

Twentieth Judicial Circuit Certified Civil Process Server Review Board

MINUTES OF MEETING

December 21, 2009

2:10 p.m.

1415 Dean Street., Ft. Myers, FL 33901

In attendance:

Board Members: Ernie Averill, Chair  
Robert Tardif, Vice Chair  
Lynette Young, Secretary  
Sgt. Chris Webb

Non-Board Members: Tammy Laughlin  
John Murawski, Ablaze Process  
Sally Susino  
Joe Cripe  
Thomas Earhart  
David McGonigal, Jr.

1. A quorum of the Board is present.
2. Minutes of the meeting of November 23, 2009, were presented. Sgt. Webb moved to approve the minutes and Mr. Tardif seconded the motion. The motion passed.
3. Old Business:

Sally Susino appeared to answer questions regarding her arrest in 2006, which she did not disclose in her application. Sally stated that she paid an attorney to expunge the records and was not aware that the records had not been expunged. She stated that she contacted the attorney for an explanation about why the records had not been expunged. She stated that the attorney responded by providing her with an application for the expungement. She did have a copy of the cancelled check.

Mr. Tardif voiced his opinion regarding the possibility that she may not have paid for an expungement. Sally insisted that she thought that the record had been expunged. Mr. Tardif moved to approve her application and Ms. Young seconded. It was suggested that Ms. Susino include this information on her next application. The motion to approve her application passed.

Next year's application will be changed to include wording regarding expugement of criminal records.

4. New Business:

**Background Check Issues** - During the background checks, some individuals had items that were red flagged. Mr. Earhart and Mr. McGonigal were present to explain what occurred

during an incident in December of 2008 when they were questioned about the possibility that they were planning to rob a gas station.

Mr. McGonigal explained that a group of people stopped to get gas at a gas station in Ft. Myers and the doors were locked. They had arrived at the gas station around 10:00 p.m. They then went to the next station down the road. Mr. McGonigal was unaware that anyone had said that they were going to rob the previous gas station. Shortly after arriving at the second gas station, the police arrived. Their vehicles were searched and the police did find a shot gun in the back of one of the vehicles. The accusation came from someone at the previous gas station.

Mr. Earhart explained that maybe 5 people were in the car. The gas station door was locked and they decided to go to the next gas station. They were purchasing their items and police cars arrived. They were questioned about the possibility of them robbing the previous gas station.

These two applicants are renewal applicants. Members explained that servers must always remember that we are representing the Chief Judge at all times – whether serving process or not. Sgt Webb motioned to approve the applications and Mr. Tardif seconded the motion. The motion passed. Cards were given to Mr. McGonigal and Mr. Earhart.

**Kevin Reynolds** - This issue is a carry over from November 23<sup>rd</sup> meeting. The Board previously recommended that the Chief Judge be put on notice of the arrest of Kevin Reynolds pending a disciplinary procedure hearing for possible violation of Section 11h.

Kevin Reynolds was arrested on a misdemeanor charge stemming from what appeared to be a domestic dispute. Neither Mr. Reynolds nor his wife was willing to press charges. There is no pending charge and there is no apparent criminal history. Mr. Tardif made a motion to rescind the November 23<sup>rd</sup> recommendation to the Chief Judge and Sgt. Webb seconded the motion. The motion passed.

**Approval of Applications & Waiting List** – The Board received applications that required the Board to select individuals to be approved to be servers to fill the available slots on servers list to the cap of 125 and those who will be put on the waiting list.

The top seven people for the Board to consider were:

1. Scott Rouskey
2. John Snasbury
3. Mark Zammett
4. Betty Bullock
5. Josh Cotton
6. Lisa Baker
7. Donald Hooglander

Ms. Young moved that Scott Rouskey, John Sansbury and Mark Zammett be approved to fill the three open slots to make the 125 and Sgt. Webb seconded the motion. A question was asked about how the criterion was set to choose individuals who would be approved and those who would be put on the waiting list. Mr. Averill referred her to the minutes of the

July 20, 2009 meeting during which the Board set the waiting list criteria. No further discussion occurred. The motion passed.

5. There was a discussion about what preference to give to those who are being put on the waiting list. There was discussion about whether those on the waiting list should be given preference. Board tabled a discussion regarding the application process and waiting list issues.
6. Mr. Averill reported that the violation letters discussed at the Board last meeting will be sent out right after the holidays.
7. Meeting adjourned at 3:20 p.m.