

REGULAR CALLED CIVIL SERVICE BOARD MEETING

MARCH 4, 2015

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, March 4, 2015, in the Commissioners' Board Room.

Members present: Larry Bartlett, Chairman
 Troyce B. Lancaster, Vice-Chair
 Dr. Cephus Jackson, Member
 Virginia Phillips-Hall, Member
 J. Mark Trimble, Member

Also present: Human Resources Director Renee Bright and staff; Human Resources Officer Pamela Ambles; Civil Service Board Attorney Joe Harris; Fire Chief Landry Merkison; Solicitor General Tasha Mosley; IT Director Brett Lavender; IT Assistant Director Jason Brookins; Police Department Legal Advisor Kenneth Green; County Attorney Pamela Everett; County Attorney Michelle Youngblood; Police Chief Gregory Porter; Michael Brayton; Benjamin Hernandez; Richard Meehan; Attorney Keith Martin; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:13 a.m., and noted for the record that all Board members were present.

Chairman Bartlett called for a motion to adopt the agenda. Mr. Trimble made the motion, 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's Meeting Minutes held on February 4, 2015.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Minutes, second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote.

2. Considered for approval the Civil Service Board's Executive Session minutes regarding the James S. Long, Police Department, three-day suspension appeal hearing held on February 4, 2015.

- a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Minutes, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
3. Considered for approval the Civil Service Board's Decision regarding the James S. Long, Police Department, three-day suspension appeal.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Decision, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
4. Considered for approval the Civil Service Board's Decision regarding the Deborah Stanley, Senior Services, termination appeal filed January 9, 2013 (called for hearing on February 4, 2015).
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Decision, second by Ms. Phillips-Hall. Discussion on the motion made: Chairman Bartlett confirmed Ms. Stanley was a "no-show" when her appeal was called. No further discussion on the motion made. Motion carried by unanimous vote.
5. Chairman Bartlett presented the following training certificates:
 - a. **Employee Professional Development**
 - i. Kelly Bartlett, Solicitor General
 - ii. Angela Jolly, Human Resources (*not in attendance*)
 - b. **Manager's Basic Skills Certificate**
 - i. Carol Seaton, Community Development/Grant-NSP
 - ii. Ryan Shaw, Human Resources
 - iii. Briana Yelverton, Parks & Recreation
 - c. **Manager's Professional Skills Certificate**
 - i. Kareema Simeon, DA/Child Support
 - ii. Grace Taylor, Sheriff's Office
 - d. The Board congratulated all graduates.
6. Considered request from Police Chief Gregory Porter to extend the probationary period of Officer Traci Deann Moore.
 - a. Police Department Legal Advisor Kenneth Green explained the request in detail.

- b. The Board did not have any questions.
 - c. Chairman Bartlett advised that the Civil Service Rules Re-Write Committee was proposing changes to this issue.
 - d. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
7. Considered request from Police Chief Gregory Porter to extend the probationary period of Officer Anthony Bernard Tigner.
- a. Mr. Green explained the request in detail.
 - b. The Board did not have any questions.
 - c. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
8. Considered request form Police Chief Gregory Porter to extend the probationary period of Officer Abram L. Walker.
- a. Mr. Green explained the request in detail.
 - b. The Board did not have any questions.
 - c. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
9. Considered request form Police Chief Gregory Porter to extend the probationary period of Officer Darryl Deon Wallace.
- a. Mr. Green explained the request in detail.
 - b. The Board did not have any questions.
 - c. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.

10. Considered request from Fire Chief Landry Merkison to extend the probationary period of Zedrick Carter for six months.
 - a. Fire Chief Landry Merkison explained his request in detail.
 - b. The Board did not have any questions.
 - c. 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 unanimous vote.
 - d. Chairman Bartlett commented that Fire Chief Merkison was showing great leadership by working with the employees.

11. Considered request from Fire Chief Landry Merkison to extend the probationary period of Artemas Leon Slaughter for three months.
 - a. Fire Chief Landry Merkison explained his request in detail.
 - b. The Board did not have any questions.
 - c. 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 unanimous vote.

12. Other Business.
 - a. The Board members did not have any items.
 - b. Chairman Bartlett advised the Board there was an employee (Courtney Jackson/IT) who had submitted his resignation and wanted to be heard at today's meeting.
 - c. Mr. Jackson was not in attendance when called.
 - d. IT Director Brett Lavender and IT Assistant Director Jason Brookins were present.
 - e. Chairman Bartlett declared the matter a moot issue.
 - f. Chairman Bartlett called for a five-minute break. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - g. Chairman Bartlett called the meeting back to order.

- h. Additional attendees arrived as follows: Attorney Keith Martin; County Attorney Pamela Everett; County Attorney Michelle Youngblood; Michael Brayton, Benjamin Hernandez; Richard Meehan; and Police Chief Gregory Porter.
13. **Appeal (continuation)** – Considered appeal filed by Michael Brayton, Police Department, on January 18, 2012, with regards to: Termination.
Appeal (continuation) – Considered appeal filed by Benjamin Hernandez, Police Department, on January 18, 2012, with regards to: Termination.
Appeal (continuation) – Considered appeal filed by Richard Meehan, Police Department, on January 18, 2012, with regards to: Termination.
- a. Chairman Bartlett stated for the record that the Board’s secretary, Renee Bright was not in attendance and asked for Police Legal Advisor Kenneth Green to retrieve witnesses when called. Attorney Martin did not have any objections.
- b. County Attorney Pamela Everett called Detective Duane Hiers to the witness stand.
- c. Civil Service Board Attorney Joe Harris swore-in Detective Hiers.
- d. He stated his name and where employed. Attorney Everett began questioning Detective Hiers. Detective Hiers responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned Exhibit 1 pages 115 and 555.
- e. Attorney Everett continued questioning Detective Hiers. Detective Hiers responded in detail to all questions posed by Attorney Everett.
- f. Attorney Keith Martin cross-examined Detective Hiers. Detective Hiers responded in detail to all questions posed by Attorney Martin. Attorney Everett objected and asked that Attorney Martin maintain his cool and to stop marching up to the witness (maintain a level of decorum). Attorney Martin responded he had not heard a legal objection.
- g. Chairman Bartlett stated this was an administrative hearing and the Board would not critique his style of questioning witnesses and explained in detail.
- h. Attorney Martin continued the cross-examination of Detective Hiers. Detective Hiers responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned Exhibit 1 page 116 and showed him two flex cuffs.
- i. Attorney Martin continued the cross-examination of Detective Hiers. Detective Hiers responded in detail to all questions posed by Attorney Martin. Attorney Everett objected to a question posed by Attorney Martin as to its ‘relevancy’. Attorney Martin explained.
- j. Chairman Bartlett advised Attorney Martin to continue.

- k. Attorney Martin continued the cross-examination of Detective Hiers. Detective Hiers responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned Exhibit 1 page 130 and Exhibits 10 and 11.
- l. The Board questioned Detective Hiers. He responded in detail to all questions posed by the Board. Attorney Martin objected to the Board's line of questioning.
- m. There being no further questions, the witness was dismissed, subject for rebuttal and recall.
- n. Attorney Youngblood called Lt. Leo Hathaway to the witness stand.
- o. Vice-Chair Lancaster made the motion for a quick break, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.
- p. Chairman Bartlett called the meeting back to order.
- q. Attorney Harris swore-in Lt. Leo Hathaway.
- r. He stated his name, where employed, rank, tenure with the Police Department, tenure in law enforcement and duties. Attorney Youngblood began questioning Lt. Hathaway. Lt. Hathaway responded in detail to all questions posed by Attorney Youngblood. Attorney Martin objected to a question posed as to its "relevancy". Attorney Youngblood explained. Chairman Bartlett over-ruled the objection.
- s. Attorney Youngblood continued questioning Lt. Hathaway. Lt. Hathaway responded in detail to all questions posed by Attorney Youngblood.
- t. Attorney Martin cross-examined Lt. Hathaway. Lt. Hathaway responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned Exhibit 9 page 28.
- u. Attorney Martin continued the cross-examination of Lt. Hathaway. Lt. Hathaway responded in detail to all questions posed by Attorney Martin.
- v. The Board questioned Lt. Hathaway. He responded in detail to all questions posed by the Board.
- w. There being no further questions, the witness was released.
- x. Attorney Youngblood called Officer Kenneth Cameron to the witness stand.

- y. Chairman Bartlett advised parties the time he needed to leave today and what time he would return. He would contact either Mark Trimble or Troyce Lancaster by telephone.
- z. He stated his name, where employed, tenure with the Police Department, employment with the Military (Marines) and position held in 2011. Attorney Youngblood began questioning Officer Cameron. Officer Cameron responded in detail to all questions posed by Attorney Youngblood.
- aa. Attorney Martin cross-examined Officer Cameron. Officer Cameron responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned Appellants Exhibit 15.
- bb. Attorney Martin continued the cross-examination of Officer Cameron. Officer Cameron responded in detail to all questions posed by Attorney Martin.
- cc. The Board questioned Officer Cameron. He responded in detail to all questions posed by the Board.
- dd. There being no further questions, the witness was dismissed, but would remain on "standby" for the Appellants and County.
- ee. A discussion among the Board, Attorney Youngblood and Attorney Martin occurred.
- ff. Chairman Bartlett recommended the hearing adjourns until 2:30 p.m. today and explained.
- gg. Chairman Bartlett called for a motion for recess until 2:30 p.m. today.
- hh. Chairman Bartlett stated he would contact a board member regarding his whereabouts.
- ii. Mr. Trimble gave the following time check: Attorney Youngblood (County) had used 2:47:31 and Attorney Martin (Appellants) had used 2:58:35.
- jj. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
- kk. Chairman Bartlett called the meeting back to order.
- ll. Attorney Everett re-called Capt. Craig Hammer to the witness stand. Attorney Martin stated there could not be a rebuttal as no evidence had been presented.
- mm. Chairman Bartlett asked Civil Service Board Attorney Joe Harris for legal advice.
- nn. A discussion among the Board, Attorney Harris, Attorney Everett and Attorney Martin occurred.

- oo. Attorney Harris stated the County could call Capt. Hammer, as it had not rested its case and he had not been excused.
- pp. Attorney Everett began follow-up questions to Capt. Hammer. He responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned Exhibit 1 pages 131 and 157.
- qq. Attorney Everett continued asking follow-up questions to Capt. Hammer. He responded in detail to all questions posed by Attorney Everett.
- rr. Attorney Martin asked additional questions to Capt. Hammer. He responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned Exhibit 1 page 41 and Appellants Exhibit 15.
- ss. Chairman Bartlett asked Attorney Harris if the Board could expand its questions or stick to Capt. Hammer's direct examination. Attorney Harris advised the Board could ask anything it wanted to.
- tt. The Board questioned Capt. Hammer. He responded in detail to all questions posed by the Board.
- uu. Attorney Everett called Police Chief Gregory Porter to the witness stand. He stated his name and where employed. Attorney Everett began questioning Police Chief Porter. Police Chief Porter responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned Exhibit 1 pages 24, 477, 478, 479 and Exhibit 13(G).
- vv. Attorney Everett continued questioning Police Chief Porter. Police Chief Porter responded in detail to all questions posed by Attorney Everett. Attorney Everett mentioned the exhibits for each Appellant and had Police Chief Porter to identify each, as follows:
- **Michael Brayton**
Exhibit 1 page 9 and Exhibit 13(E), 13(H) and 13(I)
 - **Richard Meehan**
Exhibit 12(E), 12(G) and Exhibit 1 page 30
 - **Benjamin Hernandez**
Exhibit 14(E), 14(F), 14(G), 14(H), 14(I), 14(J), 14(K), 14(L) and Exhibit 1 pages 27 and 18
- ww. Attorney Everett continued questioning Police Chief Porter. Police Chief Porter responded in detail to all questions posed by Attorney Everett.

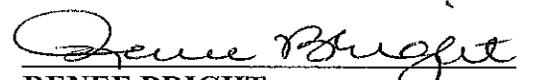
- xx. Attorney Martin cross-examined Police Chief Porter. Police Chief Porter responded in detail to all questions posed by Attorney Martin. Attorney Martin objected as Police Chief Porter was “not answering the question”. Chairman Bartlett advised Police Chief Porter to answer the question and then he could explain.
- yy. Attorney Martin continued the cross-examination of Police Chief Porter. Attorney Martin objected as Police Chief Porter was being “unresponsive”. Chairman Bartlett advised Police Chief Porter to answer the question regarding the Appellants not about himself.
- zz. Attorney Martin continued the cross-examination of Police Chief Porter. Police Chief Porter responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned Exhibit 1 page 486.
- aaa. Attorney Martin continued the cross-examination of Police Chief Porter. Police Chief Porter responded in detail to all questions posed by Attorney Martin. Attorney Everett objected to a question posed by Attorney Martin as “assuming facts not in evidence”. Attorney Martin advised it was mentioned in Capt. Hammer’s testimony. Chairman Bartlett over-ruled the objection.
- bbb. Attorney Martin continued the cross-examination of Police Chief Porter. Police Chief Porter responded in detail to all questions posed by Attorney Martin.
- ccc. The Board questioned Police Chief Porter. He responded in detail to all questions posed by the Board.
- ddd. There being no further questions, the witness returned to his seat.
- eee. Mr. Trimble made the motion for a 10-minute break, 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. Attorney Everett asked to tender the following exhibits: Exhibits 1 pages 11-213, Exhibit 2, Exhibit 3, Exhibit 12, Exhibit 13, and Exhibit 14. Attorney Martin did not have any objections. He also stated the policies were previously stipulated to.
- hhh. Attorney Youngblood mentioned the County had another witness but would take approximately 10 minutes for him to arrive.
- iii. Chairman Bartlett asked Attorney Youngblood the witness’ name. She replied it was Major Kevin Roberts.

- jjj. Chairman Bartlett called for a motion to break until 4:45 p.m. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
- kkk. Chairman Bartlett called the meeting back to order.
- lll. Attorney Youngblood called Major Kevin Roberts to the witness stand. He stated his name, tenure with the Clayton County Police Department.
- mmm. Attorney Harris interjected and asked if he had been sworn in. It was confirmed he had been sworn in.
- nnn. Attorney Youngblood began questioning Major Roberts. Major Roberts responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned Exhibit 1 page 60 and Exhibit 3.
- ooo. Attorney Youngblood continued questioning Major Roberts. Major Roberts responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned Exhibit 1 page 66.
- ppp. Attorney Martin cross-examined Major Roberts. Major Roberts responded in detail to all questions posed by Attorney Martin.
- qqq. The Board did not have any questions for Major Roberts.
- rrr. There being no further questions, the witness was released.
- sss. Attorney Everett stated the County rested its case, subject to rebuttal witnesses.
- ttt. Chairman Bartlett stated the Board would recess until 9:00 a.m., on March 5, 2015.
- uuu. Mr. Trimble gave the following time check: County had used 3:35:22 and Attorney Martin (Appellants) had used 3:20:57.

Chairman Bartlett stated that all matters have been concluded for the day and called for a motion to adjourn (recess until 9:00 a.m., on March 5, 2015) this meeting. Mr. Trimble made the 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