

CIVIL SERVICE BOARD MEETING

MAY 25, 2022

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, May 25, 2022, in-person.

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; Police Legal Advisor Kenneth Green; Police Chief Kevin Roberts; Attorney Keith Martin; Attorney Tom Kirkbride; Chief Staff Attorney Charles Reed; Attorney Jake Knanishu; Brenda Thomas; Sheriff's Office Legal Advisor Alan Parker; Randy Brashears, Gazzara Hill; Okima Ferguson; various employees from County departments; and other individuals.

Chairman Jackson called the meeting to order at 9:04 a.m.

Chairman Jackson called for a motion to adopt the agenda for May 25, 2022. Vice-Chair Smith made the motion to approve the 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 Minutes held on April 27, 2022.
 - a. Chairman Jackson called for a motion. Vice-Chair Smith 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 *Austin Jones, Police Department*, termination appeal heard April 27, 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 ***Austin Jones, Police Department***, termination appeal heard April 27, 2022. Date Decision Reached: April 27, 2022 – Motion carried by unanimous vote (5-0) to uphold the County's decision to terminate Mr. Jones.
 - a. Chairman Jackson called for a motion. Vice-Chair Smith made the motion to approve the Decision, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
4. Considered request from Police Chief Kevin Roberts to extend the probationary period (3rd Extension) of ***Police Officer Alexis Jones, Police Department*** for an additional six (6) months until December 6, 2022.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Jackson asked if the Board had any questions. There were none.
 - c. Chairman Jackson asked if Officer Alexis Jones was present. She was not present.
 - d. 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).
5. Considered request from Police Chief Kevin Roberts to extend the probationary period of ***Police Officer Richard Massey, Police Department*** for an additional six (6) months until November 13, 2022. (Civil Service Board was polled and approved April 29, 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).
6. Considered request from Police Chief Kevin Roberts to extend the probationary period of ***Police Officer Mikaila Hardeman, Police Department*** for an additional six (6) months until November 13, 2022. (Civil Service Board was polled and approved April 29, 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).
7. Considered request from Police Chief Kevin Roberts for leave without pay for ***Police Officer Mikaila Hardeman, Police Department*** from March 13, 2022 through June 24, 2022. (Civil Service Board was polled and approved May 6, 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. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

8. Considered request from Police Chief Kevin Roberts for leave without pay for ***Detective Michelle Alston, Police Department*** from May 3, 2022 through June 8, 2022. (Civil Service Board was polled and approved May 6, 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).

9. Considered request from Police Chief Kevin Roberts for leave without pay for ***Police Officer Khai Nguyen, Police Department*** from September 19, 2022 through September 23, 2022.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Jackson asked if Officer Khai Nguyen was present. He was not present.
 - c. Chairman Jackson asked if the Board had any questions. There were none.
 - d. Chairman Jackson called for a motion. Mr. Bartlett made the motion to approve the request, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

10. Considered request from Fire Chief Landry Merkison for leave of absence for ***Community Care Practitioner Janise Roebuck, Fire Department*** from May 15, 2022 through June 20, 2022. (Civil Service Board was polled and approved May 13, 2022 by Jackson, Smith, Lancaster, Phillips-Hall, and Bartlett)
 - a. Chairman Jackson called for a motion. Ms. Phillips-Hall 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).

11. Executive Session (*as needed*).
 - a. Chairman Jackson called for a motion to adjourn into Executive Session to discuss Legal Matters. 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).

 - b. Chairman Jackson called the meeting back in session at 9:53 a.m.

 - c. Civil Service Board Attorney Fred Zimmerman made a recommendation to the Board that after reviewing the decision of last month voting on County Attorney Michelle Youngblood's Motion to Recuse ALL Board Members in the Brenda Thomas case, he recommended the Board to reconsider their decision to deny the motion and asked the Board to rescind the motion.

- d. Mr. Bartlett stated that this is not a voluntarily recusal, it is to rescind the decision of the Board in the Brenda Thomas case based upon the Hearing Officer Policy and allowing County Attorney Michelle Youngblood's motion to go forward.
- e. Chairman Jackson stated the Board cannot reject a request for a recusal; it must be considered.
- f. Chairman Jackson called for a motion. Mr. Bartlett made a motion to rescind the decision on the Brenda Thomas case to deny the recusal of ALL Board members, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by majority vote of (4-1).
- g. Chairman Jackson called for a motion. Ms. Phillips-Hall made the motion to refer the Brenda Thomas case to the Hearing Officer to make a final decision, second by Mr. Bartlett. Vice-Chair Smith had further discussion on the motion made. Motion carried by majority vote of (4-1).
- h. Chairman Jackson confirmed Brenda Thomas case would be removed from today's Calendar Call.
- i. Human Resources Director Pamela Ambles stated that getting a pool of Hearing Officers onboard is the most important factor for Human Resources for our Civil Service responsibilities. We must follow the ordinance; the ordinance lays out the qualifications for the Hearing Officers. Human Resources Director Ambles stated she is in communications with Chief Staff Attorney Charles Reed to revisit the qualifications, which will allow the group of people to be effective, but changing some of the qualifications would help us in our recruitment to get qualified people in place. The Ordinance states we must have a pool of Hearing Officers. Human Resources Officer Ryan Shaw who is over Employee Relations has outlined a very intensive recruitment plan and that we are putting into effect to have the Hearing Officers put in place.
- j. **For the Record:** Human Resources Director Pamela Ambles stated that getting the Hearing Officers in place is critical for Appellants who are waiting for their cases to be heard and assured Human Resources is working as diligently as we can.
- k. The Board questioned Human Resources Director Pamela Ambles referencing the Hearing Officers' process. She responded to all questions posed by the Board in detail.
- l. **For the Record:** Human Resources Director Pamela Ambles stated that in collaboration with the Board of Commissioners, as well as the Legal Department Chief Staff Attorney Charles Reed the goal is the same for all of us which is to make sure these cases go forward. The Ordinance was put in place to expedite the hearing of cases and if there was a lack of quorum amongst the Board that there would not be a delay in hearing a case. Uniformly, Director Ambles stated the Board of Commissioners, Human Resources, and the Chief Staff Office are all on the same page

in trying to make sure these cases are heard and from a Civil Service perspective and carrying out her duties is the single most important issue is to get the Hearing Officers in place and she assured the Board and Brenda Thomas that Human Resources is working on it and it will be in place very soon.

- m. Attorney Jake Knanishu commented to the Board that there may be some confusion with Section 1 of The Code of Clayton County, Georgia Part I, Article IV, Section 4-3 as amended. Attorney Knanishu continued to explain to the Board the establishment of the Hearing Officers process in detail.
- n. **DISCUSSION:** The Board, Human Resources Director Pamela Ambles, Attorney Jake Knanishu, and Chief Staff Attorney Charles Reed continued a discussion on the Hearing Officers establishment, qualifications, requirements, and recruitment.

12. Calendar Call.

- a. **Cassandra Dorismond (Internal Audit)** – Termination appeal filed July 24, 2020 regarding: “Termination dated July 15, 2020”. County Attorney Michelle Youngblood requested a continuance via email on May 10, 2022. The continuance request was granted on May 12, 2022.
 - i. Chairman Jackson confirmed the County’s continuance request was granted May 12, 2022.
- b. **Michael Watts (Police Department)** – Termination appeal filed February 15, 2019 regarding: “I was terminated for a use of force incident at the Police Department. I am appealing being terminated”. Staff Attorney India Keefover requested a continuance via email on April 28, 2022. The continuance request was granted on April 29, 2022.
 - i. Chairman Jackson confirmed Attorney India Keefover’s continuance request was granted on April 29, 2022.
- c. **Brenda Thomas (Sheriff’s Office)** – Termination appeal filed August 2, 2018 regarding: “Termination”.
 - i. Chairman Jackson confirmed Brenda Thomas’ appeal was removed from today’s Agenda.
- d. **DeMarcus Hall (Police Department)** – Termination appeal filed September 4, 2020, regarding: “The wrongful termination of employment”.
 - i. Chairman Jackson asked if County was ready to proceed. County Attorney Michelle Youngblood confirmed to the Board that County is ready to move forward.
 - ii. Chairman Jackson asked if the Appellant was present and ready to move forward. DeMarcus Hall was not present.

- iii. Human Resources Director Pamela Ambles presented to the Board in detail a synopsis of DeMarcus Hall's email, why he's not able to attend his hearing, and not submitting a continuance request properly.
 - iv. The Board questioned Human Resources Director Ambles. Human Resources Director Ambles responded in detail to all questions posed by the Board.
 - v. County Attorney Michelle Youngblood made a motion on behalf of the County for the appeal to be dismissed for Want of Prosecution.
 - vi. Chairman Jackson called for a motion. Vice-Chair Smith made a motion to uphold the County's request to dismiss the case, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
- e. **Derek Vasser (Police Department)** – 2-Day Suspension appeal filed September 20, 2020, regarding: “A 2-Day suspension on 9/17/20 and 9/24/20”. Derek Vasser requested a withdrawal via email on May 12, 2022. The withdrawal was accepted May 12, 2022.

NOTE: Derek Vasser's termination appeal filed October 27, 2021 has also been withdrawn per his request via email May 12, 2022. The withdrawal was accepted May 12, 2022.

- i. Chairman Jackson confirmed both withdrawals were accepted May 12, 2022 and would be removed from the calendar.

13. Discussion items.

- a. Confirmed meeting date(s) for June 2022.
 - i. Human Resources Director Pamela Ambles confirmed to the Board its next Regular Called Meeting date would be Wednesday, June 22, 2022.
 - ii. Human Resources Director Pamela Ambles announced there would be no Special Called Meeting for June.
 - iii. Human Resources Director Pamela Ambles confirmed to the Board the June's deadline dates would be: Witness List – June 3rd, Exhibits – June 8th, and Continuance Request – June 13th.
- b. Upcoming cases for June 22, 2022.
 - i. *Wayne Thrift (Police Department)* – 10-Day Suspension, all deadlines apply
 - ii. *Brandon Rose (Police Department)* – Termination, all deadlines apply
 - iii. *Kevin Lewis (Police Department)* – Termination, all deadlines apply
 - iv. *Michael Carver (Police Department)* – Termination, all deadlines apply
 - v. Human Resources Director Pamela Ambles stated Michael Watts' case would be heard in July.

Chairman Jackson called for a motion. Ms. Lancaster made the motion to cancel the Special Called Meeting for May 26, 2022, second by Vice-Chair Smith. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

14. Executive Session (as needed).

a. None

15. Other business.


a. There were none.

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. Phillips-Hall. 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