

CIVIL SERVICE BOARD MEETING

AUGUST 7, 2013

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, August 7, 2013, in the Commissioners' Board Room.

Members present: Larry A. Bartlett, Chairman
 Troyce B. Lancaster, Vice-Chair
 Gbenga Osagie, Member
 J. Mark Trimble, Member
 Lori Favre, Member

Also present: Human Resources Director Renee Bright and various staff members; Civil Service Board Attorney Joe Harris; County Attorney Michelle Terry; Police Department Legal Advisor Kenneth Green; Police Deputy Chief Chris Butler; Sheriff's Assistant Chief Deputy Shawn Southerland; Tax Commissioner Terry Baskin; IT Director Brett Lavender; Staff Attorney Christie Barnes; Chief Operating Officer Arrelle Anderson; Attorney Chris Walker; Nicole Arrington; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:06 a.m., and noted for the record that all Board members were present. Chairman Bartlett called for a motion to adopt the August 7th Agenda. Vice-Chair Lancaster made a motion to amend the agenda and add item 9a – administrative leave extension regarding Police Chief Gregory Porter, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote. Chairman Bartlett called a motion to approve the amended agenda. Mr. Trimble made a motion to approve as amended, second by Vice-Chair Lancaster. 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 July 3rd, 2013.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve the minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

2. Chairman Bartlett presented the following training certificates:
 - a. Employee Professional Development
 - i. Khadijah Craft, Juvenile Court
 - ii. Kelly Lee Graham, Juvenile Court

- iii. Victoria Denice Harris, Juvenile Court
- iv. Ronaldi Gerrald Rollins, Juvenile Court
- v. Nerissa Sheree Sims, Solicitor's Office
- vi. Joyce Annette Alexander, Tax Commissioner
- vii. Cynthia Lynn Everett, Tax Commissioner
- viii. Tierra Rashelle Goss, Tax Commissioner
- ix. Linda Louise Richardson, Tax Commissioner
- x. Synta Kellam-Barnard, Parks and Recreation

b. Manager's Basic Skills Certificate

- i. Jeffrey N. Foster, Information Technology
- ii. Anne Brewer Wise, Tax Commissioner

c. Management Professional Skills Certificate

- i. Anne Brewer Wise, Tax Commissioner

3. Considered for approval request from Rick Ditroia, Central Services/Risk Management, to use sick leave from sick leave reserve.
 - a. Human Resources Director Renee Bright advised the Board that the request met all requirements and explained in detail.
 - b. Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve the request, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
4. Considered for approval request from Charlene Watson-Fraser, Police Department, to use sick leave for the care of her mother.
 - a. Director Bright advised the Board that the request met all requirements and explained in detail.
 - b. Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
5. Considered for approval request from Stephanie McKinnon, Tax Commissioner, to use sick leave for the care of her daughter (who lives with her) after the birth of her grandchild.
 - a. Ms. Stephanie McKinnon addressed the Board and explained in detail.
 - b. The Board questioned Ms. McKinnon. Ms. McKinnon responded in detail to all questions posed by the Board.
 - c. Chairman Bartlett confirmed Ms. McKinnon's request.

- d. Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve the request, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
6. Considered for approval request from Steven Davis, District Attorney, to use sick leave from sick leave reserve retroactively.
 - a. Mr. Davis addressed the Board and explained in detail.
 - b. The Board questioned Mr. Davis. Mr. Davis responded in detail to all questions posed by the Board.
 - c. A discussion among the Board, Mr. Davis and Director Bright occurred.
 - d. Chairman Bartlett made a motion to approve the request, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.
7. Considered for approval request from Chief Deputy of Police Chris Butler to extend the probationary period of Lamon Bryant, Sr., for an additional six (6) months (until February 19, 2014).
 - a. Police Department Legal Advisor Kenneth Green presented the request and explained in detail.
 - b. Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve the request, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
8. Considered for approval request presented by Staff Attorney Christie Barnes to extend the unpaid administrative leave of Police Chief Gregory Porter for an additional thirty (30) days.
 - a. Staff Attorney Christie Barnes presented the request in detail.
 - b. The Board questioned Staff Attorney Barnes. She responded in detail to all questions posed by the Board.
 - c. Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
9. Human Resources Director Renee Bright introduced the Chief Operating Officer Arrelle Anderson to the Board.
 - a. The Board welcomed COO Anderson to the County and asked to have COO Anderson added to the Civil Service Board's agenda list.
 - b. Vice-Chair Lancaster made a motion for a short break, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.

- c. Chairman Bartlett called the meeting back to order.
10. **Appeal** – Considered appeal that was filed on November 4, 2010, by Nicol Arrington, Sheriff's Office, with regards to: I was wrongfully terminated on November 2, 2010, reasons are violation of Rules and Regulations, due to being on Worker's Compensation.
- a. Ms. Nicol Arrington was present and was represented by her attorney Chris Walker.
 - b. Assistant Chief Deputy Shawn Southerland was present and the Sheriff's Office was represented by Attorney Michelle Terry.
 - c. Chairman Bartlett confirmed that both the Appellant and County's witnesses were present. Chairman Bartlett further advised both sides of the policy in place governing time.
 - d. Mr. Walker invoked the rule of sequestration.
 - e. Chairman Bartlett asked Civil Service Board Attorney Joe Harris to administer the oath to all witnesses.
 - f. Ms. Terry presented the County's opening statement. Mr. Walker presented the Appellant's opening statement.
 - g. Ms. Terry called Captain Roland Boehrer to the witness stand. He stated his name, where he is employed, tenure, title and years and duties as a Captain. Ms. Terry began questioning Capt. Boehrer. Capt. Boehrer responded in detail to all questions posed by Ms. Terry. Ms. Terry mentioned **County Exhibit 10**.
 - h. Ms. Terry continued questioning Capt. Boehrer. Capt. Boehrer responded in detail to all questions posed by Ms. Terry.
 - i. Mr. Walker cross-examined Capt. Boehrer. Capt. Boehrer responded in detail to all questions posed by Mr. Walker.
 - j. The Board questioned Capt. Boehrer. He responded in detail to all questions posed by the Board.
 - k. Mr. Walker asked to retain the witness.
 - l. Ms. Terry called Sgt. Arthur Love to the witness stand. He stated his name, where he is employed, tenure, title (years in position), and duties in position. Ms. Terry began questioning Sgt. Love. Sgt. Love responded in detail to all questions posed by Ms. Terry.
 - m. Mr. Walker cross-examined Sgt. Love. Sgt. Love responded in detail to all questions posed by Mr. Walker.
 - n. Ms. Terry asked re-direct questions of Sgt. Love. Sgt. Love responded in detail to all questions posed by Ms. Terry.

- o. The Board questioned Sgt. Love. He responded in detail to all questions posed by the Board.
- p. There being no further questions the witness was released.
- q. Mr. Walker advised the Board that Capt. Boehrer could be released as well.
- r. Ms. Terry called Sgt. Geraldine Gardiner to the witness stand. She stated her name, where she is employed, title, tenure and duties. Ms. Terry began questioning Sgt. Gardiner. Sgt. Gardiner responded in detail to all questions posed by Ms. Terry.
- s. Mr. Walker cross-examined Sgt. Gardiner. Sgt. Gardiner responded in detail to all questions posed by Mr. Walker. Mr. Walker mentioned **County Exhibit 10**.
- t. Mr. Walker continued his cross-examination of Sgt. Gardiner. Sgt. Gardiner responded in detail to all questions posed by Mr. Walker.
- u. Ms. Terry asked Sgt. Gardiner re-direct questions. Sgt. Gardiner responded in detail to all questions posed by Ms. Terry. Ms. Terry mentioned **County Exhibit 10 (9th page from the back)**.
- v. Mr. Walker asked additional questions to Sgt. Gardiner. She responded in detail to all questions posed by Mr. Walker.
- w. The Board questioned Sgt. Gardiner. She responded in detail to all questions posed by the Board.
- x. There being no further questions, the witness was released.
- y. Chairman Bartlett called for a short break. Mr. Trimble made a motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
- z. Chairman Bartlett called the meeting back to order.
- aa. Ms. Terry called Assistant Chief Deputy Shawn Southerland to the witness stand. He stated his name, where he is employed, tenure, title, and length of time and duties as Assistant Chief Deputy. Ms. Terry began questioning Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Ms. Terry. Ms. Terry mentioned **County Exhibits 6, 10 (10 pages from the back) and 11**.
- bb. Ms. Terry continued questioning Asst. Chief Deputy Shawn Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Ms. Terry.
- cc. Mr. Walker cross-examined Asst. Chief Deputy Shawn Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Mr. Walker.
- dd. Ms. Terry asked Asst. Chief Deputy Shawn Southerland re-direct questions. Asst. Chief Deputy Southerland responded in detail to all questions posed by Ms. Terry.

- ee. The Board questioned Asst. Chief Deputy Shawn Southerland. He responded in detail to all questions posed by the Board.
- ff. Ms. Terry tendered the following **County Exhibits: 4, 6, 10, 11 and 12**. Mr. Walker had no objections.
- gg. Ms. Terry stated the County had rested.
- hh. Chairman Bartlett called for a motion to break for lunch until 1:30 p.m. Vice-Chair Lancaster made a motion, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.
- ii. Chairman Bartlett called the meeting back to order.
- jj. Mr. Walker called Deputy Nola Carter to the witness stand. He stated where he is employed, tenure, position, and duties as a deputy sheriff. Mr. Walker began questioning Deputy Carter. Deputy Carter responded in detail to all questions posed by Mr. Walker.
- kk. Ms. Terry cross-examined Deputy Carter. Deputy Carter responded in detail to all questions posed by Ms. Terry.
- ll. The Board did not have any questions for Deputy Carter.
- mm. There being no further questions, the witness was released.
- nn. Mr. Walker called Officer Alice Goubil to the witness stand. She stated her name, position, where she is employed and tenure. Mr. Walker began questioning Officer Goubil. Officer Goubil responded in detail to all questions posed by Mr. Walker.
- oo. Ms. Terry cross-examined Officer Goubil. Officer Goubil responded in detail to all questions posed by Ms. Terry.
- pp. The Board questioned Officer Goubil. She responded in detail to all questions posed by the Board.
- qq. There being no further questions, the witness was released.
- rr. Mr. Walker called Nicol Arrington to the witness stand.
- ss. Chairman Bartlett confirmed that since Ms. Arrington would be Mr. Walker's last witness that Human Resources Office Manager Tamara Duggans could release the other witnesses in the lobby.
- tt. She stated her name, position when she was working and where she was employed. Mr. Walker began questioning Ms. Arrington. Ms. Arrington responded in detail to all questions posed by Mr. Walker.

- uu. Ms. Terry cross-examined Ms. Arrington. Ms. Arrington responded in detail to all questions posed by Ms. Terry. Mr. Walker objected to a question posed by Ms. Terry as it called for "speculation". The objection was over-ruled.
 - vv. Ms. Terry continued the cross-examination of Ms. Arrington. Ms. Arrington responded in detail to all questions posed by Ms. Terry.
 - ww. Mr. Walker asked Ms. Arrington re-direct questions. Ms. Arrington responded in detail to all questions posed by Mr. Walker.
 - xx. Ms. Terry asked Ms. Arrington additional questions. Ms. Arrington responded in detail to all questions posed by Ms. Terry.
 - yy. The Board questioned Ms. Arrington. She responded in detail to all questions posed by the Board.
 - zz. There being no further questions, the witness was dismissed.
 - aaa. Chairman Bartlett called for a short break to allow both sides to prepare for their closing. Mr. Trimble made a motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - bbb. Chairman Bartlett called the meeting back to order.
 - ccc. Ms. Terry reserved the right to present the County's closing arguments last.
 - ddd. Mr. Walker presented the Appellant's closing arguments. Ms. Terry presented the County's closing arguments.
 - eee. Chairman Bartlett called for a motion to adjourn into Executive Session to discuss the appeal that was filed on November 4, 2010, by Nicol Arrington, Sheriff's Office, with regards to: I was wrongfully terminated on November 2, 2010, reasons are violation of Rules and Regulations, due to being on Worker's Compensation. Mr. Trimble made a motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - fff. Chairman Bartlett called the meeting back to order.
 - ggg. Chairman Bartlett called for a motion regarding the appeal that was filed on November 4, 2010, by Nicol Arrington, Sheriff's Office, with regards to: I was wrongfully terminated on November 2, 2010, reasons are violation of Rules and Regulations, due to being on Worker's Compensation. Mr. Trimble made a motion to uphold the decision to terminate, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - hhh. Chairman Bartlett addressed the parties in detail.
11. Discussion item.
- a. Selected a second meeting date for November 2013.

- i. A discussion among the Board occurred regarding a second meeting date.
- ii. Chairman Bartlett called for a motion to select November 5, 2013, as the special called meeting date and November 6, 2013, as the regular called meeting date. Mr. Osagie made a motion, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.

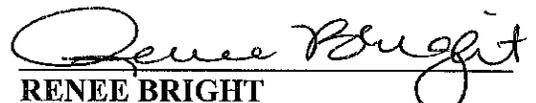
12. Other business.

Ad. No other business.

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

Meeting adjourned.


LARRY A. BARTLETT
CHAIRMAN


RENEE BRIGHT
HUMAN RESOURCES DIRECTOR