



GOVERNMENT OF THE VIRGIN ISLANDS
OF THE
UNITED STATES

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VIRGIN ISLANDS TAXICAB COMMISSION

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Loretta Lloyd
Chairperson of the Board

Elizabeth Hansen Watley
Vice-Chairperson of the Board

Myma S. George
Secretary of the Board

Vernice M. Gumbs
Acting Executive Director

March 23, 2023

Minutes of the Virgin Islands Taxicab Commission – March 17, 2023

@8:00a.m.

After waiting six minutes for a quorum of members the meeting officially began at 10:06a.m.

Chairperson Lloyd called the meeting to order and requested a prayer by Secretary George. Chairperson then requested the Roll Call:

Present:

Member Sweeny
Member Georges
Member George
Member Brathwaite
Chairperson Lloyd
Executive Director- Vernice Gumbs

Absent:

Vice Chair Wattley
Member Paris

With a quorum established, the meeting began with the Chairperson calling the first item on the agenda. Approval of By-laws. The By-laws were read, and Secretary George asked for the meetings to be held on Fridays as opposed to the Wednesdays as noted in the draft of the By-laws. Additionally, she requested that the by-laws note that the Board may meet virtually as well. George moved for the By-laws to be adopted and it was seconded by Member Sweeny and a vote was taken:

Voting Yes: Georges, Sweeny, Brathwaite, George, Lloyd.
Absent: Watley and Paris

Motion carried. The second item on Agenda was Tanya Paul's insubordination letter sent by ED Gumbs. All present noted that they had previously read it. Sweeny asked for a recommendation which Secretary told him was in the letter's body which Secretary George read for him. It was to suspend Ms. Paul for 2 weeks without pay. There was no effective date. Sweeny stated that because so much time had passed between the alleged insubordination and today, he thinks to be on the safe side, the Board should approve a written reprimand rather than suspension. This

alleged misconduct occurred in the Office of VITCC (Virgin Islands Taxicab Commission) on January 26, 2023, and the letter was written to the Board on February 12, 2023.

Executive Director Gumbs stated that she is not getting the support she needs from the Board. The Board is moving too slowly on items she is sending to them and needs to do better. She should not have tolerated this misconduct without action. Her phone kept dropping, and a lot of what she hoped to say was being lost due to poor connectivity. Her voice has still not yet returned.

Member Georges noted that Gumbs should have placed Paul on immediate leave without pay and return her the next day for a Hearing. George said she would recommend immediate leave but with pay so as not to disenfranchise the employee and then investigate and get all the facts and call for a disciplinary hearing. She also stated that Gumbs has that authority. Not being aware of such authority, Gumbs asked for information that would allow her to do so. She also wanted to know if there is a statute of limitations as to when one can be or should be suspended and a hearing called. George moved to have the Chairperson call OCB (Office of Collection Bargaining), DOP (Division of Personnel) for any information they would have which would give guidelines on administrative action against employees. She further stated she would move to support suspension if the findings revealed that suspension can occur or then she supports the written reprimand if that is all the findings allow us to do. Georges amended that there must be a Hearing component to our decision.

Sweeney noted the Board needs to support Ms. Gumbs and move swiftly with our decisions. She should be able to send employee home, pending a Hearing. All agreed but noted that the Board has been lacking a Quorum because other Board members have not been attending the meetings consistently. Sweeney recommended the Governor be advised of such and have members removed and replaced. He also called for him to fill the Board with the required membership. Lloyd said she had asked for such and yet no action was taken.

Voting on Motion; Georges, George, Sweeny, Lloyd, Brathwaite all voted yes to the motion, Absent were Vice Chair Watley and Member Paris.

Motion carried.

The third item on the agenda was Officer Mena's return to work. In September 2022, an investigation was launched by POST concerning the status of Mena's Peace Officer status. Loretta read into the record where Administrative Leave with pay was given Mena so that he is not in the building while POST settles this conflict. Pedro Williams is counsel for Mena. Because of the indecision of POST, the Board wrote to Commissioner Martinez and is awaiting his response as he is the Commissioner that POST reports to. There was much discussion to reflect that Officer Mena has all the credentials that POST is seeking in his file and has shared all with post. He is still at home awaiting a response from them. Georges recommends that Mena be brought back to the Office and utilized as Gumbs sees fit since we are still paying him.

Because Gumbs had dropped again, George told him that Mena is the one that is helping Gumbs to get the boxes to Fortress storage, prior to closing the office due to environmental concerns.

Upon her return to the conversation, Gumbs said because of the historical contention the employees have with Mena, she is not recommending he be returned in any other capacity other than as an Officer. Disciplinary issues will become a problem and she is only one person. Sweeny said for too long Mena has been a problem at the Office and we need to have him terminated. He stated he is not qualified as a Peace Officer and should not be operating in that capacity. Georges asked him if he had documentation to show he has been a problem employee for years as he is stating. He does not. Georges continued by telling him that former Director Smith was also the one that saw it fit to promote him to acting Chief when she was there. She saw his Officer skills and was comfortable with trying to promote him. Sweeny was overdue to leave and had to drop the call but before leaving, he said we are only kicking the can down the run and that Mena needs to be terminated.

Gumbs asked that in addition to Mena being out, the Agency will be losing Officer Dawson as of August when he turns 65. Gumbs also noted that Callwood went out on immediate leave and did not turn in his keys, gun, badge, nothing. Lloyd said Callwood is fully aware of the rules and regulations of an Officer going on leave and he should be dealt with appropriately. This is operations and the ED has to handle the employees. Now that we have lost quorum, there was no further business and the meeting ended at 9:30a.m.