

# ***CIVIL SERVICE BOARD MEETING***

***MARCH 22, 2023***

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, March 22, 2023, in-person and virtually via Zoom Video Communications.

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

Members absent: None

Also present: Human Resources Director Pamela Ambles and staff; Civil Service Board Attorney Fred Zimmerman; County Attorney Michelle Youngblood; Police Chief Kevin Roberts; Police Legal Advisor Kenneth Green; Major Gazarra Hill; Principal Secretary Charlotte McCord; Attorney John Weldon; Officer Jaylon Owens; Lieutenant Eric Arroyo; Stephanie Glenn; Brenda Harrison; employees from County departments; and other individuals.

Chairman Smith called the meeting to order at 9:02 a.m.

Chairman Smith called for a motion to adopt the agenda for March 22, 2023. Vice-Chair Jackson made the motion to approve the agenda with the exceptions to add 11a-Naisha Rohena-Santos (Police Department) leave without pay/annual leave donations and move 13c-Police Promotional Procedure to 11b, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

Chairman Smith called for a motion to approve the amended agenda for March 22, 2023. Vice-Chair Jackson made the motion to approve the amended agenda, second by Ms. Phillips-Hall. 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 February 22, 2023.
  - a. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to approve the Minutes, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
2. Considered for approval the Civil Service Board's Executive Session Minutes regarding ***Personnel Matters*** heard on February 22, 2023.

- a. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to approve the Executive Session Minutes, second by Ms. Watkins. 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 ***Collucci Myers, Probate Court***, termination appeal heard on February 22, 2023.
  - a. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to approve the Executive Session Minutes, second by Ms. Watkins. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
4. Considered for approval the Written Civil Service Board's Decision regarding ***Collucci Myers, Probate Court***, termination appeal heard on February 22, 2023. Motion carried by unanimous vote (4-0) to uphold the County's decision to terminate Ms. Myers.
  - a. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to approve the Decision, second by Ms. Watkins. No further discussion on the motion made. Motion carried by unanimous vote (4-0).
5. Considered request from ***Warden Dennis Nelson, Corrections***, to use sick leave reserve. (Civil Service Board was polled and approved on February 27, 2023 by Smith, Jackson, Lancaster, Phillips-Hall and Watkins)
  - a. Chairman Smith called for a motion. Dr. Jackson made the motion to confirm the vote, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
6. Considered request from ***Civilian Supervisor Charles Jordan, Corrections Prison***, to use sick leave reserve.
  - a. Chairman Smith asked if Charles Jordan was present. He was not in attendance.
  - b. Human Resources Pamela Ambles confirmed to the Board the request falls within the guidelines of the Civil Service Rules and Regulations.
  - c. Chairman Smith called for a motion. Dr. Jackson made the motion to approve the request, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
7. Considered request from Police Chief Kevin Roberts to use sick leave instead of annual leave for ***Principal Secretary Charlotte McCord, Police Department***, from February 23, 2023 through March 7, 2023.
  - a. Police Legal Advisor Kenneth Green presented the request in detail to the Board.
  - b. Chairman Smith asked the Board if there were any questions for Mr. Green. There were none.

- c. Chairman Smith called for a motion. Dr. Jackson made the motion to approve the request, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
  
8. Considered request from Police Chief Kevin Roberts for leave without pay for ***Detective Michael Swanda, Police Department***, from March 27, 2023 through April 10, 2023.
  - a. Police Legal Advisor Kenneth Green presented the request in detail to the Board.
  - b. Chairman Smith asked the Board if there were any questions for Mr. Green. There were none.
  - c. **For the Record:** Human Resources Director Pamela Ambles presented in detail the requirements of Civil Service Rule 5.442 (Leave Without Pay) to the Board.
  - d. Chairman Smith asked if Detective Michael Swanda was present. He was not in attendance.
  - e. Mr. Green confirmed to the Board he would relay to Detective Swanda the requirements of leave without pay guidelines.
  - f. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to approve the request, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
  
9. Considered request from ***Victim Services Officer Esha Gordon, Solicitor General***, for annual leave donations. (Civil Service Board was polled and approved on March 2, 2023 by Smith, Jackson, Lancaster, Phillips-Hall and Watkins)
  - a. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to confirm the vote, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
  
10. Considered requests from Police Chief Kevin Roberts for leave without pay and annual leave donations for ***Communications Call Taker Naisha Rohena-Santos, 911 Communications***, from March 11, 2023 through March 21, 2023.
  - a. Police Legal Advisor Kenneth Green presented the requests in detail to the Board.
  - b. Chairman Smith asked the Board if there were any questions for Mr. Green. There were none.
  - c. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to confirm the vote, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
  
11. Considered request from Police Chief Kevin Roberts for revisions to the Police Promotional Procedures of the Civil Service Rule Appendix A.
  - a. Police Legal Advisor Kenneth Green presented the request in detail to the Board.
  - b. Human Resources Director Pamela Ambles stated that the revisions are fair and equitable and Human Resources does not have any issues associated with the revisions.

- c. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to approve the revisions that were submitted, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

12. Calendar Call.

- a. **Caroline Brodie (Police Department)** – Termination appeal filed July 25, 2022, regarding: “Dismissal/Termination”.
  - i. Appellant Attorney Jacob Weldon requested to speak with County Attorney Michelle Youngblood on a possible way of saving time at this hearing.
  - ii. Chairman Smith granted Attorney Weldon’s request.
- b. **Fatima Khatib (Police Department)** – 15 Days Suspension filed August 3, 2022 regarding: “Suspension for 15 days for being a victim of a domestic violence incident”.
  - i. Chairman Smith asked if the County was ready to proceed. County Attorney Michelle Youngblood replied in the affirmative.
  - ii. Chairman Smith asked if the Appellant was ready to proceed. Fatima Fhatib replied in the affirmative.
  - iii. Chairman Smith asked if all witness were present. County Attorney Michelle Youngblood and Fatima Khatib replied in the affirmative.
  - iv. Chairman Smith granted County Attorney Michelle Youngblood’s request to have a discussion with Fatima Khatib and Police Legal Advisor Kenneth Green on a possible resolution for this case.
- c. **Robbin Fleming (Police Department)** – Suspension appeal filed April 16, 2021 regarding: “The disciplinary action taken against Officer Fleming on March 30, 2021 resulting in a 3-day unpaid suspension. The disciplinary action notice cited an alleged violation of Clayton County Civil Service Rule 9.206(k).” Attorney Ken Davis requested a continuance February 28, 2023. The continuance request was granted on March 2, 2023.
  - i. Chairman Smith confirmed Appellant Attorney Ken Davis continuance request was granted on March 2, 2023.
- d. **Monique Kidd (Sheriff’s Office)** – Termination appeal filed September 26, 2018 regarding: “I was wrongfully terminated for failing to take a polygraph test during an Administrative Investigation which I willingly participated in. I refused it because the questions were criminal in nature, and they did not read me my miranda warning and refuse to let me invoke my constitutional rights.” County Attorney Michelle Youngblood submitted a Notification of Conflict with the majority of the Civil Service Board. Human Resources Director Pamela Ambles will assign this case to a Hearing Officer to determine if a conflict exists.

- i. Chairman Smith confirmed Human Resources Director Pamela Ambles will assign this case to a Hearing Officer to determine if a conflict exists.
- e. **Christopher Abbott (Sheriff's Office)** – Termination appeal filed November 19, 2018 regarding: “I am appealing my termination”. County Attorney Michelle Youngblood submitted a Notification of Conflict with the majority of the Civil Service Board. Human Resources Director Pamela Ambles will assign this case to a Hearing Officer to determine if a conflict exists.
  - i. Chairman Smith confirmed Human Resources Director Pamela Ambles will assign this case to a Hearing Officer to determine if a conflict exists.
- f. **Terry Lee (Sheriff's Office)** – Termination appeal filed November 21, 2018 regarding: “My termination of employment from the Sheriff's Office of November 14, 2018”. County Attorney Michelle Youngblood submitted a Notification of Conflict with the majority of the Civil Service Board members. Human Resources Director Pamela Ambles will assign this case to a Hearing Officer to determine if a conflict exists.
  - i. Chairman Smith confirmed Human Resources Director Pamela Ambles will assign this case to a Hearing Officer to determine if a conflict exists.
- g. **LaShande Baker (Sheriff's Office)** – Termination appeal filed December 14, 2018 regarding: “My termination on December 4, 2018”. County Attorney Michelle Youngblood submitted a Notification of Conflict with the majority of the Civil Service Board members. Human Resources Director Pamela Ambles will assign this case to a Hearing Officer to determine if a conflict exists.
  - i. Chairman Smith confirmed Human Resources Director Pamela Ambles will assign this case to a Hearing Officer to determine if a conflict exists.

Chairman Smith called for a motion. Vice-Chair Jackson made the motion to take a break, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

Chairman Smith called the meeting back to order at 9:31 a.m.

- 13. **(Appeal) – Caroline Brodie (Police Department)** – Termination appeal filed July 25, 2022, regarding: “Dismissal/Termination”.
  - a. County Attorney Michelle Youngblood announced to the Board that Ms. Brodie has offered to resign upon the investigation agreement to accept the withdrawal of this appeal and Human Resources should expect to receive a withdrawal letter from Attorney Jacob Weldon.

- b. Appellant Attorney Jacob Weldon confirmed to the Board that he agrees with County Attorney Michelle Youngblood.
- c. County Attorney Michelle Youngblood and Appellant Attorney Jacob Weldon made a joint motion to request for a continuance to allow all parties to prepare the appropriate documentation to get the withdrawal submitted to the Civil Service Board prior to April's meeting.
- d. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to approve the continuance request, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
- e. Chairman Smith released all witnesses present in the Caroline Brodie's case.
- f. **For the Record:** Human Resources Director Pamela Ambles advised the Board that Human Resources will continue the normal process by sending out the proper notification letter and so forth in case there are any changes to be made.

Chairman Smith called for a motion. Vice-Chair Jackson made the motion for a break to allow preparation time for Counsel to meet, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).

Chairman Smith called the meeting back to order at 10:03 a.m.

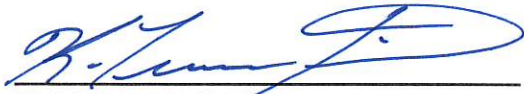
- 14. **(Appeal) – Fatima Khatib (Police Department)** – 15 Days Suspension filed August 3, 2022 regarding: “Suspension for 15 days for being a victim of a domestic violence incident”.
  - a. County Attorney Michelle Youngblood requested to have this case continued because a resolution has been reached and to allow time to prepare the documentation.
  - b. Fatima Khatib confirmed to the Board that she agrees with County Attorney Michelle Youngblood.
  - c. Chairman Smith called for a motion. Vice-Chair Jackson made the motion to approve the continuance request until the resolution is resolved, second by Ms. Lancaster. No further discussion on the motion made. Motion carried by unanimous vote (5-0).
  - d. Chairman Smith released all witnesses present in the Fatima Khatib's case.

15. Discussion items.
  - a. Confirmed meeting date(s) for April 2023.
    - i. Human Resources Director Pamela Ambles confirmed the next Regular Called Meeting would be April 26, 2023 at 9:00 a.m.
    - ii. Human Resources Director announced there will be a need for a Special Called Meeting in the near future.
  - b. Upcoming cases for April 26, 2023.
    - i. Caroline Brodie (Police Department) – Termination with an expectation of a settlement – Continuance Deadline
    - ii. Fatima Khatib (Police Department) – Suspension with an expectation of a settlement – Continuance Deadline
    - iii. Robbin Fleming (Police Department) – Suspension – All Deadlines
    - iv. Scott Haerberlin (Community Development) – Grievance – All Deadlines
    - v. Nicholas Deaton (Police Department) – Demotion – All Deadlines
    - vi. Human Resources Director Pamela Ambles announced Sheriff's cases will not be brought back. We have ten (10) Sheriff's cases on the roster that are waiting to determine if a conflict exists. Attorney Keith Martin represents at least 75% of these appellants. Human Resources will collaborate with Attorney Martin to establish meeting dates so we will not run into continuance request.
    - vii. Human Resources Director Pamela Ambles stated the deadlines for April 26, 2023 Civil Service Board Meeting would be: Witness List (April 7<sup>th</sup>), Exhibits (April 12<sup>th</sup>), and Continuance Request (April 17<sup>th</sup>).
  - c. Leave without pay updates for Marketing and Communications Superintendent Susan Butler.
    - i. Human Resources Director Pamela Ambles stated Susan Butler has been on Administrative Leave Without Pay beginning January 23, 2023 for violation of Civil Service Rule 5.459. In accordance with Rule 5.458, we are notifying the Board that she is on leave without pay for more than 30 days. It is the intent of Communications Administrator to keep Ms. Butler on leave without pay depending on the outcome of some legal issues involving this particular case.
    - ii. The Board began questioning Director Ambles. She responded in detail to all questions posed by the Board.
    - iii. Director Ambles advised the Board she would bring this update back for April's agenda and Communications Administrator Valerie Fuller would have more detail on Ms. Butler's administrative leave without pay situation.

16. Executive Session (as needed).
  - a. None needed.
17. Other business.
  - a. There were none.

*Chairman Smith stated that all matters have been concluded and called for a motion to adjourn this meeting. Vice-Chair 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.*



**K. TERRANCE SMITH  
CHAIRMAN**



**PAMELA R. AMBLES  
HUMAN RESOURCES DIRECTOR**