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**FILED**

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June 18, 2010

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

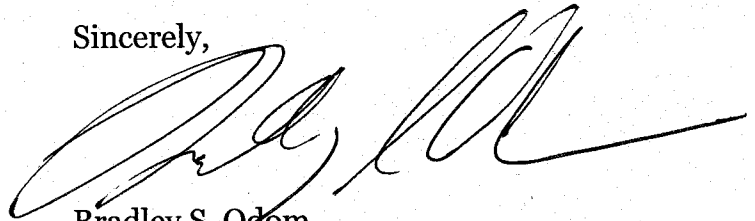
Claudia Llado  
Clerk of the Division  
State of Florida  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060

Re: *Emerald Coast Utilities Authority v. Terrance D. Peace*  
*DOAH Case Number: 09-5184*

Dear Ms. Llado:

Administrative Law Judge Diane Cleavinger rendered a Recommended Order in the above-referenced matter on May 27, 2010. Subsequent thereto, the Emerald Coast Utilities Authority (ECUA) entered a Final Order on June 17, 2010. Pursuant to Section 120.57(1)(m) you are hereby being provided a copy of that Final Order. Should you have any questions please do not hesitate to contact me.

Sincerely,



Bradley S. Odom  
ECUA General Counsel

BSO:cab

Enclosure

cc: Linda Iversen (w/o encl.)

**EMERALD COAST UTILITIES AUTHORITY**

EMERALD COAST UTILITIES  
AUTHORITY,

Petitioner,

v.

TERRANCE D. PEACE,

Respondent.

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DOAH Case No.: 09-5184

**FILED**  
2010 JUN 21 A 11:22  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

**FINAL ORDER**

Emerald Coast Utilities Authority (hereinafter "ECUA"), terminated Terrance D. Peace (hereinafter "Peace"), from his employment with ECUA effective at the close of business on September 3, 2009. Peace timely requested a hearing, and the case was forwarded to the Florida Division of Administrative Hearings. A formal hearing was conducted in this cause on March 31, 2010 in Pensacola, Florida, before Diane Cleavinger, Administrative Law Judge with the Florida Division of Administrative Hearings.

On May 27, 2010 Judge Cleavinger submitted her Recommended Order, finding that Peace tested positive for marijuana use and that the results violated ECUA's drug policy. Additionally, Judge Cleavinger found that Peace violated state law regarding the use of controlled substances. Accordingly, Judge Cleavinger concluded Peace had violated Sections F-4(29) and (33) of the ECUA Human Resources Policy Manual and recommended the imposition of such discipline as determined appropriate by ECUA.

The parties were subsequently afforded the opportunity to present written exceptions to the Recommended Order prior to the rendering of this Final Order. The time-frame within which to submit those written exceptions has expired, and none have

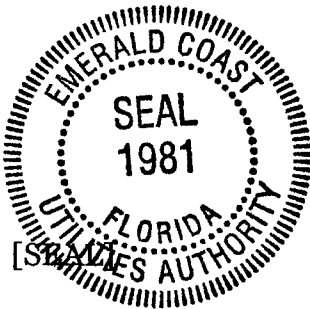
been received.


BASED ON THE FOREGOING, it is ORDERED:

1. That the May 27, 2010 Recommended Order submitted to the Emerald Coast Utilities Authority by the Administrative Law Judge be, and is hereby, made a part of and incorporated in this Order in its entirety.

2. The termination of the employment of Terrance D. Peace is hereby upheld and Affirmed, and he shall go forth without day.

DONE AND ENTERED this 17<sup>th</sup> day of June, 2010.



  
Stephen E. Sorrell, P.E., M.P.A.  
Executive Director  
Emerald Coast Utilities Authority

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A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO A JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF ECUA, AND A SECOND COPY ALONG WITH FILING FEE AS PRESCRIBED BY LAW, WITH THE CIRCUIT COURT OF ESCAMBIA COUNTY. REVIEW PROCEEDINGS SHALL BE CONDUCTED IN ACCORDANCE WITH THE FLORIDA APPELLATE RULES. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

COPIES FURNISHED:

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