

## ***SPECIAL CALLED CIVIL SERVICE BOARD MEETING***

***MARCH 5, 2015***

A special called meeting of the Clayton County Civil Service Board was held on Thursday, March 5, 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; Civil Service Board Attorney Joe Harris; 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 9:03 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.     **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 confirmed the County had rested its case, subject to rebuttal witnesses.
  - b.     Attorney Martin asked to tender the following exhibits: Exhibits 4, 5, 7, 9, 10, 11 and 15.

Attorney Youngblood – objected (there was no testimony regarding Exhibit 4).  
Attorney Martin – it was identified in being in lesson plan by Leo Hathaway.  
Board members were polled regarding their recollection.  
Chairman Bartlett sustained the objection.

Attorney Youngblood – objected (there was no testimony regarding Exhibit 5).  
Attorney Martin – it was referred to in Leo Hathaway’s testimony.  
Chairman Bartlett over-ruled the objection.

Attorney Youngblood – no objection to Exhibit 7.

Attorney Youngblood – no objection to Exhibit 9.

Attorney Youngblood – objected (there was no testimony regarding Exhibit 10).  
Chairman Bartlett over-ruled the objection.

Attorney Youngblood – objected to Exhibit 11 and explained  
Attorney Martin – agreed and stated the Board could redact the exhibit.  
Attorney Harris – gave legal direction to the Board.  
Chairman Bartlett over-ruled the objection and stated the Board would redact.

Attorney Youngblood – renewed her objection to Appellants Exhibit 15 (it was incomplete, untimely submitted and explained in detail).  
Chairman Bartlett advised Attorney Martin laid out reasons due to it being a large IA file and explained it was not included in the Appellants’ Open Records Request.  
Chairman Bartlett over-ruled the objection.

- c. Chairman Bartlett confirmed the following: Exhibit 4 (was not allowed) and Exhibits 5, 7, 9, 10, 11, and 15 (were allowed). Attorney Martin concurred.
- d. Attorney Martin rested on behalf of Michael Brayton; rested on behalf of Richard Meehan; and rested on behalf of Benjamin Hernandez.
- e. Attorney Youngblood stated she had rebuttal witnesses. Attorney Martin advised there was no evidence presented for rebuttal witnesses.
- f. Chairman Bartlett asked Attorney Harris for legal direction.
- g. Attorney Harris advised she could call rebuttal witnesses to rebut documents.
- h. Chairman Bartlett called for a break until 9:30 a.m. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

- i. Mr. Trimble gave both sides a time check as follows: Attorney Martin had used 3:20:57 and the County had used 3:35:22.
- j. Off the record: Chairman advised Ms. Jeffers to redact Exhibit 11 in the official record and to provide its secretary, Renee Bright, with a sharpie to take into Executive Session.
- k. Chairman Bartlett called the meeting back to order.
- l. Attorney Youngblood reserved the County's right to present closing arguments last.
- m. Attorney Martin presented the Appellants' closing arguments. Attorney Youngblood presented the County's closing arguments.
- n. Chairman Bartlett called for a motion to adjourn into Executive Session to consider the appeals filed by (1) Michael Brayton, Police Department, on January 18, 2012, with regards to: Termination; (2) Benjamin Hernandez, Police Department, on January 18, 2012, with regards to: Termination; and (3) Richard Meehan, Police Department, on January 18, 2012, with regards to: Termination.
- o. Chairman Bartlett called the meeting back to order.
- p. Chairman Bartlett called for motions regarding the following:

Appeal filed by Michael Brayton Police Department, on January 18, 2012, with regards to: Termination. Mr. Trimble made the motion to uphold the department's decision to terminate, second by Dr. Cephus Jackson. No further discussion on the motion made. Motion carried by unanimous vote.

Appeal filed by Benjamin Hernandez, Police Department, on January 18, 2012, with regards to: Termination. Mr. Trimble made the motion to uphold the department's decision to terminate, second by Dr. Cephus Jackson. No further discussion on the motion made. Motion carried by unanimous vote.

Appeal filed by Richard Meehan, Police Department, on January 18, 2012, with regards to: Termination. Mr. Trimble made the motion to uphold the department's decision to terminate, second by Dr. Cephus Jackson. No further discussion on the motion made. Motion carried by unanimous vote.

2. Other Business.

- a. Chairman Bartlett stated the Special Called Meeting scheduled for Friday, March 6, 2015, was canceled.

- b. Chairman Bartlett advised the Board would meet on April 1, 2015, as its Regular Meeting.

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

*Meeting adjourned.*

  
LARRY A BARTLETT  
CHAIRMAN

  
RENEE BRIGHT  
HUMAN RESOURCES DIRECTOR