

The Banks County Board of Commissioners held a called meeting on December 13, 2011 at 4:30 p.m. in the Board Room of the Banks County Courthouse Annex. Present were Chairman Milton Dalton, Vice Chairman Charles Turk, Commissioners Sammy Reece, Ernest Rogers and Danny Maxwell. County Attorney Randall Frost and Personnel Officer Arlene Ivey were also present.

1. Call to Order

Ch. Dalton called the meeting to order.

2. Approval of Agenda

Vice Chairman Turk made a motion to approve the agenda. Commissioner Rogers seconded. All aye votes and the agenda was approved.

3. Executive Session: Personnel

Comm. Reece made a motion to go into executive session to discuss personnel at 4:33 p.m. Vice Ch. Turk seconded. All aye votes and motion carried. Vice Ch. Turk made a motion to come out of executive session at 4:46 p.m. Comm. Maxwell seconded. All aye votes and motion carried. ***(Copy of affidavit filed in Attachment to Minutes Book #9-3)***

Vice Ch. Turk stated there had been complaints about employees at the Recreation Department spending excessive amounts of time on the internet on computers and personal phones while on county time and stated the need to address the issue with the employees. He further stated the Commissioners had hired a company to do forensic research on the recreation department computers to monitor websites visited on each computer and the amount of time spent on each. He stated the front computer, which all personnel had access, showed 2 to 4 hours daily on various internet sites not work related including Facebook and news sites.

Recreation Director Joe Gailey

Vice Ch. Turk stated the forensic research had shown that Mr. Gailey had visited Humane Society websites and had spent an average of 1 to 2 hours per day on such sites. Mr. Gailey stated there had been a Legacy Link employee until the week before Thanksgiving that used the front desk computer. Vice Ch. Turk stated most of the abuse researched was after the part time employee had left for the day or after the week of Thanksgiving. Comm. Rogers stated his main concern was that Mr. Gailey did not know the employees were on the internet that many hours per day. Mr. Gailey stated all personnel have access to Mr. Wilson's computer and the front desk. He stated Ms. McEntire-Barber's computer had been out for some time. Comm. Rogers stated he felt that Mr. Gailey should be reprimanded for misuse of county time and for misuse of county equipment and made a motion to that effect. Vice Ch. Turk seconded. He then instructed Mr. Gailey that there should only be a front computer and the director's computer and that each employee should have their own passwords. He also suggested that a log of duties be submitted to the commissioners weekly. All aye votes and motion carried. Comm. Reece stated he did not want the history deleted from the computers. Comm. Rogers stated since Mr. Gailey was being reprimanded, he could not reprimand the employees and the commissioners would handle the discipline at this time.

Robert Norman

Vice Ch. Turk stated the forensic research had shown that Mr. Norman had only visited internet sites that related to his job including janitorial and equipment websites.

Tommy Wilson

Vice Ch. Turk stated the forensic research had shown Mr. Wilson had visited Facebook, news sites, casino sites, a pornographic site and other sites not related to the job. He stated the time spent was an average of 1 to 3 hours per day. Mr. Wilson stated he had visited Facebook, news sites and casino sites but stated if he had visited the pornographic site it was by accident. Mr. Wilson stated he spent probably 3 to 4 hours daily on Facebook and other sites. Comm. Rogers stated he felt that was stealing from the county.

Kim McEntire-Barber

Vice Ch. Turk stated the forensic research had shown she may have spent time on Facebook but the main complaint had been the time she spends on her personal phone during work hours. Ms. McEntire-Barber stated she had not had a working computer for some time but admitted she had visited Facebook and news sites from time to time but not a lot. She stated she had been on the internet on her personal phone at times as well but mostly during lunch. She stated most of her time on the front computer was spent on RecNet. Vice Ch. Turk asked if she would be willing to limit personal phone usage while at work. Ms. McEntire-Barber stated yes.

Executive Session

Comm. Maxwell made a motion to go into executive session to discuss personnel at 5:30 p.m. Comm. Reece seconded. All aye votes and motion carried. Comm. Reece made a motion to come out of executive session at 5:50 p.m. Comm. Maxwell seconded. All aye votes and motion carried. ***(Copy of affidavit filed in Attachment to Minutes Book #9-3)***

Vice Ch. Turk stated after some discussion the Board had come to following consensus:

Joe Gailey

Vice Ch. Turk made the motion to instruct Personnel Director Arlene Ivey to place one reprimand in Mr. Gailey's file for misuse of county equipment and one reprimand for lack of managing employees effectively to avoid misuse of county time and county equipment. Comm. Reece seconded. All aye votes and motion carried.

Kim McEntire-Barber

Vice Ch. Turk stated the forensic research had shown some abuse of county time and county equipment by Ms. McEntire-Barber and made a motion to instruct Ms. Ivey to place one reprimand in her personnel file showing abuse of county time because of use of personal cell phone during work hours. Comm. Rogers seconded. All aye votes and motion carried.

Tommy Wilson

Vice Ch. Turk stated the forensic research had shown excessive abuse of county time and county equipment by Mr. Wilson through the following websites: Facebook, news sites, gambling sites and a pornography site. He further stated that in light of the findings and since Mr. Wilson admitted to spending 3 to 4 hours daily on Facebook, Vice Ch. Turk made a motion to terminate Mr. Wilson effective immediately. Comm. Rogers seconded. All aye votes and motion carried.

4. Adjournment

With no more business, Comm. Rogers made a motion to adjourn the meeting. Comm. Maxwell seconded. All aye votes and motion carried. The meeting was adjourned at 5:51 p.m.

Chairman

County Clerk
