

CIVIL SERVICE BOARD MEETING

DECEMBER 7, 2016

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, December 7, 2016, 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 Assistant Chief Deputy Shawn Southerland; Solicitor General Tasha Mosley; Attorney Keith Martin; Jason Foster; Andrew White; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:08 a.m.

Chairman Bartlett called for a motion to adopt the December 7th agenda. Mr. Trimble made the motion to adopt the agenda, second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote.

1. Considered for approval the Civil Service Board Meeting minutes that was held on November 9, 2016.
 - 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 a unanimous vote.
2. Considered request from Chief of Police Michael Register to convert 23 days of annual leave to 23 days of sick leave for **Timothy Cook**. (The Board was polled on November 29, 2016, and approved the request).
 - a. As a matter of record, Chairman Bartlett confirmed the Board was polled and approved the request on November 29, 2016.

3. Considered requests from Chief of Police Michael Register to extend the probationary period for an additional six (6) months of the following employees: (1) **Donnie Brantley (until July 10, 2017)**, (2) **Kyra King (until June 14, 2017)** and (3) **Shawnterrica Sandlin (until July 10, 2017)**.

a. **Donnie Brantley (Probation Extension until July 10, 2017)**

- i. Police Legal Advisor Kenneth Green presented the request in detail.
- ii. The Board did not have any questions for Mr. Green.
- iii. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Dr. Jackson. No further discussion on the motion made. Motion carried by a unanimous vote.

b. **Kyra King (Probation Extension until June 14, 2017)**

- i. Mr. Green presented the request in detail.
- ii. Chairman Bartlett confirmed that this was the second request for Officer King.
- iii. Mr. Green replied in the affirmative and explained.
- iv. The Board did not have any questions for Mr. Green.
- v. 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 a unanimous vote.

c. **Shawnterrica Sandlin (Probation Extension until July 10, 2017)**

- i. Mr. Green presented the request in detail.
- ii. The Board did not have any questions for Mr. Green.
- iii. 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 a unanimous vote.

4. Chairman Bartlett recognized December 7, 2016, as a day in history honoring Veterans and asked for the audience to keep their families in prayer and best wishes.

5. Calendar Call.

a. **Andrew White (Sheriff's Office)** – Appeal filed January 10, 2014, regarding: “My termination due to untruthfulness and neglect of duty”. The County submitted a request for continuance on November 28, 2016. The request was granted on December 5, 2016.

- i. The Board confirmed the County’s motion for continuance was granted on December 5, 2016; however, there were some back and forth issues that the Board allowed the attorneys to present.

- ii. County Attorney Michelle Youngblood presented the County's stance and confirmed that Attorney Keith Martin agreed to the stipulations and asked for the Board to stick with the County's continuance request today.
- iii. Attorney Martin presented the Appellant, Andrew White's issue with the County's continuance request in detail and advised they have been ready and were ready to proceed today.
- iv. Chairman Bartlett allowed Attorney Youngblood to give compelling reasons why the request was necessary.
- v. Attorney Youngblood stated one of the County's witness was out of state and this was the reason for the continuance.
- vi. Chairman Bartlett stated the videos and Lt. Robert Pauls' report were stipulated to by counsel. **Bartlett asked if the county had a prior request for continuance due to two witnesses being out of the country. Attorney Youngblood replied in the affirmative.
- vii. Attorney Martin interjected and confirmed that the report and videos were stipulated and they could come in; however, the e-mail he received on December 6, 2016 at 2:04 p.m., did not mention stipulating to "the weight" of anything.
- viii. Attorney Youngblood had two issues: (1) the absence of Lt. Robert Pauls and (2) the Civil Service Board on occasions have stated that documented evidence needed testimony.
- ix. Chairman Bartlett asked if Lt. Pauls was the custodian of record; generated the record or if he was a witness to the events.
- x. Attorney Youngblood stated Lt. Pauls was the custodian of the video and watch commander to the underlying incident.
- xi. Board member, Mr. Trimble, asked if the witness lived out of state. Attorney Youngblood replied the witness was out of state on County business.
- xii. Attorney Martin mentioned back on June 8, 2016, the County generated an extended video and it was stipulated to at that time.
- xiii. Chairman Bartlett called for a motion regarding the County's continuance request. Mr. Trimble made the motion to grant the continuance, second by Dr. Jackson. Discussion on the motion made: Mr. Trimble stated he was nervous moving forward without the witness and the hearing being fair. Dr. Jackson stated he had mixed emotions, as this case had been going on since 2014; there should be forward-planning "this is where you are to be". The County needs to "get off the stick" and order people to be here. Vice-Chair Lancaster concurred and stated a message should be sent to the County; Ms. Phillips-Hall also had mixed emotions and asked if all parties could get here tomorrow. Assistant Chief Deputy Shawn Southerland spoke "on the record" and stated he would make sure witnesses were here for any continued hearing. Chairman Bartlett confirmed the Appellant and his attorney have been waiting since May 2016.
- xiv. No further discussion on the motion made. Motion carried by a unanimous vote. Chairman Bartlett confirmed "case continued".
- xv. Chairman Bartlett stated the County would not be granted anymore continuances based on witnesses not being available.

- xvi. Chairman Bartlett dismissed all witnesses.
 - xvii. Chairman Bartlett briefly mentioned modifying the Board's calendar to meeting at the end of the month.
- b. **Jason Foster (Sheriff's Office)** – Appeal filed November 2, 2015, regarding: “Suspension without pay, working without being compensated” and an Appeal filed January 15, 2016, regarding: “3 day suspension without pay, working without being compensated”.
- Jason Foster (Sheriff's Office)** – Appeal filed January 15, 2016, regarding: “12 day suspension for missing training”.
- i. Attorney Youngblood was present and ready to proceed.
 - ii. Appellant, Jason Foster, was present, ready to proceed and confirmed he represented himself.
 - iii. Chairman Bartlett stated Jason Foster's appeals would be first on today's agenda.
 - iv. Chairman Bartlett advised the County the Board would be very lenient concerning Officer Foster's abilities and rights as set forth.
 - v. Deputy Sheriff Foster did not want to hear the cases separately.
 - vi. A discussion among the Board, Deputy Sheriff Foster and Attorney Youngblood occurred regarding the hearing time limit.
 - vii. Chairman Bartlett agreed on a 45-minute time limit and advised if additional time was needed either side would need to request at some point in the hearing.
- 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”.
- i. Attorney Martin advised he represented Mr. Sheats and that Mr. Sheats was at work today and requested a continuance. Attorney Martin was under the impression Andrew White (Sheriff's Office) Termination Appeal would be heard today.
 - ii. Attorney Youngblood had no objections.
 - iii. Chairman Bartlett called for a motion regarding Attorney Martin's continuance request. 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.
- c. **Sharon Pauls (Solicitor General)** – Appeal filed November 13, 2015, regarding: “Demotion”.
- i. Ms. Sharon Pauls was not in attendance when called.
 - ii. Human Resources Director Pamela Ambles advised the Board there was no communication with Ms. Pauls and she believed she worked for the public school system.
 - iii. Chairman Bartlett asked if she was notified of the hearing.

- iv. HR Director Ambles advised it was sent Regular and Certified Mail. The green card was not returned signed or undeliverable.
 - v. Solicitor General Tasha Mosley asked to approach the Board and advised Ms. Pauls was aware of the hearing and that she had spoken with Pamela Everett (County Attorney).
 - vi. Solicitor Mosley asked for a Dismissal as there was no loss of money and Ms. Pauls resigned.
 - vii. Attorney Youngblood added that Ms. Pauls was not present to prosecute the appeal.
 - viii. Dr. Jackson made the motion for the approval of the County's Motion to Dismiss Appeal, second by Mr. Trimble. No further discussion on the motion made. Motion carried by a unanimous vote.
 - ix. Chairman Bartlett called for a short break. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by a unanimous vote.
 - x. Off the record: Attorney Martin wished all a Merry Christmas and Happy Holiday!
 - xi. Chairman Bartlett called the meeting back to order.
6. *(Appeal) - Jason Foster (Sheriff's Office)* – Appeal filed November 2, 2015, regarding: “Suspension without pay, working without being compensated”.
- (Appeal) – Jason Foster (Sheriff's Office)* – Appeal filed January 15, 2016, regarding: “12 day suspension for missing training”.
- a. Chairman Bartlett asked Attorney Youngblood if the County planned to hear both appeals together.
 - b. Attorney Youngblood had no objections hearing together and thought a 60-minute time limit would work, but wanted to reserve the right to ask for additional time.
 - c. Deputy Sheriff Jason Foster stated he understood.
 - d. Chairman Bartlett explained the Board would start with a 60-minute timeframe and the County may ask for additional time.
 - e. Chairman Bartlett confirmed Mr. Trimble was the timekeeper and that the Board would start with a 60-minute time limit.
 - f. Chairman Bartlett expressed he would like to free some of the witnesses, as he was not too keen having employees wait in the lobby.
 - g. Chairman Bartlett asked if there was a request for sequestration.
 - h. Deputy Sheriff Foster stated he did not need an order of sequestration.
 - i. Chairman Bartlett explained to Deputy Sheriff Foster that all witnesses would hear other witnesses' testimony

- j. Attorney Youngblood asked for a short break to line up her witnesses.
- k. Chairman Bartlett replied he would first do a roll call.
- l. Deputy Sheriff Foster stated Jonathan Bennett was not present but was on his way. Attorney Youngblood stated half of the witnesses present were not on the County's list.
- m. Chairman Bartlett advised Deputy Sheriff Foster it was his responsibility to make sure his witnesses were present and asked if any witnesses were not present.
- n. Deputy Sheriff Foster responded that one witness was on his way, Jonathan Bennett and that the non-county witnesses he listed could not attend.
- o. Chairman Bartlett explained to Deputy Sheriff Foster what the time limit entailed.
- p. Attorney Youngblood advised the Board there was an evidentiary issue (shooting at Probate Court) and that Captain Roland Boehrer was called away to deal with that situation and that she may need to pause the hearing until Capt. Boehrer (an essential witness) was available.
- q. Chairman Bartlett had all witnesses to stand and asked Civil Service Board Attorney Joe Harris to administer the oath.
- r. Chairman Bartlett listed the County's witnesses who were present as follows: Southerland, Winters, Edwards, Dillard, Sykes, Handsford, McGhee, Kessler, Hensley and Baker.
- s. Attorney Youngblood advised Investigator Joseph Spain was sick; Shelly Frederick was at Probate Court; and she was checking on Coleman. She did not expect Samuel Smith to show, but she had Captain Boehrer "on call".
- t. Chairman Bartlett confirmed Jonathan Bennett was on his way.
- u. Vice-Chair Lancaster asked if Terry Evans was present.
- v. Deputy Sheriff Foster informed the Board Crews, Rawls, Black and Wheeler (medical leave) were not present.
- w. Attorney Youngblood gave the County's opening statement.
- x. Deputy Sheriff Foster gave his opening statement.
- y. Attorney Youngblood called Lt. Troy Baker to the witness stand. He stated his name, department and tenure. Attorney Youngblood began questioning Lt. Baker. Lt. Baker responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit C-5 pages 17 and 28 in the (12-Day Suspension binder), County Exhibit C-5 p. 5 in the (3-Day Suspension binder) and Appellant Exhibit 4.

- z. Attorney Youngblood continued questioning Lt. Baker. Lt. Baker responded in detail to all questions posed by Attorney Youngblood.
- aa. Deputy Sheriff Foster cross-examined Lt. Baker. Lt. Baker responded in detail to all questions posed by Deputy Sheriff Foster.
- bb. The Board questioned Lt. Baker. He responded in detail to all questions posed by the Board.
- cc. There being no further questions, the witness was released back to work but held as a rebuttal witness.
- dd. Attorney Youngblood called Sgt. Andra Sykes to the witness stand. He stated his name, where employed and tenure. Attorney Youngblood mentioned County Exhibit C-5 pages 20 and 22 in the (12-Day Suspension binder). Attorney Youngblood began questioning Sgt. Sykes. Sgt. Sykes responded in detail to all questions posed by Attorney Youngblood.
- ee. Deputy Sheriff Foster cross-examined Sgt. Sykes. Sgt. Sykes responded in detail to all questions posed by Deputy Sheriff Foster.
- ff. The Board questioned Sgt. Sykes. He responded in detail to all questions posed by the Board.
- gg. There being no further questions, the witness was released back to work, but held as a rebuttal witness.
- hh. Attorney Youngblood called Sgt. Vincent Handsford to the witness stand. He stated his name, where employed and tenure. Attorney Youngblood began questioning Sgt. Handsford. Sgt. Handsford responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit C-5 p. 19 in the (12-Day Suspension binder).
- ii. Attorney Youngblood continued questioning Sgt. Handsford. Sgt. Handsford responded in detail to all questions posed by Attorney Youngblood.
- jj. Deputy Sheriff Foster cross-examined Sgt. Handsford. Sgt. Handsford responded in detail to all questions posed by Deputy Sheriff Foster.
- kk. The Board questioned Sgt. Handsford. He responded in detail to all questions posed by the Board.
- ll. Attorney Youngblood requested to ask additional questions.
- mm. Chairman Bartlett agreed and advised Deputy Sheriff Foster he would be allowed to do the same.
- nn. Attorney Youngblood asked additional questions to Sgt. Handsford. He responded in detail to all questions posed by Attorney Youngblood.

- oo. Deputy Sheriff Foster asked additional questions to Sgt. Handsford. He responded in detail to all questions posed by Deputy Sheriff Foster.
- pp. There being no further questions, the witness was retained (placed "On Call") and held as a rebuttal witness.
- qq. Attorney Youngblood called Captain Anthony Kessler to the witness stand. He stated his name and position. Attorney Youngblood began questioning Capt. Kessler. Capt. Kessler responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit C-5 pages 31 and 22 in the (12-Day Suspension binder).
- rr. Attorney Youngblood continued questioning Capt. Kessler. Capt. Kessler responded in detail to all questions posed by Attorney Youngblood.
- ss. Deputy Sheriff Foster cross-examined Capt. Kessler. Capt. Kessler responded in detail to all questions posed by Deputy Sheriff Foster.
- tt. The Board questioned Capt. Kessler. He responded in detail to all questions posed by the Board.
- uu. There being no further questions, the witness was released back to work, but held as a rebuttal witness.
- vv. Attorney Youngblood advised the Board Capt. Boehrer may be available now and that she was checking on his status.
- ww. Chairman Bartlett offered to take an early lunch and come back.
- xx. Attorney Youngblood stated Lt. Coleman was on his way and should arrive within 15 minutes.
- yy. Chairman Bartlett again suggested an early lunch and reconvene at 12:45 p.m.
- zz. Attorney Youngblood advised Lt. Coleman was on duty tonight and that Assistant Chief Deputy Shawn Southerland would be the County's last witness.
- aaa. Chairman Bartlett made a motion for a short break, second by Dr. Jackson. No further discussion on the motion made. Motion carried by a unanimous vote.
- bbb. Chairman Bartlett called the meeting back to order.
- ccc. Attorney Harris swore-in Lt. Desmond Coleman, Captain Roland Boehrer and Jonathan Bennett.
- ddd. Attorney Youngblood called Lt. Desmond Coleman to the witness stand. He stated his name, where employed, position and tenure as a Lieutenant. Attorney Youngblood began questioning Lt. Coleman. Lt. Coleman responded in detail to all questions posed by Attorney Youngblood.

- eee. Deputy Sheriff Foster cross-examined Lt. Coleman. Lt. Coleman responded in detail to all questions posed by Deputy Sheriff Foster.
- fff. The Board questioned Lt. Coleman. He responded in detail to all questions posed by the Board.
- ggg. There being no further questions, the witness was released. Deputy Sheriff Foster did not object.
- hhh. Chairman Bartlett stated the Board would hear testimony from Capt. Boehrer before lunch just in case he is called back for the incident.
- iii. Attorney Youngblood called Sgt. Eddie McGhee. He stated his name, where employed and position in 2015. Attorney Youngblood began questioning Sgt. McGhee. Sgt. McGhee responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit C-5 p. 18 in the (12-Day Suspension binder).
- jjj. Attorney Youngblood continued questioning Sgt. McGhee. Sgt. McGhee responded in detail to all questions posed by Attorney Youngblood.
- kkk. Deputy Sheriff Foster cross-examined Sgt. McGhee. Sgt. McGhee responded in detail to all questions posed by Deputy Sheriff Foster.
- lll. The Board questioned Sgt. McGhee. He responded in detail to all questions posed by Deputy Sheriff Foster.
- mmm. There being no further questions, the witness was released. Deputy Sheriff Foster did not object.
- nnn. Attorney Youngblood called Captain Roland Boehrer to the witness stand. He stated his name, tenure and position. Attorney Youngblood began questioning Capt. Boehrer. Capt. Boehrer responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibits C-5 page 12, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26-28, 29, 30 and 31 in the (12-Day Suspension binder along with C-5 pages 3, 4, 5, 6, 7, 8 and the last page in the (3-Day Suspension binder).
- ooo. Attorney Youngblood continued questioning Capt. Boehrer. Capt. Boehrer responded in detail to all questions posed by Attorney Youngblood.
- ppp. Deputy Sheriff Foster cross-examined Capt. Boehrer. Capt. Boehrer responded in detail to all questions posed by Deputy Sheriff Foster.
- qqq. The Board questioned Capt. Boehrer. He responded in detail to all questions posed by the Board.

- rrr. There being no further questions, the witness was released, but subject to recall if needed.
- sss. Chairman Bartlett made the motion for a lunch break and to reconvene at 1:45 p.m., second by Mr. Trimble. No further discussion on the motion made. Motion carried by a unanimous vote.
- ttt. Time Check: County used 49 minutes and Appellant used 19 minutes.
- uuu. Chairman Bartlett called the meeting back to order.
- vvv. On the Record: Chairman Bartlett advised everyone in attendance that Board member, Mark Trimble excused himself and would not be a part of the decision making process regarding this hearing.
- www. Attorney Youngblood called Assistant Chief Deputy Shawn Southerland to the witness stand. He stated his name, tenure 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-5 pages 3-8 in the (3-Day Suspension binder), C-7, C-6, C-9, C-10, C-11, C-12, C-5 p. 9 in the (3-Day Suspension binder), C-5 pages 8 and 12-31; and C-7 in the (12-Day Suspension binder).
- xxx. Attorney Youngblood continued questioning Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood.
- yyy. Deputy Sheriff Foster cross-examined Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Deputy Sheriff Foster.
- zzz. The Board questioned Asst. Chief Deputy Southerland. He responded in detail to all questions posed by the Board.
- aaaa. There being no further questions, the witness stepped down from the witness stand.
- bbbb. Time Check: County used 1:03:00 and the Appellant used 22 minutes.
- cccc. Chairman Bartlett advised the Board would allow the 90 minute maximum and asked Attorney Youngblood to tender her exhibits for 3-Day Suspension and 12-Day Suspension separately.
- dddd. Attorney Youngblood tendered the following County Exhibits for the 3-Day Suspension: C-5, C-6, C-7, C-9, C-10, C-11 and C-12.

- eeee. Chairman Bartlett asked Attorney Youngblood if there were any exhibits in the 12-Day Suspension to use in the 3-Day Suspension. She did not think so. Deputy Sheriff Foster did not have any objections.
- ffff. Attorney Youngblood tendered the following County Exhibits for the 12-Day Suspension: C-5, C-6, C-7, C-8, C-10, C-11, C-12, C-13 and C-14. Deputy Sheriff Foster did not have any objections.
- gggg. Attorney Youngblood rested the County's case subject to rebuttal witnesses.
- hhhh. Deputy Sheriff Foster called Deputy Sheriff Reginald Dillard to the witness stand. Deputy Sheriff Foster began questioning Deputy Sheriff Dillard. Deputy Sheriff Dillard responded in detail to all questions posed by Deputy Sheriff Foster.
- iiii. Attorney Youngblood cross-examined Deputy Sheriff Dillard to the witness stand. Attorney Youngblood began questioning Deputy Sheriff Dillard. Deputy Sheriff Dillard responded in detail to all questions posed by Attorney Youngblood.
- jjjj. The Board questioned Deputy Sheriff Dillard. He responded in detail to all questions posed by the Board.
- kkkk. There being no further questions, the witness was released. Attorney Youngblood did not object.
- llll. Deputy Sheriff Foster called Deputy Sheriff Edwards to the witness stand. Deputy Sheriff Foster began questioning Deputy Sheriff Edwards. Deputy Sheriff Edwards responded in detail to all questions posed by Deputy Sheriff Foster. Deputy Sheriff Foster mentioned Appellant Exhibit A-1.
- mmmm. Deputy Sheriff Foster continued questioning Deputy Sheriff Edwards. Deputy Sheriff Edwards responded in detail to all questions posed by Deputy Sheriff Foster.
- nnnn. Attorney Youngblood cross-examined Deputy Sheriff Edwards. Deputy Sheriff Edwards responded in detail to all questions posed by Attorney Youngblood.
- oooo. Deputy Sheriff Foster called Captain Michael Hensley to the witness stand. Deputy Sheriff Foster began questioning Capt. Hensley. Capt. Hensley responded in detail to all questions posed by Deputy Sheriff Foster.
- pppp. Attorney Youngblood did not have any questions for Capt. Hensley.
- qqqq. The Board questioned Capt. Hensley. He responded in detail to all questions posed by the Board.
- rrrr. There being no further questions, the witness was released. Attorney Youngblood did not object.

- ssss. Deputy Sheriff Foster called Deputy Sheriff Nikitisa Winters to the witness stand. He stated his name and where employed. Deputy Sheriff Foster began questioning Deputy Sheriff Winters. Deputy Sheriff Winters responded in detail to all questions posed by Deputy Sheriff Foster. Attorney Youngblood objected to a question posed by Deputy Sheriff Foster for a lack of foundation. Chairman Bartlett sustained the objection and explained.
- tttt. Deputy Sheriff Foster continued questioning Deputy Sheriff Winters. Deputy Sheriff Winters responded in detail to all questions posed by Deputy Sheriff Foster.
- uuuu. Attorney Youngblood did not have any questions for D Deputy Sheriff Winters.
- vvvv. The Board questioned Deputy Sheriff Winters. He responded in detail to all questions posed by the Board.
- wwww. There being no further questions, the witness was released.
- xxxx. Chairman Bartlett made the motion for a short break, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
- yyyy. Chairman Bartlett called the meeting back to order.
- zzzz. Deputy Sheriff Foster called Deputy Sheriff Jonathan Bennett to the witness stand. He stated his name and where employed. Deputy Sheriff Foster began questioning Deputy Sheriff Bennett. Deputy Sheriff Bennett responded in detail to all questions posed by Deputy Sheriff Foster.
- aaaaa. Attorney Youngblood cross-examined Deputy Sheriff Bennett. Deputy Sheriff Bennett responded in detail to all questions posed by Attorney Youngblood.
- bbbbb. The Board questioned Deputy Sheriff Bennett. He responded in detail to all questions posed by the Board.
- ccccc. There being no further questions, the witness was released.
- ddddd. Deputy Sheriff Foster advised he did not have any more witnesses.
- eeeee. Chairman Bartlett asked if Deputy Sheriff Foster would testify and explained if he did, he would be subject to cross-examination by the County or he could stay with the witnesses he had.
- fffff. Deputy Sheriff Foster stated he would stay with his witnesses.
- ggggg. Chairman Bartlett asked Deputy Sheriff Foster if he wished to tender any exhibits.
- hhhhh. Deputy Sheriff Foster tendered Appellant Exhibits A-1 – A-12. Attorney Youngblood did not object.

- iiii. Attorney Youngblood stated she would not call any rebuttal witnesses.
- jjjj. Chairman Bartlett called for a 7-minute break to allow Deputy Sheriff Foster to prepare for his closing. Dr. Jackson made the motion, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
- kkkk. Chairman Bartlett called the meeting back to order.
- llll. Attorney Youngblood stated she wished to close last.
- mmmm. Time Check: County used 41 minutes and the Appellant used 1:06:00 hours.
- nnnn. Deputy Sheriff Foster presented his closing arguments. Attorney Youngblood objected to statements being made by Deputy Sheriff Foster. Deputy Sheriff Foster responded the County tendered and was mentioned within the exhibits. Chairman Bartlett stated the Board would not restrict Deputy Sheriff Foster in his closing but did advise Deputy Sheriff Foster if it was not sworn testimony, it would not be considered. Chairman Bartlett over-ruled the objection.
- oooo. Deputy Sheriff Foster continued presenting his closing arguments.
- pppp. Attorney Youngblood presented the County's closing arguments.
- qqqq. Chairman Bartlett called for a motion regarding Jason Foster, Sheriff's Office 3-Day filed November 2, 2015 and a 12-Day Suspension appeal filed January 15, 2016. Dr. Jackson made the motion to approve, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
- rrrr. Chairman Bartlett called the meeting back to order.
- ssss. Chairman Bartlett called for a motion regarding Jason Foster, Sheriff's Office 3-Day Suspension appeal. Dr. Jackson made the motion to uphold the decision of the Sheriff's Department, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
- tttt. Chairman Bartlett called for a motion regarding Jason Foster, Sheriff's Office 12-Day Suspension appeal. Dr. Jackson made the motion to uphold the decision of the Sheriff's Department, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
- uuuu. Chairman Bartlett addressed Deputy Foster and advised what the proper format was in bringing an issue like this to the attention of the department and the Civil Service Board. There is a lot of activity going on behind the scenes in which the Civil Service Board is involved, in making sure the employees are being treated fairly. Chairman Bartlett stated that there was overwhelming evidence that Asst. Chief Deputy Southerland had worked in retaining/saving you as an employee. Chairman

Bartlett appreciated Deputy Foster's service and dedication and wished him a long and prosperous career.

7. Discussion items.

- a. Additional meeting date for January 2017.
 - i. The Board did not make a motion to meet for a second date in January.
 - ii. The Board confirmed the next Regular Meeting date would be 9:00 a.m., on Wednesday, January 25, 2017.
- b. Upcoming Cases.
 - i. **Andrew White (Sheriff's Office)** – Termination Appeal filed January 10, 2014.
 - (1) Chairman Bartlett confirmed the appeal should be set for the January 25, 2017 agenda.
 - (2) Asst. Chief Deputy Southerland confirmed witnesses for this appeal would be in attendance with "bells on".
- c. Civil Service Board – Regular Meeting Date Change
 - i. Attorney Harris advised the Board he researched the issue of the Board changing its Regular Meeting date from the first Wednesday of the month and stated the Chair could make this change by way of a motion.
 - ii. Chairman Bartlett made the motion to make the Board's Regular Meeting Date the Fourth (4th) Wednesday of every month, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
 - iii. Chairman Bartlett advised during the months of November and December the Board may need to modify the date due to the County recognized holidays and meet the week before.
 - iv. Chairman Bartlett asked HR Director Ambles to send notification to all attorneys, Board of Commissioners, and Department Directors regarding the change.

- 8. Other business.
 - a. None.

Chairman Bartlett stated that all matters have been concluded and called for a motion to adjourn this meeting. Dr. Jackson made a motion to adjourn, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (4-0).

Meeting adjourned.



LARRY BARTLETT
CHAIRMAN



PAMELA R. AMBLES
HUMAN RESOURCES DIRECTOR