

CIVIL SERVICE BOARD MEETING

FEBRUARY 27, 2019

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, February 27, 2019, in the Commissioners' Board Room.

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

Member absent: J. Mark Trimble, Member

Also present: Human Resources Director Pamela Ambles and staff; Civil Service Board Attorney Joe Harris; County Attorneys Pamela Everett and Michelle Youngblood; Director of Senior Services Tori Strawter-Tanks; Sheriff's Office Assistant Chief Deputy Shawn Southerland; Attorney James Radford; Cassandra Pitts; Brenda Thomas; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:10 a.m.

Chairman Bartlett called for a motion to adopt the February 27th agenda. Ms. Phillips-Hall made the motion to adopt the agenda with the following changes: Move Item 3 – Civil Services Board's Meeting Minutes held on January 23, 2019, to March's agenda.

Chairman Bartlett confirmed Item 3 would be deleted and moved to the Board's March agenda. The motion was second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote.

1. Considered the Civil Service Board's Meeting Minutes held on January 23, 2019.
 - a. Chairman Bartlett confirmed Item 3 would be deleted and moved to the Board's March agenda.

2. Considered for approval the Civil Service Board's Executive Session Minutes regarding **Rodney Williams, Sheriff's Office**, Superior Court Appeal (Judge Shana Rooks presiding).
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Minutes, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.

3. Considered for matter of record, the Civil Service Board's Decision Upon Remand of **Rodney Williams, Sheriff's Office**, Superior Court Appeal (Judge Shana Rooks presiding) executed January 28, 2019.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Decision Upon Remand, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
4. Considered request from **Linda McKenzie, Senior Services**, to use sick leave reserve hours. (Civil Service Board was polled and Mr. Bartlett, Ms. Phillips-Hall, and Dr. Jackson approved on February 7, 2019.)
 - a. Chairman Bartlett advised the Board would vote on the record.
 - b. 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.
5. Considered request from **Juan Shumate, Senior Services**, to use sick leave reserve hours. (Civil Service Board was polled and Mr. Bartlett, Ms. Phillips-Hall, and Dr. Jackson approved on February 7, 2019.)
 - a. Chairman Bartlett advised the Board would vote on the record.
 - b. 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.
6. Calendar Call.
 - a. **Cassandra Pitts (Sheriff's Office)** – Demotion appeal filed March 29, 2018, regarding: “Demotion – I was demoted from Correctional Sergeant to Correctional Officer”.
 - i. County Attorney Michelle Youngblood advised the County was ready to proceed.
 - ii. Appellant Cassandra Pitts advised the Board she was ready to proceed.
 - iii. Chairman Bartlett confirmed the case would be heard first today.
 - iv. Chairman Bartlett confirmed with the County it would use the total time allotted of 60 minutes.
 - b. **Brenda Thomas (Sheriff's Office)** – Termination appeal filed August 2, 2018, regarding: “Termination of employment”.
 - i. Brenda Thomas was in attendance when called and was represented by Attorney James Radford. Both were ready to proceed.
 - ii. County Attorney Pamela Everett advised the County was ready to proceed.

- iii. Chairman Bartlett advised due to one of the board member's schedule, Brenda Thomas' appeal hearing would be moved to first on the March 27, 2019, agenda.
 - iv. Attorneys Radford and Everett did not have any objections.
 - v. Chairman Bartlett dismissed all witnesses present.
7. (Appeal) – **Cassandra Pitts (Sheriff's Office)** – Demotion appeal filed March 29, 2018, regarding: “Demotion – I was demoted from Correctional Sergeant to Correctional Officer”.
- a. Cassandra Pitts advised she was not represented by counsel.
 - b. Chairman Bartlett confirmed any resolution would be computed from the date of retirement. Ms. Pitts replied in the affirmative.
 - c. County Attorney Michelle Youngblood advised the board of a DOL Hearing at 10:15 a.m. (*not concerning Ms. Pitts*)
 - d. Chairman Bartlett advised the Board would work until 10:00 a.m., and return at 1:00 p.m.
 - e. Ms. Pitts advised she had not made childcare arrangements passed 2:30 p.m.
 - f. Chairman Bartlett explained hearing time limits afterwards and Ms. Pitts stated she would make arrangements.
 - g. ON THE RECORD: Chairman Bartlett was never the Jail Commander over Cassandra Pitts. In 2001, he was the Major over the Administrative Division, which included the Courts. he never was the Division Commander over the Jail.
 - h. County Attorney Youngblood did not have any objections with Chairman Bartlett remaining on this case.
 - i. County Attorney Youngblood advised Sheriff's Office Assistant Chief Deputy Shawn Southerland would remain in the boardroom and Sergeant Joseph Spain would be the County's first witness.
 - j. Chairman Bartlett explained the hearing guidelines in detail.
 - k. Civil Service Board Attorney Joe Harris swore in all witnesses present (Cassandra Pitts stated she would not be testifying).
 - l. Chairman Bartlett advised Appellant and County to keep a record of all witnesses sworn in and those who were not.
 - m. There were no objections with moving forward with the appeal hearing.
 - n. Chairman Bartlett released all witnesses until 1:00 p.m.

- o. Ms. Pitts waived her sequestration rights.
- p. County Attorney Youngblood presented the County's opening statement.
- q. Ms. Pitts presented the Appellant's opening statement.
- r. County Attorney Youngblood called Sergeant Joseph Spain to the witness stand. He stated his name, position, and tenure. County Attorney Youngblood began questioning Sgt. Spain. Sgt. Spain responded in detail to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned County Exhibit C-5, pages 7, 46, 24, 25, 27, 28, 29, 30, 31, 32, 33, and 34.
- s. County Attorney Youngblood continued questioning Sgt. Spain. Sgt. Spain responded in detail to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned County Exhibit C5, pages 21, 22, 23, 26, 38, 39, 40, 41, 42, 25, 43, 44, 45, and 46.
- t. There were no further questions by the County.
- u. Chairman Bartlett called for a motion to recess until 1:00 p.m. Dr. Jackson made the motion to recess, second by Vice-Chair Lancaster. No further discussion on the motion. Motion carried by unanimous vote.
- v. Chairman Bartlett called the meeting back to order at 1:03 p.m. Sgt. Spain returned to the witness stand.
- w. Ms. Pitts began cross-examination of Sgt. Spain. Ms. Pitts mentioned Exhibit C-5, page 38, (The Roster).
- x. Ms. Pitts continued the cross-examination of Sgt. Spain. Sgt. Spain responded in detail to all questions posed by Ms. Pitts. County Attorney Youngblood objected to a question posed as "to the form of the question". Chairman Bartlett stated he was confused of the multi-faceted question. Ms. Pitts withdrew the question and re-phrased. Sgt. Spain responded in detail to the questions posed by Ms. Pitts.
- y. Ms. Pitts continued the cross-examination of Sgt. Spain. Ms. Pitts mentioned Exhibit C-5, (The Roster). Sgt. Spain responded in detail to all questions posed by Ms. Pitts.
- z. The Board questioned Sgt. Spain. He responded in detail to all questions posed by the Board.
- aa. There being no further questions, Sgt. Spain was held for rebuttal.
- bb. Chairman Bartlett called for a motion for a quick recess. Vice-Chair Lancaster made the motion for a recess, second by Dr. Jackson. No further discussion on the motion. Motion carried by unanimous vote.

- cc. Chairman Bartlett called the meeting back to order at 1:43 p.m.
- dd. County Attorney Youngblood called Officer Kimberlee Koon to the witness stand. She stated her name, position, and tenure. County Attorney Youngblood began questioning Officer Koon. Officer Koon responded in detail to all questions posed by County Attorney Youngblood.
- ee. Ms. Pitts began cross-examination of Officer Koon. Officer Koon responded in detail to all questions posed by Ms. Pitts.
- ff. The Board questioned Officer Koon. Officer Koon responded in detail to all questions posed by the Board.
- gg. There being no further questions, the witness was released. Chairman Bartlett thanked Officer Koon for her service.
- hh. County Attorney Youngblood called Lieutenant John Patterson to the witness stand. He stated his name, position, and tenure. County Attorney Youngblood began questioning Lt. Patterson. Lt. Patterson responded in detail to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned Exhibit C-5, pages 26, 27 and 29.
- ii. Ms. Pitts began cross-examination of Lt. Patterson. Lt. Patterson responded in detail to all questions posed by Ms. Pitts.
- jj. The Board questioned Lt. Patterson. Lt. Patterson responded in detail to all questions posed by the Board.
- kk. There being no further questions, the witness was held for rebuttal.
- ll. County Attorney Youngblood called Major Mark Felgenhauer to the witness stand. He stated his name, position, and tenure. County Attorney Youngblood began questioning Major Felgenhauer. Major Felgenhauer responded in detail to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned Exhibit C-5, page 40.
- mm. Ms. Pitts began cross-examination of Major Felgenhauer. Major Felgenhauer responded in detail to all questions posed by Ms. Pitts. Ms. Pitts mentioned Exhibit A-2, (Elevator List). County Attorney Youngblood objected to discussion on the purpose of the list. Chairman Bartlett sustained the objection. Chairman Bartlett stated, Major Felgenhauer could acknowledge what he knows about the list.
- nn. Ms. Pitts mentioned there would be no further questions for Major Felgenhauer.
- oo. The Board questioned Major Felgenhauer. Major Felgenhauer responded in detail to all questions posed by the Board.
- pp. There being no further questions, the witness was held for rebuttal.

- qq. County Attorney Youngblood called Assistant Chief Shawn Southerland to the witness stand. He stated his name, position, and tenure. County Attorney Youngblood began questioning Assistant Chief Southerland. Assistant Chief Southerland responded in detail to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned Exhibits C-7 and C-6.
- rr. Ms. Pitts began cross-examination of Assistant Chief Southerland. Assistant Chief Southerland responded in detail to all questions posed by Ms. Pitts.
- ss. The Board questioned Assistant Chief Southerland. Assistant Chief Southerland responded in detail to all questions posed by the Board.
- tt. There being no further questions, the witness was released.
- uu. County Attorney Youngblood tendered Exhibits C-4, C-5, C-6, C-7, and C-8.
- vv. Ms. Pitts had no objections.
- ww. [Off the record:] Board advised County had used 35 minutes and Appellant had used 25 minutes.
- xx. Ms. Pitts called Roytेशia Venisee to the witness stand. She stated her name, position, tenure and job capacity. Ms. Pitts began questioning Ms. Venisee. Ms. Venisee responded in detail to all questions posed by Ms. Pitts.
- yy. County Attorney Youngblood began cross-examination of Ms. Venisee. Ms. Venisee responded in detail to all questions posed by County Attorney Youngblood.
- zz. The Board questioned Ms. Venisee. She responded in detail to all questions posed by the Board.
- aaa. There being no further questions, the witness was released.
- bbb. Ms. Pitts called Investigator Corey Williams to the witness stand. He stated his name, position, tenure and job capacity. Ms. Pitts began questioning Investigator Williams. Investigator Williams responded in detail to all questions posed by Ms. Pitts.
- ccc. County Attorney Youngblood objected to a question posed to Investigator Williams. He did not know what training Jail Supervisors received. Chairman Bartlett sustained the objection.
- ddd. Ms. Pitts continued questioning Investigator Williams. Investigator Williams responded in detail to all questions posed by Ms. Pitts.

- eee. County Attorney Youngblood began cross-examination of Investigator Williams. Investigator Williams responded in detail to all questions posed by County Attorney Youngblood.
- fff. The Board had no questions for Investigator Williams.
- ggg. There being no further questions, the witness was released.
- hhh. Ms. Pitts called Antoine Surry to the witness stand. She stated her name, position, tenure and job capacity. Ms. Pitts began questioning Ms. Surry. Ms. Surry responded in detail to all questions posed by Ms. Pitts.
- iii. The County had no questions for the witness.
- jjj. The Board had no questions for the witness.
- kkk. There being no further questions, the witness was released.
- lll. [Off the record:] Vice-Chair Lancaster advised the Appellant had used 38 minutes and the County had used 37 minutes.
- mmm. Ms. Pitts called Officer Anthony Washington to the witness stand. He stated his name, position, tenure and job capacity. Ms. Pitts began questioning Officer Washington. Officer Washington responded in detail to all questions posed by Ms. Pitts.
- nnn. County Attorney Youngblood began cross-examination of Officer Washington. Officer Washington responded in detail to all questions posed by County Attorney Youngblood.
- ooo. The Board had no questions for Officer Washington.
- ppp. There being no further questions, the witness was released.
- qqq. Ms. Pitts called Captain Paul Barnes to the witness stand. He stated his name, position, tenure and job capacity. Ms. Pitts began questioning Captain Barnes. Captain Barnes responded in detail to all questions posed by Ms. Pitts.
- rrr. County Attorney Youngblood objected Captain Barnes answering a question. Captain Barnes has not seen email from Ms. Pitts. Chairman Bartlett sustained.
- sss. Ms. Pitts continued questioning Captain Barnes. Captain Barnes responded in detail to all questions posed by Ms. Pitts.
- ttt. County Attorney Youngblood objected to questions, there was no testimony Captain Barnes saw the email. Chairman Bartlett overruled the objection and allowed the question.

- uuu. Ms. Pitts continued questioning Captain Barnes. Captain Barnes responded in detail to all questions posed by Ms. Pitts.
- vvv. County Attorney Youngblood began cross-examination of Captain Barnes. Captain Barnes responded in detail to all questions posed by County Attorney Youngblood.
- www. The Board had no questions for Captain Barnes.
- xxx. There being no further questions, the witness was released.
- yyy. Ms. Pitts called Sergeant Justin Mitchell to the witness stand. He stated his name, position, tenure and job capacity. Ms. Pitts began questioning Sgt. Mitchell. Sgt. Mitchell responded in detail to all questions posed by Ms. Pitts. County Attorney Youngblood objected to question answered. Chairman Bartlett sustained the objection.
- zzz. County Attorney Youngblood began cross-examination of Sgt. Mitchell. Sgt. Mitchell responded in detail to all questions posed by County Attorney Youngblood.
- aaaa. The Board had no questions for Sgt. Mitchell.
- bbbb. There being no further questions, the witness released.
- cccc. Ms. Pitts called Sergeant Joseph Spain to the witness stand. Ms. Pitts began questioning Sgt. Spain. Sgt. Spain responded in detail to all questions posed by Ms. Pitts.
- dddd. County had no questions for Sgt. Spain.
- eeee. The Board questioned Sgt. Spain. He responded in detail to all questions posed by the Board.
- ffff. There being no further questions, the witness was released.
- gggg. Ms. Pitts did not tender any evidence.
- hhhh. County Attorney Youngblood presented rebuttal witness, Major Mark Felgenhauer. County Attorney Youngblood began questioning Major Felgenhauer. Major Felgenhauer responded in detail to all questions posed by County Attorney Youngblood.
- iiii. Ms. Pitts had no questions for Major Felgenhauer.
- jjjj. The Board had no questions for Major Felgenhauer.
- kkkk. There being no further questions, the witness was released.

- llll. County Attorney Youngblood had no additional rebuttal witnesses.
- mmmm. Vice-Chair Lancaster advised County had used 39 minutes and the Appellant had used 51 minutes.
- nnnn. Chairman Bartlett motioned for a five-minute break, second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote.
- oooo. Chairman Bartlett called the meeting back to order.
- pppp. The Board mentioned the County reserved the right to present closing argument last.
- qqqq. Ms. Pitts presented the Appellant's closing arguments.
- rrrr. County Attorney Youngblood objected to Ms. Pitts closing arguments. Chairman Bartlett over-ruled the objection. Ms. Pitts' closing argument would not be considered during deliberations.
- ssss. County Attorney Youngblood presented the County's closing arguments.
- tttt. Chairman Bartlett called by a motion to adjourn into Executive Session to discuss *Cassandra Pitts (Sheriff's Office)* – Demotion appeal filed March 29, 2018, regarding: “Demotion – I was demoted from Correctional Sergeant to Correctional Officer”. Dr. Jackson made the motion, second by Vice-Chair Lancaster. No further discussion on the motion. Motion carried by unanimous vote.
- uuuu. Chairman Bartlett called the meeting back to order at 5:12 p.m.
- vvvv. Chairman Bartlett called for a motion regarding *Cassandra Pitts (Sheriff's Office)* – Demotion appeal filed March 29, 2018, regarding: “Demotion – I was demoted from Correctional Sergeant to Correctional Officer”, to discuss Ms. Pitts appeal. Dr. Jackson made the motion to uphold the decision by the Sheriff's Office, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
- wwww. Chairman Bartlett addressed Appellant, Cassandra Pitts.

8. Discussion items.

- a. Confirmed meeting date(s) for March 2019.
 - i. The Board confirmed its next Regular Meeting date would be Wednesday, March 27, 2019 at 9:00 a.m.

- b. Upcoming cases for March 2019.
 - i. *Brenda Thomas (Termination) and Heather Roscoe (Demotion).*
- 9. Executive Session.
 - a. There was none.
- 10. Other business.
 - a. There was none.

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