

# *CIVIL SERVICE BOARD MEETING*

*MARCH 22, 2017*

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, March 22, 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; Tax Commissioner Terry Baskin; Attorney Keith Martin; Elections Director Shauna Dozier; Chief Financial Officer Ramona Bivins; County Attorney Michelle Youngblood; Tax Commissioner Office Manager Danielle Smith; Director of Juvenile Court Operations John Johnson III; Information Technology Director Jason Brookins; Attorney James Radford; Sheriff's Office Assistant Chief Deputy Shawn Southerland; Finance Accounts Payable Manager Joe Roberts; Brenda French; Cora Butler; Laterral Francis; Andrew White; Thomas Sheats; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:14 a.m.

Chairman Bartlett called for a motion to adopt the March 22<sup>nd</sup> agenda. Mr. Trimble made the motion to adopt the agenda, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

1.     Considered the Civil Service Board's Meeting Minutes held on February 22, 2017.
  - a.     Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
  
2.     Considered the Civil Service Board's Decision regarding **Latangela James, Probate Court**, termination appeal called at the February 22, 2017 meeting.
  - a.     Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Decision, second by Dr. Jackson. No further discussion on the motion made. Motion carried by a unanimous vote.

3. Considered request from Chief Financial Officer Ramona Bivins to extend the probationary period of **Cora Butler**, for an additional six (6) months.
  - a. Human Resources Director Pamela Ambles advised the Board CFO Ramona Bivins and Cora Butler were in attendance.
  - b. CFO Bivins approached and outlined the reasons for the request in detail.
  - c. Ms. Butler was in attendance and replied she had nothing to say.
  - d. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by a unanimous vote.
  
4. Considered request from Chief Financial Officer Ramona Bivins to extend the probationary period of **Angel Nguyen**, for an additional six (6) months.
  - a. CFO Bivins outlined the reasons for the request in detail.
  - b. Ms. Nguyen was not in attendance when called.
  - c. HR Director Ambles stated Ms. Nguyen was notified but declined to appear.
  - d. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by a unanimous vote.
  
5. Considered request from **Requeral Stoutamire, Juvenile Court**, to receive annual leave donation was approved. (The Board was polled and approved on March 8, 2017.)
  - a. Chairman Bartlett confirmed the Board was polled on March 8, 2017, and that members, Bartlett, Lancaster and Phillips-Hall approved the request.
  - b. There were no objections from the other members, namely, Dr. Jackson and Mr. Trimble.
  - c. Chairman Bartlett approved the request for the record.
  
6. Considered request from **Jessica Mejia, Tax Commissioner**, to receive annual leave donation was approved. (The Board was polled and approved on March 8, 2017.)
  - a. Chairman Bartlett confirmed the Board was polled on March 8, 2017, and that members, Bartlett, Lancaster and Phillips-Hall approved the request.
  - b. There were no objections from the other members, namely, Dr. Jackson and Mr. Trimble.
  - c. Chairman Bartlett approved the request for the record.
  
7. 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 Attorney Keith Martin had court conflicts but did not request a continuance.
    - i. County Attorney Michelle Youngblood represented the County and stated the County was ready to proceed.

- ii. Attorney Keith Martin represented the Appellant and stated the Appellant was ready to proceed.
  - iii. Chairman Bartlett stated for the record the hearing would last the majority of the day.
- b. **James Reeves (Information Technology)** – Appeal filed April 22, 2016, regarding: “Suspension on April 12, 2016”.
- i. Attorney Youngblood represented the County and stated the County was ready to proceed.
  - ii. Chairman Bartlett called for Mr. Reeves.
  - iii. HR Director Ambles stated Mr. Reeves was not in attendance and that his notification was sent via e-mail, regular U.S. Mail and Certified Mail. The Certified Mail was tracked via USPS.com and showed the mail was more than likely forwarded to an address in Florida.
  - iv. HR Director Ambles confirmed Mr. Reeves had resigned from the County and was no longer employed.
  - v. Attorney Youngblood motioned for the suspension appeal to be dismissed.
  - vi. Chairman Bartlett called for a motion regarding the Motion for Dismissal. Mr. Trimble made the motion to dismiss the appeal, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by a unanimous vote.
- c. **Brenda French (Tax Commissioner)** – Appeal filed April 25, 2016, regarding: “Termination”.
- i. Ms. Brenda French was in attendance along with her attorney, James Radford. Both were ready to proceed.
  - ii. Attorney Youngblood represented the County and stated the County was ready to proceed.
  - iii. Chairman Bartlett noted for the record that Tax Commissioner Terry Baskin was in attendance.
  - iv. Chairman Bartlett stated this appeal hearing would fall next in line but that the previous hearing would last the majority of the day, and stated Ms. French’s appeal would be placed on the April calendar.
  - v. Chairman Bartlett excused all parties and confirmed the case was continued to next month’s agenda.
- d. **Laterral Francis (Elections & Registration)** – Appeal filed May 27, 2016, regarding: Two-day suspension.
- i. Ms. Laterral Francis was present and confirmed she was not represented by counsel.
  - ii. Attorney Youngblood represented the County and stated the County was ready to proceed but asked the Board to release Elections Director Shauna Dozier to attend to her Mother’s medical issues.
  - iii. The Board released Elections Director Dozier.

- iv. HR Director Ambles advised the Board HR met with Ms. Francis on Monday to explain the hearing process (did not discuss specifics of her case or how she should proceed).
- v. HR Director Ambles advised the Board Ms. Francis sent her a text message on stating she no longer had an attorney, and wanted the Board to consider extending her exhibit submission deadline.
- vi. Attorney Youngblood objected to this request and explained in detail and further stated Ms. Francis had submitted a witness list by the deadline.
- vii. Ms. Francis advised the Board she contacted HR Director Ambles because she was not familiar with the process.
- viii. Chairman Bartlett explained how the Board members were voted and stated that it was this one member's suggestion to allow the extension for the exhibits. Dr. Jackson concurred. Mr. Trimble agreed with Dr. Jackson and stated the Board would not get to Ms. Francis' hearing today anyway.
- ix. Chairman Bartlett called for a motion to allow an extension.
- x. The Board wanted to discuss a deadline for the exhibits.
- xi. Vice-Chair Lancaster asked Ms. Francis if her exhibits were ready. Ms. Francis replied in the affirmative.
- xii. Chairman Bartlett offered March 31, 2017, as a deadline.
- xiii. Attorney Youngblood objected as Ms. Francis has had the County exhibits.
- xiv. The Board agreed to set another deadline for the County to submit additional exhibits in response to Ms. Francis'.
- xv. Chairman Bartlett called for a motion to approve the deadline for submission of exhibits by Ms. Francis to 1 p.m., on March 31, 2017 and allow the County to submit additional exhibits by 1 p.m., on April 7, 2017. Dr. Jackson made the motion, second by Mr. Trimble. No further discussion on the motion made. Motion carried by a unanimous vote.
- xvi. Chairman Bartlett confirmed that eleven (11) copies are due. Attorney Youngblood stated it was twelve (12). Ms. Jeffers with Human Resources advised the Board the number would be updated to eleven (11).
- xvii. Chairman Bartlett stated the matter would go back on the April calendar and that Ms. Francis should make sure her supervisor knows where she is going.
- xviii. Chairman Bartlett released all other parties except those needed for the *Andrew White* hearing.
- xix. Chairman Bartlett called for a 10-15 minute break. Dr. Jackson made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by a unanimous vote.
- xx. Chairman Bartlett called the meeting back to order.
- xxi. **On the record:** Chairman Bartlett congratulated the Board and Human Resources along with the help of Civil Service Board Attorney Joe Harris on having worked the Civil Service Log down to one page. Vice-Chair Lancaster stated it started out with 88 cases. Chairman Bartlett reiterated his goal was to convene a hearing within 60-90 days.

8. (Appeal) - *Andrew White (Sheriff's Office)* – Appeal filed January 10, 2014, regarding: “My termination due to untruthfulness and neglect of duty”.
- a. Chairman Bartlett revisited the issue of possibly recusing himself from the hearing. He clearly stated to the parties his Sheriff's Office interaction in detail.
  - b. Attorney Keith Martin discussed the issue with Mr. Andrew White and stated he would not make a motion for recusal.
  - c. Attorney Youngblood did not ask for a recusal on behalf of the County.
  - d. Attorney Youngblood stated the County was ready to proceed and that all witnesses were present.
  - e. Attorney Martin stated the Appellant was ready to proceed and that all witnesses were present.
  - f. Attorney Harris swore in all witnesses: three (3) for the County and one (1) for the Appellant.
  - g. Attorney Martin asked for an order of sequestration.
  - h. Chairman Bartlett briefly went over the hearing guidelines for all parties.
  - i. Attorney Youngblood presented the County's opening statement. Attorney Martin presented the Appellant's opening statement.
  - j. Attorney Youngblood called Captain Robert Pauls to the witness stand. He stated his name, who he works for, title, responsibilities and position in September 2013. Attorney Youngblood began questioning Capt. Pauls. Capt. Pauls responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit C-6 pgs. 62-64, 66-102, 85-86, 87-97, 98-88 and 100.
  - k. Attorney Youngblood continued questioning Capt. Pauls. Capt. Pauls responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned and had Capt. Pauls to play Officer Peck's body cam DVD and BlackCreek DVD (starting where everyone enters into Housing Unit 2).
  - l. Attorney Youngblood continued questioning Capt. Pauls. Capt. Pauls responded in detail to all questions posed by Attorney Youngblood.
  - m. Attorney Youngblood asked the Board for a brief recess to get the DVD to play.
  - n. Attorney Martin did not have any objections.

- o. Chairman Bartlett called for a short break (no more than 5 minutes). Dr. Jackson made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by a unanimous vote.
- p. Chairman Bartlett called the meeting back to order.
- q. Capt. Pauls played the BlackCreek DVD (starting where everyone enters into Housing Unit 2) per the request of Attorney Youngblood.
- r. Attorney Youngblood continued questioning Capt. Pauls. Capt. Pauls responded in detail to all questions posed by Attorney Youngblood.
- s. Attorney Martin began the cross-examination of Capt. Pauls. Capt. Pauls responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned County Exhibit C-6 pgs. 85-86 and 96-97.
- t. Attorney Martin continued the cross-examination of Capt. Pauls. Capt. Pauls responded in detail to all questions posed by Attorney Martin.
- u. The Board questioned Capt. Pauls. He responded in detail to all questions posed by the Board.
- v. There was a discussion among the Board, Assistant Chief Deputy Shawn Southerland and Attorney Martin regarding the locations of the incidents Capt. Pauls was testifying to.
- w. There being no further questions, the witness was held for rebuttal (returned to sequestration).
- x. Attorney Youngblood called Captain Keith McLaughlin to the witness stand. HR Director Ambles went to search for Capt. McLaughlin.
- y. Attorney Youngblood asked if there were any objections to letting Capt. Pauls report back to duty and return him back when needed.
- z. Attorney Martin did not have any objections.
- aa. Chairman Bartlett released him with the warning not to discuss the hearing and/or testimony.
- bb. Capt. McLaughlin stated his name, where employed, current position and previous positions. Attorney Youngblood began questioning Capt. McLaughlin. Capt. McLaughlin responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit C-6 pages 85, 86 and 121.
- cc. Attorney Youngblood continued questioning Capt. McLaughlin. Capt. McLaughlin responded in detail to all questions posed by Attorney Youngblood.

- dd. Attorney Youngblood asked for a quick recess. Appellant Attorney Martin did not have any objections.
- ee. Chairman Bartlett called for a five-minute break. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by a unanimous vote.
- ff. Chairman Bartlett called the meeting back to order.
- gg. Attorney Youngblood asked Capt. McLaughlin to play the stationary camera video for the Board along with the body camera and its audio.
- hh. Attorney Youngblood continued questioning Capt. McLaughlin. Capt. McLaughlin responded in detail to all questions posed by Attorney Youngblood.
- ii. Attorney Martin began the cross-examination of Capt. McLaughlin. Capt. McLaughlin responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned County Exhibit C-6 pgs. 129, bottom of 124, 125 and 1 and 2, and had the video played. Attorney Youngblood objected to the line of questioning as he asked to define the details then he asked for the index, what is he asking for. Capt. McLaughlin responded page 44 (top right).
- jj. Attorney Martin continued the cross-examination of Capt. McLaughlin. Capt. McLaughlin responded in detail to all questions posed by Attorney Martin.
- kk. The Board questioned Capt. McLaughlin. He responded in detail to all questions posed by the Board.
- ll. There being no further questions, the witness was held for rebuttal (returned to sequestration).
- mm. Chairman Bartlett called for a lunch break until 1:45 p.m. Mr. Trimble made the motion, second by Vice-Chair Lancaster.
- nn. Off the record: Time check – County used 1:03:00 and Appellant used 0:28:00.
- oo. No further discussion on the motion made. Motion carried by a unanimous vote.
- pp. Chairman Bartlett called the meeting back to order.
- qq. Attorney Youngblood called Assistant Chief Deputy Shawn Southerland. He stated his name and position. Attorney Youngblood began questioning Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibits C-10, C-11, C-13, C-12, C-14, C-15, C-16, C-17 and C-18.

- rr. Attorney Youngblood continued questioning Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibits C-7 (page 3) and C-9.
- ss. Attorney Youngblood continued questioning Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood.
- tt. Attorney Martin did not have any questions for Asst. Chief Deputy Southerland.
- uu. The Board questioned Asst. Chief Deputy Southerland. He responded in detail to all questions posed by the Board.
- vv. There being no further questions, the witness stepped down.
- ww. Attorney Youngblood advised there were no more witnesses to call at this time but asked to tender the following exhibits: County Exhibits C-5, C-6, C-7, and C-9 – C-18.
- xx. Attorney Martin's response: C-5 no objection; C-6 object, as it was not predicated on Pauls', McLaughlin's or any person who's not subject to examination; C-7 no objection; and C-9 – C-18 no objection.
- yy. Attorney Martin noted each page objection as follows, in County Exhibit C-6: pgs. 1-49; 54-55; 56, 57, 59, 60, 61-64; 65-66; 67-68; 69-70; 71-72; 75-76; 77-78; 79; 80-81; 82-83; 94 (withdrew objection); 98-106;; 107-108; 110-111; 112-114; 115-119; 124-125; and 126-127 (all were objected to on the same grounds of conclusory statements with no chance to cross-examine).
- zz. Attorney Youngblood's response was that County Exhibit C-6 was the entire IA file and a record of the Sheriff's Office.
- aaa. Attorney Martin renewed his objection regarding the fundamental right to cross-examine and explained in detail.
- bbb. A discussion among the Board occurred regarding the objections.
- ccc. Chairman Bartlett over-ruled the objection and made the motion over-ruling the objection, second by Mr. Trimble. No further discussion on the motion made. Motion carried by a unanimous vote.
- ddd. Time check: 0:28:00 used by the Appellant.
- eee. Attorney Martin called Andrew White to the witness stand. He stated his name, where employed and employment specifics. Attorney Martin began questioning Mr. White. Mr. White responded in detail to all questions posed by Attorney

Martin. Mr. Martin asked for permission to allow Mr. White to show where he would have been in the video. Attorney Youngblood did not have any objections. Mr. White was allowed to demonstrate for the Board.

- fff. Attorney Martin continued questioning Mr. White. Mr. White responded in detail to all questions posed by Attorney Martin.
- ggg. Attorney Youngblood began the cross-examination of Mr. White. Mr. White responded in detail to all questions posed by Attorney Youngblood.
- hhh. The Board questioned Mr. White. He responded in detail to all questions posed by the Board.
- iii. There being no further questions, the witness stepped down.
- jjj. Attorney Martin stated the Appellant rested.
- kkk. The Board members wanted to see both videos again.
- lll. Attorney Harris was asked if the videos should be viewed before or after any rebuttal witnesses, as the majority of the Board wanted to review.
- mmm. Attorney Harris advised the Board to deal with the rebuttal witnesses first.
- nnn. Chairman Bartlett called for a quick break before the rebuttal. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by a unanimous vote.
- ooo. Chairman Bartlett called the meeting back to order.
- ppp. Attorney Youngblood called Captain Robert Pauls as the County's first rebuttal witness. Attorney Youngblood asked additional questions of Capt. Pauls. Capt. Pauls responded in detail to all questions posed by Attorney Youngblood.
- qqq. Attorney Martin asked additional questions of Capt. Pauls. Capt. Pauls responded in detail to all questions posed by Attorney Martin.
- rrr. The Board asked additional questions of Capt. Pauls. He responded in detail to all questions posed by the Board.
- sss. The Board asked Capt. Pauls to remain in order to operate the video equipment.
- ttt. Attorney Youngblood called Asst. Chief Deputy Southerland as the County's second rebuttal witness. Attorney Youngblood asked additional questions of Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Martin objected to a

question posed by Attorney Youngblood as “asked and answered”. Chairman Bartlett sustained the objection.

- uuu. Attorney Martin did not have any questions for Asst. Chief Deputy Southerland.
- vvv. The Board asked additional questions of Asst. Chief Deputy Southerland. He responded in detail to all questions posed by the Board. The video was played and area and dimensions came into play. Attorney Martin objected to “dimension” and stated if the Board allowed this, he should be giving surrebuttal as the Board was getting non-responsive narrative – the witness should just answer the Board’s question.
- www. There being no further questions, the witness stepped down.
- xxx. Attorney Youngblood called Captain Keith McLaughlin as the County’s third rebuttal witness.
- yyy. Time check: 0:49:00 used by Appellant and 1:15:00 used by County.
- zzz. Attorney Youngblood asked additional questions of Capt. McLaughlin. Capt. McLaughlin responded in detail to all questions posed by Attorney Youngblood.
- aaaa. Attorney Martin asked additional questions of Capt. McLaughlin. Capt. McLaughlin responded in detail to all questions posed by Attorney Martin.
- bbbb. The Board asked additional questions of Capt. McLaughlin. He responded in detail to all questions posed by the Board. Attorney Martin objected as the witness was “giving a narration”. Chairman Bartlett sustained the objection and advised the witness to just respond to questions.
- cccc. There being no further questions, the witness was dismissed.
- dddd. Chairman Bartlett wanted to release Capt. McLaughlin but not Capt. Pauls, in order to run the videos. Attorney Youngblood advised both would remain.
- eeee. Attorney Martin did not call any rebuttal witnesses.
- ffff. Chairman Bartlett was inclined to have the Board make a site visit to the Jail before closing and deliberation to help with any questions the Board members may have in their minds. Dr. Jackson responded he did not need a site visit.
- gggg. Chairman Bartlett called for a short break (10 minutes). Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by a unanimous vote.
- hhhh. Chairman Bartlett called the meeting back to order.

- iiii. Time check: 0:30:00 was left for the Appellant.
  - jjjj. Attorney Youngblood reserved the County's right to close last.
  - kkkk. Attorney Martin presented Appellant's closing arguments. Attorney Youngblood presented County's closing arguments.
  - llll. Chairman Bartlett called for a motion to adjourn into Executive Session to discuss the Andrew White, Sheriff's Office, appeal filed January 10, 2014, regarding: "My termination due to untruthfulness and neglect of duty". Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by a unanimous vote.
  - mmmm. Chairman Bartlett called the meeting back to order.
  - nnnn. Chairman Bartlett called for a motion regarding the Andrew White, Sheriff's Office, appeal filed January 10, 2014, regarding: "My termination due to untruthfulness and neglect of duty". Mr. Trimble made the motion to uphold the department's decision to terminate, second by Dr. Jackson. No further discussion on the motion made. Motion carried by a unanimous vote.
9. Discussion items.
- a. Special Called Meeting – March 30, 2017.
    - i. Chairman Bartlett called for a motion to cancel the March 30, 2017, meeting. Dr. Jackson made the motion, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by a unanimous vote.
  - b. Additional meeting date for April 2017.
    - i. The Board confirmed its next Regular Meeting date would be 9:00 a.m., on Wednesday, April 26, 2017.
    - ii. The Board did not consider a motion for an additional meeting date in April 2017.
  - c. Upcoming Cases.
    - i. Chairman Bartlett asked HR Director Ambles to place enough cases on the agenda to be heard on its April agenda.

10. Other business.

a. None.

*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.*

  
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LARRY BARTLETT  
CHAIRMAN

  
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PAMELA R. AMBLES  
HUMAN RESOURCES DIRECTOR