

HALL COUNTY CIVIL SERVICE BOARD

Meeting Minutes

March 17, 2015

I. Call to order

Chairman Barfield called to order the meeting of the **Hall County Civil Service Board** at **9:00am** on **March 17, 2015** in **Gainesville, Georgia** at the **Hall County Government Center**

II. Roll Call

The following board members were present: Ed Barfield, Deborah Mack, Heather Glenn, Robbie Robison, Alan Wayne, Larry Farmer and Jerry Nix
Others Present: Perry Sartain, Bill Moats, Shenna Adamson

III. Agenda

The agenda was posted on Monday, March 16th to the Hall County website and emailed to the Gainesville Times to be advertised in the paper.

IV. New Business

- a) David McCord termination appeal hearing: Mr. Wills swore in the appellant, Mr. McCord and he took the stand. Mr. McCord addressed the board and thanked them for the opportunity to be there and for his 8 years of employment with Hall County.

Mr. McCord started off with a corrective action form and stated that what was on there was incorrect and he had gotten approval to be off in advance for that particular day.

Mr. McCord stated his employment history and he had received accommodations by the previous Warden, Avery Niles.

Mr. McCord addressed his workers comp injury that he was side swiped while on the job and needed knee surgery from this accident. He also had problems with one of his feet that were not workers comp.

In July, 2014 Johnnie Vickers, Solid Waste Director, asked if operations would be done at the same time to be out of work less time. Mr. McCord scheduled both surgeries at the same time. When released for light duty he was told there was no light duty for him. He stated he did light duty for one week but then there was no more. On November 11, 2014 he stated he was released to do his job and was able to perform his job.

Mr. McCord stated he was terminated on November 20th or 21st by phone call from Johnnie Vickers, Solid Waste Director.

Mr. Blalock addressed Mr. McCord on if he was currently working and was still POST Certified. Mr. McCord stated he was currently working for Lee Arrendale state prison and still held his POST Certification.

Mr. Blalock addressed the release on November 11th from his doctor that stated he released with restrictions. He also addressed that Mr. McCord had been out approximately from work 63 days and from his last release from the doctor her still wasn't released to full duty.

Mr. McCord stated that he wanted his job back with Hall County and it was a better job and could be with his family more.

Mr. Blalock called Johnnie Vickers, Solid Waste Director, to the stand. Johnnie stated that Mr. McCord came to him regarding his surgeries and he asked if the surgeries where going to be at the same time or at different times.

Mr. Blalock asked Mr. Vickers how they had to cover Mr. McCord's shift while he was out. Mr. Vickers stated he would have to pull employees from the Landfill and transfer them to work at the Recycling Center and it had to be a certified officer.

Mr. Blalock turned it over to Mr. Wills, Mr. McCord's Attorney to ask Mr. Vickers questions. Mr. Wills asked for Mr. Vickers to explain the conversation regarding the surgeries. He also asked him to explain the layout of the location where Mr. McCord worked and reviewed with him the release from the doctor's office with the restrictions Mr. McCord was given when returning to work.

Mr. Sartain requested a 5 min break at 10:14am

We came back into session at 10:23am and Mr. Blalock asked Bill Moats, HR Director, to take the stand. Mr. Moats stated he was very familiar with Mr. McCord's termination. Mr. Moats stated he was given paid and un paid benefits during his duration he was out until he exhausted all leave that was available to him.

Mr. Wills addressed Mr. Moats and discussed with him light duty and Mr. Moats explained there was not light duty for Mr. McCord except for the one week that there was something for him to do.

Mr. McCord addressed the board and thanked them for hearing his appeal and again for his time he worked with Hall County.

Mr. Blalock addressed the board asked that the board confirm the termination of Mr. McCord because he caused a hardship on the department and he was given paid and unpaid benefits and had exhausted all leave available to him.

Ms. Glenn made a motion to close the meeting and to go into executive session. Mr. Wayne seconds the motion and it was unanimous vote.

Executive Session: Discussion regarding the termination of David McCord. Mr. Wayne made a motion to close Executive session. Ms. Glenn seconds and was unanimous vote to close.

Mr. Wayne made a motion to re-open the Civil Service Board Meeting. Mr. Barfield seconds the motion and it was unanimous vote.

Ms. Glenn – Confirm
Mr. Robison – Confirm
Ms. Mack – Confirm
Mr. Farmer – Confirm
Mr. Wayne – Confirm
Mr. Barfield – Confirm
Mr. Nix – Confirm

The board voted 7-0 to confirm Mr. McCord's termination.

- V. Adjournment: Mr. Wayne made a motion the meeting be adjourned. Ms. Mack seconds and all were in favor. Meeting adjourned at 11:03am.

Minutes submitted by Shenna Adamson

CLOSED MEETING AFFIDAVIT

STATE OF GEORGIA
COUNTY OF GEORGIA

AFFIDAVIT OF THE HALL COUNTY CIVIL SERVICE BOARD

Heather Glenn, Robbie Robison, Deborah Mack, Alan Wayne, Ed Barfield, Larry Farmer, and Jerry Nix being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

1.

The Hall County Civil Service Board met in a duly advertised meeting on March 17, 2015.

2.

During such meeting, the Board voted to go into closed session.

3.

The executive session was called to order at 10:50 a.m.

4.

The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law:

Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the county or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-12-2(2) and (insert the citation to the legal authority making the tax matter confidential) _____;

Discussion of future acquisition of real estate as provided by O.C.G.A. § 50-14-3(4);

Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. § 50-14-3(6)'

___ Other (Describe the exemption to the opening meetings law) _____
_____ As provided in (insert the citation to the legal authority
exempting the topic) _____.

The executive session adjourned at 11:00
This 17th day of March, 2015.

HALL COUNTY CIVIL SERVICE BOARD

[Signature]
Heather Glenn

[Signature]
Robbie Robison, Vice Chair

[Signature]
Deborah Mack

[Signature]
Alan Wayne

[Signature]
Ed Barfield, Chairman

[Signature]
Larry Farmer

[Signature]
Jerry Nix

Sworn to and subscribed before me this 17 th day
of MARCH, 2015.

[Signature]
Notary Public

7/7/2015
My Commission Expires



**HALL COUNTY CIVIL SERVICE BOARD
HALL COUNTY, GEORGIA**

DAVID MCCORD
DEPARTMENT OF PUBLIC WORKS & UTILITIES
SOLID WASTE DIVISION
APPELLANT

VS.

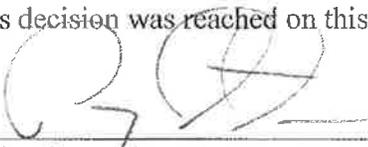
JOHNNIE VICKERS
SOLID WASTE DIRECTOR
HALL COUNTY, GEORGIA

RULING OF THE BOARD

The above-styled matter originated in an appeal filed by David McCord by Petition for Appeal to the Hall County Civil Service Board. Mr. McCord appealed his November 20, 2014 termination.

The appeal having been heard March 17, 2015, in the Board of Commissioner's Meeting Room on the 2nd Floor of the Hall County Government Center, 2875 Browns Bridge Road, Gainesville, Georgia, and testimony and evidence submitted on behalf of all parties; the Board having considered same, voted 7-0 to uphold the County's termination of Mr. McCord.

This decision was reached on this 17th day of March, 2015.



Perry Sartain, Counsel to Civil Service Board

March 19, 2015

Date

George Wills Jr., Counsel for David McCord
Bill Blalock, Counsel for Hall County
Johnnie Vickers, Solid Waste Director, Hall County
Bill Moats, Human Resource Manager, Hall County