

CIVIL SERVICE BOARD MEETING

MAY 26, 2021

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, May 26, 2021, in-person and virtually via Zoom Video Communications.

Members present: Larry Bartlett, Chairman
Troyce Lancaster, Vice-Chair
K. Terrance Smith, Member
Virginia Phillips-Hall, Member (via Zoom)
Dr. Cephus Jackson, Member (via Zoom)

Members absent: None

Also present: Human Resources Director Pamela Ambles, Human Resources Trainer/Researcher Ryan Shaw and staff; County Attorney Michelle Youngblood, Scott Parham; Civil Service Board Attorney Joe Harris; Staff Attorney Alero Afejuku; Police Department Legal Advisor Kenneth Green; Fire Chief Landry Merkison; Library System Director Rosalind Lett; Colin Dube; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:15 a.m.

Chairman Bartlett called for a motion to adopt the May 26, 2021, agenda. Vice-Chair Lancaster made the motion to add Item 7d (Executive Session) to the agenda, second by Mr. Smith. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

Chairman Bartlett called for a motion to adopt the amended agenda for May 26, 2021. Vice-Chair Lancaster made the motion to approve the amended agenda, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

1. Considered for approval the Civil Service Board's Meeting Minutes for April 28, 2021.
 - a. Chairman Bartlett called for a motion. Vice-Chair Lancaster made the motion to approve the Minutes, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
2. Considered for approval the Civil Service Board's Executive Session Minutes regarding Budget Debriefing held on May 19, 2021.
 - a. Chairman Bartlett called for a motion. Mr. Smith made the motion to approve the Minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

3. Considered request from Police Chief Kevin Roberts, to extend the probationary period of **Police Officer Alexis Jones, Police Department**, for six (6) months until December 6, 2021.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Bartlett asked if Officer Alexis Jones present. She was not in attendance.
 - c. Chairman Bartlett asked the Board if there were any questions for Mr. Green. There were none.
 - d. 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 (5-0).

4. **Matter of Record: Marquitra Key (Juvenile Court)** – Termination appeal filed June 28, 2019, regarding: “Separated notice dated 6/28/19, disciplinary action form dated 6/28/19, and memorandum dated 6/27/19”. The Final Decision was duly executed on May 21, 2021. The vote was unanimous (5-0) to overturn the termination.
 - a. Chairman Bartlett confirmed the Final Decision of Marquitra Key’s hearing was duly executed on May 21, 2021. The vote was unanimous (5-0) to overturn the termination.

5. Discussion items.
 - a. Confirmed meeting date(s) for June 2021.
 - i. The Board confirmed its next Special Called Meeting dates would be 9:00 a.m. on Wednesday, June 16, 2021, Thursday, June 17, 2021, and Thursday, June 24, 2021.
 - ii. The Board confirmed its next Regular Called Meeting date would be 9:00 a.m. on Wednesday, June 23, 2021.
 - iii. Chairman Bartlett called for a motion. Mr. Smith made the motion to approve the Special Called Meeting dates and Regular Called Meeting date, second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

 - b. Upcoming cases for June 2021.
 - i. Donnail Demens (Police Department)
 - ii. Tameeka Ulysse – There is a conflict of interest and will be pulled from upcoming cases.
 - iii. Jokeria Jones – There is a conflict of interest and will be pulled from upcoming cases.
 - iv. Sean Cummings (Transportation & Development)
 - v. Cassandra Dorismond (Internal Audit)
 - vi. Chairman Bartlett asked HR Director Pamela Ambles to give an update on the Hearing Officer.

- vii. HR Director Ambles advised the Board Human Resources was working with Chief Staff Attorney Charles Reed and Staff Attorney Alero Afejuku in finalizing the Hearing Officer job description. And the next step would be the recruiting process by advertisement through the County's system and other associations.
 - viii. The Board continued to question HR Director Ambles. HR Director Ambles responded to all questions in detail.
- c. Considered Revision of Appendix B – Fire Department Promotional Procedures.
- i. Fire Chief Landry Merkison presented the request to the Board in detail.
 - ii. The Board questioned Fire Chief Merkison. Fire Chief Merkison responded to all questions in detail.
 - iii. Fire Chief Merkison asked the Board to consider the approval of the changes that had been presented to the Board so he could take it to the Board of Commissioners to have them ratify it by the implementation date of July 1, 2021.
 - iv. The Board continued to question Fire Chief Merkison. Fire Chief Merkison responded to all questions in detail.
 - v. HR Director Ambles confirmed to the Board she reviewed the documents and Fire Chief Merkison was correct with the Fire Department's new testing process regarding promotional procedures.
 - vi. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the revisions to Appendix B – Fire Department Promotional Procedures, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
6. Executive Session.
- a. Chairman Bartlett called for a motion to adjourn into Executive Session. Vice-Chair Lancaster made the motion to adjourn into Executive Session, second by Mr. Smith. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
NOTE: Ms. Phillips-Hall and Dr. Jackson connected via conference call-in.
 - b. Chairman Bartlett called the meeting back in session at 10:57 a.m.
7. Calendar Call.
- a. **Robin Stinnett (Superior Court)** – Termination appeal filed October 21, 2019, regarding: "Please see attached – Termination of Employment". Attorney Keith Martin requested a continuance via email on May 4, 2021. The continuance request was granted on May 5, 2021.
 - i. Chairman Bartlett confirmed HR Director Pamela Ambles granted Robin Stinnett's continuance request on May 5, 2021.

- b. **Antonio Merkerson (Fire and Emergency Services)** – Suspension appeal filed August 22, 2019, regarding: “I was issued a letter on August 20, 2019 stating that I was being suspended for 8 hours without pay. The date of suspension is August 28, 2019”. Antonio Merkerson requested to withdraw his appeal via email on May 3, 2021. The withdrawal request was granted on May 4, 2021.
 - i. Chairman Bartlett confirmed HR Director Pamela Ambles granted Antonio Merkerson’s withdrawal request on May 4, 2021.
 - c. **Colin Dube (Library System)** – Termination appeal filed May 28, 2019, regarding: “Harassment, bullying, hostile work environment, termination”.
 - i. Chairman Bartlett questioned if the County was ready to proceed. County Attorney Michelle Youngblood replied in the affirmative.
 - ii. County Attorney Youngblood advised the Board all of the County witness would appear in-person.
 - iii. Chairman Bartlett questioned Appellant Colin Dube if he was ready to proceed. Mr. Dube replied in the affirmative.
 - iv. Mr. Dube advised the Board witness Robyn Saint-Paen, would not participate in the hearing.
 - v. Chairman Bartlett stated the witnesses appearing via Zoom would be sworn in individually.
 - vi. Civil Service Board Attorney Joe Harris swore in all witnesses present.
8. (Appeal) **Colin Dube (Library System)** – Termination appeal filed May 28, 2019, regarding: “Harassment, bullying, hostile work environment, termination”.
- a. Chairman Bartlett questioned if the County was ready to proceed. County Attorney Youngblood replied in the affirmative.
 - b. Chairman Bartlett questioned Appellant Colin Dube if he was ready to proceed. Mr. Dube replied in the affirmative.
 - c. Chairman Bartlett asked County if there was an order of sequestration. County Attorney Youngblood had none. Appellant Colin Dube had no objections.
 - d. For the Record: HR Director Pamela Ambles advised the Board HR Training Coordinator/Researcher Ryan Shaw would be sitting in for her during the hearing.
 - e. Chairman Bartlett stated Mr. Smith would be the timekeeper and proceeded to explain the time limits to Mr. Dube.
 - f. County Attorney Youngblood presented the County’s opening statement to the Board.
 - g. Colin Dube presented the Appellant’s opening statement to the Board.

- h. County Attorney Youngblood called witness Deputy Director Scott Parham to the stand. He stated his name, position, and tenure. Attorney Youngblood began questioning Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned County Exhibits C-1, C-14, C-20, C-21, C-25, C-29, C-30, C-32, and C-34. Mr. Dube objected to County Exhibit C-34 leading the witness. Chairman Bartlett sustained the objection.
- i. Mr. Dube began cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube asking multiple questions without letting the witness respond. Chairman Bartlett sustained the objection.
- j. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube making a statement and not asking a question. Chairman Bartlett sustained the objection.
- k. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube asking multiple questions. Chairman Bartlett overruled the objection.
- l. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube response to Deputy Director Parham answer. Chairman Bartlett sustained the objection.
- m. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube as he was testifying. Chairman Bartlett sustained the objection.
- n. Mr. Dube requested the Board allow him to submit a document to have the witness review it to refresh his memory. County Attorney Youngblood observed the document with no objection to the document being used solely as to refresh the witness memory and did object to any further use. Chairman Bartlett overruled the objection in part.
- o. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube questioning Deputy Director Parham about the document. Chairman Bartlett sustained the objection and allowed the witness to review the document.

- p. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube's question about the document. Chairman Bartlett sustained the objection.
- q. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Deputy Director Parham reading his response from Mr. Dube's document. Chairman Bartlett sustained the objection.
- r. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube stating facts not in evidence. Chairman Bartlett overruled the objection.
- s. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube's questions. Chairman Bartlett asked Mr. Dube to state the grounds for asking the question. Mr. Dube responded to the Board in detail. Chairman Bartlett allowed Mr. Dube to ask about a specific action that Mr. Parham took.
- t. Mr. Dube continued the cross-examination of Deputy Director Parham. Deputy Director Parham responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube stating facts not in evidence. Chairman Bartlett sustained the objection.
- u. The Board began questioning Deputy Director Parham. He responded in detail to all questions posed by the Board. Chairman Bartlett asked the Board if there were any other questions for Deputy Director Parham. There were none.
- v. County Attorney Youngblood stated she would like to reserve Deputy Director Parham for rebuttal. Mr. Dube had no objections for rebuttal. Chairman Bartlett dismissed Deputy Director Parham from the witness stand.
- w. [TIME CHECK] The Board advised the County had used 45 minutes and 47 seconds Appellant had used 32 minutes and 44 seconds.
- x. Chairman Bartlett called for a motion for lunch. Mr. Smith made the motion to break for lunch, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
- y. Chairman Bartlett called the meeting back in session at 2:42 p.m.
- z. County Attorney Youngblood called witness Human Resources Director Pamela Ambles to the stand. She stated her name, position, and tenure. County Attorney

Youngblood began questioning HR Director Ambles. HR Director Ambles responded in detail to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned County Exhibit C-27.

- aa. Mr. Dube began cross-examination of HR Director Ambles. HR Director Ambles responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube's question; he was testifying. Chairman Bartlett sustained the objection.
- bb. The Board began questioning HR Director Ambles. She responded in detail to all questions posed by the Board.
- cc. **For the Record:** HR Director Ambles stated Library Services Director Rosalind Lett was not suspended; she was on administration leave.
- dd. The Board continued questioning HR Director Ambles. She responded to all questions posed by the Board in detail. Chairman Bartlett asked the Board if there were any other questions for HR Director Ambles. There were none.
- ee. County Attorney Youngblood stated she would like to reserve HR Director Ambles for rebuttal. Mr. Dube had no objections for rebuttal. Chairman Bartlett dismissed HR Director Ambles from the stand.
- ff. County Attorney Youngblood tendered County Exhibits C-1, C-14, C-20, C-21, C-25, C-27, C-29, C-30, C-31, C-32, and C-34.
- gg. County Attorney Youngblood rested the County's case, subject to rebuttal.
- hh. Colin Dube called witness David Thrash to the stand via Zoom Video Communications.
- ii. Civil Service Board Attorney Joe Harris administered the oath to Mr. Thrash via Zoom Video Communications. Mr. Thrash confirmed to the Board he was in the holding room and could not hear any other testimonies.
- jj. Mr. Dube began questioning Mr. Thrash. Mr. Thrash responded in detail to all questions posed by Mr. Dube. Mr. Dube mentioned Appellant Exhibit A-1. County Attorney Youngblood objected to the exhibit because Mr. Thrash had not seen the entire document. Chairman Bartlett sustained the objection.
- kk. Mr. Dube continued questioning Mr. Thrash. Mr. Thrash responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Thrash's answers not pertaining to the case. Chairman Bartlett sustained the objection.

- ll. Mr. Dube continued questioning Mr. Thrash. Mr. Thrash responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Thrash's response as hearsay. Chairman Bartlett sustained the objection.
- mm. Mr. Dube continued questioning Mr. Thrash. Mr. Thrash responded in detail to all questions posed by Mr. Dube. County Attorney Youngblood objected to giving opinion of Mr. Dube's supervision. Chairman Bartlett partially sustained and overruled the objection.
- nn. County Attorney Youngblood began cross-examination of David Thrash. Mr. Thrash responded in detail to all questions posed by County Attorney Youngblood. Mr. Dube objected to County Attorney Youngblood's questions as being out of line. Chairman Bartlett sustained the objection.
- oo. **For the Record:** County Attorney Youngblood's question was differently than previously stated.
- pp. The Board began questioning Mr. Thrash. He responded in detail to all questions posed by the Board. Chairman Bartlett asked the Board if there were any other questions for Mr. Thrash. There were none.
- qq. Chairman Bartlett excused Mr. Thrash from the stand via Zoom Video Communications.
- rr. Colin Dube called witness Carla Morrison to the stand via Zoom Video Communications.
- ss. Civil Service Board Attorney Joe Harris administered the oath to Ms. Morrison via Zoom Video Communications. Ms. Morrison confirmed to the Board she did not exit the holding room and did not hear any testimonies.
- tt. Mr. Dube began questioning Ms. Morrison. Ms. Morrison responded in detail to all questions posed by Mr. Dube.
- uu. County Attorney Youngblood began cross-examination of Ms. Morrison. Ms. Morrison responded in detail to all questions posed by County Attorney Youngblood.
- vv. The Board began questioning Ms. Morrison. She responded in detail to all questions posed by the Board. Chairman Bartlett asked the Board if there were any other questions for Ms. Morrison. There were none.
- ww. Chairman Bartlett dismissed Ms. Morrison from the stand via Zoom Video Communications.

- xx. Colin Dube called Amedai Fiocci to the stand via Zoom Video Communications.
- yy. Civil Service Board Attorney Joe Harris administered the oath to Ms. Fiocci via Zoom Video Communications. Ms. Fiocci confirmed to the Board she did not leave the holding room and did not hear any testimonies.
- zz. Mr. Dube began questioning Ms. Fiocci. Ms. Fiocci responded in detail to all questions posed by Mr. Dube.
- aaa. County Attorney Youngblood had no questions for Ms. Fiocci.
- bbb. The Board began questioning Ms. Fiocci. She responded in detail to all questions posed by the Board. Chairman Bartlett asked the Board if there were any other questions for Ms. Fiocci. There were none.
- ccc. Chairman Bartlett excused Ms. Fiocci from the stand via Zoom Video Communications.
- ddd. Mr. Dube called Library Services Director Rosalind Lett to the stand.
- eee. **For the Record:** Chairman Bartlett stated Civil Service Board Attorney Joe Harris swore in Director Lett at the beginning of this hearing.
- fff. Mr. Dube began questioning Director Rosalind Lett. Director Lett responded to all questions posed by Mr. Dube in detail. County Attorney Youngblood objected to Mr. Dube asking irrelevant questions. Chairman Bartlett overruled the objection.
- ggg. Mr. Dube continued questioning Director Lett. Director Lett responded to all questions posed by Mr. Dube in detail. County Attorney Youngblood objected to Mr. Dube stating facts not in evidence. Chairman Bartlett overruled the objection. Chairman Bartlett polled the Board with a majority vote (3-2) to overrule the objection. (Bartlett (Yea), Lancaster (Yea), Smith (Yea), Jackson (No), and Phillips-Hall (No)).
- hhh. Mr. Dube continued questioning Director Lett. Director Lett responded to all questions posed by Mr. Dube in detail. County Attorney Youngblood objected to Mr. Dube testifying. Chairman Bartlett sustained the objection.
- iii. Mr. Dube continued questioning Director Lett. Director Lett responded to all questions posed by Mr. Dube in detail. County Attorney Youngblood objected to Mr. Dube asking a question on hearsay.
- jjj. County Attorney Youngblood objected to the Board taking a break for Mr. Dube being able to tell the Board what his grievance was pertaining to regarding its dismissal Decision from the Board.

- kkk. Civil Service Board Harris advised the Board he agreed with County Attorney Youngblood's objection.
- lll. Chairman Bartlett polled the Board to allow the witness to answer Mr. Dube's question on hearsay. Motion carried by majority vote (4-1). Chairman Bartlett sustained the objection. (Bartlett (Yea), Smith (No), Jackson (No), Phillips-Hall (No), and Lancaster (No)).
- mmm. Mr. Dube continued questioning Director Lett. Director Lett responded to all questions posed by Mr. Dube in detail. County Attorney Youngblood objected to questions posed as "asked and answered". Chairman Bartlett sustained the objection.
- nnn. Mr. Dube continued questioning Director Lett. Director Lett responded to all questions posed by Mr. Dube in detail. County Attorney Youngblood objected to questions posed as "asked and answered". Chairman Bartlett sustained the objection.
- ooo. Mr. Dube continued questioning Director Lett. Director Lett responded to all questions posed by Mr. Dube in detail. County Attorney Youngblood objected to the questioning as argumentative. Chairman Bartlett sustained the objection.
- ppp. Mr. Dube continued questioning Director Lett. Director Lett responded to all questions posed by Mr. Dube in detail. County Attorney Youngblood objected to Mr. Dube not asking a question. Chairman Bartlett advised the Board Mr. Dube asked and answered himself.
- qqq. Mr. Dube continued questioning Director Lett. Director Lett responded to all questions posed by Mr. Dube in detail. County Attorney Youngblood objected to questions posed as "asked and answered". Chairman Bartlett overruled the objection.
- rrr. Mr. Smith advised Mr. Dube he had used 1 hour 15 minutes and 30 seconds per Mr. Dube's request.
- sss. Chairman Bartlett called for a motion to break. Vice-Chair Lancaster made the motion to approve a break, second by Mr. Smith. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
- ttt. Chairman Bartlett called the meeting back in session at 5:40 p.m.
- uuu. County Attorney Youngblood began cross-examination of Director Lett. Director Lett responded to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned County Exhibit C-15.

- vvy. County Attorney Youngblood continued the cross-examination of Director Lett. Director Lett responded to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned County Exhibit C-16. Mr. Dube objected to County Exhibit C-16 as it did not take into account his phone call with his supervisor prior to sending the email. Chairman Bartlett overruled the objection. Chairman Bartlett advised Mr. Dube he would have the option to call Director Lett as a rebuttal witness.
- www. **For the Record:** County Attorney Youngblood objected the Board allowing Mr. Dube to be able to recall Director Lett. Chairman Bartlett overruled the objections. Chairman Bartlett advised the County will have the opportunity to respond.
- xxx. Chairman Bartlett allowed Mr. Dube to ask additional questions of Director Lett.
- yyy. Mr. Dube began questioning Director Lett. Director Lett responded to all questions posed by Mr. Dube. County Attorney Youngblood objected to Mr. Dube's question regarding violation of any law. Chairman Bartlett sustained the objection.
- zzz. Mr. Dube continued to question Director Lett. Director Lett responded to all questions posed by Mr. Dube in detail.
- aaaa. County Attorney Youngblood began questioning Director Lett. Director Lett responded to all questions posed by County Attorney Youngblood in detail.
- bbbb. The Board began questioning Director Lett. She responded to all questions posed by the Board in detail. Chairman Bartlett asked the Board if there were any other questions for Director Lett. There were none.
- cccc. Chairman Bartlett dismissed Director Lett from the witness stand.
- dddd. Chairman Bartlett called for a motion to continue the hearing. Dr. Jackson made the motion to approve Mr. Dube's termination appeal continuance to May 27, 2021 at 9:00 a.m., second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
- eeee. [TIME CHECK] The Board advised the County had used 50 minutes 36 seconds and Appellant had used 1 hour 16 minutes and 15 seconds.

9. Executive Session (as needed)

a. None Needed.

10. Other business.

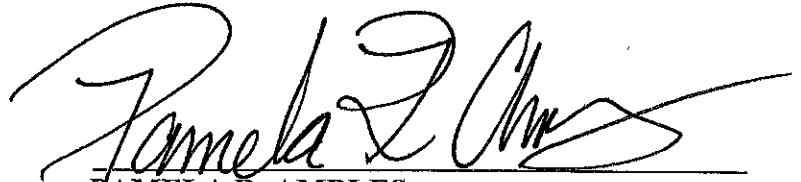
a. There were none.

Chairman Bartlett stated that all matters have been concluded and called for a motion to adjourn this meeting. Mr. Smith made the motion to adjourn, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

Meeting adjourned.



LARRY BARTLETT
CHAIRMAN



PAMELA R. AMBLES
HUMAN RESOURCES DIRECTOR