

REGULAR CALLED CIVIL SERVICE BOARD MEETING

NOVEMBER 5, 2014

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, November 5, 2014, in the Commissioners' Board Room.

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

Also present: Human Resources Director Renee Bright and various staff members; Civil Service Board Attorney Joe Harris; County Attorney Michelle Youngblood; County Attorney Charles Reed; Sheriff's Office Assistant Chief Deputy Shawn Southerland; Attorney Keith Martin; Police Department Legal Advisor Kenneth Green; Jimeah Woodyard; Godreque Newsom; Richard Meehan; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:08 a.m., and noted for the record that all Board members were present. Chairman Bartlett called for a motion to adopt the November 5th agenda. Mr. Trimble made the motion to adopt the agenda, second by Dr. Cephus Jackson. 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 October 2, 2014.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the minutes, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.

2. Considered for approval the Civil Service Board's Advisory Opinion and Recommendation regarding the Satira Walker, Mark Cain, Lynda Cook, Kevin Humphries, Clide Moss, Rodney Lee and India Smith, Sheriff's Office – Involuntary Transfer, grievance hearing held on September 3, 2014 (signed on October 16, 2014).
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Opinion, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.

 - b. Chairman Bartlett was advised he skipped item # 3.

3. Considered for approval the Civil Service Board's Meeting minutes held on October 1, 2014.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
4. Considered for approval the Civil Service Board's Decision regarding the Cassandra Pitts, Sheriff's Office, demotion appeal hearing held on September 4, 2014 (signed on October 16, 2014).
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Decision, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
5. Considered for approval the Civil Service Board's Executive Session minutes regarding the Sherice Jones, Police Department, termination appeal hearing held on October 1, 2014.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the minutes, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
6. Considered for approval the Civil Service Board's Decision regarding the Sherice Jones, Police Department, termination appeal.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Decision, second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote.
7. Considered for approval the Civil Service Board's Executive Session minutes regarding the Donna P. Harris, Sheriff's Office, one-day suspension appeal hearing held on October 1, 2014.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the minutes, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
8. Considered for approval the Civil Service Board's Decision regarding the Donna P. Harris, Sheriff's Office, one-day suspension appeal.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Decision, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.

9. Considered for approval the Civil Service Board's Executive Session minutes regarding the Joseph Rushin, Fire/EMS, termination appeal hearing held on October 2, 2014.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the minutes, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
10. Considered for approval the Civil Service Board's Decision regarding the Joseph Rushin, Fire/EMS, termination appeal.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Decision, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
11. Considered for approval the Civil Service Board's Executive Session minutes regarding the Donna P. Harris, Sheriff's Office, two-day suspension appeal hearing held on October 2, 2014.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the minutes, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
12. Considered for approval the Civil Service Board's Decision regarding the Donna P. Harris, Sheriff's Office, two-day suspension appeal.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the Decision, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
13. Considered request from Victoria Jeffers, Human Resources Department, to receive annual leave donation.
 - a. Human Resources Director Renee Bright explained it meet all requirements and that hours would be donated once Ms. Jeffers has a zero balance.
 - b. A brief discussion between the Chairman and Ms. Jeffers occurred.
 - c. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
14. Considered request from Tamara Duggans, Human Resources Department, to use sick leave for the care of her Mother.
 - a. HR Director Bright explained the request met all requirements and that Ms. Duggans' Mother does not live with her.

- b. 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.
15. Considered request from Jimeah Woodyard, Police Department, to receive annual leave donation.
- a. Police Department Legal Advisor Kenneth Green advised Police Chief Gregory Porter did not have any opposition to Ms. Woodyard's request.
 - b. Chairman Bartlett called for a motion. Mr. Trimble made the motion to approve the request, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
 - c. The Board wished Ms. Woodyard luck!
16. Calendar call.
- a. **Sonja Sanchez, Sheriff's Office** – Termination appeal filed January 12, 2012.
 - i. Appellant's attorney, Keith Martin, requested a continuance and explained in detail.
 - ii. County Attorney Michelle Youngblood had no opposition.
 - iii. Chairman Bartlett called for a motion. Mr. Trimble made the motion to grant the continuance, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
 - b. **Godreque R. Newsom, Sheriff's Office** – Termination appeal filed January 13, 2012.
 - i. County Attorney Michelle Youngblood was present and stated she needed a 10-minute break to gather her witnesses.
 - ii. Appellant, Godreque Newsom and his attorney, Keith Martin, were present and ready to proceed.
 - iii. The Board heard Mr. Newsom's appeal and voted to overturn the decision of the department to terminate Mr. Newsom.
 - c. **Deborah Stanley, Senior Services/Frank Bailey Senior Center/Riverdale** – Termination appeal filed January 9, 2013 – Hearing continued at the request of Appellant, Deborah Stanley.
 - i. Human Resources Director Renee Bright explained Ms. Stanley suffered a house fire and was trying to gather her information.
 - ii. County Attorney Michelle Youngblood had no opposition.
 - iii. Chairman Bartlett called for a motion. Mr. Osagie made the motion to grant the continuance request, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.
 - iv. Chairman Bartlett called for a break until 9:40 a.m. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - v. Chairman Bartlett called the meeting back to order.

17. *Appeal* – Considered appeal filed on January 13, 2012, by Godreque R. Newsom, Sheriff’s Office, with regards to: Termination.
- a. County Attorney Michelle Youngblood advised the Board that she had one witness on the way with an ETA of 30 minutes. Attorney Keith Martin advised all the Appellant’s witnesses were present.
 - b. Civil Service Board Attorney Joe Harris swore in all witnesses that were present.
 - c. Attorney Martin requested an order of sequestration.
 - d. Attorney Youngblood gave the County’s opening statement. Mr. Martin waived the Appellant’s opening statement.
 - e. Attorney Youngblood called Lt. Keith McLaughlin to the witness stand. He stated his name, position, tenure and responsibilities. Attorney Youngblood began questioning Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibits C-5, C-6 pages 17-19, 20-21, and 11.
 - f. Attorney Youngblood continued questioning Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Youngblood. Attorney Martin objected to a question posed by Attorney Youngblood as to “conclusion based on hearsay”. Chairman Bartlett sustained the objection.
 - g. Attorney Youngblood continued questioning Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Youngblood. Attorney Martin objected as to a question posed by Attorney Youngblood as being “irrelevant as to the type of officer Dunbar was”. Chairman Bartlett over-ruled the objection.
 - h. Attorney Youngblood continued questioning Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Youngblood.
 - i. Attorney Martin cross-examined Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned County Exhibit C-5 pages 20 and 21.
 - j. Attorney Martin continued cross-examination of Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Martin.
 - k. The Board questioned Lt. McLaughlin. He responded in detail to all questions posed by the Board.
 - l. There being no further questions, the witness was dismissed (subject to recall by the County).

- m. 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.
- n. Chairman Bartlett called the meeting back to order.
- o. Attorney Youngblood called Investigator Jeff Mitchell to the witness stand. He stated his name, where presently employed, where employed in 2011, tenure with Sheriff's Office, and rank. Attorney Youngblood began questioning Investigator Mitchell. Investigator Mitchell responded in detail to all questions posed by Attorney Youngblood.
- p. Attorney Martin cross-examined Investigator Mitchell. Investigator Mitchell responded in detail to all questions posed by Attorney Martin. Attorney Martin mentioned County Exhibit C-5 pages 20 and 21.
- q. Attorney Martin continued cross-examination of Investigator Mitchell. Investigator Mitchell responded in detail to all questions posed by Attorney Martin.
- r. The Board questioned Investigator Mitchell. He responded in detail to all questions posed by the Board.
- s. There being no further questions, the witness was dismissed (subject to recall by the County).
- t. Attorney Youngblood called Officer Phyllis Gant to the witness stand. HR Director Bright stated Officer Gant needed to be sworn in. Attorney Joe Harris swore in Officer Gant.
- u. She stated her name, where presently employed, and where employed in 2011. Attorney Youngblood began questioning Officer Gant. Officer Gant responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit C-5 pages 17-19 and 3.
- v. Attorney Youngblood continued questioning Officer Gant. Officer Gant responded in detail to all questions posed by Attorney Youngblood. Attorney Martin objected to a question posed by Attorney Youngblood as "irrelevant". Chairman Bartlett stated he would allow it.
- w. Attorney Youngblood continued questioning Officer Gant. Officer Gant responded in detail to all questions posed by Attorney Youngblood.
- x. Attorney Martin cross-examined Officer Gant. Officer Gant responded in detail to all questions posed by Attorney Martin.
- y. The Board questioned Officer Gant. She responded in detail to all questions posed by the Board.

- z. There being no further questions, the witness was released.
- aa. Attorney Youngblood stated her next witness would be Assistant Chief Deputy Shawn Southerland and his testimony would be a while.
- bb. Chairman Bartlett called for a motion (lunch break until 1:00 p.m.). Mr. Trimble made the motion, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
- cc. Chairman Bartlett asked HR Director Bright to remind all witnesses in sequestration not to discuss any previous or future testimony.
- dd. Chairman Bartlett called the meeting back to order.
- ee. Attorney Youngblood called Assistant Chief Deputy Shawn Southerland to the witness stand.
- ff. Mr. Trimble advised Attorney Martin he used 27:19 minutes and Attorney Youngblood used 30:30 minutes.
- gg. He stated his name, where employed, position and tenure. Attorney Youngblood began questioning Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit C-5 pages 2-10 and 11. Attorney Martin objected to page 11 as "leading". Chairman Bartlett over-ruled the objection.
- hh. Attorney Youngblood mentioned the following County Exhibits and asked Asst. Chief Deputy Southerland to identify them: C-5 pages 12-16, 17-21, C-6 pages 2-23, 53-58, 24-42, 43-46, 47, 48, 49, 50, C-5 pages 8, 9, and 11. Attorney Youngblood continued questioning Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood.
- ii. Attorney Youngblood mentioned the following County Exhibits and asked Asst. Chief Deputy Southerland to identify them: C-6 pages 19, 20, and 21, C-7, C-8, C-9, C-10 and C-11.
- jj. Attorney Youngblood continued questioning Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood.
- kk. Attorney Martin cross-examined Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Martin.

- ll. The Board questioned Asst. Chief Deputy Southerland. He responded in detail to all questions posed by the Board. Attorney Martin objected to a question posed by Chairman Bartlett and explained. Chairman Bartlett sustained the objection. The Board continued questioning Asst. Chief Deputy Southerland. Attorney Martin objected to a question posed and stated Kimbrough could be brought here. Chairman Bartlett stated the last statement would be considered hearsay.
- mm. Attorney Youngblood tendered the following County Exhibits: C-5 through C-11.
- nn. Attorney Martin objected to County Exhibit 5 pages 2-5 as to hearsay, objected to page 6, objected to pages 12, 13, 14, 15, 16 as to hearsay, no objection to pages 17-19, no objection to pages 20 and 21 and objected to audio (14 minutes).
- oo. Attorney Youngblood responded that County Exhibit C-5 is the entire case file and explained.
- pp. Attorney Joe Harris gave legal advice to the Board.
- qq. Vice-Chair Lancaster made the motion to take the entire file (County Exhibit C-5), second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote.
- rr. Attorney Martin objected to County Exhibit C-6 pages 2 to Johnson, pages 4, 5, 6, 7, 8, 9 to Newsom, pages 12 to Smith to top with Mitchell on page 14, page 16 with K. King to "Other Evidence", to "Conclusion" on pages 18-23.
- ss. Attorney Martin did not have any objections to County Exhibits C-7, C-8, C-9, C-10, C-11, C-12, C-13, but had objections to CAD as to "relevance".
- tt. Attorney Youngblood gave the same response to objections to County Exhibit C-6 as given to County Exhibit C-5. Dr. Jackson stated he saw it as an investigative report. Mr. Osagie made the motion to over-rule Attorney Martin's objection of County Exhibit C-6, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.
- uu. Chairman Bartlett called for a short break. Vice-Chair Lancaster made the motion, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.
- vv. Chairman Bartlett called the meeting back to order.
- ww. Attorney Youngblood stated the County had rested subject to calling its rebuttal witnesses.
- xx. Attorney Martin called Patrick Boyd to the witness stand. He stated his name. Attorney Martin began questioning Mr. Boyd. Mr. Boyd responded in detail to all questions posed by Attorney Martin. Attorney Youngblood objected to Mr. Boyd's response as "hearsay". Attorney Martin explained. Attorney Joe Harris

explained to the Board that it was admissible hearsay. Chairman Bartlett overruled the objection. For a matter of record, Dr. Jackson made a motion to approve advice of counsel, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

- yy. Attorney Youngblood cross-examined Mr. Boyd. Mr. Boyd responded in detail to all questions posed by Attorney Youngblood.
- zz. The Board questioned Mr. Boyd. He responded in detail to all questions posed by the Board.
- aaa. There being no further questions, the witness was dismissed (subject to recall by the Appellant).
- bbb. Attorney Martin called Investigator Shawn Johnson to the witness stand. He stated his name, where employed, first date of employment, rank held today, rank held in 2009, and rank held in the Fall of 2011. Attorney Martin began questioning Investigator Johnson. Investigator Johnson responded in detail to all questions posed by Attorney Martin.
- ccc. Attorney Youngblood cross-examined Investigator Johnson. Investigator Johnson responded in detail to all questions posed by Attorney Youngblood.
- ddd. The Board questioned Investigator Johnson. He responded in detail to all questions posed by the Board.
- eee. There being no further questions, the witness was dismissed (subject to recall by the Appellant).
- fff. Attorney Martin rested the Appellant's case.
- ggg. Attorney Youngblood called Investigator Jeff Mitchell as a rebuttal witness. Attorney Youngblood asked an additional question to Investigator Mitchell. Investigator Mitchell responded in detail to the question posed by Attorney Youngblood.
- hhh. Attorney Martin asked follow-up questions to Investigator Mitchell. Investigator Mitchell responded in detail to all questions posed by Attorney Martin.
- iii. The Board asked additional questions to Investigator Mitchell. He responded in detail to all questions posed by the Board.
- jjj. There being no further questions, the witness was dismissed.
- kkk. Attorney Youngblood called Asst. Chief Deputy Shawn Southerland as a rebuttal witness. Attorney Youngblood mentioned County Exhibit C-5 page 12 and asked additional questions to Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Martin objected to a question posed by Attorney Youngblood as being "irrelevant" and explained.

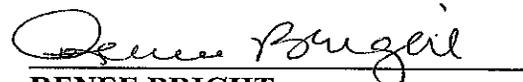
- lll. A discussion among the Board and Attorney Youngblood occurred.
 - mmm. Chairman Bartlett sustained the objection.
 - nnn. Attorney Martin asked follow-up questions to Asst. Chief Deputy Southerland. Asst. Chief Deputy Southerland responded in detail to all questions posed by Attorney Martin.
 - ooo. The Board asked additional questions to Asst. Chief Deputy Southerland. He responded in detail to all questions posed by the Board.
 - ppp. Chairman Bartlett advised HR Director Bright to release all witnesses in sequestration.
 - qqq. Chairman Bartlett called for a break. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - rrr. Chairman Bartlett called the meeting back to order.
 - sss. Attorney Martin presented the Appellant's closing arguments. Attorney Youngblood presented the County's closing arguments.
 - ttt. Chairman Bartlett called for a motion to adjourn into Executive Session to discuss the appeal that was filed on January 13, 2012, by Godreque R. Newsom, Sheriff's Office, with regards to: Termination. Mr. Trimble made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - uuu. Chairman Bartlett called the meeting back to order.
 - vvv. Chairman Bartlett called for a motion regarding the appeal that was filed on January 13, 2012, by Godreque R. Newsom, Sheriff's Office, with regards to: Termination. Mr. Trimble made the motion that the decision of the department to terminate be overturned, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
18. Discussion item.
- a. December Meeting date.
 - i. The Board previously voted to meet Wednesday, December 3, 2014, with no additional days.
19. Other business.
- a. HR Director Bright informed the Board she met with the Chairman of the Board of Commissioners and the he supported compensation of an additional \$100 per day.

- b. Chairman Bartlett asked to hold this matter until the next Board meeting in December.

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 Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.

Meeting adjourned.


LARRY BARTLETT
CHAIRMAN


RENEE BRIGHT
HUMAN RESOURCES DIRECTOR