

**STATE PERSONNEL BOARD MEETING
MINUTES
October 11, 2011 - 9:00 a.m.**

Robert Joseph, chairperson, called the State Personnel Board meeting to order.

Board members present: Robert R. Joseph, Chair, Hal Roach, Jr., Vice Chair, David Blevins and Albert M. Hodge.

The Executive Secretary Joseph Doyle presented the Minutes of the July 12, 2011 State Personnel Board Meeting to the Board for approval. Mr. Roach made a Motion to approve the Minutes. Mr. Hodge seconded the Motion, which received a unanimous vote.

Oral Arguments:

Link Cohen (Appellant) v. Georgia Department of Behavioral Health and Developmental Disabilities 'DBHDD' (Appellee): # OSAH-SPB-DIS-112043-44-Oakley.

Mr. Link Cohen appeared "pro se".

Mr. Edward Brashier, II represented Appellee, DBHDD.

Chairman Joseph explained the procedural rules of the SPB hearing to Mr. Cohen.

After arguments were made by both parties in the Link Cohen v. DBHDD appeal, Chairman Joseph read the Open Meetings Act (O.C.G.A. 50-14-1 et seq.) which provides that meetings, when discussing or deliberating upon the appointment, employment, hiring, disciplinary action or dismissal, or performance of a public officer or employee, are not required to be held in open meetings. Also, meetings may be closed in order to consult and meet with legal counsel pertaining to pending or State Personnel Board meeting potential litigation in which the agency or any officer or employee may be directly involved.¹

Chairman Joseph called for a Motion that the Board close the meeting to conduct deliberations on the employee appeal matter. Mr. Hodge moved to close the meeting to deliberate. Mr. Blevins seconded the Motion, which received unanimous approval.

The Board completed deliberations on the appeal matter and the public meeting of the State Personnel Board resumed.

Appeals:

Link Cohen (Appellant) v. Georgia Department of Behavioral Health and Developmental Disabilities 'DBHDD' (Appellee): # OSAH-SPB-DIS-112043-44-Oakley.

Upon reconvening, Chairman Joseph called for a Motion in the case of *Link Cohen (Appellant) v. Georgia Department of Behavioral Health and Developmental Disabilities (Appellee)*. Mr. Hodge moved that the Board adopt the Findings of Fact and Conclusions of Law contained in the Initial Decision, as the Findings of Fact and Conclusions of Law of the State Personnel Board and, that the Initial Decision of the Administrative

¹ Chairman Joseph announced that in the interest of making certain Mr. Cohen has a full hearing, the Board would consider, without objection of counsel, entering two additional documents into evidence; hence, the Atlanta Eye Consultants, P.C. Ocular History dated October 10, 2011 and, DBHDD's response letter to Mr. Cohen dated March 30, 2010, more reviewed by the Board in open meeting.

Law Judge be affirmed, upholding termination of Cohen's employment with DBHDD. Mr. Hal Roach, Jr. seconded the Motion. The Board's vote was unanimous.

Chairman Joseph asked the Board if there was any other business to discuss. There being no other business, Mr. Joseph made the Motion for adjournment. Mr. Bennett seconded the Motion. The Board's vote was unanimous and the Board meeting was adjourned.

The Board moved and seconded a Motion called by Chairman Joseph to reopen the meeting for the purpose of entering additional exhibits to the Cohen v. DBHDD appeal record.

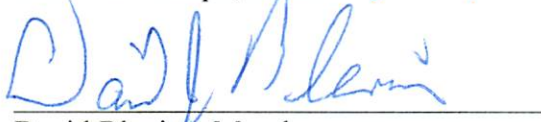
Chairman Joseph announced that he was negligent in failing to enter into the record, Cohen Exhibit D and Cohen Exhibit E, which the Board accepted into the record without opposition from DBHDD counsel. It is recorded that these exhibits have been added to the Cohen appeal record.

Chairman Joseph re-introduced the Motion to adjourn the meeting. Mr. Blevins called for a Motion to adjourn. Mr. Hodges seconded the Motion and, the meeting was adjourned.

READ AND APPROVED ON 12/13/2011


Robert R. Joseph, Chair


Hal Roach, Jr., Vice Chair


David Blevins, Member


Albert M. Hodge, Member

ATTEST:


William Lee Rudd
Interim Executive Secretary
State Personnel Board