

# ***CIVIL SERVICE BOARD MEETING***

***MAY 1, 2013***

A regular called meeting of the Clayton County Civil Service Board was held on Wednesday, May 1, 2013, in the Commissioners' Board Room.

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

Also present:         Human Resources Manager Tamara Duggans (on behalf of Human Resources Director Renee Bright) and various staff members; Civil Service Board Attorney Rachael Mack; County Attorney Pamela Everett; Police Department Legal Advisor Kenneth Green; Sheriff's Office Legal Advisor Oliver Hunter; Sheriff Major Joseph Southerland; Sheriff Captain Robert Lane; Parks and Recreation Deputy Administrator Ricardo Newman; Deborah Norsworthy; Synta Kellam-Barnard; Daniel Lawrence; Cassandra Pitts; various employees from County departments; and other individuals.

Chairman Bartlett called the meeting to order at 9:03 a.m., and noted for the record that all Board members were present and that Rachael Mack was sitting in for Joe Harris and Tamara Duggans was sitting in for Human Resources Director Renee Bright. Chairman Bartlett called for a motion to adopt the May 1<sup>st</sup> 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 April 3, 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 the Executive Session minutes regarding Yasmin Neal, Police Department, grievances held on April 3, 2013.
  - a.     Chairman Bartlett called for a motion. Mr. Trimble made a motion to approve the minutes, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.

3. Considered for approval request from Eddie Gore, Jr., Sheriff's Office, for annual leave donations.
  - a. Chairman Bartlett asked Ms. Duggans if the request met civil service requirements. She responded in the affirmative.
  - b. Sheriff Major Joseph Southerland stated there were no objections on behalf of the department.
  - c. Chairman Bartlett called for a motion. Mr. 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. Considered for approval the settlement order regarding the demotion appeal filed July 16, 2010, by Wilbert Jones, Sheriff's Office.
  - a. Vice-Chair Lancaster called for a short break to review the Order. Mr. Trimble made a motion, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
  - b. Chairman Bartlett called the meeting back to order.
  - c. Chairman Bartlett stated there were issues with the Order and called for a motion to move item 6 to 8a. Mr. Trimble made a motion, second by Ms. Favre. No further discussion on the motion made. Motion carried by unanimous vote.
  - d. Chairman Bartlett called for a motion to continue the Wilbert Jones, Sheriff's Office matter until the next agenda (June). Mr. Trimble made a motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
5. Considered request from Synta Kellam-Barnard to use sick leave instead of annual leave.
  - a. Ms. Kellam-Barnard was in attendance and she presented her request in detail.
  - b. The Board questioned Ms. Kellam-Barnard. She responded in detail to all questions posed by the Board.
  - c. Chairman Bartlett called for a motion. Mr. Trimble made a motion to make an exception to the rule, second by Ms. Favre. No further discussion on the motion made. Motion carried by a 4-1 vote, with Chairman Bartlett voting against.

6. Considered for approval the settlement order regarding the demotion appeal filed July 30, 2010, and the termination appeal filed January 12, 2012, by Cassandra Pitts, Sheriff's Office.
  - a. For the record, Officer Cassandra Pitts was in attendance.
  - b. Sheriff's Office Legal Advisor Oliver Hunter requested a continuance and explained in detail.
  - c. Chairman Bartlett called for a motion to continue the matter until the next agenda (June). Mr. Trimble made a motion, second by Vice-Chair Lancaster. No further discussion on the motion made. Motion carried by unanimous vote.
  - d. 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.
  - e. Chairman Bartlett called the meeting back to order.
7. **Appeal** – Considered appeal filed on October 6, 2010, by Daniel Lawrence, Sheriff's Office, with regards to "*I'm appealing my suspension (20 days)*".
  - a. Sheriff Deputy Daniel Lawrence and Sheriff's Office Legal Advisor Oliver Hunter stated they were ready to proceed.
  - b. Mr. Hunter asked the Board to allow him to present exhibits and stated the County only had one witness.
  - c. A discussion among the Board, Mr. Hunter and Deputy Sheriff Lawrence occurred.
  - d. The Board questioned Mr. Hunter. He responded in detail to all questions posed by the Board.
  - e. A discussion among the Board and Mr. Hunter occurred.
  - f. Mr. Hunter requested a continuance of the hearing to allow re-submission of documentation. Deputy Sheriff Lawrence did not want a continuance.
  - g. Mr. Hunter stated the County was ready to proceed with its one witness.
  - h. Chairman Bartlett called for a motion to allow Deputy Sheriff Lawrence some time to review the County's documents for submission. Mr. Osagie made a motion, second by Mr. Trimble. No further discussion on the motion made. Motion carried by unanimous vote.
  - i. Chairman Bartlett called the meeting back to order.

- j. Deputy Sheriff Lawrence stated he did not want any of the County's exhibits allowed.
- k. Chairman Bartlett explained the hearing process and asked if there was a request for sequestration.
- l. Mr. Hunter requested sequestration.
- m. Mr. Hunter swore in all witnesses.
- n. Mr. Hunter presented opening statements for the County. Deputy Sheriff Lawrence presented his opening statements.
- o. Mr. Hunter called Captain Robert Lane to the witness stand. He stated his name, where employed, tenure, current position and duties. Mr. Hunter began questioning Captain Lane. Captain Lane responded in detail to all questions posed by Mr. Hunter. Deputy Sheriff Lawrence objected to Captain Lane reading from a County exhibit. Chairman Bartlett sustained the objection and stated Captain Lane could go by memory.
- p. Mr. Hunter continued questioning Captain Lane. Captain Lane responded in detail to all questions posed by Mr. Hunter. Deputy Sheriff Lawrence objected and stated the County could not go back 10 years for any disciplinary issues. Chairman Bartlett overruled the objection.
- q. Mr. Hunter continued questioning Captain Lane. Captain Lane responded in detail to all questions posed by Mr. Hunter.
- r. Deputy Sheriff Lawrence cross-examined Captain Lane. Captain Lane responded in detail to all questions posed by Deputy Sheriff Lawrence. Mr. Hunter objected to Deputy Sheriff Lawrence question. Chairman Bartlett sustained the objection and stated this hearing was not about Captain Lane.
- s. Deputy Sheriff Lawrence continued the cross-examination of Captain Lane. Mr. Hunter objected to the relevancy of the question (not about gang activity). Deputy Sheriff Lawrence explained the relevancy in detail. Chairman Bartlett sustained the objection.
- t. Deputy Sheriff Lawrence continued the cross-examination of Captain Lane. Mr. Hunter objected to the relevancy of the question (not about student's performance). Deputy Sheriff Lawrence explained the relevancy in detail. Chairman Bartlett sustained the objection.
- u. Deputy Sheriff Lawrence continued the cross-examination of Captain Lane. Captain Lane responded in detail to all questions posed by Deputy Sheriff Lawrence. Mr. Hunter objected, as Deputy Sheriff Lawrence was testifying. Deputy Sheriff Lawrence explained in detail. Chairman Bartlett told Deputy

Sheriff Lawrence to allow Captain Lane an opportunity to look through the documents.

- v. Deputy Sheriff Lawrence continued the cross-examination of Captain Lane. Mr. Hunter objected to a question posed by Deputy Sheriff Lawrence, as Captain Lane is not an employee of Clayton County School System. Deputy Sheriff Lawrence explained in detail. Chairman Bartlett advised Captain Lane he could explain based on his experience.
- w. Deputy Sheriff Lawrence continued the cross-examination of Captain Lane. Mr. Hunter objected as the question was outside the scope (not about personal attributes). Deputy Sheriff Lawrence explained both good and bad history in detail. Chairman Bartlett overruled the objection and asked Captain Lane to respond.
- x. Deputy Sheriff Lawrence continued the cross-examination of Captain Lane. Captain Lane responded in detail to all questions posed by Deputy Sheriff Lawrence.
- y. Mr. Hunter asked additional questions to Captain Lane. Captain Lane responded in detail to all questions posed by Mr. Hunter.
- z. Deputy Sheriff Lawrence asked additional questions. Captain Lane responded in detail to all questions posed by Deputy Sheriff Lawrence.
- aa. The Board questioned Captain Lane. He responded in detail to all questions posed by the Board.
- bb. There being no further questions, the witness was dismissed (subject to recall by the Appellant).
- cc. 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.
- dd. Chairman Bartlett called the meeting back to order.
- ee. Deputy Sheriff Lawrence called Deputy Sheriff Thomas Storey to the witness stand. He stated his name and tenure with the Sheriff's Office. Deputy Sheriff Lawrence began questioning Deputy Sheriff Storey. Deputy Sheriff Storey responded to all questions posed by Deputy Sheriff Lawrence. Mr. Hunter objected to Deputy Sheriff Lawrence's line of questioning. Deputy Sheriff Lawrence explained in detail. Chairman Bartlett sustained the objection and stated Deputy Sheriff Storey's history was not relevant.

- ff. Deputy Sheriff Lawrence continued questioning Deputy Sheriff Storey. Deputy Sheriff Storey responded in detail to all questions posed by Deputy Sheriff Lawrence.
- gg. Mr. Hunter cross-examined Deputy Sheriff Storey. Deputy Sheriff Storey responded in detail to all questions posed by Mr. Hunter.
- hh. Deputy Sheriff Lawrence asked additional questions to Deputy Sheriff Storey. He responded in detail to all questions posed by Deputy Sheriff Lawrence.
- ii. Mr. Hunter asked additional questions to Deputy Sheriff Storey. He responded in detail to all questions posed by Mr. Hunter.
- jj. The Board questioned Deputy Sheriff Storey. He responded in detail to all questions posed by the Board.
- kk. There being no further questions, the witness was dismissed (subject to recall by the Appellant).
- ll. Deputy Sheriff Lawrence took the witness stand and testified. He stated his name and tenure with the Sheriff's Office.
- mm. Mr. Hunter cross-examined Deputy Sheriff Lawrence. Deputy Sheriff Lawrence responded in detail to all questions posed by Mr. Hunter.
- nn. The Board questioned Deputy Sheriff Lawrence. He responded in detail to all questions posed by the Board.
- oo. Mr. Hunter stated the County would present closing arguments last. Sheriff Major Southerland advised Deputy Sheriff Storey he was released.
- pp. Deputy Sheriff Lawrence presented his closing arguments. Mr. Hunter presented the County's closing arguments.
- qq. Chairman Bartlett called for a motion to adjourn into Executive Session to discuss the appeal filed on October 6, 2010, by Daniel Lawrence, Sheriff's Office, with regards to "*I'm appealing my suspension (20 days)*".
- rr. Chairman Bartlett called the meeting back to order.
- ss. Chairman Bartlett called for a motion regarding the appeal filed on October 6, 2010, by Daniel Lawrence, Sheriff's Office, with regards to "*I'm appealing my suspension (20 days)*". Mr. Trimble made a motion to uphold the suspension for 20 days, second by Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.
- tt. Chairman Bartlett addressed Deputy Sheriff Lawrence.

8. Discussion item.

a. Selected a second meeting date for August 2013.

i. Chairman Bartlett called for a motion to set August 6, 2013, as the special called meeting date. Mr. Trimble made a motion, second by Vice-Chair Lancaster. Discussion on the motion made: Chairman Bartlett confirmed that the Regular meeting date would be August 7, 2013. No further discussion on the motion made. Motion carried by unanimous vote.

*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 Mr. Osagie. No further discussion on the motion made. Motion carried by unanimous vote.*

*Meeting adjourned.*

  
\_\_\_\_\_  
LARRY A. BARTLETT  
CHAIRMAN

  
\_\_\_\_\_  
RENEE BRIGHT  
HUMAN RESOURCES DIRECTOR