

CIVIL SERVICE BOARD MEETING

MARCH 6, 2013

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, March 6, 2013, in the Commissioners' Board Room.

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

Member absent: Lori Favre, Member

Also present: Human Resources Director Renee Bright and various staff members; Civil Service Board Attorney Joe Harris; County Attorney Pamela Everett; Fire Chief Jeffrey Hood; Major Robert Sowell; Police Department Legal Advisor Kenneth Green; Warden Frank Taylor Smith; Keith Smith; 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 Board member, Lori Favre, was absent. Chairman Bartlett called for a motion to adopt the March 6th Agenda. Mr. Trimble made a motion to approve the agenda, second by Vice-Chair Lancaster. 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 February 6, 2013.
 - a. Chairman Bartlett called for a motion. Mr. Trimble made a 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 request from Valerie Burns, Sheriff's Office, for annual leave donations.
 - a. Human Resources Director Renee Bright stated Ms. Burns could not be present. Major Robert Sowell advised the Board the department did not have any objections to the request.
 - b. Director Bright stated the request met all civil service requirements.
 - c. Chairman Bartlett called for a motion. Trimble made a motion to approve the request, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.

3. Considered for approval request from Judy Blalock, Transportation and Development, to use sick leave for her daughter.

- a. Chairman Bartlett called for a motion. Trimble made a motion to approve the request, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
4. Appeal – Considered request for continuance from Attorney Gary Kessler regarding the termination appeal that was filed on September 7, 2010, by Darcy L. Blow, Fire/Emergency Services.
 - a. Attorney Gary Kessler was in attendance and advised the Board that Mr. Blow was on temporary military duty until the end of March 2013 and that he had sent copies of those military orders.
 - b. County Attorney Darren Horvath stated that if the orders exited, the County had no problem with the request.
 - c. Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve the request for continuance, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - d. Chairman Bartlett called for a motion regarding deadlines for exhibits and witness lists. Mr. Trimble made a motion to allow a one-week deadline for Mr. Kessler to provide these items, second by Mr. Osagie. No further discussion on the motion made. Motion carried by a 3-1 vote; Vice-Chair Lancaster voting against.
 - e. Chairman Bartlett confirmed that the list of witnesses and exhibits are due within seven calendar days – next Wednesday, (due March 13, 2013).
 - f. Chairman Bartlett called for a short break. Mr. Trimble made a motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - g. Chairman Bartlett called the meeting back to order.
 5. *Appeal* – Considered appeal that was filed on October 19, 2010, by Keith Smith, County Prison/Refuse Control, with regards to “*suspension - insubordination*”.
 - a. Chairman Bartlett asked both sides if they were ready to proceed. They all agreed.
 - b. Chairman Bartlett confirmed with Mr. Keith Smith that he did not have any witnesses. County Attorney Pamela Everett stated she had three witnesses. The witnesses were not sequestered
 - c. Ms. Everett swore in all witnesses.
 - d. Chairman Bartlett explained the formal appeal hearing procedures to Mr. Smith.
 - e. Ms. Everett presented the County’s opening statement. Mr. Smith did not give an opening statement.

- f. Ms. Everett called Barbara Camp to the witness stand. She stated her name, where she worked and her duties. Ms. Everett began questioning Ms. Camp. Ms. Camp responded in detail to all questions posed by Ms. Everett. Ms. Everett mentioned County Exhibit C-11.
- g. Ms. Everett continued questioning Ms. Camp. Ms. Camp responded in detail to all questions posed by Ms. Everett.
- h. Mr. Smith did not have any questions for Ms. Camp.
- i. The Board did not have any questions for Ms. Camp.
- j. There being no further questions, the witness was released. There were no objections from Mr. Smith.
- k. Ms. Everett called Lt. McDonald to the witness stand. He stated his name, where he worked and his duties. Ms. Everett began questioning Lt. McDonald. Lt. McDonald responded in detail to all questions posed by Ms. Everett. Ms. Everett mentioned County Exhibit C-9.
- l. Ms. Everett continued questioning Lt. McDonald. Lt. McDonald responded in detail to all questions posed by Ms. Everett.
- m. Mr. Smith did not have any questions for Lt. McDonald.
- n. The Board questioned Lt. McDonald. He responded in detail to all questions posed by the Board.
- o. There being no further questions, the witness was released. There were no objections from Mr. Smith.
- p. Ms. Everett called Warden Frank Taylor Smith to the witness stand. He stated his name and work duties. Ms. Everett began questioning Warden Smith. Warden Smith responded in detail to all questions posed by Ms. Everett. Ms. Everett mentioned County Exhibit C-12.
- q. Ms. Everett continued questioning Warden Smith. Warden Smith responded in detail to all questions posed by Ms. Everett.
- r. Mr. Smith did not have any questions for Warden Smith.
- s. The Board questioned Warden Smith. He responded in detail to all questions posed by the Board.
- t. There being no further questions, the witness was released.
- u. Ms. Everett stated the County rested.

- v. Mr. Smith advised the Board he wanted to make a statement. Chairman Bartlett explained that he would be subject to cross-examination by the County. Mr. Smith agreed.
 - w. Mr. Smith made a statement.
 - x. Ms. Everett cross-examined Mr. Smith. Mr. Smith responded in detail to all questions posed by Ms. Everett.
 - y. The Board questioned Mr. Smith. He responded in detail to all questions posed by the Board.
 - z. A discussion among the Board, Ms. Everett and Warden Smith occurred.
 - aa. Ms. Everett presented the County's closing argument. Mr. Smith presented his closing arguments.
 - bb. Chairman Bartlett called for a motion to adjourn into Executive Session. Mr. Trimble made a motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - cc. Chairman Bartlett called the meeting back to order.
 - dd. Chairman Bartlett called for a motion regarding the appeal filed on October 19, 2010, by Keith Smith, County Prison/Refuse Control, with regards to "*suspension – insubordination*". Mr. Trimble made a motion to uphold the suspension, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
 - ee. Mr. Smith did not have any questions for the Board.
6. Discussion items.
- a. Policy Providing Time Limits for Hearings.
 - i. A discussion among the Board, Ms. Everett and Police Legal Advisor Kenneth Green occurred.
 - ii. Chairman Bartlett called for a motion to accept the changes and send to the Board of Commissioners for approval. Mr. Trimble made a motion, second by Vice-Chair Lancaster. The motion was rescinded after Human Resources Director Bright advised the policy did not need to have the approval of the Board of Commissioners.
 - iii. Chairman Bartlett called for a motion to accept the changes. Mr. Osagie made the motion, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.

- b. Selected a second meeting date for June 2013.
 - i. The Board selected June 4, 2013, as its Special Called meeting date and June 5, 2013, as its Regular meeting date.
 - ii. Chairman Bartlett called for a motion to add an additional meeting date for June 4, 2013. Mr. Trimble made a motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
 - iii. Chairman Bartlett stated the policy would become effective as of April 15, 2013.
 - iv. Chairman Bartlett called for a motion to have the policy effective as of April 15, 2013. Mr. Trimble made a motion, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.

- 7. Other business.
 - a. Nepotism Policy
 - i. Human Resources Director advised the Board that the Board of Commissioners adopted the amendment to the Nepotism Policy at its March 5, 2013, meeting.

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 Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

Meeting adjourned.



LARRY A. BARTLETT
CHAIRMAN



RENEE BRIGHT
HUMAN RESOURCES DIRECTOR