

## ***REGULAR CALLED CIVIL SERVICE BOARD MEETING***

***APRIL 1, 2015***

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, April 1, 2015, in the Commissioners' Board Room.

Members present:     Larry Bartlett, Chairman  
                          Troyce B. Lancaster, Vice-Chair  
                          Virginia Phillips-Hall, Member

Members absent:     Dr. Cephus Jackson, 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 Michelle Youngblood; Assistant Chief Deputy Shawn Southerland; Attorney Thomas Florio; Terry Lee; Barry Cauthen; Ronnie Wyatt; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:12 a.m.

Chairman Bartlett called for a motion to adopt the agenda. Ms. Phillips-Hall made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

As a matter of business, the Chairman noted for the record, that all Board members were present, except Dr. Cephus Jackson and Mark Trimble.

1.     Considered for approval the Civil Service Board's Meeting Minutes held on March 3, 2015.
  - a.     Chairman Bartlett called for a motion. Vice-Chair Lancaster made the motion to approve the Minutes, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
  
2.     Considered for approval the Civil Service Board's Meeting Minutes held on March 4, 2015.
  - a.     Chairman Bartlett called for a motion. Vice-Chair Lancaster 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 Meeting Minutes held on March 5, 2015.
  - a. Chairman Bartlett called for a motion. Vice-Chair Lancaster made the motion to approve the minutes, 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 Executive Session minutes regarding the Michael Brayton, Police Department, termination appeal.
  - a. Chairman Bartlett called for a motion. Ms. Phillips-Hall 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. Considered for approval the Civil Service Board's Executive Session minutes regarding the Benjamin Hernandez, Police Department, termination appeal.
  - a. Chairman Bartlett called for a motion. Ms. Phillips-Hall made the motion to approve the minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
  
6. Considered for approval the Civil Service Board's Executive Session minutes regarding the Richard Meehan, Police Department, termination appeal.
  - a. Chairman Bartlett called for a motion. Ms. Phillips-Hall made the motion to approve the minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
  
7. Considered for approval the Civil Service Board's Decisions regarding the Michael Brayton, Police Department, termination appeal, Benjamin Hernandez, Police Department, termination appeal, and Richard Meehan, Police Department termination appeal.
  - a. Chairman Bartlett called for a motion. Ms. Phillips-Hall made the motion to approve the Decision. Discussion on the motion made: Vice-Chair Lancaster stated certain things in all three Decisions need to be corrected (i.e., grammar, etc.) and explained in detail.
  - b. A discussion between the Board and Civil Service Board Attorney Joe Harris occurred.
  - c. Chairman Bartlett called for a motion to table items #9, #10 and #11. Vice-Chair Lancaster made the motion to table items #9, #10 and #11, second by Ms. Phillips-Hall. Discussion on the motion made: Chairman Bartlett advised these

matters would be added under Other Business. No further discussion on the motion made. Motion carried by unanimous vote.

8. Considered request from Police Chief Gregory Porter to extend the provisional appointment of Kenneth Chappell, Police Department, for six months.
  - a. Chairman Bartlett addressed Police Department Legal Advisor Kenneth Green regarding this request.
  - b. Mr. Green explained the request in detail for the benefit of the Board's newest member, Virginia Phillips-Hall.
  - c. A discussion between Mr. Green and the Board occurred.
  - d. Chairman Bartlett called for a motion regarding Police Chief Gregory Porter's request. Vice-Chair Lancaster 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 from Kyetha Taylor, Sheriff's Office, for annual leave donation.
  - a. Human Resources Director Renee Bright advised the request met the Civil Service requirements.
  - b. Assistant Chief Deputy Shawn Southerland addressed the Board and advised the department does not oppose the request.
  - c. Chairman Bartlett called for a motion. Ms. Phillips-Hall made the motion to approve the request, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
  - d. Chairman Bartlett asked if the issue concerning annual leave donation was in the re-write of the Civil Service Rules and Regulations. HR Director Bright replied in the affirmative.
  - e. Chairman Bartlett stated that since there were conflicts from County Attorney Michelle Youngblood and Attorney Keith Martin, the meeting would be at a standstill until 10:00 a.m., and called for a motion to recess. Vice-Chair Lancaster made the motion, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
  - f. Chairman Bartlett called the meeting back to order.

10. Calendar Call.

a. **Barry O. Cauthen, Sheriff's Office** – Appeal filed February 14, 2011, regarding: Termination.

i. Attorney Thomas Florio stated he and the Appellant, Barry Cauthen were ready to proceed.

ii. Attorney Youngblood stated the County was ready to proceed.

b. **Terry Lee, Sheriff's Office** – Appeal filed February 23, 2012, regarding: Termination.

i. Attorney Youngblood stated that there was a settlement pending and that Attorney Keith Martin had not signed off on it.

ii. Chairman Bartlett asked Mr. Lee if he had anything to say. Mr. Lee responded in detail.

iii. Chairman Bartlett directed HR Director Bright to place Terry Lee's case on the Board's May agenda.

c. **Ronnie B. Wyatt, Sheriff's Office** – Appeal filed June 8, 2012, regarding: Termination.

i. Ronnie Wyatt was present and replied he was back employed with the Sheriff's Office when Chairman Bartlett inquired. (Attorney Thomas Florio advised Keith Martin represented Mr. Wyatt).

ii. Chairman Bartlett advised Mr. Wyatt that the Board did not anticipate hearing his case today and that he should notify his counsel and advise his attorney that his case would be placed on the agenda for May.

iii. HR Director Bright asked Chairman Bartlett if the witnesses for Lee and Wyatt could be released.

iv. Chairman Bartlett dismissed all witnesses except for the Cauthen matter.

11. **Appeal** – Considered appeal filed by Barry O. Cauthen, Sheriff's Office, on February 14, 2011, with regards to: Termination.

a. Attorney Youngblood made an objection to the Appellant's witness, Jeffery Owensby, and explained.

- b. A discussion among the Board, Attorney Harris, Attorney Youngblood and Attorney Florio occurred.
- c. Chairman Bartlett polled the Board and all members agreed to allow the witness. Chairman Bartlett over-ruled the County's objection and asked if there was any other business.
- d. Attorney Youngblood stated the County reserved its right to call any additional witnesses if need be.
- e. Chairman Bartlett stated the Board would consider this matter, if and when it presented itself.
- f. Attorney Harris swore in all witnesses that were present.
- g. Chairman Bartlett asked if there was an order of sequestration. Attorney Florio replied in the affirmative.
- h. Chairman Bartlett explained the Board's procedures.
- i. Attorney Youngblood gave the County's opening statement.
- j. Attorney Florio gave the Appellant's opening statement.
- k. Attorney Youngblood called Lt. Keith McLaughlin to the witness stand. He stated his name, where employed, tenure, position, tenure at position, where he worked before IA, tenure in this unit and job duties. Attorney Youngblood began questioning Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit 11.
- l. Attorney Youngblood continued questioning Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed as "hearsay" and explained. Chairman Bartlett sustained the objection and explained.
- m. Attorney Youngblood continued questioning Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit 10.
- n. Attorney Florio cross-examined Lt. McLaughlin. Lt. McLaughlin responded in detail to all questions posed by Attorney Florio. Attorney Florio mentioned County Exhibits 10 and 11.
- o. The Board did not have any questions for Lt. McLaughlin.

- p. The County held Lt. McLaughlin as a rebuttal witness (placed on “standby”). Attorney Florio had no objections.
- q. Attorney Youngblood called Captain Mark Felgenhauer to the witness stand. He stated his name, where employed, tenure as Captain, 2010 rank and tenure with Clayton County Sheriff’s Office. Attorney Youngblood began questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed as “hearsay” and explained. Chairman Bartlett sustained the objection.
- r. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to Capt. Felgenhauer having and reading from his report (stopwatch began malfunctioning). Attorney Youngblood responded to the objection. Chairman Bartlett over-ruled the objection and explained.
- s. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question as to “relevance”. Attorney Youngblood explained. Attorney Florio further explained his objection in detail. Chairman Bartlett over-ruled the objection, explained and asked the witness to continue. (stopwatch issues).
- t. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed as “hearsay” and explained. Attorney Youngblood responded. Chairman Bartlett over-ruled the objection.
- u. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question as to “relevance”. Chairman Bartlett over-ruled the objection.
- v. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit 10 pages 15 and 16.
- w. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question as to “hearsay” and “relevance” and explained. Chairman Bartlett sustained the objection. Attorney Youngblood explained her question.
- x. Chairman Bartlett stated he would not allow but referred to the other Board members. Vice-Chair Lancaster and Ms. Phillips-Hall both agreed with Chairman Bartlett’s viewpoint. Chairman Bartlett sustained the objection.

- y. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit 13.
- z. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected. Chairman Bartlett sustained the objection and stated he could not testify to what "could've happened". Attorney Youngblood explained the question.
- aa. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood asked Attorney Florio to allow the witness to finish answering. Chairman Bartlett addressed Attorney Youngblood.
- bb. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected "already answered" and "irrelevant" and explained.
- cc. A discussion between the Board and Attorney Florio occurred. Chairman Bartlett over-ruled the objection and explained.
- dd. Attorney Youngblood continued questioning Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Youngblood (stopwatch issues).
- ee. Vice-Chair Lancaster motioned to take a break to correct the stopwatch issues. Assistant Chief Deputy Shawn Southerland stated the County had two watches keeping time and she could use one of theirs.
- ff. Chairman Bartlett called for a short break to correct the stopwatch issues. Ms. Phillips-Hall made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
- gg. Chairman Bartlett called the meeting back to order.
- hh. Chairman Bartlett stated that an agreement was reached that the County had used 28 minutes and the Appellant had used 8 minutes and 18 seconds and if there is an issue with time, it will be addressed then.
- ii. Attorney Florio cross-examined Capt. Felgenhauer. Capt. Felgenhauer responded in detail to all questions posed by Attorney Florio.
- jj. The Board questioned Capt. Felgenhauer. He responded in detail to all questions posed by the Board.
- kk. There being no further questions, the witness was dismissed (subject to rebuttal).

- ll. Chairman Bartlett called for a quick lunch, returning at 1:15 p.m. Vice-Chair Lancaster made the motion, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
- mm. Chairman Bartlett called the meeting back to order.
- nn. Attorney Youngblood called Assistant Chief Deputy Shawn Southerland to the witness stand. He stated his name, position, where employed, tenure at position and responsibilities. Attorney Youngblood began questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood.
- oo. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed as to "hearsay". Attorney Youngblood responded. Chairman Bartlett over-ruled the objection.
- pp. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibits 11, 5 and 10.
- qq. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to Attorney Youngblood going into Riverdale's report to get defendant's statement in through someone else's support and as to "hearsay". Attorney Youngblood responded. Attorney Florio objected to Attorney Youngblood going into exhibit not tendered into evidence.
- rr. A lengthy discussion among the Board, Attorney Harris, Attorney Florio and Attorney Youngblood occurred.
- ss. Chairman Bartlett called for a short break to allow Attorney Harris to review the case cited during discussion. Vice-Chair Lancaster made the motion, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
- tt. Chairman Bartlett called the meeting back to order.
- uu. Attorney Harris asked to hear Attorney Youngblood's response.
- vv. Attorney Youngblood responded.
- ww. A discussion among the Board, Attorney Harris, Attorney Florio and Attorney Youngblood occurred.
- xx. Attorney Harris provided legal guidance to the Board.

- yy. Chairman Bartlett over-ruled the objection and asked for the questioning to continue.
- zz. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit 11, pages 17, 18, 14, 15, 9, 7, 8, 5 and 6.
- aaa. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected, as Mr. Cauthen was not terminated for violating 6.01 and directed the Board to County Exhibit 4. Attorney Youngblood responded. Chairman Bartlett over-ruled the objection and stated the Board would "hear him out".
- bbb. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit 10 pages 17 and 19-23.
- ccc. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed as to "hearsay" and explained. Attorney Youngblood responded.
- ddd. A discussion among the Board, Attorney Harris, Attorney Florio and Attorney Youngblood occurred.
- eee. Attorney Harris provided legal guidance to the Board. Chairman Bartlett sustained the objection.
- fff. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed as to "hearsay". Attorney Youngblood responded.
- ggg. A discussion between the Board and Attorney Harris occurred.
- hhh. Chairman Bartlett sustained the objection.
- iii. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Attorney Florio objected as to "hearsay". Attorney Youngblood stated Assistant Chief Deputy Southerland had not responded yet. Chairman Bartlett advised Attorney Florio to allow the witness to answer first.
- jjj. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by

Attorney Youngblood. Attorney Youngblood mentioned County Exhibit 11 pages 19-23.

- kkk. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed as to "speculation". Chairman Bartlett sustained the objection.
- lll. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed as to "speculation". Assistant Chief Deputy Southerland began responding. Attorney Florio objected again as to "speculation". Chairman Bartlett sustained the objection.
- mmm. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed as "asked and answered". Chairman Bartlett sustained the objection and told Attorney Youngblood to rephrase the question.
- nnn. Attorney Youngblood rephrased the question and continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibit 6.
- ooo. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected again as to "speculation". Chairman Bartlett over-ruled the objection and cautioned the Board this testimony was Chief Southerland's viewpoint, not facts. Assistant Chief Deputy Southerland rephrased his response.
- ppp. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Youngblood mentioned County Exhibits 7, 8, 9, 12, 13, 14 and 4.
- qqq. Attorney Youngblood continued questioning Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected again as to "speculation". Chairman Bartlett over-ruled the objection.
- rrr. Attorney Florio cross-examined Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Florio. Attorney Florio mentioned County Exhibits 11 and 7.

- sss. Attorney Florio cross-examined Assistant Chief Deputy Southerland. Assistant Chief Deputy Southerland responded in detail to all questions posed by Attorney Florio. Attorney Florio mentioned the first page of Agent Greene's report.
- ttt. The Board questioned Assistant Chief Deputy Southerland. He responded in detail to all questions posed by the Board.
- uuu. There being no further questions, the witness was released, subject to the County's rebuttal witnesses.
- vvv. Attorney Youngblood tendered the following exhibits: County Exhibits 4-15 and 18.
- www. Attorney Florio had no objections to the following exhibits: County Exhibits 4, 5, 6, 7, 8, 9, 12, 13, 14, 15 and 18. Attorney Florio renewed his "hearsay" objection to County Exhibits 10 and 11.
- xxx. Attorney Florio objected to County Exhibit 15, as there was no testimony provided. Chairman Bartlett sustained the objection. Chairman Bartlett stated the Board would disregard County Exhibit 15 and would not consider it.
- yyy. Chairman Bartlett stated Attorney Florio's objections to County Exhibits 10 and 11 were over-ruled.
- zzz. Chairman Bartlett called for a 10-minute break. Ms. Phillips-Hall made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
- aaaa. Chairman Bartlett called the meeting back to order.
- bbbb. Attorney Florio called Barry Cauthen to the witness stand. He introduced himself to the Board. Attorney Florio began questioning Mr. Cauthen. Mr. Cauthen responded in detail to all questions posed by Attorney Florio.
- cccc. Attorney Youngblood cross-examined Mr. Cauthen. Mr. Cauthen responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected and stated Mr. Cauthen was trying to answer the question. Chairman Bartlett sustained the objection.
- dddd. Attorney Youngblood continued the cross-examination of Mr. Cauthen. Mr. Cauthen responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected and asked Attorney Youngblood to allow him to answer the question. Attorney Youngblood responded. Chairman Bartlett directed Mr. Cauthen to respond yes or no and then he could explain.
- eeee. Attorney Youngblood continued the cross-examination of Mr. Cauthen. Mr. Cauthen responded in detail to all questions posed by Attorney Youngblood.

Attorney Florio objected to Attorney Youngblood using a report as improper but could use to refresh his recollection. Chairman Bartlett stated the question had been asked and answered.

- ffff. Attorney Youngblood continued the cross-examination of Mr. Cauthen. Mr. Cauthen responded in detail to all questions posed by Attorney Youngblood. Attorney Florio objected to a question posed by Attorney Youngblood as "speculation". Chairman Bartlett sustained the objection and explained.
- gggg. Attorney Youngblood continued the cross-examination of Mr. Cauthen. Mr. Cauthen responded in detail to all questions posed by Attorney Youngblood.
- hhhh. Attorney Florio asked the Board if he could re-direct. Chairman Bartlett stated he could call Mr. Cauthen as a rebuttal witness.
- iiii. The Board questioned Mr. Cauthen. He responded in detail to all questions posed by the Board.
- jjjj. There being no further questions, the witness was released.
- kkkk. Attorney Florio called Sergeant Jeffery Owensby to the witness stand. (Vice-Chair Lancaster advised the Appellant had used 1 hour 10 minutes).
- llll. Attorney Youngblood renewed the County's objection to allow this witness. Chairman Bartlett over-ruled the objection.
- mmmm. Sgt. Owensby stated his name and tenure with the County.
- nnnn. Chairman Bartlett stopped the questioning and advised he had personally worked with Sgt. Owensby's father and coached his brother in baseball and asked if he should recuse himself.
- oooo. Vice-Chair Lancaster also noted she knew Sgt. Owensby from church and she too knew his father and asked if she should recuse herself.
- pppp. Attorney Youngblood stated this was not personal but it did give the appearance of impropriety.
- qqqq. Chairman Bartlett and Vice-Chair Lancaster explained in detail their relationship with Sgt. Owensby.
- rrrr. Chairman Bartlett excused the witness from the board room.
- ssss. Attorney Florio stated he could proffer what Sgt. Owensby would testify to.
- tttt. Attorney Harris stated he would like to hear his proffer. Attorney Florio delivered his proffer.

- uuuu. Attorney Harris provided legal guidance to the Board and stated it was in the Board's discretion to recuse themselves or not.
- vvvv. Chairman Bartlett called for a motion regarding the County's motion for Vice-Chair Lancaster to recuse herself. Ms. Phillips-Hall made the motion to deny, second by Chairman Bartlett. No further discussion on the motion made. Motion carried by unanimous vote (2-0, Vice-Chair Lancaster abstained).
- wwww. Chairman Bartlett called for a motion regarding the County's motion for Chairman Bartlett to recuse himself. Vice-Chair Lancaster made the motion to deny and not be recused, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote (2-0, Chairman Bartlett abstained).
- xxxx. Attorney Youngblood objected and stated his testimony had nothing to do with the Sheriff's Office but with Clayton County Police Department.
- yyyy. Chairman Bartlett stated in his opinion he would over-rule the objection. Vice-Chair Lancaster and Ms. Phillips-Hall both agreed. Chairman Bartlett over-ruled the objection.
- zzzz. Attorney Florio began questioning Sgt. Owensby. Sgt. Owensby responded in detail to all questions posed by Attorney Florio. Attorney Youngblood objected to an answer given by the witness (his personal feelings). Chairman Bartlett over-ruled the objection and advised Attorney Florio to move on "asked and answered".
- aaaa. Attorney Florio continued questioning Sgt. Owensby. Sgt. Owensby responded in detail to all questions posed by Attorney Florio.
- bbbb. Attorney Youngblood cross-examined Sgt. Owensby. Sgt. Owensby responded in detail to all questions posed by Attorney Youngblood.
- cccc. The Board questioned Sgt. Owensby. He responded in detail to all questions posed by the Board.
- dddd. There being no further questions, the witness was released. There were no objections from the County.
- eeee. Attorney Florio rested the Appellant's case.
- ffff. A discussion regarding the County's remaining time among the Board, Attorney Florio and Attorney Youngblood occurred. Chairman Bartlett advised the Appellant had 16 minutes remaining and the County had 7 minutes remaining.

- ggggg. Chairman Bartlett called for a five minute break. Vice-Chair Lancaster made the motion, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
- hhhhh. Chairman Bartlett called the meeting back to order.
- iiii. The Appellant and County did not have any rebuttal witnesses to call.
- jjjj. Attorney Florio presented the Appellant's closing arguments. Attorney Youngblood objected to Attorney Florio mentioning Temeka Evans' case, as it had no relevance.
- kkkkk. Attorney Youngblood presented the County's closing arguments.
- llll. Chairman Bartlett called for a motion to adjourn into Executive Session to discuss the appeal filed by Barry O. Cauthen, Sheriff's Office, on February 14, 2011, with regards to: Termination. Ms. Phillips-Hall made the motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
- mmmmm. Chairman Bartlett called the meeting back to order.
- nnnn. Chairman Bartlett called for a motion regarding the appeal filed by Barry O. Cauthen, Sheriff's Office, on February 14, 2011, with regards to: Termination. Vice-Chair Lancaster made the motion that the action of the Sheriff's Office to terminate Barry Cauthen be upheld; however the evidence did not support the charge of "Untruthfulness" 7.02; The Board found that the evidence supported 7.06, 7.14 and 9.206(k), and it upheld the Sheriff's Office decision to terminate Mr. Barry Cauthen, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
- oooo. Chairman Bartlett addressed Mr. Cauthen and wished him the best.

12. Discussion items.

- a. Selected meeting date(s) for May 2015.
  - i. The Board agreed to meet May 6, 2015, as its Regular Meeting.

13. Other business.

- a. Agenda items 9, 10 and 11 (Decisions)
  - i. Chairman Bartlett called for a motion regarding the Decision for the Michael Brayton, Police Department, termination appeal. Vice-Chair Lancaster made the motion to approve the Decision with changes

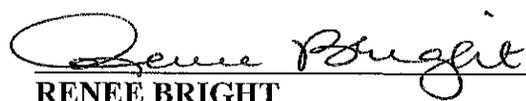
discussed earlier today, second by Ms. Phillips-Hall. Discussion on the motion made: The signature page of the Decisions would be signed today. No further discussion on the motion made. Motion carried by unanimous vote.

- ii. Chairman Bartlett called for a motion regarding the Decision for the Benjamin Hernandez, Police Department, termination appeal. Vice-Chair Lancaster made the motion to approve the Decision with the changes made to the grammatical items, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
  - iii. Chairman Bartlett called for a motion regarding the Decision for the Richard Meehan, Police Department, termination appeal. Vice-Chair Lancaster made the motion to approve the Decision with approved changes discussed earlier, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.
- b. HR Director Bright addressed the Board and clarified that Ronnie Wyatt's appeal hearing was not considered continued. Chairman Bartlett replied in the affirmative.
  - c. A discussion regarding the Civil Service Rules and Regulations Re-Write Committee occurred.

*Chairman Bartlett stated that all matters have been concluded and called for a motion to adjourn this meeting. Vice-Chair Lancaster made the motion to adjourn, second by Ms. Phillips-Hall. No further discussion on the motion made. Motion carried by unanimous vote.*

*Meeting adjourned.*

  
LARRY A. BARTLETT  
CHAIRMAN

  
RENEE BRIGHT  
HUMAN RESOURCES DIRECTOR