire
22 department. That's all. Thank you.

23 A. Is that it?

1 Q. That's it. Thank you.

2 MS. BROWN: Does the Council have
3 any questions for this witness?

4

5 BY MR. HERBERT:

6 Q. Have you witnessed any behavior
7 that we've talked about tonight, the
8 insubordination and the disrespect?

9 A. Yes.

10 Q. Will you share that with us?

11 A. Well, I know that we are -- this
12 incident is not necessarily on trial right
13 now, but yes, I've witnessed a bevy of
14 bullying and insubordinate behavior
15 including this entire painful process we're
16 being drug through right now.

17 Q. Is there anything specific other
18 than this process you'd like to share with
19 the Council at this time?

20 A. I wasn't aware I was going to be
21 called up for questions, so I would have
22 made notes and made myself prepared for
23 this.

1 Q. Okay.

2

3 BY MR. NIX:

4 Q. This was all 2018?

5 A. Well, my employment started March
6 -- or May 1st, 2018.

7 Q. Yeah. Excuse me. 2018. Yeah.

8 A. That's right. So I've been
9 around since then.

10 Q. But you haven't witnessed
11 anything since her training?

12 A. I've seen a lot, so -- and,
13 again, sorry. I'm a little nervous, and I
14 wasn't prepared to speak, didn't know I was
15 going to be called up here today. So yes,
16 I've definitely witnessed a very toxic work
17 environment, a lot walking on eggshells
18 from everybody, including myself, although
19 I wasn't -- I was never attacked by
20 Ms. Raymond. When I made a point to speak
21 to you directly, you were always respectful
22 back to me, but I know that was not the
23 case for everybody. So I know that at the

1 personnel board hearing that occurred most
2 recently, I witnessed some behavior I
3 really didn't like to see, like attacking
4 people's families for example, trying to
5 attack Lisa's family and Karen's family --
6 I'm sorry. Sandy's family and --

7

8 BY MS. RAYMOND:

9 Q. Will you explain that?

10 A. Sure. So when you were asking
11 Sandy to speak, and you were bringing up
12 her sister who had just died the week
13 before and she was all -- having her come
14 apart. It was just very painful to
15 witness. And, again, I've just been on the
16 sidelines with the whole thing, but I just
17 -- it's just been very deeply unpleasant
18 and very toxic, and I would like for it all
19 to be over. And I don't want to be drug
20 into this because I've acted with
21 integrity, and I really haven't been
22 involved. I've just witnessed this toxic,
23 horrible mess that's going on, so I really

1 don't want to be sitting here. Anything
2 else?

3 MR. HERBERT: That's all I have.
4 Thank you.

5
6 BY MS. BROWN:

7 Q. To clarify on Council Member
8 Nix's question, would you say that you
9 witnessed this toxicity being exacerbated
10 by Ms. Raymond into 2019?

11 A. It's been going on the whole time
12 that I've been an employee here.

13
14 BY MS. RAYMOND:

15 Q. Would you say that that toxic is
16 totally my fault, that I'm the only one
17 that doesn't speak, that everything -- that
18 the whole atmosphere is my fault?

19 A. I think there have been attempts
20 by other employees to extend an olive
21 branch.

22 Q. You think or you know?

23 MS. BROWN: Let's let the witness

1 finish her answer.

2 MR. OWENS: Yeah. Let's let her
3 answer the question.

4 A. My understanding is that olive
5 branches have been extended and not
6 reciprocated, but, you know, I've been on
7 the sidelines for the whole thing.

8 Q. But as far as you and I, we're
9 fine. We've never had an issue --

10 A. Correct.

11 Q. Okay. That was my whole
12 question. Thank you so much.

13 MS. BENNETT: Lovely. Thanks.

14 MS. RAYMOND: Okay. Council, I
15 am here tonight without my attorney because
16 he could not be here because I got notice
17 on Sunday of this meeting. I had two-days
18 notice, period. I know that there's
19 15 days, and this could have been scheduled
20 any time between now and the 25th. But I
21 asked Mr. Lehman if he would let me at
22 least make sure my attorney could be here,
23 and before I could -- of course, it's

1 Sunday. You don't get your attorneys on
2 the weekends. So before I could reply to
3 him, he already posted today's hearing. So
4 my attorney called, and he said there's
5 just no way, I mean, on a two-day notice,
6 that he already had prior commitments. So
7 I called Mr. Lehman, and per the request of
8 my attorney, to continue this to a later
9 date, especially since we have, at that
10 time, still 14 days. And I was told no.

11 So I am here tonight with the
12 best that my attorney could give me and
13 provide me, and the instructions that he
14 gave me to do. Now, I'm not an attorney,
15 so I probably won't do this in a
16 professional manner. I'm going to do the
17 best I can with what he gave me, and I'm
18 going to respond and -- with what he gave
19 me and how to do it. So I'm going to start
20 here with my opening statement, and I'm
21 going to start with a little background
22 information since we have a new council
23 member that wasn't here with us back in the

1 day that we're talking about.

2 In 2017, I filed a grievance
3 against the Mayor that was based on the
4 statement of how an employee felt.
5 According to the Mayor, that was her words.
6 The employee felt bullied about the
7 directive that I gave her on complying with
8 our city purchase policy. There was no
9 communication with me prior to being called
10 into the Mayor's office and sent home. It
11 was said that I raised my voice to
12 Ms. Terrill when, in fact, it was her that
13 raised her voice to me and told me that I
14 was being unfair to the golf department,
15 that I was being unfair and picking on the
16 golf department when I gave her directive
17 on our purchase policy.

18 She was a new -- she was a new
19 employee. I was simply training her on our
20 purchase policy. At six months, I didn't
21 feel that she had the knowledge to argue
22 with a supervisor over her training. As
23 I've been here 15 years, so I'm pretty

1 knowledgeable on our purchase policy.

2 She stated that she never got a
3 copy of the purchase policy or training on
4 the purchase policy. That was given to her
5 the first week that she came. Even to the
6 point of this past management letter from
7 the auditors, again, she stated, even
8 though she's been here two and a half
9 years, that she had no knowledge of the
10 purchase policy. It's strange to me that
11 after working two and a half years doing
12 accounts payable that she's still not aware
13 of the purchase policy, but that was her
14 statement in audits -- auditor's management
15 letter.

16 She never came to my face nor did
17 the Mayor ever bring her into a meeting
18 with me to say tell Ms. Raymond what you
19 said. Lisa, did you say this? Debby, did
20 you say this? There was nothing. The
21 Mayor called me. She waited two days until
22 I was out of the office to go to Herman to
23 make this claim. And normally, I would

1 think if you were truly bullied, you would
2 go to someone immediately, but she waited
3 until I was out of the office to go.

4 And then when I came back in on
5 Monday morning, I was immediately called to
6 the Mayor -- in Hollie's office and told
7 that Lisa had made this claim. She knew
8 she was going to get a write-up for this,
9 and I expect this was her attempt to avoid
10 being written up. As a matter of fact, I
11 shared the write-up that I was going to
12 share with her with the Mayor and Herman.
13 I was in the process of writing it up and
14 wanted to be professional and to deliver it
15 to her correctly. And I gave -- I made
16 Herman and the Mayor aware of this, and it
17 made no matter. The Mayor had already made
18 her decision. She had supported a new
19 employee and let her stay home from work
20 and already decided, without any
21 communication with me whatsoever, none,
22 that she was going to send me home on that
23 Monday morning, and she did.

1 Herman's response during that
2 meeting in response to Lisa's attitude was
3 it doesn't help that she's a damn Yankee.
4 Really, I ask you, should this matter?
5 Does that give anyone -- does being a
6 Yankee give anyone a right to yell at
7 somebody, to argue with them, to argue with
8 their supervisor, to yell at them and tell
9 them they're being unfair to a department
10 when you've only worked here for six
11 months? So subsequently, after this, her
12 family member got a full-time job with the
13 golf course also.

14 The Mayor followed me -- I
15 followed the Mayor out of my office on this
16 day. The Mayor was in my office. We were
17 talking about the issue with the golf
18 department. The Mayor sent an e-mail to
19 the golf director. At that point, we were
20 finished with our meeting in my office, and
21 I followed the Mayor out. The Mayor went
22 straight to her office, and I went into
23 Lisa's office. If there was so much

1 yelling and so much, the Mayor herself
2 should have heard it, but she didn't.
3 She's never made one mention of hearing it.
4 She was in her office in the same hallway.
5 So I find it strange that everyone in the
6 office except the Mayor, who I followed
7 out, heard that. This was a Wednesday
8 morning, and she just left out of my office
9 for the meeting. I followed her out of
10 the office. Okay. I just went -- although
11 the Mayor -- okay. Bear with me.

12 I was immediately demoted and
13 publicly humiliated repeatedly. The Mayor
14 came into the hallway, in my doorway,
15 loudly requesting that the public works
16 guys move those personnel files out of this
17 office and put them in Lisa's office. She
18 made a spectacle of coming to my doorway in
19 the hallway and removing my main key. I
20 was -- I had a master key, and she took
21 that and continued to make a scene just to
22 publicly humiliate me.

23 This was my only old piece of

1 information because I felt like majority of
2 what was brought up in the Personnel Board
3 from Herman with his 13 years ago that
4 there's no one here to respond to that.
5 There's no way -- I mean, anybody can say
6 anything. There's no witnesses. There's
7 no -- this is the first time that I've
8 heard about Jenny. Like I said, that was
9 13 years ago. We continue to bring up a
10 constant issue before 2018. We go back
11 over and over.

12 We have an issue, but this is my
13 last point of old information. This is
14 where I chatted with Lisa. This is where
15 we talk, and this is where she says oh, I
16 was having a bad day. So my whole world
17 was turned upside down, and I was demoted
18 because somebody's having a bad day. If it
19 had -- listen close. If it had been any
20 other day. Is that really what you'd think
21 a bully was? All of a sudden from one day
22 to the next, I'm a bully because I was ugly
23 to her. But just a day later, oh, she was

1 just having a bad day. If it had been any
2 other day. She never went to the Mayor.
3 She never went to Herman and said oh, by
4 the way, that really wasn't -- I really
5 wasn't bullied. I was just having a bad
6 day, that hit me -- there was nothing. She
7 continued to let me be humiliated and
8 demoted and never said a word. I'll let
9 you listen now. I'm going into Lisa's
10 office.

11 (Whereupon, an audio recording was
12 played during the meeting.)

13
14 MS. RAYMOND: So does someone
15 who's been bullied usually apologize to the
16 bully? Does that sound like someone who
17 was bullied? If it had been another day.
18 She made the statement, I'm sorry. I
19 exploded. She exploded. She was having a
20 bad day. She's sorry. But I was demoted
21 because of this. You all, I was humiliated
22 for over a year. I have worked in -- this
23 has been my reputation. I've worked here

1 for 15 years. I have been a good employee.
2 I have worked long hours. I have been
3 dedicated to this city. I have done a good
4 job. I have good work ethic, and I have
5 served this city. To have my
6 responsibilities taken away from me and
7 publicly humiliated in front of people, to
8 be talked about in department head
9 meetings, to be talked to ugly in the
10 hallway so that everybody in the building
11 can hear, for it to be a public spectacle
12 for you to come and take my master key, to
13 come and take my laptop, to -- and to
14 continue to be hostile to me in a way -- it
15 has always been our policy that every
16 employee that leaves turns in their
17 equipment, whether it's uniforms, radios,
18 whatever, to their supervisor or to HR.
19 Hollie told me to take my laptop to Lisa.
20 She knows the situation here. She has
21 tried everything to generate conflict. I
22 have tried so hard to avoid it. I have --
23 She sent to me this -- as I call

1 it, the bully doctor, psychologist. She
2 was very nice by the way. She was very,
3 very nice. She told me to keep my head
4 down, do my job, and avoid conflict at all
5 cost. And since 2018, I have done that. I
6 give you my word. I have done that. If
7 that seemed unfriendly, I'm sorry for that,
8 but I was trying to avoid --

9 I'm retiring in September. That
10 was my -- I just want to keep my head down,
11 coast out, retire in September. I just
12 want to do my job and retire. I'm not
13 about socializing. I didn't realize that
14 it was bullying or -- if I didn't attend a
15 Christmas party. I actually had a doctor's
16 appointment on the day of that Christmas
17 party. I can provide substantiation if I
18 need to, but I didn't realize that was --
19 there's lots of department heads that do
20 not -- and people in the city hall that do
21 not come to the Christmas party. I missed
22 it. As you can see from these statements,
23 I would think that you could understand

1 from these statements that I know that I
2 was not welcome there and what a position I
3 would have been in there. Why would I want
4 to put myself through that? You've heard
5 what they said. Why would I want to go sit
6 up in the middle of them? None of them
7 would have spoke. None of -- I just
8 avoided that. I just simply avoided it.
9 So the point I wanted to make was -- yes,
10 that's all I'm going to -- that's all I'm
11 going to present that's old information,
12 but I felt this needed -- I felt you all
13 needed to hear that. I just felt you
14 needed to. So now we'll move forward. All
15 of that was on the previous grievance.

16 And also, as I tried to mention
17 while ago, I'll mention now, the Mayor
18 devised an unbiased committee to
19 investigate. She was the head of the
20 committee. Does anybody see that as
21 unbiased? She chose the people to talk
22 to, which are the same exact people that
23 are here today. She didn't go out to other

1 departments. She didn't go to the library.
2 She didn't go to the senior center. She
3 didn't go to businesses. She went to the
4 these same exact people, the exact same
5 people, and she headed the investigation.
6 The grievance was against her. I cannot
7 fathom how that is unbiased. That's kind
8 of like putting the bank robber on his own
9 jewelry, but that's how it happened.

10 In the last year and a half, I
11 have endured retaliation, harassment, and a
12 hostile work environment. I was denied a
13 request for a grievance two times. Her
14 first response was that I do not have
15 grounds as the negative write-up she put in
16 my personnel file was not a disciplinary,
17 but in my opinion, anything negative in
18 your file, especially with no discussion,
19 is a disciplinary. The second response and
20 -- do we have copies of those?

21 MR. RAYMOND: We'll provide them
22 --

23 MS. RAYMOND: Oh, okay. Okay.

1 And we have copies. I have made you all
2 copies of my request -- my first request,
3 her response, my second request, her
4 response, and my third request and which
5 her response was a termination letter. Her
6 second response, dated December 6th I
7 believe it was, in the regarding line -- my
8 termination letter in the regarding line
9 was the two grievance dates. The handbook
10 says you can't be terminated for filing a
11 grievance, but that was what the letter
12 said. It was a termination letter
13 regarding the two grievances that I had
14 requested. The third one was the
15 termination letter.

16 The second response was to
17 article 9 section 1 which addresses economy
18 and performances and work, which she
19 equated to the following established
20 purchase policies, which I did. Article 9,
21 section 3, which addresses taking orders
22 from your supervisor, which she equates
23 communication with coworkers. It's my

1 understanding that the employee handbook
2 applies to all employees, but yet I'm the
3 only one at risk of losing my employment,
4 my retirement time, and health insurance
5 for the exact same issue as Lisa also does,
6 not following a directive by her supervisor
7 and the Mayor to speak to me even after I
8 spoke to her.

9 Upon the third time -- request
10 for a grievance, I received a letter of
11 intent to terminate my employ. I received
12 this the week of Christmas. Our employee
13 handbook states that no employee shall be
14 terminated for filing a grievance. Since
15 the Mayor has currently addressed issues
16 that resulted from the last grievance, I
17 will also note that the -- I just did that.
18 Sorry.

19 I had no opportunity to give the
20 committee, previous committee that we were
21 talking about that investigated, any
22 information whatsoever. The Mayor chose
23 the people to talk to, as I said, the same

1 ones. They talked to them. No one came to
2 me. The only time they came to me is when
3 they gave -- when I spoke to them on
4 Thursday, and they gave me their response.
5 I will also note that Sandy told me that
6 she felt coerced to speak negative about
7 me. About that time, also her daughter
8 started working at the police department.

9 You'll note that several
10 write-ups and memos in the packet that I've
11 provided for you for Lisa and I to speak
12 verbally. The Mayor makes it appear that I
13 have not done so. Lisa and I were good
14 friends. We went to lunch together almost
15 every week. Karen told the Mayor that she
16 was jealous of our relationship when she
17 first started work here. I have spoken to
18 Lisa verbally, as you heard on the
19 recording also. She has not spoken a word
20 to me since that day. Needless to say, my
21 effort was futile. The Mayor continues to
22 berate and try to force me to go to Lisa
23 even to the point of telling me to return

1 my laptop and keys to Lisa. I said that I
2 would give them to the human resource
3 director, Herman, which I did because this
4 is standard protocol. She stated, at that
5 point, that I was challenging her again. I
6 don't feel that's challenging her. I feel
7 it's doing what is protocol and trying to
8 avoid conflict. The Mayor has continued to
9 push to the point of creating conflict and
10 hostility. Still, I was not -- I simply --
11 I was not challenging her. I was not being
12 disrespectful in any way. I was just
13 following protocol. Herman is the human
14 resource director. I feel like they
15 already have a plan that if I speak to
16 Lisa, she's going to make something else
17 up. I'll be written up and terminated or
18 worse again -- or worse sent, again, to a
19 bully doctor. It's so humiliating. I have
20 just simply tried to do what she said.
21 Keep my head down, do my job, avoid
22 conflict.

23 The Mayor has told other staff

1 members not to speak to me, not to have
2 anything to do with me, not to call me.
3 You know, when she tells them not to talk
4 to you and then tells you you're
5 unfriendly, it's kind of a catch-22. You
6 notice that she didn't get statements from
7 several city hall staff, just only selected
8 ones. The same ones as before. I could
9 call numerous employees that would praise
10 my friendliness, that would praise the help
11 that I have offered them, and the thousands
12 of dollars that I have saved them in
13 different instances, but I won't because it
14 would put their job in harm's way. They
15 have all seen what has happened to me.
16 They have all seen that if you disagree
17 with the Mayor, that you will be punished.
18 You will be terminated. We've seen it with
19 Ms. Seaman on the historical commission,
20 Ms. Vallides on the historical commission,
21 and now they see me, and they see that --
22 they're threatened. Nobody is not going to
23 speak for the Mayor because if they do,

1 they're not going to have a job.

2 According to my evaluation by the
3 Mayor, she stated Ms. Raymond communicates
4 with others in a collegial manner. This is
5 the total opposite of what she's saying
6 here tonight, but in my evaluation, she
7 wrote up that I speak and communicate with
8 others in a collegial manner. This is the
9 same letter she addresses poor work
10 performances. Yet my evaluation reflects
11 it exceeds expectations.

12 Work performance, this is the
13 first year that business license
14 collections have exceeded \$400,000. They
15 were 452,000. 92,00 over what they were
16 last year. So I think my work product is
17 excellent. And I know that Main Street and
18 others have a part in this as far as
19 bringing business, but they don't collect
20 business license. And once a business
21 comes, that part is over for one time.
22 Unfortunately, a lot of those businesses
23 have closed now, but that brought in one

1 business license of 112 or \$162. So if --
2 let's just go above and beyond and say ten
3 businesses came in. That's \$1,000. I
4 brought in 452,000. So that's through
5 audits. That's field work. That's -- I
6 send out all of the renewals. I send out
7 the second notices.

8 Which brings me to Karen. One of
9 her issues was I didn't -- I gave her some
10 busy work. She was brand new. She was
11 brand new. March, she started work in
12 March. That's when the second notices go
13 out. I had hundreds and thousands of
14 notices to get out all by myself. Lick,
15 stick, stamp, stuff, print, sort, check. I
16 just really didn't have the time, at that
17 point, to get the license out in time to
18 sit down and do it. So I gave her things
19 that I thought she could do like filing,
20 different things so that she could learn
21 and had stuff to do, but she didn't have
22 enough knowledge of the software or the
23 process and had never worked revenue

1 before. So there was really nothing I
2 could do for those first few weeks as far
3 as serious training.

4 I don't know what relevance it
5 has, but she was on the phone with the
6 software company or that the business
7 license for delivery is \$110 and change
8 because things change constantly. That was
9 a new state law, but we're all on the phone
10 with software quite often. Sometimes we're
11 on hold a long time, sometimes not. I just
12 don't understand the relevance of that
13 statement along with walking up the hallway
14 or which door did I use or getting to the
15 lobby and turning around and going back to
16 my office. There's pages and pages and
17 pages here, but none of it is bullying.
18 None of it's disrespectful. None of it is
19 -- there's been zero event of any kind --
20 even the Mayor cannot put a specific event
21 since October of '18 that there has been
22 any disrespect, any rudeness, anything.
23 Now the Mayor, if I ask a question about

1 sending my laptop to the human resource
2 director instead of Lisa, she considers
3 that challenging. I don't consider that
4 challenging. Never meant for it to be
5 challenging. And I certainly wasn't rude
6 or disrespectful.

7 Karen talked about her
8 evaluation. Her six-month evaluation was
9 four days late. I believe if you all took
10 the time to go in and look at all of the
11 personnel files, if you looked at every
12 current employee and the last 50 that have
13 left, you probably will not find ten -- I
14 dare say not even ten three-month
15 evaluations in them. I got my very first
16 evaluation period in 2015 from the Mayor.
17 I got that evaluation after bringing an
18 issue to her concerning tax payers'
19 dollars, an issue amongst that and other
20 things, which she told me was none of my
21 business. As the finance director, I feel
22 like being a good steward of the tax
23 payers' dollars is my job. I have

1 dedicated myself to doing a good job for
2 the City. We've always had good audits
3 until this year. We've had great audits.
4 I've done -- not patting myself on the
5 back, but I've worked hard to do what is
6 right. And some of this just doesn't --
7 I'll say that I'm the only
8 department head that has to put all of my
9 time on the front calendar, the public
10 calendar, the Mayor's calendar. And that
11 is just that -- I don't mind that. The
12 point is, that I'm treated differently.
13 Chief Littleton doesn't put any of his time
14 off on our calendar. The park director
15 doesn't. I would assume that there would
16 be just as many calls over the park
17 bathrooms, toilet paper, issues in the
18 park, issues in public works, potholes,
19 whatever that all department heads -- you
20 know, if she needs to know where I am, that
21 she would need to know where -- they need
22 to know where everyone is. But the truth
23 is, we're all as close as our telephone.

1 So, you know, you pick up the phone and say
2 hey, are you working today? Or hey, where
3 are you? And ask what you need to ask. My
4 phone was on 24/7.

5 On January the 31st, 2019, I was
6 given two-days notice that my health
7 insurance was cancelled. I was under the
8 impression from the Mayor that until this
9 process is over, that I was on leave with
10 pay. My first paycheck was incorrect, and
11 it still hasn't been corrected. My second
12 paycheck was half. And so I called Herman
13 and asked him about it, and he said I've
14 been terminated on the 9th of January. So
15 this was the last week -- the last two days
16 of the month. So he said you were
17 terminated on July the 9th, and you'll be
18 getting COBRA. So I had two-days notice
19 that my insurance -- my health insurance
20 was gone. So the premium for my health
21 insurance was cut out in May for February
22 that also hasn't been refunded. In
23 October, I was still being reimbursed for

1 the gas that I paid for. I still haven't
2 been reimbursed for my October
3 reimbursement. I also brought this up at
4 the Personnel Board, and I still haven't
5 had any mention of it. I was given two
6 days, as I said, notice of this hearing
7 also. And it could not be rescheduled to
8 provide me with counsel. Thus, I'm here
9 without counsel. It was late in
10 November -- let's see. For years, Verizon
11 has allowed employees to have their own
12 personal bill, a sub-account for city
13 employees --

14 MS. BROWN: Ms. Raymond, does
15 this have to do with your termination? I
16 really don't want to interrupt, but it
17 seems like we've gotten real far afield
18 here.

19 MR. RAYMOND: It certainly is
20 relevant.

21 MS. RAYMOND: I think it --

22 MR. OWENS: How much more have
23 you got to go with your statement?

1 MS. RAYMOND: About three -- two
2 pages. Two pages because the rest of it is
3 closing.

4 MR. OWENS: Okay.

5 MS. RAYMOND: Well, I'll make it
6 --

7 MR. OWENS: Well, we certainly
8 want to leave time for Council to ask
9 questions --

10 MS. RAYMOND: Well, I do have a
11 couple of pertinent things because Karen --
12 yes, it's all pertinent. But Karen was --
13 even though she had been removed out -- she
14 was my staff member under my supervision as
15 revenue assistant. That's what she was
16 hired for. That's what she was hired for.
17 Without my knowledge or any communication
18 with me whatsoever, no knowledge, no
19 knowledge of her going to be out of the
20 office, no knowledge of anything, Herman
21 sends her on a three-day revenue class. No
22 one told me that she was going to the
23 class, asked me my thoughts about the

1 class, told me that she was going to be out
2 of work. There was absolutely no
3 communication with me that somebody in my
4 department was going to be off work or
5 going to a class. Karen never mentioned
6 that she was going to a class. Herman
7 never mentioned she was going to a class.
8 This is the revenue department. This is my
9 department. That's similar to me going
10 over and telling one of the Chief's guys
11 hey, don't worry about coming to work next
12 week. I want you to take this class. And
13 you just show up and your person that you
14 expect to be there to help with business
15 license is not there. You don't know where
16 they are. You find out after they come
17 back they've been to a class that she
18 decided, at that point, that she didn't
19 want to do revenue. That's what she was
20 hired for, but she decided she didn't like
21 that, didn't want to do it, so now she's
22 upfront. And I was left alone again.
23 Although this was a position that was hired

1 to help me, I, again, had zero help.

2 During this time, I'll note that
3 also I really needed extra help because
4 this year the state mandated a new WRAP
5 program, and there was approximately -- on
6 top of the renewals, there's approximately
7 2,000 licenses to make changes to the
8 guidelines. There's a lot to be done, and
9 I'm one person. If I'm terminated, there's
10 not a certified municipal revenue officer
11 in the building. If you forward out,
12 collections will plummet. I gave you all
13 some numbers from the last company that
14 collected for us, and it was well under
15 what we collected.

16 I will speak to Lisa's demeanor
17 yet again. She called me to her office one
18 day, and Sandy had brought her the
19 deposits. And the deposits, the bills,
20 were not in order, ones, fives, upside down
21 sides. She called me and said you need to
22 go talk to Sandy about these mixed bills
23 because if I go up there, I'm going to go

1 Yankee on her. So that's just another due
2 to her -- and I did go talk to Sandy, and
3 it was pleasant. It got fixed, and
4 hopefully she didn't do that anymore.

5 My position depends a lot on the
6 elements in time. If it's raining, I'm in
7 an office. If it's pretty, I'm out in the
8 field. If it's November or March, I'm
9 extremely busy with renewals and second
10 notices. I made the Mayor aware when the
11 time changed that I was working early in
12 the mornings to get to construction sites
13 and so forth when the roofers and framers
14 and so forth are there. That's part of my
15 job description. And on several occasions,
16 she -- you need to be in the office more.
17 You need to be in the field more. You need
18 to be in the office during office hours.
19 It's like, obviously, my work product shows
20 that I don't need micromanaging. I know
21 how to do my job and where I need to be,
22 but no matter what I do, she found that I
23 needed to be in there on a different day or

1 a different time.

2 At the time that I was coming in,
3 I'll make this note, Ms. Evans made note
4 earlier that she tried to come in the
5 office when I wasn't there. I'm in the
6 office at 6:00 in the morning, and she's
7 there at 6:00 in the morning, so -- and we
8 were the only two in the office. And she
9 would come to my office every morning,
10 speak, talk, chat about her mother-in-law,
11 her kids, Jessie, college, told me about
12 the Mayor getting her an internship -- paid
13 internship, and about her son starting out
14 to the golf course. She was always in
15 there. If she was afraid to be in there,
16 why wouldn't she wait until 8:00 o'clock to
17 come into work? I mean, her position
18 really didn't require her to be there at
19 6:00 in the morning. She was the front
20 window clerk. Forgive me if I repeat
21 myself, but we had to --

22 MR. RAYMOND: I'm going to take a
23 little of the pressure off Debby. I'm

1 going to read what's here and -- but if you
2 have questions later on, just direct them
3 to Debby because all I'm -- I'm just trying
4 to help her, taking a little of the
5 pressure off this. This is not on our
6 bucket list. This is not what we, you
7 know, ever wanted to do.

8 The first thing I'd like to do is
9 talk about the travel for her
10 recertification for revenue officer that
11 the State required.

12 MS. BROWN: This seems totally
13 unrelated to the termination.

14 MR. OWENS: Well, it's kind of a
15 combination of presentation and closing, so
16 I think -- I don't know how much you have,
17 but we need to stay on --

18 MR. RAYMOND: I'm going to cut it
19 real short.

20 MR. OWENS: We need to stay on
21 topic here.

22 MR. RAYMOND: Yes, sir. But
23 these are all things that lead to the same

1 direction. Yes, sir.

2 MR. OWENS: The councilors are
3 here.

4 MR. RAYMOND: Yes, sir. I
5 understand, and I --

6 MR. OWENS: We don't need to take
7 advantage of their valuable time.

8 MR. RAYMOND: No, sir.

9 MR. PETERSON: Is this the
10 beginning of the closings?

11 MR. RAYMOND: No, sir. I'm going
12 to -- I want to highlight a few things.
13 Matter of fact, I'll skip just the travel,
14 and I'm going to skip the --

15 MS. RAYMOND: And these are
16 pertinent things because these are
17 hostilities that I've have to endure, so it
18 is important to me.

19 MR. RAYMOND: It just shows a
20 continuing pattern that Debby is picked out
21 in a crowd, and it all leads back to the
22 same individual. And that's what this is
23 going to be important to represent, but

1 I'll skip and get more to the meat that --
2 and so just bear -- if you would all oblige
3 that I can read this for her and then you
4 can direct the questions to her, would that
5 be all right?

6 MR. OWENS: Is it a written
7 statement?

8 MR. RAYMOND: Yes, sir. Well,
9 basically. I'll just --

10 MR. OWENS: Do you have copies
11 you'll hand out to them?

12 MR. RAYMOND: There's going to be
13 information in each councilor's package
14 that substantiates everything that's being
15 said.

16 On January the 9th, 2018, a
17 signature stamp bearing Debby's signature
18 -- and I'm going to -- I'm just going to
19 read it as is. I understand it's Debby,
20 but it says my signature, meaning Debby.
21 Stamp bearing my signature was ordered by
22 Lisa Terrill with my approval and consent.
23 The stamp was ordered for the sole purpose

1 of issuing business license as it could be
2 stamped on the purchase order form, which
3 is included in your packet. The stamp was
4 ordered specifically for staff to provide
5 dually authorized business licenses in the
6 event I was out of the office in the field.
7 My staff directives included that the stamp
8 shall only be used in the event of my
9 absence, and the stamp shall remain under
10 lock and key at all times otherwise.

11 In June of 2018, the Mayor
12 restructured city hall staff and my job
13 duties and responsibilities changed. I was
14 assigned to the specific duty of revenue
15 officer only and was relieved of all other
16 duties. Herman Lehman was assigned to
17 human resources. Lisa Terrill was assigned
18 to finance. Karen maintained control of
19 the stamp for the sole purpose of issuing
20 business licenses and was directed to
21 maintain the same level of security and
22 integrity of the stamp. In October 2018,
23 Karen was put under Herman's supervision

1 even though she was --

2 MS. RAYMOND: Still revenue
3 assistant.

4 MR. RAYMOND: -- still revenue
5 assistant. On several occasions, I was
6 contacted by the bank due to insufficient
7 funds for city checks. I would e-mail
8 Herman and advise him that the accounts
9 were short funded. The bank called me once
10 again, and I asked why they continued
11 calling me and advised because my name is
12 on the check. I immediately went to the
13 bank and found that my name had been
14 stamped on the check. I requested that
15 they provide --

16 MS. BROWN: But this is not
17 related to the termination?

18 MR. RAYMOND: Yes, ma'am, it does
19 because it --

20 MS. BROWN: She wasn't terminated
21 for financial impropriety.

22 MR. RAYMOND: It leads right back
23 to the --

1 MS. RAYMOND: Attitude.

2 MR. RAYMOND: -- same individual
3 that's making the same accusations. And
4 every time Debby tries to bring something
5 to the Mayor's attention, it's disregarded.
6 And this is an important issue. I was
7 totally shocked that my name had been
8 stamped, but this has also been an ongoing
9 process in excess of eight months without
10 my consent or knowledge. Some checks that
11 bear the stamp signature also include
12 Herman's stamp name, which then negates any
13 and all financial accountability.

14 My worse fear is that Lisa has
15 access to all my and my husband's personal
16 information including social security
17 numbers, personal banking information as
18 the personnel files are stored in her
19 office. I was further alarmed that Lisa
20 has forged my name on city checks. What
21 other documents have been stamped without
22 my knowledge or consent? Knowing that, I
23 received no -- knowing that I received no

1 support from the Mayor and not being able
2 to speak to the Council member or finance
3 chair without being terminated for
4 insubordination as the Mayor's letter
5 states I would be terminated if I spoke to
6 any council member, we have the copies of
7 the letters.

8 MS. BROWN: Where is the letter
9 that says that?

10 MR. RAYMOND: I had no choice
11 other than to contact the Shelby County
12 District Attorney's Office and file a
13 complaint. I have met with an investigator
14 with the DA's office. And in turn have
15 spoke -- he has both spoken with
16 Ms. Terrill and Herman Lehman. The
17 investigator has advised me that his role
18 is to investigate the complaint, and that
19 the results will be given to the District
20 Attorney for evaluation and for the
21 presentation to the grand jury.

22 MS. RAYMOND: And this leads to
23 the constant hostility and bullying that I

1 have been subjected to for over a year now.
2 This is just hitting the highlights. The
3 other folders here are other things that
4 I've been subjected to. This is part of
5 the checks --

6 MR. RAYMOND: This is only eight
7 months worth of checks.

8 MS. RAYMOND: You will find the
9 majority of them are double stamped with
10 Herman's name and my name, which means she
11 writes the check --

12 MS. BROWN: Objection. This is
13 completely irrelevant. We have gone way,
14 way, way beyond the scope of your
15 termination.

16 MR. OWEN: Well, we have a lot of
17 leeway, but can you put a wrap on it --

18 MS. BROWN: And there's no way to
19 authenticate this bag of whatever you have
20 here.

21 MR. RAYMOND: Well, certainly
22 there is.

23 MS. RAYMOND: Sure there is.

1 MR. RAYMOND: These are bank
2 records, ma'am. They have the stamp --

3 MS. BROWN: Where is your officer
4 from the bank to swear to their
5 authenticity --

6 MR. OWENS: Let's just get back
7 on -- let's see if we can get back on
8 track.

9 MR. RAYMOND: Yes, sir. I
10 apologize. Yes, sir.

11 MR. OWENS: And try to put a wrap
12 on this because the Council may have some
13 questions for you.

14 MR. RAYMOND: You want to do your
15 closing?

16 MS. RAYMOND: No. I want to do
17 --

18 MR. OWEN: Wait a minute. This
19 wasn't closing?

20 MS. RAYMOND: I'll be brief.
21 I'll be brief. In January of last year,
22 the Mayor signed for my travel leave to go
23 to a conference. She put -- it's signed,

1 dated, and everything is there. I went to
2 the conference. I went to the conference.
3 I was supposed to be out five days. I was
4 only there three. I came in late on a
5 night due to Hurricane Barry. There is
6 absolutely no way that you can guess that a
7 hurricane's coming six months in advance.
8 I came home. The next day, I unloaded my
9 car, luggage, and I answered e-mails. I
10 answered voice mails, yadda yadda yadda. I
11 worked from home because I was already
12 scheduled to be off that day. It was
13 already marked off the public calendar that
14 I wouldn't be there, and Lisa decided that
15 I should have to take a vacation day on
16 that day. Now, she contacted Herman who
17 contacted me, and I explained to Herman
18 that the hurricane come in. I came in --
19 drove in late, and -- and, you know, I got
20 up and worked from home. He said okay,
21 just checking. I have his e-mail. I have
22 his -- okay, that's fine. Just checking.
23 He is Lisa's supervisor. She jumped his

1 chain of command and his authority and
2 called the Mayor who was actually in
3 Portland, Oregon. And there is a long list
4 of e-mails back and forth, back and forth.
5 And without any communication with me,
6 again, whatsoever, the Mayor never
7 contacted me or anything, she decided that
8 I had to take a vacation day after I had
9 already worked 48, 50 hours. It's just --
10 this just goes to the constant -- that I
11 have endured. I'll bypass the other three
12 folders of information and --

13 MR. RAYMOND: But they're in your
14 package. You'll be interested in reading.

15 MS. RAYMOND: And I haven't been
16 to you all with these things that I've
17 brought out tonight because there is,
18 you'll find in there, a letter from the
19 Mayor. As a matter of fact, when Lisa
20 berated one of our public works employees,
21 I contacted Mr. Peterson because he was the
22 committee leader. I asked him to meet with
23 me, and he said he would. But before we

1 had the opportunity to meet, he mentioned
2 it to the Mayor. She immediately called me
3 to her office and told me that if I spoke
4 to any council member for any reason -- now
5 mind you, I'm the finance -- I mean, you
6 know, you can't go to anybody with theft.
7 You can't go to anybody with problems
8 because she threatens to take your job. So
9 I was not allowed to talk to Mr. Peterson,
10 and the note is in there that I can't --
11 there's -- the e-mail is in there that I
12 can't talk to council members. So
13 therefore, you all are learning a lot of
14 stuff not because I -- if I had came to you
15 before, I was going to be terminated.

16 In closing, on the 6th of January
17 at the determination hearing, everything
18 that was in the Mayor's complaint to
19 terminate me, the regarding line being the
20 grievances, on down through her -- I'm not
21 being cordial to people or what --
22 everything in there, I disputed with
23 documentation. There has not been one

1 single event from October of 2018, not one
2 loud noise, not one disrespect, not one
3 altercation, verbal. There has not been
4 one single event, period, nothing. So just
5 because there's a personality conflict with
6 somebody -- well, I'll ask you this: If
7 somebody was doing this to you, could you
8 be cordial to them every day and socialize
9 with them? This is my life. This is my
10 identity. This is my family's credit
11 information. It's important. It's very
12 important. I feel like I have proven
13 beyond a doubt -- beyond a shadow of a
14 doubt that I have not been disrespectful in
15 any manner to any coworker. You will
16 remember in the back of the Mayor's
17 write-up said, and you have this also, that
18 I was rude to one of my coworkers. You'll
19 find that in the packet that I gave you.
20 So now the story changes from one to
21 others. They've just made the same
22 unfounded statements from years ago, 13
23 years ago, 10 years ago, before 2018.

1 We all know how this is going to
2 end. The Mayor has shown no regard for
3 personnel policy, no regard for the
4 grievance procedure, no regard for the
5 appeal process, and no respect or regard
6 for the Personnel Board. Even going to the
7 point of blasting Mr. Glosson to employees
8 in a meeting. Thus, it's obvious there
9 will be no respect for your decision
10 tonight either. Even if you all vote five
11 to one to reinstate my employment, she will
12 override you just as she did the Personnel
13 Board. And you'll have no control over
14 this. She made her decision to terminate
15 me and not listen to the Personnel Board.
16 She cleared my office, put somebody else in
17 my office before I could even file --
18 before the grievance could be heard. Then
19 the appeal process to the Personnel Board,
20 I was already out of my office. She had no
21 intentions of following the grievance
22 procedure or the appeal process, as I feel
23 she has no intentions of following the City

1 Council tonight.

2 The one thing that you can do,
3 and I plead with you to do, is before you
4 leave here tonight, that you make a motion
5 and a majority vote for a severance
6 package. I only ask you that tonight
7 before you adjourn that you make a motion
8 and vote to pay my vacation, salary, and
9 benefits through September, when I was to
10 retire. It's only seven months, and I've
11 been here 15 years. And I just can't see
12 the fairness in losing my requirement time
13 and benefits just because I choose to avoid
14 conflict. And the severance package and
15 what I ask for has been done in the past.
16 Thank you so much for your time --

17 MR. RAYMOND: And as a side
18 note -- and this is just from me personally
19 as this has created great stress for us in
20 our family life as well, and I apologize if
21 it's created stress to other folks. But
22 leading up to this, we knew what the
23 results were going to be when she was moved

1 out of her office before it even got to the
2 gentlemen on the Personnel Board. You
3 don't take those type of actions if you
4 didn't have a predetermined mindset of
5 where your next step was going to be.
6 Prior to a grievance and being able to
7 speak with the board members, the Mayor
8 even offered Debby to pay her, her vacation
9 time, but there was limitations on that
10 because she had to sign this --

11 MS. BROWN: Object. Object.

12 That is a --

13 MR. RAYMOND: She had to sign a
14 --

15 MS. BROWN: That is an FRE 408
16 privileged confidential conversation. That
17 is absolutely, absolutely not to be
18 discussed. You can call your attorney if
19 you don't believe me.

20 MR. RAYMOND: Ma'am, I believe
21 you, but it was her --

22 MS. RAYMOND: Okay. Just -- I
23 just --

1 MR. RAYMOND: Above and beyond
2 that, it was -- the decision was made
3 between us that Debby felt strongly enough
4 about her job and the way she conducted
5 herself particularly following the guidance
6 of the professional that she was sent to
7 that she has maintained that advice ever
8 since 2018, and everything that was
9 presented in every statement was back
10 washed from all the time period before
11 that. So I had to make a conscious
12 decision to disregard the things we can't
13 talk about because I trusted in her enough
14 that her integrity is what was at issue and
15 to let her proceed and move forward with
16 this and to bring in this information to
17 you or else you wouldn't have been able to
18 be provided with this information if we had
19 accepted a different avenue.

20 MR. OWENS: Has Council got any
21 questions for Ms. Raymond?

22 MR. NIX: I've got a question
23 actually for the counsel, I mean, for

1 y'all.

2 MR. OWENS: All right.

3 MR. NIX: Is it proper protocol
4 just to have a few days notice for her
5 representation? I mean, shouldn't the
6 lawyers gotten with her lawyer and said
7 okay, this is the date we're going to do
8 it. Is this date okay? And have several
9 dates where it comes to the Council to make
10 sure we can do it.

11 MR. OWENS: Well, I thought the
12 publication -- the notice of publication
13 went out previously. I could be wrong
14 about that. Herman, when did that go out?

15 MR. LEHMAN: It went out on
16 Monday.

17 MR. NIX: Monday.

18 MR. OWENS: Yeah. There's a
19 15-day window, and I was not privy though.
20 Tonight is the first night I've heard that
21 her counsel couldn't be there, and he
22 didn't call me and ask me about it, so. I
23 wouldn't have to be involved in the

1 process. It's just got to be done within
2 15 days.

3 MS. RAYMOND: So we still have
4 through the 25th.

5 MR. OWENS: No. No.

6 MS. BROWN: It's 15 days from the
7 4th, 15 calendar days.

8 MR. OWENS: Yeah. It's 15 days
9 from the Mayor's notice.

10 MR. NIX: Notification about the
11 meeting.

12 MR. OWENS: No.

13 MS. RAYMOND: To the city clerk.

14 MR. OWENS: No. Notification as
15 a follow up to the recommendation from the
16 Personnel Board, that's when the 15 days
17 starts to run.

18 MS. BROWN: Yeah. So the 15 days
19 to schedule the meeting starts from her
20 notice, which was February 4th.

21 MR. OWENS: Right. She's got
22 five -- she's got five days to ask for a
23 hearing in front of the City Council.

1 That's when the 15 days starts to run. So
2 actually, there's a much narrower window
3 than that.

4 MR. NIX: I was just asking
5 because I didn't know.

6 MR. OWENS: Yeah. It's a short
7 time frame, but it is procedural and
8 therefore, important.

9 MR. HERBERT: I can ask my
10 questions now?

11 MR. OWENS: Yes.

12

13 BY MR. HERBERT:

14 Q. Ms. Raymond, why are we -- you
15 said your responsibilities were taken away
16 from you. What was your understanding of
17 why that happened?

18 A. Because of someone accusing me of
19 bullying because that's exactly when it
20 happened, the very week.

21 Q. Was that the --

22 A. The week of -- in June.

23 MS. BROWN: And Ms. Raymond, if

1 you have no objection, when you started
2 talking, you said that was June 2017, but I
3 think the record --

4 MS. RAYMOND: 2018.

5 MS. BROWN: It's June 2018.

6 Q. Okay. Yeah. So that was the
7 talking to Ms. Terrill; is that correct?

8 It happened after that, talking to
9 Ms. Terrill. It's after that?

10 A. Yes. Yes. Yes.

11 Q. Okay.

12 A. Well, yes. After the
13 conversation and trying --

14 Q. Yelling at Ms. Terrill?

15 A. Yes.

16 Q. Okay. Did you yell at
17 Ms. Terrill?

18 A. No, I did not.

19 Q. You did not?

20 A. We both raised our voice. A
21 tone, not a yell, but a tone. But mine was
22 in reaction because I was actually shocked
23 that a new employee would stand there and

1 tell me I was picking on golf and, you
2 know, things like that when I'm thinking
3 wow, she doesn't have enough knowledge to
4 be arguing with me, I mean.

5 Q. So you both had a tone that was
6 unprofessional. Is that what you're
7 saying? And I'm not trying to put words in
8 your mouth by any chance.

9 A. Oh, I know. Yeah. But it really
10 wasn't -- yeah. I guess, yes. I guess any
11 time you raise -- yeah.

12 Q. I'm asking your opinion. I'm not
13 trying to put words in your mouth at all.

14 A. Yeah.

15 Q. I hope I'm not coming across that
16 way.

17 A. Yes.

18 Q. You said that the Mayor told
19 other employees not to speak with you?

20 A. Yes, she has.

21 Q. Why do you think that was?

22 A. She has.

23 Q. Why do you think she did that?

1 A. Well, I know that she has, but
2 I'm not going to say who because then
3 they're going to be in the same position I
4 am. I did not give you half the
5 information I have here because it would
6 put other employees in the same position
7 that I'm in now, and I just refuse to do
8 that.

9 Q. Ms. Evans had mentioned that she
10 didn't feel trained. What training did you
11 provide her?

12 A. Well, she had only been here a
13 few weeks, and this was in the very midst
14 of sending out second notices, so --

15 Q. Beyond that --

16 A. -- I'm doing all this myself. So
17 I'm giving her some training. I'm giving
18 her some filing. I'm giving her some busy
19 work and things that she can do as a new
20 employee. She didn't have the knowledge of
21 the software or of the business revenue
22 program, I mean, the job description yet.
23 I mean, it just takes time. Nobody comes

1 into a new job, unless you've worked it
2 before, with any knowledge. And she had
3 never worked in any type of position of
4 this area, so we started from the bottom
5 up.

6 Q. But you did provide training,
7 just not immediately. Is that what --

8 A. I did provide training, and I did
9 provide it immediately.

10 Q. Okay.

11 A. Just not what she thought she
12 should have got. She got training from her
13 first day.

14 Q. We've talked quite a bit about
15 the evaluations and improving interpersonal
16 skills. What did you do to improve your
17 interpersonal relationship skills as
18 indicated on your evaluations because I've
19 got -- the Mayor told us what she offered
20 to you, but I'm asking what your actions
21 were to improve that.

22 A. I took the advice of the
23 counselor that she sent me to. I have

1 avoided conflict at all cost. I have not
2 -- as I say again, there has not been a
3 single event.

4 Q. How many evaluations --

5 A. And I'm not -- you know, they
6 paint this terrible picture of me that I'm
7 just -- Sandy, the other night, in the --
8 -- you weren't here, but in the personnel
9 board hearing --

10 Q. I read the transcript.

11 A. But you had to be there to see
12 the -- all the emotion and then so forth.
13 Well, this is the same emotion that when
14 she -- there's things that have been done
15 that the Council doesn't know about because
16 I couldn't tell the Council that are wrong.
17 When you have -- and I shouldn't say this,
18 but, I mean, it's to make a point. When
19 you have a person who is sending people to
20 her sister to get a business license,
21 that's using your office for personal gain.
22 Yes, I did talk to her about that. Yes, I
23 probably used a tone of like this, you just

1 can't do -- you know, like this. We were
2 in Herman's office. Actually, we were
3 there twice. The Mayor herself has said
4 every time she talks to her and Ivy, she
5 turns on the waterworks. That's part of
6 Sandy's personality. But when you're doing
7 things that are wrong, it appears in this
8 office that you can't manage. You can't
9 because you ask and you ask and you ask and
10 then -- and there are things that just have
11 to be corrected.

12 You'll see in the package some of
13 the things that I really shouldn't put out
14 in public hearing, but you'll find them.
15 There's things -- there's theft. There's
16 all kinds of things in there that I have
17 not been able to report that have been
18 addressed and made people angry.

19 Q. And thank you for bringing those
20 to attention. I'm serious about that.
21 Back to your evaluations, how many were
22 there? I don't know the number. I know
23 they're in our packet. How many with the

1 opportunity for improvement -- that needs
2 improvement for interpersonal skills?

3 A. Well, there's probably three.

4 Q. Three? Okay. So that's like
5 three years?

6 A. But in some of those same
7 evaluations, if you look at it on the front
8 and back, you'll see that Debby's collegial
9 with colleagues or coworkers. So it just
10 -- and some of those were written -- one --
11 two of the evaluations were written when
12 she was in my office angry. These were not
13 -- two of them were not evaluations that
14 she did in the middle of the month or did
15 whenever doing a pile of evaluations. She
16 was in my office. I said something she
17 didn't like, and she went immediately and
18 gave me an evaluation.

19 Q. What's the procedure --

20 A. Immediately.

21 Q. What's the procedure when you
22 disagree with an evaluation or someone does
23 something out of anger? I don't actually

1 know. I'm asking --

2 A. Oh, it wasn't -- it was not about
3 an evaluation. It was about me -- excuse
4 me. It was about me relating to her
5 accountability for someone else's actions,
6 accountability. And she told me it was
7 none of my business. Well, as finance
8 director, that was my business. Taking
9 care of bills, being good stewards of the
10 tax payer dollars, that was my job as
11 finance director. But she didn't want to
12 hear it. It made her angry. She told me
13 it was none of my business, went straight
14 to her office, and wrote that evaluation up
15 that day. She even wrote into that
16 evaluation that it -- what she told me, the
17 person that I was telling her about. It's
18 -- even the name's in the evaluation. I
19 would have never got that evaluation that
20 day if I had not made her angry by telling
21 her --

22 Q. So two of the three evaluations
23 were given out of anger. That's what

1 you're telling me?

2 A. Yes.

3 Q. Okay. Thank you. What did you
4 do to correct that? What steps are
5 available to you to correct that? I
6 genuinely don't know this process.

7 A. There's really no steps. You
8 just --

9 Q. There's no steps to take?

10 A. I mean, just be nice.

11 Q. There's not a grievance
12 procedure?

13 A. I mean, avoid conflict, and
14 that's what I tried to do. That was my
15 steps to take. I avoided conflict.

16 Q. Okay. Thank you. All right.
17 I'm going through these. Some of these
18 aren't relevant anymore. They've been
19 answered. You felt overwhelmed with your
20 job obligations. I think you mentioned
21 that a time or two. Is that accurate?

22 A. The Mayor mentioned that. I have
23 been the finance director and the human

1 resource director and then the business
2 license director, and I did fine. I mean,
3 you know, yes, I worked long hours.

4 Q. But that's not your statement?
5 Okay.

6 A. No. I worked long hours, but I
7 kept up. My job was done and done
8 properly.

9 Q. Thank you for clarifying.

10 A. And I did request an assistant,
11 which I got for a few months.

12 Q. That was because you needed the
13 help. There was more work than one person
14 could do?

15 A. Yes.

16 Q. Okay. But that -- you --

17 A. We brought business license
18 inhouse after the Mayor came into office.
19 They were originally done by a third party.

20 Q. So you requested an assistant,
21 and you received an assistance?

22 A. Uh-huh.

23 Q. Okay. For a period of time?

1 A. Uh-huh.

2 Q. How long was that period of time?

3 I don't recall.

4 A. From -- she started in March and
5 went under Herman's supervision in June,
6 July. No. October, I believe. October.
7 She started in March and went under
8 Herman's supervision in October. And then
9 within a couple weeks, moved to the front
10 office.

11 Q. Thank you. Just a couple more.
12 What justifications were given to you to
13 modify your schedule as far as -- more time
14 in the field, more time in the office when
15 the Mayor told you that?

16 A. None.

17 Q. When you asked -- what was the
18 response when you asked for justifications
19 of why you need to spend more time in the
20 office, more time in the field?

21 A. I didn't ask. She just came in
22 and told me.

23 MR. HERBERT: And then I just

1 want to -- I want the e-mail to be pointed
2 out to me in the packet if that's okay.

3 MS. BUNT: I can't find that as
4 well.

5 MR. HERBERT: I didn't look for
6 it, but it's a big packet. I just want to
7 see the e-mail that the Mayor sent you that
8 --

9 MS. RAYMOND: Okay. All right.
10 I'll find that to you -- for you before you
11 leave.

12 MR. HERBERT: -- that said you
13 can't talk to council members. So that's
14 -- I very much want to see that. And I
15 think that's my last question.

16 MS. RAYMOND: And one other thing
17 that I'd address that the Mayor has
18 addressed is that she says I challenged her
19 with the van. I did not challenge her with
20 the van. I expressed a concern that -- and
21 this is one of the things that the Mayor
22 says I challenged. And this is one of the
23 reasons that she wants to terminate me.

1 I'm not challenging her. I'm just simply
2 expressing a concern. I was put in a van
3 that was bought for under cover
4 surveillance in the police department.
5 It's been out in the police department for
6 a couple of years unused by the police
7 department. There is no city seal on it.
8 There is no municipal tag. There is
9 nothing, and I was -- with all the police
10 issues that you all see every day and night
11 on the -- on the news, I was concerned
12 about driving it. But I never asked for a
13 vehicle. I never ever asked for it. I
14 never said one word -- the word hardship
15 never came out of my mouth. I don't know
16 where that came from, but I simply -- I
17 have driven my vehicle for -- the whole
18 time I've been doing revenue, I've driven
19 my vehicle. I have no problem with it. I
20 am reimbursed gas. That's it. No
21 maintenance, no mileage, just gas. That's
22 all I've been since -- for years. This
23 year I simply added money in the budget,

1 \$161 a month, for maintenance, tires. I
2 mean, if we went back, we could gather
3 mileage at whatever per cent -- per cents
4 for 12 years. I've never charged the City
5 mileage. I was -- have no intentions now.
6 I simply asked for \$161 to cover tires,
7 maintenance, windshields, depreciation, two
8 accidents on a brand new vehicle that I got
9 that was not my fault but depreciated my --
10 and this \$161 was approved in Council in
11 September. And within -- immediately,
12 she'd decided that wasn't going to happen.
13 When she handed me the van keys, she said
14 here's your van keys. Don't keep your
15 mileage anymore, and, you know, you can't
16 drive it home. Well, we -- I wouldn't have
17 wanted to drive it home anyway, but the
18 fact that she said that. The other
19 department heads drive their vehicles home,
20 out of town. Even the part-time code
21 enforcement officer drives his home. Like
22 I said, I didn't want to drive the van
23 home. That was not an issue. It's the

1 fact that she -- her delivery of it as
2 normal. Ms. Bunt had -- in the
3 November 12th council meeting, she made a
4 formal motion for me to keep up with my
5 mileage for a week and bring it to the next
6 council meeting.

7 MR. PETERSON: It's not in the
8 minutes of the meeting.

9 MS. RAYMOND: I know that. I
10 know that.

11 MR. PETERSON: We put out the
12 minutes of the meeting, if it would have
13 happened, we would have --

14 MS. BUNT: I didn't -- yeah, I
15 don't recall making a formal motion. I do
16 remember us discussing it, and I made a
17 suggestion saying that that would be a
18 remedy of how we could figure out, you
19 know, if this was -- what the best process
20 would be to take from --

21 MS. RAYMOND: Mr. Willie, do you
22 remember voting on that? Rusty, do you
23 remember voting on it?

1 MR. GOLDSMITH: (Shakes head.)

2 MS. BUNT: We all just -- we all
3 discussed it and --

4 MR. NIX: I know when I asked at
5 the next council meeting about milage, I
6 was shut down.

7 MS. RAYMOND: There was a formal
8 vote, and it was unanimous.

9 MR. LEHMAN: There was not. I'm
10 the city clerk. I keep the minutes. It's
11 the official record of the City. It was
12 not voted on. The Council at the next
13 meeting votes on the minutes. They voted
14 on the minutes as it was presented. If it
15 had been otherwise, they would have said
16 Mr. Lehman, please correct this. They did
17 not. That is the official record of the
18 City. You know that. You've been here a
19 long, long time as you said. And so that
20 is the record of the City, and that is what
21 happened. Sorry.

22 MS. RAYMOND: Well, I think that
23 there is a recording for that also, but I

1 will have to get back with you on that one.

2

3 BY MR. HERBERT:

4 Q. Is it my understanding that your
5 belief that avoiding coworkers and not
6 speaking with them is not the same as
7 disrespecting them? Is that your
8 perspective?

9 A. My perspective is, that works
10 both ways. Respect or disrespect, it works
11 both ways. I'm simply doing what I was
12 advised and just trying to avoid conflict
13 because every single thing is taken
14 straight to the Mayor. It does not go to
15 the supervisors. It does not -- it goes
16 straight to the Mayor. If I order -- I
17 ordered five packs of paper, five packs of
18 paper for the business license. By the
19 time I hit the send button, within five
20 minutes, the Mayor was in my office. You
21 -- you circumvented the purchase policy,
22 and I've written you up for this and put it
23 in your file. There was no communication,

1 no discussion hey, did you do this, or did
2 you do that? No. She immediately come and
3 told me what I had done wrong and that had
4 already been put in my personnel file.

5 Lisa decided that I put my budget
6 in the wrong -- my purchase in the wrong
7 line item. Lisa doesn't know anything
8 about my budget. I do my budget. Each
9 department head does their own budget. I
10 know where I put printing or supplies or
11 whatever. I did that purchase order
12 perfect. It was done perfect. I checked
13 prices before I ordered. I did the
14 purchase order. I ordered it. When the
15 package come in, I signed the packing slip
16 that I had received it, attached it to the
17 purchase order, and put it up for payment.
18 It was 100 percent perfect, except that I
19 didn't ask Lisa to order it for me.

20 Now there's -- also you'll find in
21 those -- in those packages, you will also
22 find a letter -- a memo from the Mayor, and
23 we mentioned this in personnel. Maggie

1 asked about getting some supplies when she
2 first started. There's a memo in there
3 where the Mayor told Maggie to get with
4 Debby or Lisa to get what you need.

5 Q. I'm not disputing that at all.
6 Just back to the question of avoiding
7 coworkers, not speaking with them,
8 e-mailing through a third party, your --

9 A. The Mayor --

10 Q. -- perspective is that that is
11 not disrespectful, and that's what taking
12 away from this. And I'm asking if that's
13 accurate.

14 A. The Mayor asked me -- she
15 suggested at least e-mail. She suggested
16 e-mailing, that Lisa and I e-mail. At
17 least --

18 Q. You're not really answering my
19 question, so I don't know how to take that.
20 So I'm asking if that was an accurate
21 perspective, and you're telling me that the
22 Mayor told you to e-mail.

23 A. Yes. That was her resolution to

1 -- y'all at least -- if you're not going to
2 speak, at least e-mail, and we did. We
3 communicated through e-mail.

4
5 BY MS. BUNT:

6 Q. Do you agree with Ms. Terrill's
7 assessment though that when she would
8 e-mail you questions, that you would send
9 the response to Herman instead of to her?

10 A. Well, that's why I asked her if
11 it was HR. If it was HR, insurance, and
12 things like that, Herman is the HR
13 director. And he's her supervisor, so
14 that's why he was cc'd on things, or she
15 was -- one or the other was sent it and the
16 other was cc'd.

17
18 BY MS. BROWN:

19 Q. If I may, I've got a couple of
20 questions. I want to look at the December
21 4th and December 9th letter in the City's
22 packet. They're on the same side towards
23 the end about the 33rd page. Or they're on

1 the same page, front and back.

2 Ms. Raymond, I'll ask you pretty much the
3 same questions that I asked you last time.
4 The December 4th letter, this concerns your
5 attempt to grieve that November 1st letter
6 about this purchase policy incident,
7 correct?

8 A. What was her response? One of
9 them --

10 Q. Please answer my question,
11 Ms. Raymond. You've talked at length
12 tonight. My question was, does the
13 December 4th letter concern your attempts
14 to grieve the Mayor's November 1st letter
15 that she removed from your file? You state
16 Mayor Cost, this serves as my second
17 request to appear before the Personnel
18 Board. My complaint --

19 A. Yes. Along with work conditions,
20 yes. Yes.

21 Q. Okay. But you didn't identify
22 any particular working condition at that
23 time in December 4?

1 A. I spoke with the Mayor directly.
2 And you will also see in there, there is a
3 letter, a memo, from the Mayor that says
4 thank you for speaking with me candidly
5 this afternoon, yadda yadda yadda.

6 Q. Uh-huh.

7 A. We had spoke.

8 Q. Right. But you did not identify
9 -- and you said this in the personnel
10 board -- so we can just refer to that page
11 if it's going to be an issue. But you
12 didn't identify to the Mayor any working
13 condition --

14 A. Not in this memo, in this
15 grievance, no.

16 Q. And not at any later time during
17 your employment other than the van, which
18 is what the December 9th letter concerns,
19 correct?

20 A. I'll have to find that.

21 Q. It's on the back side of the page
22 I just gave you.

23 A. Oh. The December 9th, okay.

1 Okay. So now that I've found it, what is
2 your question? I'm sorry.

3 Q. Yeah. The letter, December 9th,
4 the only identified working condition
5 concerns the 2007 Honda Odyssey van,
6 correct?

7 A. That -- at the time, yes. Yes.

8 Q. And that was the only working
9 condition that you identified to the Mayor
10 at that time?

11 A. Yes.

12 Q. Okay. Did you tell Ms. Terrill
13 that you were recording her?

14 A. No.

15 Q. What was the date of that
16 recording?

17 A. I'll have to look.

18 Q. Please do.

19 A. The day I --

20 Q. It was a video recording,
21 correct?

22 A. Yes.

23 Q. Okay.

1 A. Yes.

2 Q. So I'm sure it's dated. I'll let
3 your husband look that up. Where did you
4 place the phone?

5 A. I had it in my hand with
6 paperwork when I was talking with her.

7 Q. How many other surreptitious
8 recordings with city hall employees have
9 you made?

10 A. Three or four.

11 Q. And who were the other employees
12 you've recorded?

13 A. The Mayor.

14 Q. Anyone else in those recordings?

15 A. No.

16 Q. All right. So three -- so two or
17 three recordings of the Mayor and the one
18 recording of Ms. Terrill?

19 A. Yes.

20 Q. And you knew you were recording
21 her, and she didn't know she was being
22 recorded, correct?

23 A. Correct. And it was for no other

1 reason than self-preservation for whenever
2 I'm disputed with something because that
3 seems to be a no, it didn't happen. It --
4 self-protection. Again, I say y'all just
5 don't know what this last year has been
6 like. I have to protect myself.

7 Q. And in June 2018 when there was a
8 reorganization following Ms. Terrill's
9 complaint that you grieved, your
10 compensation was not changed, correct?

11 A. I never said it was.

12 Q. Well, you keep on calling it a
13 demotion, and I know a lot of people think
14 demotion means pay change.

15 A. Demotion means totally -- your --
16 restructured your responsibilities. All
17 the responsibilities I had were
18 restructured and given to someone else.

19 Q. And you grieve that, correct?

20 A. I do.

21 Q. Okay. And even though the
22 grievance was not successful, the Mayor did
23 reorganize things to keep you as a direct

1 report, correct?

2 A. Well, that depends on what you
3 mean by the grievance wasn't successful.
4 The Mayor overruled, yes.

5 Q. Okay. I think the Personnel
6 Board minutes are here, and they speak for
7 themselves.

8 A. Oh, okay.

9 Q. The Personnel Board --

10 A. Okay. Okay. We're talking two
11 different --

12 Q. Was -- the June Personnel Board,
13 June 2018 Personnel Board, in which they
14 said they didn't have the authority to
15 overturn the reorganization.

16 A. Right.

17 Q. But the Mayor --

18 A. Right.

19 Q. -- took their advice and took
20 your concerns and kept you as a direct
21 report. All right. I want to keep things
22 short, so I'm going to close off my
23 questions there.

1 MS. COST: Is this a good time to
2 move onto my closing statement?

3 MR. OWENS: Herbert, have you got
4 any questions?

5 MR. HERBERT: That's everything
6 I've got.

7 MS. BUNT: I have one last.

8

9 BY MS. BUNT:

10 Q. Did you ever use the van for the
11 purposes that it was provided for?

12 A. I did. I did.

13 Q. Okay.

14 MR. OWENS: If there are no more
15 questions, I know, Debby, you've had an
16 opportunity to give closing statements. Is
17 there anything else you want to say before
18 the City closes? So we're at the point for
19 the City to close --

20 MR. PETERSON: One last thing,
21 did you find that e-mail?

22 MS. RAYMOND: Not yet. I'll -- I
23 know it's in here. I saw it this

1 afternoon. We -- I was up all night last
2 night and all day today putting these
3 packets together back and forth on the line
4 with my attorney.

5 MR. OWENS: Are these packets for
6 the Council?

7 MS. RAYMOND: They already have
8 one.

9 MR. OWENS: Okay. Okay. So
10 we're -- on the agenda, we're at the point
11 of the closing statement by the Mayor.

12 MS. COST: Okay. Can I go ahead
13 and just order that? I mean, is it my
14 turn?

15 MR. OWENS: Yeah, we're -- yes,
16 we're at that point.

17 MS. COST: Okay. In my world, if
18 a supervisor asks you to do something
19 that's reasonably associated with your
20 position, you do it. And I would believe
21 that in your world, Rusty, in Willie's
22 world, in Tiffany's world, in Jason's
23 world, and in Arthur's world, if a

1 supervisor asked you to do something and
2 it's reasonable within your job assignment,
3 you would do it. In my world, you treat
4 people kindly. And if you don't and if you
5 make a mistake, you apologize when you hurt
6 people. You care if people cry. When
7 someone comes to you with trying to resolve
8 something, you accept this, and that's what
9 Lisa did in her office and in the
10 recording, which is the right thing to do.
11 That's what Karen did when Karen would
12 continue to try to have a relationship with
13 Debby in spite of the way that Debby -- the
14 horrible, reprehensible treatment that
15 Debby provided to both of these ladies.

16 Throughout the time that I've
17 been working with Ms. Raymond, I have
18 extended so many olive branches that the
19 tree is absolutely bare. Rusty, you asked
20 me why didn't we -- why did we let her go
21 this long. Well, because I believe in the
22 process, and I believed in the City. And I
23 believed in the Personnel Board when they

1 upheld my grievance the first time, and I
2 believed in their recommendations. And I
3 trusted in those and moved forward with
4 those. Termination was not something that
5 I wanted to do, so we kept her. We worked
6 with her. We instilled this employee
7 assistance program, but -- I even continued
8 to give Ms. Raymond gifts, Christmas gifts,
9 as I did all of the employees. I treat
10 people well, and I treat people fairly. I
11 bend over backwards to do that. And I
12 think you can ask any employee that is
13 working for the City right now about my
14 leadership style and about the way that I
15 treat them.

16 Now what I did by retaining her
17 as long as I did, this was to the detriment
18 of other employees. And I apologized the
19 last time I was here then, and I owe them
20 another apology for them having to be drug
21 through the mud. And now there's yet
22 another victim of Ms. Raymond's torment,
23 and that's Courtney Bennett. She didn't

1 want to come up here. She didn't have
2 anything to do with this. She left here
3 almost in tears. That was highly
4 inappropriate. And I think that what
5 you've seen here tonight 100 percent
6 validates what I did and why I did it. She
7 continued to treat people poorly. She
8 continued to bully people even when they
9 were sitting there.

10 Ms. Raymond has made so many
11 statements that are blatant lies, I don't
12 know where to start. For one thing, I
13 never ever told anyone not to talk to
14 Ms. Raymond. After Ms. Raymond was
15 terminated or I informed her that's my
16 decision, I had indicated to department
17 heads that she's no longer with the City.
18 And so work-related discussion was
19 inappropriate, but I absolutely encouraged
20 friendships. I think it's important for
21 people to maintain friendships with
22 Ms. Raymond. I think -- I want people to
23 be loved and treated kindly.

1 I never -- I have no idea what
2 Ms. Raymond is talking about with respect
3 to the stamp. This is the most -- one of
4 the most bizarre things I think I've ever
5 heard. I also never told her not to drive
6 the van home. I told her that there's a
7 person -- that there's a policy with the
8 vehicles that she should know about. And
9 if the policy was not driving the van home,
10 then that's the policy. But I also have --
11 I have department heads that'll ask if they
12 can drive their vehicle under certain
13 circumstances, and we do that. I'm very
14 accommodating to individuals.

15 Ms. Raymond also indicated that
16 as soon as she came to me about an issue
17 with another employee, I went into my
18 office out of anger and wrote up an
19 evaluation. The evaluations are on cycle.
20 They're not always 100 percent on cycle.
21 We do the best we can, but I never wrote up
22 an evaluation out of anger. I have no idea
23 what she's talking about.

1 With respect to theft, that
2 resorts to slander. And I know as a public
3 official, it's very difficult for us to
4 prove a slander case because we're open to
5 all kinds of comments on Facebook, and
6 we're supposed to take everything that's
7 thrown our way and have the thickest skin
8 ever. But there is no evidence of theft at
9 city hall that I've ever been privy to. If
10 that ever came up, then we addressed that.

11 Ms. Raymond continued to say that
12 since 2018, there's been no problems. The
13 issue here and the issues that have been
14 since 2018 is she continued to demonstrate
15 insubordinate behavior. She would not
16 drive the van when we all discussed driving
17 it. We all discussed having a vehicle
18 provided to her. She wouldn't drive the
19 van. I provided her with a computer. She
20 wanted two computers. I provided her with
21 a laptop that she would not -- that she
22 would not use. I asked her to speak to
23 others. She would not speak to them. We

1 talked about the purchasing policy. She
2 said that there's no purchasing policy.
3 And even when I showed her the purchasing
4 policy that she herself wrote, she never
5 acknowledged that that was the case.

6 I asked Ms. Raymond to provide
7 Lisa with the computer because that was
8 procedural. Ms. Terrill works in HR. She
9 maintains our inventory and check sheet.
10 She checks the equipment in and out. That
11 was 100 percent appropriate, and yet that
12 was one more act of insubordination because
13 Ms. Raymond refused to do just one simple
14 task that was asked of her. So no one in
15 this building has asked me to reinstate
16 Ms. Raymond's employment, not one person.
17 Not one individual that works for the City
18 has, but multiple employees have come to me
19 and thanked me for doing this. Multiple
20 employees have lost sleep over having to
21 rehash this. It's absolute torture for all
22 of us. And we were subjected to torture
23 with Ms. Raymond's rants for the last hour

1 or more.

2 So I ask each one of you on the
3 Council to support my decision, but more
4 importantly, I ask that you support the
5 employees that you have heard. I also want
6 to affirm that I would never ever tell an
7 employee they cannot talk to the Council.
8 I encourage open communication. So if
9 there is an e-mail somewhere, I would love
10 to see it, and I would love to see how it
11 got fabricated. So I ask you to support
12 the employees that you've heard. In
13 essence, overturning my termination
14 decisions amounts to either calling each of
15 these employees a liar or sending the
16 message that you do not care about their
17 emotional well-being. Additionally, it
18 sends the message that employees are not
19 obligated to follow directions from their
20 supervisor.

21 Ms. Raymond has asked for a
22 severance package where she gets all of her
23 vacation, and she essentially gets paid --

1 paid vacation for about nine months.
2 That's highly inappropriate. She will not
3 lose retirement time. Everything she has
4 put into retirement is vested. So I'll
5 just close and ask that you support my
6 decision, and more importantly, that you
7 support all of the employees that are in
8 this room, and you don't resort to calling
9 them a liar. Thank you.

10 MR. OWENS: All right. We're at
11 the point where it's the opportunity for
12 the Council to deliberate and to make a
13 recommendation to the Mayor.

14 MS. COST: And I will refrain
15 from deliberating even though I sit
16 alongside the Council by state statute,
17 unless I'm asked a question.

18 MR. NIX: I would suggest for
19 future hearings, even with the Personnel
20 Board or with the Council, that we have
21 statements under oath.

22 MR. OWENS: I understand. This
23 is an informal process. It's meant to be

1 that way. Just about all the personnel
2 boards are set up that way, and we don't
3 follow the Alabama Rules of Civil
4 Procedure. There's a reason for it.
5 Certainly that can be done if the Council
6 prefers to do it that way.

7 MR. HERBERT: What did you say,
8 Rusty? On the record, off the -- I didn't
9 hear you.

10 MR. NIX: No. Just for
11 clarification, anything in the future be --
12 all statements be under oath.

13 MR. OWENS: Yeah.

14 MR. HERBERT: Oh, oath. Okay.
15 I'm sorry. I understand now.

16 MR. NIX: I'm sorry. My southern
17 dialect didn't sound right.

18 MR. HERBERT: I got it. It's
19 okay.

20 MR. NIX: Also, just a definition
21 for bullying -- and I strongly suggest that
22 the City does what we do at -- all
23 supervisors every six weeks, we take an

1 online course, lasts about an hour. It may
2 be on harassment. It may be on bullying.
3 It may be on how to recognize drugs and
4 alcohol in the workplace, but it's at least
5 an hour, hour and a half. And I'll have to
6 look and see what channel it goes through,
7 but it's put through our human resource and
8 -- that we're required to do.

9 But as far as bullying, you know,
10 it's defined as a mental or physical abuse
11 of an individual, and singling out an
12 individual is a form of bullying also.
13 And, you know, so after hearing testimony
14 from everybody here, there's a lot of
15 bullying that's going on at city hall on
16 both sides, and it needs to stop. I mean,
17 the whole -- everybody works for the City
18 of Montevallo. It's not out here for the
19 Rusty Nix show. It's not out here for
20 Tiffany Bunt or anybody. It's for the City
21 of Montevallo. You know, we spent going on
22 three hours here tonight, and, you know, I
23 hope everything works out well.

1 MR. HERBERT: And along that
2 line, so if there is an individual that is
3 creating an atmosphere or refusing to talk
4 to individuals, not seeking to -- what did
5 I say here? Not seeking to improve her
6 interpersonal skills on her own outside of
7 being made to do that, does that mean that
8 just because it's happening -- I'm not
9 saying we shouldn't address everything
10 that's happening because we absolutely
11 should. And everything that Debby's
12 reporting, should be reported. I wish that
13 it had come to light earlier before this
14 hearing absolutely. It needs to. But it
15 doesn't make it okay though. Is that your
16 argument?

17 MR. NIX: What now?

18 MR. HERBERT: That it's okay
19 because other people are doing it to Debby.
20 Is that what you're saying?

21 MR. NIX: No. No. No.

22 MR. HERBERT: You're not saying
23 that? Okay. What are you saying then?

1 MR. NIX: I was saying that I
2 feel like bullying's going on. You can't
3 take an individual and single them out like
4 she said with her vacation time off and
5 nobody else has to do that.

6 MR. HERBERT: Okay. Yeah. Why
7 are we --

8 MR. NIX: I mean, I have an
9 employee that I've got to go to a
10 deposition in three weeks that he was a big
11 bully. Did he bully me physical? No, he
12 didn't, but he bullied me mentally --

13 MR. HERBERT: I understand.

14 MR. NIX: -- because he held my
15 paycheck. So I had to do exactly what he
16 said. Even though I knew it wasn't right,
17 I still had to do it.

18 MR. HERBERT: And Debby was --
19 were you terminated for insubordination?
20 What was the other one? What were our two
21 points of termination again? I don't --
22 it's in this pile --

23 MS. COST: Yeah. It's -- yeah,

1 insubordination and mistreatment of fellow
2 employees.

3 MR. HERBERT: Mistreatment, and
4 so that was other piece that I was
5 concerned about as far as I don't think
6 it's okay to ignore a coworker, to not talk
7 to them, to go through a third party. And
8 we talked about self-preservation. Where
9 did I write it down? That was my last
10 question for Ms. Raymond. I think
11 avoidance does create disrespect, and I
12 don't believe Ms. Raymond believes that.
13 So that's the difference between us I
14 think. I think that not communicating
15 through coworkers is a big deal. I
16 wouldn't have ever allowed that one way or
17 another for any number of reasons. I know
18 it went on for a long time it sounds like.
19 I wrote it down.

20 MS. BUNT: It also concerns me
21 that not responding to coworkers is
22 unprofessional and could be -- create a --
23 kind of a bad environment.

1 MR. HERBERT: And I know that --
2 I think Mr. Glosson in the final statements
3 of the personnel board hearing saying why
4 can't we give Debby another chance? And I
5 read that, and I think -- Ms. Raymond, I'm
6 sorry.

7 MS. RAYMOND: Debby.

8 MR. HERBERT: Ms. Raymond has had
9 many, many chances to change her behavior,
10 and she's decided not to do that
11 unfortunately. And I don't say that
12 lightly at all. And so I don't like that
13 I'm saying that actually. I mean, it's
14 true. In my perspective from what we've
15 heard tonight, from what I've read, from
16 the things that is what I think has
17 happened.

18 MR. PETERSON: And also the
19 testimony from the witnesses tonight and
20 the Personnel Board was very powerful
21 testimony as to the state of the working
22 environment at city hall, which did not
23 sound good. And I don't think we can

1 overlook the testimony.

2 MS. BUNT: Well, as I've said
3 many times, I believe in generally
4 supporting a board's decision, but I really
5 wish the Personnel Board had given us their
6 reasons and their rationales so we could
7 follow their line of thinking because just
8 leaving it as a statement of that they
9 believe that she should be reinstated
10 doesn't give us really anything to go on.

11 MR. PETERSON: The minutes for
12 the second night of the Personnel Board,
13 the continuation of the meeting were not
14 included in this transcript.

15 MS. BROWN: Well, they went into
16 executive session. I think Bentley --

17 MR. PETERSON: Yeah, but the vote
18 wasn't actually listed.

19 MS. BROWN: It was two to one.

20 MR. LEHMAN: We don't have the
21 copy of those transcripts yet. There was a
22 transcript that was done, but I have not
23 been -- it has not been given to me yet.

1 MR. PETERSON: Okay.

2 MR. OWENS: It was a very short
3 transcript, and we can provide that. The
4 vote was two to one.

5 MS. BROWN: I don't think there
6 was a rationale provided.

7 MR. OWENS: No. There's not.
8 There was a motion, and there was a vote.

9 MR. LEHMAN: And the message that
10 was relayed was relayed by Mr. Glosson to
11 me and then to -- or and to the Mayor. So
12 they delivered that message directly, and
13 it was -- it had no rationale attached to
14 it.

15 MR. GLOSSON: Would you like for
16 me to clarify that since my name is brought
17 up?

18 MS. COST: Is that appropriate
19 procedure?

20 MS. BROWN: I don't think that
21 would be an appropriate procedure because
22 the evidence is closed but --

23 MR. OWENS: Yeah. I think the --

1 Mr. Glosson, I think the record that we
2 have speaks to that. That's why it was --
3 at least the first part of it was recorded.
4 There's a transcript of that. And then I
5 thought there were minutes -- were there
6 not minutes from the second meeting?

7 MR. LEHMAN: There were minutes,
8 but I did not provide them to the City
9 Council.

10 MS. BROWN: But I think it's
11 reported tonight too that your review is
12 further lulled because, you know, you're to
13 hear evidence and take it in and consider
14 the witness's demeanor anew if you will.
15 You know, you're not really -- your view is
16 not like an appellant court which has to
17 find a procedural defect, for instance.

18 MR. OWENS: That's a small
19 detail. What that means is, you get to
20 start with new evidence fresh. So you're
21 not bound by the decision of the Personnel
22 Board. You can consider it, but you're not
23 bound by it. You get to start over and

1 review it as if the Personnel Board had not
2 made a recommendation.

3 MR. HERBERT: Do we need to make
4 a motion or -- is that what we're looking
5 at here?

6 MR. OWENS: Yeah. There needs to
7 be a motion of some type, yes.

8 MR. NIX: So we're at the
9 recommendation of the City Council on the
10 agenda?

11 MR. OWENS: Unless y'all are
12 still --

13 MR. HERBERT: Unless we've got
14 anything else to say --

15 MR. OWENS: Yeah. Unless there's
16 more deliberations.

17 MR. PETERSON: I'm going to make
18 a motion that we ratify the Mayor's
19 decision.

20 MR. HERBERT: I second that.

21 MS. COST: Is there any further
22 discussion?

23 MR. NIX: On discussion --

1 MR. OWENS: Yeah. Is there any
2 discussion?

3 MR. NIX: -- I know Debby had
4 mentioned about compensation. That's not
5 the right word. Severance. We're looking
6 at, what, six and a half months. I don't
7 know how much vacation time she's got or
8 sick time, but, you know, maybe that could
9 be considered in too if she'll sign the
10 statement, you know, dropping any and all
11 future lawsuits or anything like that to
12 the City.

13 MR. OWENS: Yeah. If I could
14 speak to that because it involves the
15 expenditure of public moneys and because
16 there hadn't been a notice to the public to
17 that effect. That can certainly be
18 considered by the Council, but I don't -- I
19 think it would be inappropriate to do so
20 tonight because it involves the expenditure
21 of public funds, potentially involves --

22 MR. NIX: Aren't we in a public
23 council meeting right now?

1 MR. OWENS: But there's been no
2 notice --

3 MR. NIX: Got you.

4 MR. OWENS: -- of that.

5 MR. HERBERT: Of what was to be
6 talked about.

7 MR. OWENS: Right. I think it
8 could be -- if Council wanted to consider
9 it in a future council meeting and with a
10 public notice of that affect, I think you
11 can do that.

12 MR. HERBERT: So that wouldn't be
13 able to be on our recommendation tonight is
14 what we're saying, right? If we were --

15 MR. OWENS: Right.

16 MR. HERBERT: Okay.

17 MR. OWENS: And you could make a
18 recommendation tonight that doesn't include
19 that and then later consider to do
20 something along those lines.

21 MR. HERBERT: Okay.

22 MR. RAYMOND: Can I ask a
23 question? Can I ask a question?

1 MR. OWENS: Sure.

2 MR. RAYMOND: There is no sick
3 time because sick time is not paid, but
4 there is vacation time. But vacation time
5 is basically already billed in. It's
6 already earned.

7 MR. OWENS: It is accumulated
8 time, yeah.

9 MR. RAYMOND: It's accumulated
10 time, so that's already earned.

11 MS. RAYMOND: Over 15 years.

12 MR. RAYMOND: So she got
13 basically 600 hours of vacation time. So
14 with that said that's already been earned,
15 would it be in the Council's wheelhouse to
16 address the earned vacation time and maybe
17 look at the remaining severance, what you
18 were speaking of, at a later date? But
19 because it's already an earned expenditure
20 -- and she's already earned it. The Mayor
21 just made the decision not to let her have
22 it.

23 MS. BROWN: So earned vacation --

1 MR. NIX: But in the public
2 sector, it's supposed to be paid out.

3 MR. HERBERT: Are we talking
4 about -- we hadn't even discussed this
5 though. Didn't we discuss about the
6 difference between termination and willful
7 leaving? Didn't we talk about that two
8 council meetings ago? We were -- well, the
9 personnel manual. We were talking about
10 the personnel manual.

11 MR. NIX: Yes.

12 MR. HERBERT: That came up. I
13 see what you're saying though.

14 MS. RAYMOND: But I've earned
15 that by not abusing the vacation. I mean,
16 over 15 years.

17 MS. BROWN: So vacation -- part
18 of the annual -- it's law, it's forfeited
19 when an employee is terminated, as in
20 Ms. Raymond's case. So, you know, again, I
21 think her husband is raising another
22 question that goes to what Bentley just
23 outlined. You're talking about the

1 expenditure of public funds that's not --
2 was not noticed. What was noticed today
3 was basically an up or down recommendation
4 on the Mayor's decision.

5 MR. RAYMOND: But I guess my
6 question goes back to --

7 MS. BROWN: And that's what all
8 the evidence has been heard on.

9 MR. RAYMOND: -- is it an
10 expenditure of public funds if it's already
11 budgeted and it's already earned?

12 MS. RAYMOND: It's already been
13 budgeted in the budget.

14 MR. RAYMOND: And it's already
15 earned.

16 MS. RAYMOND: As a liability.

17 MR. OWENS: Well, there's a
18 difference in budgeted and spending.

19 MR. RAYMOND: Again to recognize
20 a liability already because it's earned.

21 MR. OWENS: If you're trying to
22 force the City Council to vote on something
23 like that tonight --

1 MR. RAYMOND: No, sir.

2 MR. OWENS: -- my recommendation
3 to the City Council would be not to take it
4 up tonight.

5 MS. RAYMOND: No, sir. We're not
6 trying to force anything. I'm just --

7 MR. RAYMOND: We're just asking.

8 MS. BROWN: Yeah. Let's close
9 the extraneous evidence and go back to
10 deliberations.

11 MR. OWENS: The motion on the
12 table --

13 MR. PETERSON: My motion was to
14 ratify the Mayor's position, not to modify
15 it.

16 MR. OWENS: Yeah. I think we
17 need to get back to the motion that we were
18 at -- and we're at the point now where
19 there's discussion on the motion.

20 MS. COST: Who calls for the
21 continued discussion? I was told that I'm
22 officiating the meeting, but I'm not
23 participating in the discussion. So I'll

1 call procedurally, is there any further
2 discussion on this -- on the motion that's
3 -- on the motion on the table?

4 MR. OWENS: I can wait for the
5 call to vote.

6 MS. COST: Okay. So hearing no
7 further motion, I'll go ahead and call for
8 a motion. We have a motion to approve and
9 second. We've had the discussion so --

10 MR. LEHMAN: Can we get a roll
11 call vote?

12 MR. OWEN: Yeah. I think a roll
13 call would be good.

14 MS. COST: So all in favor of the
15 motion, please state your name.

16 MR. LEHMAN: Go down the -- let's
17 just go down the thing and just --
18 Councilman Nix?

19 MS. COST: Okay. Tell us your
20 vote.

21 MR. NIX: No.

22 MS. COST: Councilman Goldsmith?

23 MR. GOLDSMITH: I abstain.

1 MR. LEHMAN: Councilor Bunt?

2 MS. BUNT: Yes.

3 MR. LEHMAN: Mayor Cost, you're
4 abstaining?

5 MS. COST: Yes, I'm abstaining.

6 MR. LEHMAN: Councilman Peterson?

7 MR. PETERSON: Yes.

8 MR. LEHMAN: Councilman Herbert?

9 MR. HERBERT: Yes.

10 MR. LEHMAN: We've got one no,
11 two abstentions, and three yes. So the
12 motion passes.

13 MS. COST: I'll go ahead, and we
14 have a motion to adjourn.

15 MR. NIX: So moved.

16 MS. COST: Do I have a second?

17 MR. HERBERT: Second.

18 MS. COST: Second. Okay. All in
19 favor, say aye.

20 MR. NIX: Aye.

21 (The meeting was adjourned at 9:01
22 P.M. on February 12th, 2020.)

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C E R T I F I C A T E

State of Alabama
St. Clair County

I hereby certify that the above and foregoing proceedings were taken down by me in stenotype and the questions and answers thereto were reduced to computer print under my supervision, and that the foregoing represents a true and correct transcript of the testimony given by said witness upon said proceedings.

I further certify that I am neither of counsel nor of kin to the parties to the action, nor am I anyway interested in the result of said cause.

/s/Lindsey Duckett

LINDSEY DUCKETT, CCR

CCR#674, Expires 9/30/20

Commissioner for the State
Of Alabama at Large

My Commission Expires 4/23/23