

CIVIL SERVICE BOARD MEETING

FEBRUARY 4, 2015

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, February 4, 2015, in the Commissioners' Board Room.

Members present: Larry A. Bartlett, Chairman
 Troyce B. Lancaster, Vice-Chair
 Cephus Jackson, Member
 J. Mark Trimble, Member
 Virginia Phillips-Hall, Member

Also present: Human Resources Director Renee Bright and various staff members; Civil Service Board Attorney Joe Harris; County Attorney Michelle Terry-Youngblood; Police Department Legal Advisor Kenneth Green; Attorney Keith Martin; Deborah Norsworthy, Parks and Recreation Deputy Administrator; Police Chief Gregory Porter; T&D Director Jeffrey Metarko; James S. Long; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:07 a.m., and noted for the record that all Board members were present. Chairman Bartlett called for a motion to adopt the February 4th agenda. Mr. Trimble made a motion to adopt the agenda with the addition of Items 4A and 4B, second by Mr. Jackson. No further discussion on the motion made. Motion carried by unanimous vote.

1. Considered for approval the Civil Service Board Meeting minutes that was held on January 7, 2015.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve, second by Ms. Lancaster. No discussion on the motion was made. Motion carried by unanimous vote.

2. Considered for approval the Civil Service Board's Executive Session minutes regarding administrative issues and potential litigation held on January 7, 2015.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve, second by Ms. Lancaster. No discussion on the motion was made. Motion carried by unanimous vote.

3. Considered request to allow George Asare to use sick leave instead of annual leave for the birth of a child.
 - a. T&D Director Jeffrey Metarko presented the request to the Civil Service Board.

 - b. A discussion between the Board, HR Director Bright and T&D Director Jeffrey Metarko ensued.

- c. Mr. Trimble made a motion to deny the request, second by Dr. Jackson. No further discussion was made. Motion carried by unanimous vote.
4. Considered request for an annual leave donation for Steven Hayes, Parks and Recreation.
 - a. Deborah Norsworthy, Parks and Recreation, was present to present the request.
 - b. Mr. Trimble made a motion that the request be approved, second by Ms. Lancaster. No discussion on the motion was made. Motion carried by unanimous vote.
5. Calendar call.
 - a. The County stated that they were ready to proceed with the case of *James S. Long, Police Department*.
 - b. Attorney Keith Martin stated that there were some witnesses that were on the way but have yet to arrive.
 - c. Chairman Bartlett informed Mr. Martin that after the calendar call, they would have a break which would allow the witnesses more time to arrive.
 - d. The County stated that they were also ready to proceed with the hearing for *Deborah Stanley, Senior Services*.
 - e. Deborah Stanley was not present.
 - f. Chairman Bartlett inquired as to whether or not Ms. Stanley was contacted.
 - g. Ms. Bright stated that Ms. Stanley was contacted.
 - h. Chairman Bartlett called for a motion for a brief break. Motion was made by Mr. Trimble, second by Ms. Lancaster.
 - i. Upon return from the break, HR Director Ms. Bright stated that she called Ms. Stanley and was told by Ms. Stanley that her absence was due partially to medical reasons and the fact that she also forgot.
 - j. Dr. Jackson made a motion to hear from the County, second by Mr. Trimble. No discussion on the motion was made. Motion carried by unanimous vote.
 - k. The County moved that the appeal for Deborah Stanley be dismissed. Chairman Bartlett asked for a motion for the dismissal of the appeal for Deborah Stanley. Dr. Jackson made a motion that the appeal be dismissed, second by Mr. Trimble. Motion carried by unanimous vote.

6. James S. Long, Police Department – Three-day suspension appeal filed March 29, 2013.
- a. Attorney Keith Martin stated that there were still two of his witnesses that were missing.
 - b. Chairman Bartlett stated that he would entertain a motion for a brief break. Motion made by Dr. Jackson to take a break, second by Mr. Trimble. Motion carried by unanimous vote.
 - c. County Attorney Ms. Youngblood informed the Board that one of her witnesses has training and that taking a break would place the witness at risk of not being able to attend the training for certification.
 - d. There was a discussion between the Board and the attorneys in regards to allowing the attorneys to make opening statements and proceed with the case to accommodate the witness.
 - e. Chairman Bartlett asked for a motion to not take a break. Motion made by Dr. Jackson, second by Ms. Phillips-Hall. Motion carried by unanimous vote.
 - f. Chairman Bartlett asked if the County was ready to proceed. Ms. Youngblood answered in the affirmative.
 - g. Chairman Bartlett asked if Attorney Keith Martin was ready to proceed. Mr. Martin stated that he is still missing two witnesses.
 - h. The witnesses were sworn in and they were sequestered.
 - i. The County presented their opening statement.
 - j. Attorney Keith Martin waived his right to present an opening statement.
 - k. The County called their first witness, Sergeant Tony Griffin. Sgt. Griffin stated his name and rank. The witness answered all questions presented by the County.
 - l. Attorney Keith Martin proceeded to question the witness. The witness answered all questions presented by Mr. Martin.
 - m. The Board chose to ask the witness questions about the incident that took place. The witness answered all questions.
 - n. The County chose to retain the witness following his testimony.
 - o. The County called their second witness, Captain Andre Jackson. Cpt. Jackson stated his name, rank and tenure and proceeded to answer all questions presented by the County.
 - p. Mr. Martin then questions the witness. Cpt. Jackson answers all questions presented Mr. Martin.
 - q. The Board questioned the witness and Cpt. Jackson answered all of their questions
 - r. Following Cpt. Jackson's testimony, the County stated that the witness was subject to rebuttal.
 - s. The County called their third witness, Lieutenant James Robinson. Lt. Robinson stated is name, rank and tenure then proceeded to answer all questions asked by the County.
 - t. Mr. Martin questions the witness and Lt. Robinson answers all questions asked.
 - u. The Board asked the witness questions about the incident that took place and Lt. Robinson answered all questions.
 - v. The County stated that the witness was subject for rebuttal.
 - w. Mr. Trimble made a motion to take a break, second by Ms. Lancaster. No further discussion was made. Motion carried by unanimous vote.
 - x. Chairman Bartlett called the meeting back to order at 10:56 AM.

- y. The County called their fourth witness, Captain Craig Hammer. The witness stated his name, rank and tenure then proceeded to answer all questions asked by the County.
- z. Mr. Martin then questioned the witness. Cpt. Hammer answered all questions presented by Mr. Martin.
- aa. The Board then examined the witness. Cpt. Hammer answered all questions presented by the Board.
- bb. The County stated that the witness was subject for rebuttal.
- cc. The County called their fifth witness Police Chief Gregory Porter. Chief Porter stated his name, tenure and rank then proceeded to answer all questions asked.
- dd. Mr. Martin then questioned the witness. Chief Porter answered all questions asked.
- ee. The Board then questioned the witness. Chief Porter answered all questions asked by the Board.
- ff. The County stated that they had no more witnesses, but asked to tender **Exhibit 5**. Mr. Martin had no objections.
- gg. Mr. Martin called Detective Willie Deese to the witness stand.
- hh. Civil Service Board Attorney Joe Harris swore in the witness.
- ii. Det. Deese stated his name and where he worked then answered all questions presented by Mr. Martin.
- jj. The County then proceeded to examine the witness. Det. Deese answered all of the County's questions.
- kk. The Board had no questions to ask the witness. The witness was released and was not subject to rebuttal.
- ll. Mr. Martin called Sergeant Scott Malette to the witness stand.
- mm. Mr. Harris swore in the witness.
- nn. Sgt. Malette stated his name and tenure then answered all questions that were asked of him by Mr. Martin.
- oo. The County examined the witness and Sgt. Malette answered all of their questions.
- pp. The Board questioned the witness and Sgt. Malette answered all of their questions.
- qq. Mr. Martin requested to retain the witness.
- rr. Mr. Martin called Lieutenant Jason Long to the witness stand.
- ss. Lt. Long answered every question asked by Mr. Martin.
- tt. The County then examined the witness and Lt. Long answered all questions that were presented.
- uu. The Board then questioned the witness. Lt. Long responded to all questions asked.
- vv. Chairman Bartlett asked Mr. Martin for his next witness. Mr. Martin stated that the defense rested and did not need to call any of the retained witnesses.
- ww. All witnesses were released.
- xx. Chairman Bartlett asked for a motion to take a break. Mr. Trimble made a motion to take a break, second by Ms. Lancaster. No discussion was made on the matter. Motion carried by unanimous vote.
- yy. Chairman Bartlett called the meeting back to session at 11:56 AM and requested closing arguments.
- zz. Mr. Martin presented his closing argument first followed by the County.

- aaa. Mr. Trimble made a motion to go into Executive Session, second by Ms. Lancaster.
- bbb. The Board returned from the Executive Session at 12:52 PM.
- ccc. Chairman Bartlett asked for a motion. Mr. Trimble made a motion to uphold the decision of the Department, second by Dr. Jackson. Motion was carried by unanimous vote.

7. Discussion Items

- a. The March 2015 meeting dates were confirmed as being the 3rd, 4th, and 5th.

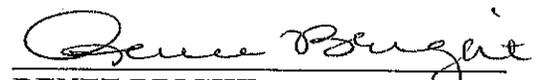
8. Other Business

- a. Chairman Bartlett asked Mr. Martin about the results of the Terry Lee case.
- b. Mr. Martin had no new information to give on a settlement.
- c. A discussion was had in regards to extending the deadline for exhibits for the March meeting. The deadline was set for noon on February 25, 2015.
- d. Mr. Martin and The County agreed that they would consolidate their exhibits.
- e. There was no further business.

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

Meeting adjourned.


LARRY BARTLETT
CHAIR


RENEE BRIGHT
HUMAN RESOURCES DIRECTOR