

CIVIL SERVICE BOARD MEETING

JANUARY 25, 2017

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, January 25, 2017, in the Commissioners' Board Room.

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

Also present: Human Resources Director Pamela Ambles and staff; Civil Service Board Attorney Joe Harris; Police Department Legal Advisor Kenneth Green; County Attorney Michelle Youngblood; Sheriff's Office Major Robert Pauls; Central Service Director Carol Rogers; Risk Administrator Betty Walker; Solicitor General Tasha Mosley; E-911 Director Gregory Porter; Parks & Recreation Director Troy Hodges; Tax Commissioner Office Manager Danielle Smith; Andrew White; Benjamin Oye; Thomas Sheats; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:11 a.m.

Chairman Bartlett called for a motion to adopt the January 25th agenda. Mr. Trimble made the motion to amend the agenda by adding Item 14A – a Request for Probationary Period Extension of Benjamin Oye, Central Services, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

Chairman Bartlett called for the motion to adopt the amended January 25th agenda. Mr. Trimble made the motion to approve, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

1. Considered the 2016 Civil Service Board Election results.
 - a. Human Resources Director Pamela Ambles presented Larry Bartlett and Mark Trimble as winning Post 1 and Post 2. The votes were certified by Elections Director Shauna Dozier on December 12, 2016, and the Board of Commissioners ratified the results at its January 17, 2017 meeting.
 - b. Chairman Bartlett thanked the Board and Board member, Mr. Trimble thanked the Board and the employees for their support.
 - c. Chairman Bartlett explained how each Post is voted on (i.e., two are employee elected, one is appointed by the elected officials and two are appointed by the Board of Commissioners).

- d. Board members, Dr. Cephus Jackson, Ms. Virginia Phillips-Hall and Ms. Troyce Lancaster congratulated Messrs. Bartlett and Trimble on their re-election.
2. Considered for approval the Election of a Chair and Vice-Chair for the Civil Service Board.
 - a. Dr. Jackson nominated and made the motion to elect Larry Bartlett as Chair, (all the Board members agreed), second by Ms. Lancaster. No further discussion on the motion made. Motion carried by a unanimous vote (4-0).
 - b. Ms. Lancaster pointed out that the Civil Service Log was down to 15 appeals from 88.
 - c. Chairman Bartlett stated it was the Board's intentions and goal to work on the backlog to where it will hear an appeal within 60-90 days.
 - d. Mr. Trimble nominated and made the motion to elect Troyce Lancaster as Vice-Chair (all the Board members agreed), second by Dr. Jackson. No further discussion on the motion made. Motion carried by a unanimous vote (4-0).
 - e. Chairman Bartlett advised this was his 10th year serving as Chair and during this entire time Troyce Lancaster served as Vice-Chair.
 - f. Mr. Trimble stated it was a privilege to serve along with Ms. Phillips-Hall and Dr. Jackson, as it made the Board well-rounded.
 3. Considered for approval the Executive Session Minutes regarding **Jason Foster, Sheriff's Office**, Three-Day suspension appeal heard December 7, 2016.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Minutes, second by Mr. Trimble. No further discussion on the motion made. Motion carried by a vote (4-0; 1 abstaining).
 4. Considered for approval the Executive Session Minutes regarding **Jason Foster, Sheriff's Office**, 12-Day suspension appeal heard December 7, 2016.
 - 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 a vote (4-0; 1 abstaining).
 5. Considered for approval the Civil Service Board's Decision regarding **Jason Foster, Sheriff's Office**, Three-Day and 12-Day suspension appeals heard December 7, 2016.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Decision, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (4-0; 1 abstaining).

6. Considered for approval the Civil Service Board's Decision regarding **Sharon Pauls, Solicitor General**, appeal called December 7, 2016.
 - a. Chairman Bartlett asked for additional time to review the Decision, as the Board just received its copy.
 - b. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Decision, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
7. Considered request from Director of Central Services Carol Rogers to extend the probationary period of **Phyllis F. Stewart**, for an additional six (6) months (until July 24, 2017).
 - a. Central Services Director Carol Rogers was in attendance when called.
 - b. Ms. Phyllis Stewart was not in attendance when called.
 - c. HR Director Ambles advised the Board that Ms. Stewart was notified she could be present today.
 - d. Director Rogers did not have any information to add to her request.
 - e. 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 made. Motion carried by unanimous vote.
8. Considered request from the Sheriff's Office to extend the probationary period of **Kenyatta Kelechi**, for an additional six (6) months.
 - a. Assistant Chief Deputy Shawn Southerland was not in attendance. Major Robert Pauls was in his stead.
 - b. Sheriff Deputy Kenyatta Kelechi was not in attendance when called.
 - c. HR Director Ambles advised the Board that Ms. Kelechi was notified but Human Resources had not received any feedback.
 - d. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.
9. Considered request from **Dorothy Smyre, Sheriff's Office**, for annual leave donation. (The Board was polled and approved request on December 19, 2016).
 - a. Chairman Bartlett confirmed the Board's approval on December 19, 2016, and placed the approval on the record.

10. Considered request from **Falisha Smith, Finance Department**, for annual leave donation. (The Board was polled and approved request on January 9, 2017).
 - a. Chairman Bartlett confirmed the Board's approval on January 9, 2017, and placed the approval on the record.
11. Considered request from **Tawana Thomas, Tax Commissioner**, for annual leave donation. (The Board was polled and approved request on January 9, 2017).
 - a. Chairman Bartlett confirmed the Board's approval on January 9, 2017, and placed the approval on the record.
12. Considered request from Director of Central Services Carol Rogers to extend the probationary period of **Benjamin Oye**, for an additional six (6) months (until August 15, 2017).
 - a. Chairman Bartlett asked if Benjamin Oye had any questions.
 - b. Mr. Oye approached the podium and began to explain why his probationary period should not be extended (proceeded to pass out documents to the Board).
 - c. Chairman Bartlett explained the two options the Director had: (1) request to extend his probationary period or (2) terminate his employment.
 - d. Mr. Oye requested his objection be withdrawn.
 - e. Chairman Bartlett wished Mr. Oye and Central Services the best and good luck!
 - f. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
13. Calendar Call.
 - a. **Andrew White (Sheriff's Office)** – Appeal filed January 10, 2014, regarding: "My termination due to untruthfulness and neglect of duty". The Appellant and County both have court conflicts - neither side has requested a continuance.
 - i. County Attorney Michelle Youngblood was present and ready to proceed.
 - ii. HR Director Ambles confirmed that Attorney Keith Martin was in court.
 - iii. Chairman Bartlett noted that Appellant, Andrew White, was present and asked if he heard from Attorney Martin. Mr. White replied in the affirmative.
 - iv. Chairman Bartlett placed Mr. White's appeal on hold.

- b. **Thomas J. Sheats (Police/Administration)** – Appeal filed July 17, 2014, regarding: “The termination of my employment from the Clayton County Police Department and Clayton County Government, effective July 10, 2014”. The Appellant and County both have court conflicts - neither side has requested a continuance.
 - i. Thomas Sheats was present and confirmed that he was represented by Attorney Keith Martin.
 - ii. Attorney Youngblood was present and ready to proceed.
 - iii. Chairman Bartlett placed Mr. Sheats’ appeal on hold.
 - iv. Chairman Bartlett noted that Mr. Andrew White’s case would be heard first.
 - v. Chairman Bartlett continued Mr. Sheats’ appeal; dismissed all parties; and noted that he should stay in touch with Attorney Martin for notification of a new date.

 - c. **Joshua Nicholson Sr. (Police/Administration)** – Appeal filed January 8, 2016, regarding: “Termination”. Joshua Nicholson withdrew his appeal via e-mail on December 22, 2016.
 - i. Chairman Bartlett confirmed Mr. Joshua Nicholson withdrew his appeal on January 8, 2016.
 - ii. HR Director Ambles did not have any new information to share with the Board regarding Mr. Nicholson.
 - iii. Chairman Bartlett requested the removal of Mr. Nicholson’s appeal from the log and calendar.

 - d. **Latangela James (Probate Court)** – Appeal filed January 20, 2016, regarding: “Termination”. The County submitted a request for continuance on January 4, 2017. The request was granted on January 9, 2017.
 - i. Chairman Bartlett confirmed the appeal was continued due to Judge Ferguson’s unavailability and stated the case would be continued until a future hearing date.
14. ***(Appeal)* – Andrew White (Sheriff’s Office)** – Appeal filed January 10, 2014, regarding: “My termination due to untruthfulness and neglect of duty”.
- a. Chairman Bartlett noted all witnesses were present but Assistant Chief Deputy Shawn Southerland was not in attendance.
 - b. Attorney Youngblood stated Asst. Chief Deputy Southerland would be available (Captain Robert Pauls was in attendance in his stead).
 - c. Chairman Bartlett stated the Board would not sit here until 2:00 p.m., waiting all day for Attorney Keith Martin.

- d. Chairman Bartlett called for a break until 9:55 a.m.
 - e. The Board agreed to continue the meeting and hear “Discussion items”.
15. Discussion items.
- a. Additional meeting date for February 2017.
 - i. The Board did not make a motion to meet for a second date in February.
 - ii. The Board confirmed the next Regular Meeting date would be 9:00 a.m., on Wednesday, February 22, 2017.
 - b. Upcoming Cases.
 - i. Chairman Bartlett asked for the following cases to be placed on the agenda: *Thomas Sheats (Police)*, *Latangela James (Probate Court)* and *James Reeves (Information Technology)*.
 - ii. HR Director Ambles explained the strategy used in placing cases on the Board’s agenda.
 - iii. Board member, Mr. Trimble, assured Mr. Andrew White that his case would be “first up”, as he had been extremely patient.
 - (1) Chairman Bartlett confirmed the appeal should be set for the January 25, 2017, agenda.
16. Other business.
- a. Civil Service Rules & Regulations – Revision to Rule 7.301.
 - i. Chairman Bartlett asked Civil Service Board Attorney Joe Harris, if the memorandum and change was submitted to the Board of Commissioners.
 - ii. Attorney Harris stated it had not been submitted.
 - iii. Chairman Bartlett, after confirming which changes were made, told Attorney Harris to send the request to the Board of Commissioners.
 - iv. Kenneth Green, Legal Advisor for the Police Department advised the drop dead date was today (in which to have the request submitted).
 - v. HR Director Ambles advised the Board that Chief Operating Officer Detrick Stanford would work with her on an override if needed.

- vi. Chairman Bartlett called for a break until 10:30 a.m. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
- vii. Chairman Bartlett called the meeting back to order.
- viii. Chairman Bartlett went on the record and stated he received notice from Captain Keith McLaughlin that Attorney Martin's hearing just started and read the last three lines of his conflict letter.
- ix. Chairman Bartlett asked, do we end today and come back on February 22, 2017 (Regular Meeting date to handle business and set a Special Called Meeting date to hear Andrew White's appeal).
- x. Chairman Bartlett polled the Board for available dates. Mr. White stated he was available whenever.
- xi. The consensus of the Board was to hear the appeal in one day.
- xii. All in attendance: Five Board members, Attorney Harris, Andrew White, and County Attorney Youngblood were all available on February 15, 2017, for a Special Called Meeting.
- xiii. Chairman Bartlett advised that if Attorney Martin was available on February 15, 2017, the Board would hear Andrew White's appeal on this date; if not, Andrew White's appeal would be heard on February 22, 2017.
- xiv. Chairman Bartlett confirmed the following cases for February 22, 2017: *Latangela James (Probate Court)* – County Attorney Youngblood confirmed Attorney Stephen Mixon did not represent her; *James Reeves (Information Technology)*; *Laterral Francis (Elections & Registration)*; and *Thomas Sheats (Police Department)*.
- xv. Chairman Bartlett called for a motion to continue Andrew White's appeal hearing. Mr. Trimble made the motion to continue Andrew White's hearing, second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote.
- xvi. Chairman Bartlett confirmed if there was a conflict on February 22nd, there would be Special Called Meeting set.
- xvii. Chairman Bartlett explained that there is no need to place Thomas Sheats appeal on the February 22, 2017, agenda, if Andrew White's appeal would be heard on this date (since they are both represented by Attorney Keith Martin).

- xviii. Attorney Youngblood confirmed she would be representing the County in both cases.
- xix. HR Director Ambles advised the Board Thomas Sheats' appeal would be placed on the February 22, 2017, agenda, just in case the Appellant, *Andrew White*, has a conflict.

Chairman Bartlett stated that all matters have been concluded and called for a motion to adjourn this meeting. Mr. Trimble 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