

# *CIVIL SERVICE BOARD MEETING*

*JUNE 27, 2018*

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, June 27, 2018, in the Commissioners' Board Room.

Members present:     Larry A. Bartlett, Chairman  
                              Troyce B. Lancaster, Vice-Chair  
                              Dr. Cephus Jackson, Member  
                              Virginia Phillips-Hall, Member

Member absent:        J. Mark Trimble, Member

Also present:           Human Resources Director Pamela Ambles and staff; Civil Service Board Attorney Joe Harris; Police Chief Kevin Roberts; Police Department Legal Advisor Kenneth Green; County Attorney Pamela Everett; Transportation & Development Director Jeffrey Metarko; Mr. Charles Greene; Brushawn Washington; Superior/State Court Interim Director Dr. Will Simmons; Police Major Michael O'Shields; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:16 a.m.

Chairman Bartlett called for a motion to adopt the June 27th, 2018 agenda. Vice-Chair Lancaster made a motion to amend the agenda to reflect the following: 14A and 14B were moved to 12B and 12C. 12A was added - request from **Gary Bates, Community Development**, for annual leave donation. Vice-Chair Lancaster made the motion to amend the agenda, second by Dr. Jackson. No further discussion on the motion. Motion was carried by unanimous vote (4-0).

1.     Considered for approval the Civil Service Board's Meeting Minutes held on February 2, 2018.
  - a.     Chairman Bartlett called for a motion. Vice-Chair Lancaster made the motion to approve the Minutes, second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
  
2.     Considered request from Police Chief Kevin Roberts to extend the probationary period of **Jakierra Bennett, 911 Communications Center**, for an additional six (6) months.
  - a.     Chairman Bartlett called for a motion. Ms. Phillips-Hall made the motion to approve the Minutes, second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote (4-0).

3. Considered request from Police Chief Kevin Roberts to extend the probationary period of **Cherrard Jackson, Police Department**, for an additional six (6) months. (until December 31, 2018).
  - a. Cherrard Jackson was not in attendance.
  - b. Police Department Legal Advisor Kenneth Green presented the request in detail.
  - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Chairman Bartlett. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
  
4. Considered request from **Klyat McKim, Police Department**, to use sick leave in lieu of annual leave for the past care of his Father.
  - a. Klayt McKim was not in attendance.
  - b. Chairman Bartlett inquired of Human Resources Director Pamela Ambles concerning Klayt McKim's sick leave balance and other pertinent information.
  - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion. Motion carried by unanimous vote (4-0).
  
5. Considered request from Parks and Recreation Director Troy Hodges, to extend the probationary period of **Shada Starr**, for an additional three (3) months.
  - a. Shada Starr was not in attendance.
  - b. Parks & Recreation Director Troy Hodges presented the request in detail.
  - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion. Motion carried by unanimous vote (4-0).
  
6. Considered request from Interim Superior and State Court Administrator, Dr. Will Simmons, to extend the probationary period of **Willie Finch**, for an additional six (6) months.
  - a. Willie Finch was not in attendance.
  - b. Dr. Will Simmons presented the request in detail.
  - c. Chairman Bartlett questioned Dr. Simmons about the one (1) year probation period and asked Dr. Simmons to present additional information. Dr. Simmons presented additional information.
  - d. A brief discussion between the Board and Dr. Simmons occurred. Dr. Simmons amended his request to extend the probationary period for an additional three (3) months instead of six (6) months.
  - e. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the amended request, second by Vice-Chair Lancaster. No further discussion on the motion. Motion was carried by unanimous vote (4-0).

7. Considered request from Interim Superior and State Court Administrator Dr. Will Simmons to extend the probationary period of **Kathleen Rose Stern**, for an additional six (6) months.
  - a. Kathleen Rose Stern was not in attendance.
  - b. Dr. Will Simmons presented the request in detail.
  - c. Chairman Bartlett questioned Dr. Simmons about the one (1) year probation period and asked Dr. Simmons to present additional information. Dr. Simmons presented additional information.
  - d. A brief discussion between the Board and Dr. Simmons occurred. Dr. Simmons amended his request to extend the probationary period for an additional three (3) months instead of six (6) months.
  - e. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the amended request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
8. Considered request from Fire Chief Landry Merkison to extend the probationary period of **Keon Carter, Fire Department**, for an additional six (6) months.
  - a. Keon Carter was not in attendance.
  - b. Fire Chief Landry Merkison presented the request in detail.
  - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
9. Considered request from Fire Chief Landry Merkison to extend the probationary period of **Jesse Groover, Fire Department**, for an additional six (6) months.
  - a. Jesse Groover was not in attendance.
  - b. Fire Chief Merkison presented the request in detail.
  - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion. Motion carried by unanimous vote (4-0).
10. Considered request from Human Resources Director Pamela Ambles to consider Civil Service status for **Phong Nguyen, Fire Department**.
  - a. Phong Nguyen was not in attendance.
  - b. Fire Chief Merkison and HR Director Ambles presented the request in detail.
  - c. Chairman Bartlett questioned Fire Chief Merkison about the request specifically if the Civil Service Board should have received a request to change the job description of Phong Nguyen. HR Director Ambles advised it would not be necessary unless there was a request to change the salary.
  - d. Chairman Bartlett called for a motion to approve the request. Dr. Jackson made the motion to approve the request, second by Ms. Phillips-hall. No further discussion on the motion. Motion carried by unanimous vote (4-0).

11. Considered request from Deputy Chief Operating Officer Alex Cohilas, for annual leave donation for **Gary Bates, Community Development**.
  - i. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
  
12. Discussion items.
  - a. **Economic Development** - Transfer of duties from Economic Development to Development Authority. Two (2) Civil Service positions are impacted.
    - i. Dr. Jackson posed several questions to HR Director Ambles about the transfers of two (2) Economic Development positions to the Development Authority of Clayton County.
    - ii. Director Ambles apprised the Board (informational purposes) of the Board of Commissioners' potential transfer of two (2) positions from Economic Development to the Development Authority of Clayton County.
    - iii. Chairman Bartlett stated for the record, "consider the Board informed".
  - b. Considered a Proposal to Civil Service Rule Change regarding C.S.R. 11.310.
    - i. Attorney Everett advised she did not believe the Board had the authority to make the changes, and that it exceeded the Civil Service Board's authority to change the policy.
    - ii. A brief discussion occurred regarding the proposal.
    - iii. Chairman Bartlett asked that the proposed change to the Rule be given to the Civil Service Board Attorney Joe Harris to take to the Board of Commissioners.
  
13. Calendar Call.
  - a. **Dorian Greene (Transportation and Development)** – Appeal filed September 18, 2017, regarding: "Termination".
    - i. Dorian Greene's father, Charles D. Greene, was present to represent the deceased Dorian Greene. Attorney Everett advised that she needed to see documentation indicating that Mr. Charles Greene was authorized to represent the Estate of Dorian Greene.
    - ii. After Mr. Charles Greene presented the proper documentation to Civil Service Board Attorney Joe Harris, which indicated that Mr. Charles Greene was authorized to represent the Estate of Dorian Greene, both Attorney Everett and Mr. Charles Greene were ready to proceed with the case.
    - iii. Mr. Charles Greene called for a motion to allow himself to represent the Estate of Dorian Greene. Dr. Jackson made the motion to approve Mr. Charles Greene to represent the Estate of Dorian Greene, second by Vice-

- Chair Lancaster. No further discussion on the motion. Motion carried by unanimous vote (4-0).
- iv. Chairman Bartlett advised Mr. Charles Greene the case would be the first called today.
  
  - b. **Brushawn Washington (Police Department)** – Appeal filed November 17, 2017, regarding “Termination”.
    - i. Chairman Bartlett advised Mr. Washington he would be notified before his case was called at 1:30 p.m., today.
  
  - c. **Vannakhan Souwan (Police Department)** – Appeal filed January 11, 2018, regarding: “Suspension of 10 days”. Attorney Grady Dukes requested a continuance on May 29, 2018. The request was granted on June 1, 2018.
    - i. Chairman Bartlett confirmed the appeal was continued.
  
  - d. **Thomas Crump (Corrections Department/Prison)** – Appeal filed January 11, 2018, regarding: “One-day suspension on January 8, 2018”.
    - i. Thomas Crump was not attendance.
    - ii. HR Director Pamela Ambles advised that an agreement was made with Mr. Thomas Crump where he would be paid for one (1) day suspension and the appeal would be withdrawn.
  
  - e. **Salim Gordon (Corrections Department/Prison)** – Grievance filed February 1, 2018, regarding: “Retaliation, harassment and Hostile work environment”.
    - i. Chairman Bartlett advised Mr. Gordon’s case would be put on an “on-call” status. HR Director Ambles would be in charge of calling Mr. Gordon and the witnesses.
    - ii. Chairman Bartlett released witness for Gordon’s appeal.
  
  - f. **Salim Gordon (Corrections Department/Prison)** – Grievance filed March 16, 2018 regarding “Retaliation”.
    - i. Chairman Bartlett advised Mr. Gordon’s case would be put on an “on-call” status. Director Pamela Ambles would call Mr. Gordon and the witnesses. Chairman Bartlett released all of Mr. Gordon’s witnesses.
    - ii. Chairman Bartlett advised Major Kenneth Green of the Clayton County Police Department that he wanted to get some directions for the Salim Gordon case.
  
  - g. Chairman Bartlett called for short break. Vice-Chair Lancaster made the motion, second by Ms. Phillips-Hall. No further discussion on the motion. Motion carried by unanimous vote (4-0).

- h. Chairman Bartlett called the meeting back to order.
14. **(Appeal) – Dorian Greene (Transportation and Development) – Appeal filed September 18, 2017, regarding: “Termination”.**
- a. Chairman Bartlett asked Charles Greene to come to the Appellant’s table.
- b. Chairman Bartlett advised the Board would hear the termination appeal from September 18, 2017.
- c. Attorney Everett and Charles Greene were in attendance and ready to proceed.
- d. The County and Appellant both stated their witnesses were present.
- e. Civil Service Board Attorney Joe Harris swore in all witnesses who were present.
- f. Attorney Everett presented the County’s opening statement.
- g. Charles Greene presented the Estate’s opening statement.
- h. Attorney Everett called Richard Garrett to the witness stand. He stated his name, where employed and his duties. Attorney Everett began questioning Mr. Garrett. Mr. Garrett responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned County Exhibit C-1.
- i. Mr. Greene began cross-examination of Mr. Garrett. Mr. Garrett responded in detail to all questions posed by Charles Greene.
- j. The Board questioned Mr. Garrett. He responded in detail to all questions posed by the Board.
- k. There being no further questions, the witness was released.
- l. Attorney Everett called Robert Lee to the witness stand. He stated his name, and where employed. Attorney Everett began questioning Mr. Lee. Mr. Lee responded in detail to all questions posed by Attorney Everett.
- m. Mr. Greene began cross-examination of Mr. Lee. Mr. Lee responded in detail to all questions posed by Charles Greene. Attorney Everett objected that Charles Greene was making statements about what was said and not questioning the witness. Chairman Bartlett advised Mr. Greene to ask questions and not make statements, and that he would have an opportunity to make statements during the Estate’s closing remarks.
- n. Mr. Greene continued the cross-examination of Mr. Lee. Mr. Lee responded in detail to all questions posed by Mr. Greene.
- o. The Board questioned Mr. Lee. He responded in detail to all questions posed by the Board.

- p. There being no further questions, the witness was held for rebuttal.
- q. Attorney Everett called Beth Maddox to the witness stand. She stated her name, and where employed. Attorney Everett began questioning Ms. Maddox. Ms. Maddox responded in detail to all questions posed by Attorney Everett.
- r. Mr. Greene began cross-examination of Ms. Maddox. Ms. Maddox responded in detail to all questions posed by Mr. Greene.
- s. The Board questioned Ms. Maddox. She responded in detail to all questions posed by the Board.
- t. There being no further questions, the witness was released.
- u. Attorney Everett called Director Jeff Metarko to the witness stand. He stated his name and where employed. Attorney Everett began questioning Director Metarko. Director Metarko responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned County Exhibits C-17, C-16, C-7, C-9, C-10, and C-22.
- v. Attorney Everett continued questioning Director Metarko. Director Metarko responded in detail to all questions posed by Attorney Everett.
- w. Mr. Greene began cross-examination of Director Metarko. Director Metarko responded in detail to all questions posed by Mr. Greene. Attorney Everett objected to a question posed by Mr. Greene as it sounded like he was testifying.
- x. Mr. Greene continued the cross-examination of Director Metarko. Director Metarko responded in detail to all questions posed by Mr. Greene.
- y. The Board questioned Director Metarko. He responded in detail to all questions posed by the Board.
- z. There being no further question, Director Metarko was dismissed from the witness stand.
- aa. Attorney Everett advised the County rested its case.
- bb. Chairman Bartlett called for a motion for a mini break at 11:50 a.m. Dr. Jackson made the motion, second by Ms. Phillips-Hall. No further discussion on the motion. Motion carried by unanimous vote (4-0).
- cc. Chairman Bartlett called the meeting back to order.
- dd. Mr. Greene presented the Estate's closing arguments.
- ee. Attorney Everett presented the County's closing arguments.

- ff. Chairman Bartlett called for a motion to adjourn into Executive Session to consider the termination appeal filed by Dorian Greene, Transportation & Development, on September 18, 2017. Dr. Jackson made the motion to adjourn, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
  - gg. Chairman Bartlett called the meeting back to order.
  - hh. Chairman Bartlett called for a motion regarding the termination appeal filed by Dorian Greene, Transportation & Development, on September 18, 2017. Dr. Jackson made the motion to uphold the County's decision to terminate, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
  - ii. Chairman Bartlett addressed Mr. Greene and stated there was a lot of admiration for his son and the Board was sorry for his loss.
  - jj. Chairman Bartlett asked HR Director Ambles and Major Michael O'Shields to contact Mr. Washington and advise to be ready to present his opening statement at 1:15 p.m.
  - kk. Chairman Bartlett called for a lunch break motion. Dr. Jackson made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
  - ll. Chairman Bartlett called the meeting back to order.
15. **(Appeal) – Brushawn Washington (Police Department) – Appeal filed on November 21, 2017, regarding: "Termination".**
- a. Mr. Brushawn Washington was present and advised he did not have any witnesses.
  - b. Attorney Everett advised the County was ready to proceed with its witnesses.
  - c. Attorney Everett presented the County's opening statement.
  - d. Mr. Washington presented his opening statement.
  - f. Attorney Everett called Police Chief Kevin Roberts to the witness stand. He stated his name and where employed. Attorney Everett began questioning Police Chief Roberts. Police Chief Roberts responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned County Exhibit C-9, page 12.
  - g. Attorney Everett continued questioning Police Chief Roberts. Police Chief Roberts responded in detail to all questions posed by Attorney Everett.
  - h. Mr. Washington began cross-examination of Police Chief Roberts. Police Chief Roberts responded in detail to all questions posed by Mr. Washington. Attorney

Everett objected to a question posed by Mr. Washington as it seemed Mr. Washington was testifying. Chairman Bartlett asked Mr. Washington to only ask questions.

- i. Mr. Washington continued the cross-examination of Police Chief Roberts. Police Chief Roberts responded in detail to all questions posed by Mr. Washington.
  - j. The Board questioned Police Chief Roberts. He responded in detail to all questions posed by the Board.
  - k. There being no further questions, the witness was dismissed from the witness stand (subject to rebuttal).
  - l. Mr. Washington presented his closing arguments.
  - m. Attorney Everett presented the County's closing arguments.
  - n. Chairman Bartlett released all witnesses.
  - o. Chairman Bartlett called for a motion to adjourn into Executive Session to discuss the termination appeal filed by Brushawn Washington, Police Department, on November 21, 2017. Dr. Jackson made the motion to adjourn, second by Ms. Phillips-Hall. No further discussion. Motion approved by unanimous vote (4-0).
  - p. Chairman Bartlett called the meeting back to order.
  - q. Chairman Bartlett called for a motion regarding the termination appeal filed by Brushawn Washington, Police Department, on November 21, 2017. Dr. Jackson made the motion to uphold the decision to terminate, second by Vice-Chair Lancaster. No further discussion. Motion approved by unanimous vote (4-0).
  - r. Chairman Bartlett wished Mr. Washington good luck.
16. Discussion items.
- a. Proposal to BOC- Civil Service Rule change regarding C.S.R. 11.310.
    - i. Chairman Bartlett advised that this item will be continued until August 2018.
  - b. Confirm meeting date for July 2018.
    - i. The Board confirmed its next Regular Meeting date would be 9:00 a.m., on Wednesday, July 25, 2018.
    - ii. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve Wednesday, July 25, 2018 as the next meeting date, second by Ms. Phillips-Hall. No further discussion. Motion approved by unanimous

vote (4-0).

- c. Upcoming cases for July 2018.
  - i. Vannakhan Souwan, Rodney Williams (appeal and grievance) and Brenda Thomas (two grievances).

17. Other business.

- a. Chairman Bartlett called for a motion to add 15a - Errol Clarke and 15b - Monique Smith Decision to the agenda. Dr. Jackson made the motion to add, second by Vice-Chair Lancaster. No further discussion. Motion approved by unanimous vote (4-0).
- b. Chairman Bartlett gave the Board an opportunity to review the Decisions.
- c. Attorney Harris confirmed these cases were “no shows” at last month’s Meeting.
- d. Chairman Bartlett stated for a matter of record, Mr. Clarke showed up just before lunch.
  - i. Considered for approval the Civil Service Board’s Decision regarding: **Errol Clarke (Police Department)** – Appeal filed September 28, 2017, regarding: “Termination”.
    - 1) Chairman Bartlett called for a motion to accept the Decision to uphold the termination of Errol Clarke. Dr. Jackson made the motion to accept the Decision, second by Vice-Chair Lancaster No further discussion. Motion approved by unanimous vote (4-0).
  - ii. Considered for approval the Civil Service Board’s Decision regarding: **Monique Smith (District Attorney)** – Appeal filed November 8, 2017, regarding: “Demotion to lower position”.
    - 1) Chairman Bartlett called for a motion to accept the Decision to uphold the demotion of Monique Smith. Dr. Jackson made the motion to accept the Decision, second by Vice-Chair Lancaster. No further discussion. Motion approved by unanimous vote (4-0).

*Chairman Bartlett stated that all matters have been concluded and called for a motion to adjourn this meeting. Dr. Jackson made the motion to adjourn, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.*

*Meeting adjourned.*

  
LARRY BARTLETT  
CHAIRMAN

  
PAMELA R. AMBLES  
HUMAN RESOURCES DIRECTOR