

CIVIL SERVICE BOARD MEETING

MARCH 23, 2022

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, March 23, 2022, in-person and virtually via Zoom Video Communications.

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

Members absent: None

Also present: Human Resources Director Pamela Ambles and staff; Civil Service Board Attorney Fred Zimmerman; County Attorney Michelle Youngblood; Appellant Attorney William White; Darren Merrill; Police Legal Advisor Kenneth Green; Attorney Keith Martin; Senior Staff Attorney John O'Neal; Clerk of Superior Court Jacqueline Wills; Deputy Communications Administrator Amy Keeney; Buildings & Maintenance Assistant Director Marty Fox; District Attorney Tasha Mosley; Buildings & Maintenance Director Benjamin Hopkins; District Attorney Chief Administrator Monica Scott; Tax Commissioner Terry Baskin; Corrections Warden Dennis Nelson; various employees from County departments; and other individuals.

Chairman Jackson called the meeting to order at 9:00 a.m.

Chairman Jackson called for a motion to adopt the agenda for March 23, 2022. Vice-Chair Smith made the motion to approve the agenda, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

1. Considered for approval the Civil Service Board's Minutes held on February 23, 2022.
 - a. Chairman Jackson called for a motion. Ms. Lancaster made the motion to approve the Minutes, second by Vice-Chair Smith. 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 **DeRonald Davis, Police Department**, termination appeal heard February 23, 2022.

- a. Chairman Jackson called for a motion. Vice-Chair Smith made the motion to approve the Executive Session Minutes, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
3. Considered for approval the Written Civil Service Board's Decision regarding **DeRonald Davis, Police Department**, termination appeal heard February 23, 2022.
 - a. Chairman Jackson called for a motion. Vice-Chair Smith made the motion to approve the Decision, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
4. Considered request from Police Chief Kevin Roberts, for **Lieutenant Wayne Thrift, Police Department**, to use sick leave reserve. (Civil Service Board was polled and approved March 9, 2022 by Jackson, Smith, Lancaster, Phillips-Hall, and Bartlett)
 - a. Chairman Jackson called for a motion. Vice-Chair Smith made the motion to confirm the vote, second by Mr. Bartlett. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
5. Considered request from Police Chief Kevin Roberts, to extend the probationary period of **Police Officer Carl Flourey, Police Department**, for twelve (12) months until March 2023.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Jackson asked the Board if there were any questions for Mr. Green. There were none.
 - c. Chairman Jackson called for a motion. Vice-Chair Smith made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
6. Considered request from **Deputy Clerk Mae Shawn Mosley, Magistrate Clerk's Office**, to use sick leave in lieu of annual leave.
 - a. Clerk of Superior Court Jacqueline Wills presented the request to the Board in detail.
 - b. Human Resources Director Pamela Ambles confirmed to the Board that Human Resources supports the request to use sick leave in lieu of annual leave.
 - c. Chairman Jackson asked the Board if there were any questions for Clerk Wills. There were none.
 - d. Chairman Jackson called for a motion. Ms. Lancaster made the motion to approve the request, second by Mr. Bartlett. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
7. Considered request from **Purchasing Specialist Lakisa Buckles, Central Services**, to receive annual leave donations. (Civil Service Board was polled and approved March 17, 2022 by Jackson, Smith, Lancaster, Phillips-Hall, and Bartlett)

- a. Chairman Jackson called for a motion. Vice-Chair Smith made the motion to confirm the vote, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

8. Calendar Call.

- a. **Marcia Davis (Board of Commissioners)** – Grievance filed May 6, 2021, regarding: “In April 2021, the District Attorney’s Office completed a 2019 performance evaluation without assessing my work performance and I received a score of 30”.
 - i. Chairman Jackson asked if Marcia Davis was present. She was not in attendance.
 - ii. For the Record: Human Resources Director Pamela Ambles advised the Board that Ms. Davis had requested to withdraw her grievance and would not be moving forward.
 - iii. Chairman Jackson confirmed the grievance had been withdrawn and would be removed from the agenda.
- b. **Danny Starr (Corrections/Refuse Control)** – Suspension and Demotion appeal filed April 6, 2021, regarding: “Suspension and Demotion”.
 - i. Chairman Jackson asked if Danny Starr was present and ready to move forward. Danny Starr was not in attendance.
 - ii. Human Resources Director Pamela Ambles advised the Board that Mr. Starr was properly notified, and Human Resources has not received any follow-up communication from Mr. Starr.
 - iii. Chairman Jackson asked if the County was ready to move forward. County Attorney Michelle Youngblood replied in the affirmative.
 - iv. County Attorney Michelle Youngblood made a motion on behalf of the County for dismissal of appeal for want of prosecution.
 - v. Chairman Jackson called for a motion. Vice-Chair Smith made the motion to dismiss the appeal for failure to appear, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
- c. **Darren Merrill (Buildings and Maintenance)** – Termination appeal filed May 7, 2021 regarding: “Termination”.
 - i. Chairman Jackson asked if Darren Merrill present. He was present via Zoom. Attorney William White announced to the Board he would be representing the appellant.
 - ii. Chairman Jackson asked if the County was ready to move forward. County Attorney Michelle Youngblood replied in the affirmative.
 - iii. Chairman Jackson asked if the Appellant was ready to move forward. Appellant Attorney William White replied in the affirmative.

9. **(Appeal) Darren Merrill (Buildings and Maintenance)** – Termination appeal filed May 7, 2021 regarding: “Termination”.
- a. County Attorney Michelle Youngblood confirmed to the Board the County’s witnesses that are testifying for this hearing were present.
 - b. Civil Service Board Attorney Fred Zimmerman swore in all the witnesses present.
 - c. Chairman Jackson asked if there would be any sequestrations for the County and the Appellant. Attorney William White stated he would like to invoke the rule.
 - d. Chairman Jackson explained the hearing process and time limits to Attorney William White.
 - e. County Attorney Michelle Youngblood presented County’s opening statement to the Board.
 - f. Attorney William White presented the Appellant’s opening statement to the Board.
 - g. County Attorney Youngblood called witness Mary Butts to the witness stand. She stated her name, position, and tenure. Attorney Youngblood began questioning Ms. Butts. Ms. Butts responded in detail to all questions posed by County Attorney Youngblood.
 - h. Attorney William White began cross-examination of Mary Butts. Ms. Butts responded in detail to all questions posed by Attorney White.
 - i. Attorney White mentioned County’s Exhibits C-1 through C-16. There were no objections from the County.
 - j. Attorney White continued questioning Ms. Butts. Ms. Butts responded in detail to all questions posed by Attorney White. Attorney White mentioned County’s Exhibit C-8, C-9, and C-11. County Attorney Youngblood objected to Attorney White asking Ms. Butts something she had previously testified to. Chairman Jackson sustained the objection.
 - k. Attorney White continued questioning Ms. Butts. Ms. Butts responded in detail to all questions posed by Attorney White. Attorney White mentioned County’s Exhibit C-4. County Attorney Youngblood objected to Ms. Butts testifying about pension matters. Chairman Jackson sustained the objection.
 - l. The Board began questioning Ms. Butts. She responded in detail to all questions posed by the Board. Chairman Jackson asked the Board if there were any other questions for Ms. Butts. There were none.

- m. Chairman Jackson dismissed Ms. Butts from the witness stand. Ms. Butts was held for rebuttal.
- n. County Attorney Youngblood called witness Rocky Clendening to the witness stand. He stated his name, position, and tenure. Attorney Youngblood began questioning Mr. Clendening. Mr. Clendening responded in detail to all questions posed by County Attorney Youngblood.
- o. Attorney White began cross-examination of Mr. Clendening. Mr. Clendening responded in detail to all questions posed by Attorney White.
- p. The Board began questioning Mr. Clendening. He responded in detail to all questions posed by the Board. Chairman Jackson asked the Board if there were any other questions for Mr. Clendening. There were none.
- q. Chairman Jackson dismissed Mr. Clendening from the witness stand. Mr. Clendening was held for rebuttal.
- r. Chairman Jackson called for a motion. Ms. Lancaster made the motion to take a break, second by Mr. Bartlett. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
- s. Chairman Jackson called the meeting back in session at 10:13 a.m.
- t. County Attorney Youngblood called witness Captain Nick Ferrell via Zoom Video Communications. He stated his name, position, and tenure. Attorney Youngblood began questioning Captain Ferrell. Captain Ferrell responded in detail to all questions posed by County Attorney Youngblood.
- u. Attorney White began cross-examination of Captain Nick Ferrell. He responded in detail to all questions posed by Attorney White.
- v. The Board began questioning Captain Ferrell. He responded to all questions posed by the Board. Chairman Jackson asked the Board if there were any other questions for Captain Ferrell. There were none.
- w. Chairman Jackson dismissed Captain Ferrell from the witness stand via Zoom Video Communications. Captain Ferrell was held for rebuttal.
- x. County Attorney Youngblood called witness Buildings and Maintenance Assistant Director Marty Fox to the witness stand. He stated his name, position, and tenure. Attorney Youngblood began questioning Assistant Director Fox. Assistant Director Fox responded in detail to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned County's Exhibit C-11.

- y. Attorney White began cross-examination of Assistant Director Marty Fox. He responded to all questions posed by Attorney White. Attorney White mentioned County Exhibit C-11.
- z. The Board began questioning Assistant Director Fox. He responded in detail to all questions posed by the Board. Chairman Jackson asked the Board if there were any other questions for Assistant Director Fox. There were none.
- aa. Chairman Jackson dismissed Assistant Director Fox from the witness stand. Assistant Director Fox was held for rebuttal.
- bb. County Attorney Youngblood called Buildings and Maintenance Director Ben Hopkins to the witness stand. Director Hopkins responded in detail to all questions posed by County Attorney Youngblood. County Attorney Youngblood mentioned County's Exhibit C-4, C-8, C-9, C-10, and C-11.
- cc. Attorney White began cross-examination of Buildings and Maintenance Director Ben Hopkins. He responded in detail to all questions posed by Attorney White. Attorney White mentioned County's Exhibits C-1, C-4, C-5, C-8, C-9, and C-11. County Attorney Youngblood objected to Attorney White asking for legal strategy. Chairman Jackson sustained the objection.
- dd. Attorney White continued questioning Director Hopkins. He responded in detail to all questions posed by Attorney White.
- ee. The Board began questioning Director Hopkins. He responded in detail to all questions posed by the Board. Chairman Jackson asked the Board if there were any other questions for Director Hopkins. There were none.
- ff. Chairman Jackson dismissed Director Hopkins from the witness stand.
- gg. Chairman Jackson called for a motion. Mr. Bartlett made the motion to take a lunchbreak, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
- hh. Chairman Jackson called the meeting back in session at 2:12 p.m.
- ii. County Attorney Youngblood had no additional witnesses. The County rested.
- jj. Attorney White confirmed to the Board he had no witnesses or evidence. The Appellant rested.
- kk. Chairman Jackson released all witness in-person and via Zoom.
- ll. Chairman Jackson mentioned the County reserved its right to present the closing arguments last.

- mm. Attorney White presented the Appellant's closing arguments to the Board.
- nn. County Attorney Youngblood presented the County's closing arguments to the Board.
- oo. Chairman Jackson called for a motion to adjourn into Executive Session to discuss *Darren Merrill (Buildings and Maintenance)* – Termination appeal filed May 7, 2021 regarding: "Termination". Vice-Chair Smith made the motion to adjourn into Executive Session, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
- pp. Chairman Jackson called the meeting back in session at 3:18 p.m.
- qq. Chairman Jackson called for a motion regarding: *Darren Merrill (Buildings and Maintenance)* – Termination appeal filed May 7, 2021 regarding: "Termination". Vice-Chair Smith made the motion to rule in favor of the Appellant to modify the disciplinary action of termination to demotion back to previous Civil Service status of Master Trade Specialist, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote of (5-0).

10. Discussion items.

- a. Confirmed meeting date(s) for April 2022.
 - i. Human Resources Director Pamela Ambles confirmed to the Board its next meeting would be the Special Called Meeting to be held Tuesday, March 29, 2022.
 - ii. Human Resources Director Pamela Ambles confirmed its next Regular Called Meeting date would be Wednesday, April 27, 2022.
- b. Upcoming cases for April 27, 2022.
 - i. *Cassandra Dorismond (Internal Audit)* – Termination
 - ii. *Austin Jones (Police Department)* – Termination
 - iii. *Michael Watts (Police Department)* – Termination – Human Resources Director Pamela Ambles confirmed all deadlines would be reset for this case. Keith Martin would be the Counsel for the Appellant and India Keefover would be the Counsel for the County. Deadline Dates: Witness List (4/8), Exhibits (4/13), and Continuance Request (4/18).

11. Executive Session (as needed).

- a. None needed.

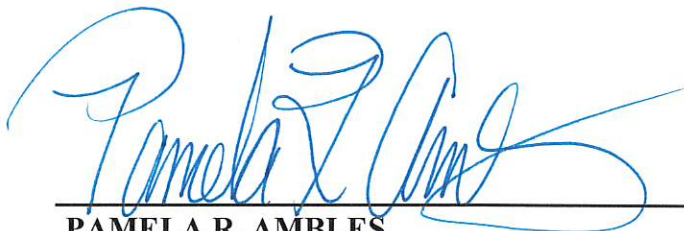
- 12. Other business.
 - a. None noted.

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

Meeting adjourned.



**DR. CEPHUS JACKSON
CHAIRMAN**



**PAMELA R. AMBLES
HUMAN RESOURCES DIRECTOR**