

CIVIL SERVICE BOARD MEETING

NOVEMBER 17, 2021

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, November 17, 2021, in-person and virtually via Zoom Video Communications.

Members present: Larry Bartlett, Chairman
 K. Terrance Smith, Member
 Virginia Phillips-Hall, Member
 Troyce B. Lancaster, Vice-Chair
 Dr. Cephus Jackson, Member

Members absent: None

Also present: Human Resources Director Pamela Ambles and staff; Civil Service Board Attorney Fred Zimmerman; County Attorney Michelle Youngblood; Community Development Manager Linda Boswell; Transportation & Development Director Jeff Metarko; Staff Attorney Alero Afejuku; Police Legal Advisor Kenneth Green; Fire Chief Landry Merkison; Monique Kidd; Attorney Jake Knanishu; Brenda Thomas; Leonard Ekure; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:19 a.m.

Chairman Bartlett called for a motion to adopt the agenda for November 17, 2021. Vice-Chair Lancaster made the motion to approve the agenda with the exception to add Item 11a – request for annual leave donation and leave without pay for Officer Morgan Raymond (Police Department), 11b – request to extend the probationary period of Sergeant James Baker (Police Department), and 11c – request to extend the probationary period of Officer Alexis Jones (Police Department), second by Dr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

1. Considered for approval the Civil Service Board's Minutes for October 27, 2021.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

2. Considered for approval the Civil Service Board's Minutes for October 28, 2021.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

3. Considered for approval the Civil Service Board's Executive Session Minutes regarding Administration/Interview for the position of the Civil Service Board Attorney held on October 28, 2021.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
 - b. Chairman Bartlett announced as the result of the Executive Session the Board of Commissioners and the Civil Service Board would like to welcome Mr. Fred Zimmerman as the new Civil Service Board Attorney.

4. Considered for approval the Civil Service Board's Executive Session Minutes regarding **Leonard Ekure, Police Department**, demotion appeal heard October 27, 2021. Date Decision Reached: October 27, 2021.
 - a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the Minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

5. Considered for approval the Civil Service Board's Decision regarding **Leonard Ekure (Police Department)**, demotion appeal heard October 27, 2021. Date Decision Reached: October 27, 2021.
 - a. Chairman Bartlett stated due to Attorney Joe Harris' medical issues, he was unable to prepare Leonard Ekure's Decision for the Board signature.
 - b. Human Resources Director Pamela Ambles presented the forty-five (45) days' time limit for the Board final Decision and recommended the Decision would be available by December 7, 2021.
 - c. The Board continued questioning Human Resources Director Ambles. She responded in detail to all questions posed by the Board.
 - d. Attorney Fred Zimmerman confirmed with the Board he would have the documents prepared by December 7, 2021.
 - e. County Attorney Michelle Youngblood asked the Board if a Special Called Meeting would be needed for the Decision.
 - f. DISCUSSION: Chairman Bartlett, the Board, County Attorney Michelle Youngblood, Human Resources Director Pamela Ambles, Staff Attorney Alero Afejuku, and Civil Service Board Attorney Fred Zimmerman referencing the final Decision of the Board's judgement.
 - g. Chairman Bartlett called for a motion Dr. Jackson made the motion to table Leonard Ekure's Decision to Civil Service Board's December meeting, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

6. Considered for approval the Civil Service Board's Decision regarding **Keon Hayward, Police Department**, termination appeal to be heard October 27, 2021. Date Decision Reached: October 27, 2021. [Dismissed – Appellant failed to report]

- a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to tabled Keon Hayward's Decision to the Civil Service Board's December meeting, second by Vice-Chair Lancaster. 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 Recruit Tiffany Michel, Police Department**, for October 17, 2021 through October 31, 2021.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Bartlett asked if the Board had any questions. There were none.
 - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
 8. Considered request from Police Chief Kevin Roberts to extend the probationary period of **Police Recruit Tiffany Michel, Police Department**, for twelve (12) months until January 10, 2023.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Bartlett asked if the Board had any questions. There were none.
 - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Vice-Chair 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 **Communications Dispatcher I Shathea Fahie-Pascal, Police Department**, for December 23, 2021 through December 27, 2021.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Bartlett asked if the Board had any questions. There were none.
 - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
 10. Considered request from Police Chief Kevin Roberts for leave without pay for **Communications Dispatcher I Morgan Raymond, Police Department**, for November 6, 2021 through November 22, 2021 (tentatively).
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Bartlett asked if the Board had any questions. There were none.
 - c. Chairman Bartlett called for a motion. Dr. Jackson 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).

11. Considered request from **Communications Dispatcher I Morgan Raymond, Police Department**, to receive annual leave donation.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Bartlett asked if the Board had any questions. There were none.
 - c. Chairman Bartlett called for a motion. Dr. Jackson 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).

12. Considered request from Police Chief Kevin Roberts to extend the probationary period of **Sergeant James Baker, Police Department**, for an additional six (6) months until May 20, 2022.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Bartlett asked if the Board had any questions. There were none.
 - c. Chairman Bartlett called for a motion. Dr. Jackson 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).

13. Considered request from Police Chief Kevin Roberts to extend the probationary period of **Police Officer Alexis Jones, Police Department**, for an additional six (6) months until June 6, 2022.
 - a. Police Legal Advisor Kenneth Green presented the request to the Board in detail.
 - b. Chairman Bartlett asked if the Board had any questions. There were none.
 - c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Ms. Phillips-Hall. No further discussion on the motion. Motion carried by unanimous vote (5-0).

14. Considered request from Transportation & Development Director Jeff Metarko to extend the probationary period of **Kenneth Braddy, Transportation & Development**, for an additional nine (9) months.
 - a. Transportation & Development Jeff Metarko presented the request to the Board in detail.
 - b. Chairman Bartlett asked if Kenneth Braddy was present. He was not.
 - c. Chairman Bartlett asked if the Board had any questions. There were none.
 - d. Chairman Bartlett called for a motion Dr. Jackson made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion. Motion carried by unanimous vote (5-0).

15. Considered request from **Fire Lieutenant Tommy Hatfield, Fire Department** to use sick leave reserve.
 - a. Fire Chief Landry Merkison presented the request to the Board in detail via Zoom.
 - b. Chairman Bartlett asked the Board if there were any questions. There were none.

- c. Chairman Bartlett called for a motion. Dr. Jackson made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

Chairman Bartlett and the Board commented on how well the Administration of the Fire Department and Police Department look out for the employees and the citizens of Clayton County.

16. Calendar Call.

- a. **Robin Stinnett (Superior Court)** – Termination appeal filed October 21, 2019, regarding: “Please see attached – Termination of Employment”. Attorney Keith Martin requested a continuance via email on November 8, 2021. The continuance request was granted on November 8, 2021.
 - i. Chairman Bartlett confirmed Human Resources Director Pamela Ambles granted Robin Stinnett’s continuance request on November 8, 2021.
- b. **Grace Taylor (Sheriff’s Office)** – Demotion appeal filed April 30, 2018, regarding: “Demoted”. Attorney Keith Martin requested a continuance via email on November 8, 2021. The continuance request was granted on November 8, 2021.
 - i. Chairman Bartlett confirmed Human Resources Director Pamela Ambles granted Grace Taylor’s continuance request on November 8, 2021.
- c. **Brenda Thomas (Sheriff’s Office)** – Termination appeal filed August 2, 2018, regarding: “Termination”. County Attorney Michelle Youngblood submitted an Appellee’s Motion to Stay Proceedings on November 4, 2021.
 - i. **Matter of Record:** Brenda Thomas and her Attorney Jake Knanishu attended today’s meeting via Zoom.
 - ii. Attorney Jake Knanishu confirmed to the Board he had received the motion to stay proceedings documents.
 - iii. County Attorney Michelle Youngblood presented the motion to stay proceedings to the Board in detail.
 - iv. Attorney Jake Knanishu responded to Attorney Youngblood’s motion to stay proceedings statement to the Board in detail.
 - v. Discussion: Chairman Bartlett, the Board, County Attorney Youngblood, Attorney Knanishu, Staff Attorney Afejuku, and Police Legal Advisor Green continued a discussion referencing the motion to stay proceedings and the rights to move forward with these cases.
 - vi. County Attorney Youngblood presented her final response to Attorney Knanishu statement about the motion to stay proceedings to the Board in detail; requested to move to stay proceedings of these cases.
 - vii. Appellant Attorney Knanishu responded to the County’s final comments of the motion to stay proceedings; objected the motion to stay proceedings and the appeal should be allowed to move forward.

- viii. Civil Service Board Attorney Fred Zimmerman commented on the Board deciding on the motion to stay proceeding and the administrative duties.
- ix. County Attorney Youngblood responded to Attorney Zimmerman's comments to the Board in detail; asking the Board to grant the motion to stay proceedings.
- x. Chairman Bartlett called for a motion. Dr. Jackson made a motion to grant the motion to stay proceedings, second by Ms. Phillips-Hall. The Board had further discussion on the motion. Motion carried by a vote (3-2). [The Appellee's Motion to Stay in Proceedings was denied]
- xi. Chairman Bartlett called for a motion. Mr. Smith made a motion to deny the motion to stay proceedings, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by a vote (3-2).
- xii. Chairman Bartlett asked Attorney Knanishu if Appellant was ready to go forward. He replied in the affirmative.
- xiii. Chairman Bartlett asked Attorney Youngblood if County was ready to go forward. She was not.
- xiv. County Attorney Youngblood stated the legal basis for the motion is the existing of temporary vacancy in the Office of the Sheriff of the suspension of Victor Hill by Governor Brian Kemp under Executive Order No 45-5-6.
- xv. Chairman Bartlett stated Brenda Thomas' case would be the first to be heard on December's calendar.
- xvi. Chairman Bartlett ask Attorney Knanishu if he had any motion on behalf of Brenda Thomas.
- xvii. Attorney Knanishu stated he would like to proceed with Ms. Thomas' case and was not sure why County Attorney Youngblood was not prepared with the possibility of the motion of stay denied and if it constitutes a good cause why this case is continued another month. Attorney Knanishu acknowledges the Board's discretion on this matter.
- xviii. Chairman Bartlett asked Civil Service Board Attorney Zimmerman to give his guidance on behalf of the Board.
- xix. Civil Service Board Attorney Zimmerman advised the Board he does agree with Attorney Knanishu. Even if the motion of stay was overruled, you should be prepared to go forward, but if County Attorney Youngblood is not ready to go forward, then she just isn't ready. Although the Board denied the motion to stay; the appeal was continued until next month meeting.
- xx. DISCUSSION: Chairman Bartlett, the Board, Human Resources Director Ambles and County Attorney Youngblood referencing new deadline dates and cases for the Civil Service Board's December meeting.
- xxi. **For the Record:** County Attorney Youngblood stated the basis for not proceeding with today's hearing is because of the legal error of the motion to stay; that motion was filed by the continuance deadline and the work can construe continuance to allow to pursue and appeal of the legal issue.
- xxii. Chairman Bartlett confirmed Brenda Thomas' case would move forward next month pending any other motions or court orders.

- c. **Nadia Tompkins (Community Development)** – Termination appeal filed July 1, 2020, regarding: “Please see attached – Employee Termination”.
- i. Chairman Bartlett advised the Board had received additional documents from Ms. Tompkins.
 - ii. **Matter of Record:** Nadia Tompkins was not present for today’s hearing.
 - iii. Chairman Bartlett allowed County Attorney Michelle Youngblood to review the documents from Ms. Tompkins.
 - iv. Chairman Bartlett called for a motion. Dr. Jackson made the motion for a break, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
 - v. Chairman Bartlett called the meeting back in session at 10:19 a.m.
 - vi. Human Resources Director Pamela Ambles outlined the documentation the Board received from Ms. Tompkins. Director Ambles stated she had communications with Ms. Tompkins, and she did not specifically ask for a continuance.
 - vii. **Matter of Record:** Human Resources Director Ambles advised the Board Ms. Tompkins has another job and cannot attend this meeting.
 - viii. Discussion: The Board continued a discussion referencing Ms. Tompkins submitted documentation.
 - ix. County Attorney Michelle Youngblood requested a motion to dismiss the appeal.
 - x. Chairman Bartlett called for a motion. Dr. Jackson made a motion to approve the County’s request to dismiss Ms. Tompkins appeal, second by Mr. Smith. No further discussion on the motion made. Motion carried by unanimous vote (5-0). [Cased Dismissed]
- d. **Monique Kidd (Sheriff’s Office)** – Termination appeal filed September 26, 2018, regarding: “I was wrongfully terminated from the Sheriff’s Office for failing to take a polygraph test during an Administrative Investigation which I willingly participated in. I refused to take a polygraph because the questions were criminal in nature, and they did not read my Miranda warning and refuse to let me invoke my constitutional rights”. County Attorney Michelle Youngblood submitted an Appellee’s Motion to Stay Proceedings on November 8, 2021.
- i. Chairman Bartlett confirmed County Attorney Michelle Youngblood submitted an Appellee’s Motion to Stay Proceedings.
 - ii. Chairman Bartlett asked County Attorney Youngblood if the County’s arguments would be the same for all three (3) motion to stay proceedings.
 - iii. County Attorney Michelle Youngblood replied yes; the legal basis for the motion is the temporary vacancy in the Office of the Sheriff
 - iv. County Attorney Youngblood stated there is no one in the Office of the Sheriff due to the suspension of Sheriff Victor Hill by Governor Brian Kemp under Executive Order 45-5-6.
 - v. Chairman Bartlett allowed County Attorney Youngblood to give additional information if needed.

- vi. County Attorney Youngblood stated there was no one in the Office of the Sheriff who has full authority in the Constitutional Statute Law of Georgia and because of the vacancy there was no one who has the capacity to direct litigations among other things and it was appropriate to stay the case.
 - vii. Chairman Bartlett asked Monique Kidd if she was ready to move forward. She responded in the affirmative.
 - viii. Chairman Bartlett confirmed Ms. Kidd was present in-person and is ready to move forward.
 - ix. Chairman Bartlett called for a motion. Mr. Smith made the motion to deny the stay, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by vote (3-2). [Case would move forward]
 - x. Ms. Kidd confirmed with the Board she was not represented by an attorney.
- e. **Vincent Handsford (Sheriff's Office)** – Demotion/Leave Without Pay appeal filed October 5, 2018 regarding: “Demotion/Leave Without Pay”. County Attorney Michelle Youngblood submitted an Appellee’s Motion to Stay Proceedings on November 8, 2021.
- i. Chairman Bartlett confirmed County Attorney Michelle Youngblood submitted an Appellee’s Motion to Stay Proceedings.
 - ii. County Attorney Youngblood stated it appears Mr. Handsford was not present; therefore, the County motion to dismiss this case for warrant of prosecution.
 - iii. Chairman Bartlett asked if Mr. Handsford was present in-person or via Zoom. Mr. Handsford was not present.
 - iv. Chairman Bartlett asked Attorney Zimmerman guidance on the motion of withdrawn and/or dismissal of Mr. Handsford’s appeal.
 - v. Attorney Fred Zimmerman advised the Board County Attorney Youngblood could withdraw her motion, but it was not necessary; she could make a motion to dismiss this case for lack of warrant of prosecution.
 - vi. The Board questioned Human Resources Director Ambles on the communication with Mr. Handsford.
 - vii. Human Resources Director Ambles stated to the Board that Human Resources went through all the administrative process like everyone else and provided him all the needed documentations; he did not respond nor have Human Resources heard from Mr. Handsford.
 - viii. Chairman Bartlett called for a motion. Dr. Jackson made the motion to grant County’s request to dismiss Mr. Handsford appeal, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimously vote (5-0). [Case dismissed]
 - ix. **For the Record:** Vincent Handsford’s demotion appeal filed October 5, 2018, would be dismissed.

17. Discussion items.
- a. Confirmed meeting date(s) for December 2021.
 - i. Chairman Bartlett confirmed its next Regular Called Meeting date would be at 9:00 a.m. on Wednesday, December 15, 2021.
 - b. Upcoming cases for December 15, 2021.
 - i. Robin Stinnett (Superior Court)
 - ii. Grace Taylor (Sheriff's Office)
 - iii. Brenda Tomas (Sheriff's Office)
 - iv. Monique Kidd (Sheriff's Office)
 - v. Tameeka Ulysse (Fire & EMS)
 - vi. Shilah Stinfil (Police Department) 15-Day Suspension
 - c. Human Resources Director Ambles mentioned the deadlines for the hearings would be December 1, 2021 (Witness List), December 3, 2021 (Exhibits) and December 6, 2021 (Continuance Request).
18. Executive Session (as needed).
- a. Chairman Bartlett called for a motion. Dr. Jackson made the motion to go into Executive Session for legal matters at 11:47 a.m., second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
 - b. Chairman Bartlett called meeting back in session at 12:47 p.m.
19. Other business.
- a. There was no other business.

Chairman Bartlett stated that all matters have been concluded and called for a motion to adjourn this meeting. Dr. Jackson 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.



LARRY BARTLETT
CHAIRMAN



PAMELA R. AMBLES
HUMAN RESOURCES DIRECTOR