

BOARD OF COMMISSIONERS

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ROCKDALE WATER RESOURCES

DWIGHT S. WICKS, DIRECTOR  
TELEPHONE: 770- 278-7412  
FACSIMILE: 770- 918-6796

**Rockdale Water Resources**

MEMORANDUM

Date: June 6, 2012

To: Mrs. Elaine Nash, Chairwoman - Rockdale County Water and Sewerage Authority  
Mrs. Phyllis Turner, Vice-Chairwoman - Rockdale County Water and Sewerage Authority  
Mr. William Murrain, Secretary - Rockdale County Water and Sewerage Authority  
Mr. William Hatcher, Treasurer - Rockdale County Water and Sewerage Authority  
Mr. Tom Fox, Member - Rockdale County Water and Sewerage Authority  
Mr. Darrell Thomas, Member - Rockdale County Water and Sewerage Authority  
Mr. Garvin Haynes, Member - Rockdale County Water and Sewerage Authority

From: Terrell S. Gibbs, Ph.D., P.E., Deputy Director

Re: WATER AND SEWER AUTHORITY MEMBER GARVIN HAYNES'S IMPROPRIETIES

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It is with regret I must come before this authority in a public setting to seek resolve for an issue that has been allowed to exist for over 5 months. For over 5 months, I as well as my director have had to endure a continuous on slot of harassment, libelous and slanderous insinuations and accusations, lies and even threats from a member of this authority, Garvin Haynes.

His actions include:

1. Intentionally, falsely accusing me and my Director of an illegal procurement action item relative to acquiring radio read meters.
2. Intentionally, falsely accusing me and my Director of getting the county financially on the hook with a vendor supposedly selling unproven, flawed meter reading technology.
3. Intentionally, falsely accusing me and my Director of lying.
4. Intentionally, falsely accusing me and my Director of withholding information.
5. Intentionally, falsely accusing me and my Director of attempting to penalize "whistle-blowers"
6. Intentionally, falsely accusing me and my Director of not having the credentials to have the positions we have in the County.
7. Demanding the BOC to fire me and my Director for no logical or factual reason.

There are 15+ specific occurrences that further qualify these actions by Garvin Haynes that have been submitted to the RWSA in the form of a formal complaint with no action. Specific actions to which I expect Garvin Haynes to be held accountable include the following:

1. On several occasions since 2009, Garvin Haynes had contacted staff to include myself at night well after business hours incoherent (seemingly under the influence) talking about everything from politics to his husband to his sexuality relative to politics.
2. On several occasions, Garvin Haynes has insulted Mr. Pavel Vayner (our department's general engineering manager) by making illicit references to him being Russian by telling him to, "Speak English" when Mr. Vayner was clearly speaking English with a Russian accent.

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3. In late Spring/Early Summer of 2010, Garvin Haynes approached RWR about purchasing a \$900,000+ bank building on Iris Drive. With the assistance of Charles Staples, he orchestrated several visits with staff and the BOC. Garvin Haynes approached me at my office requesting that I coerce the Director into purchasing the building, and I did not comply. Garvin Haynes continued to attempt to sell the bank building to the Director for several months after the initial denial to no avail. Once it was determined RWR would not be interested at that time in purchasing the building, Garvin Haynes started a slandering campaign against my Director referring to him as being weak and stating at least one of the sitting commissioners shared the same sentiment. This is in light of Garvin Haynes's numerous public assertions he is looking out for the rate payers.
4. In June of 2011, Garvin Haynes wanted the Director to implement an unjustified rate increase/additional fee on the water bill citing it would be for the reservoir debt when the reservoir debt has been/is being paid. He attempted to deceive the Board of Commissioners until the Director explained the facts. Another example of Garvin Haynes's looking out for the rate payers. When there was no support for Mr. Haynes's efforts, he started the negative campaigning of attempting to discredit the Director.
5. Garvin Haynes was a leading force in the 5 month long issue regarding RWR's move to make the county more efficient and provide the added service of leak detection for our customers with the advent of radio read meters. On 12-15-11, Garvin Haynes disrupted a presentation by RWR staff on radio read to the point the presentation was never allowed to finish and a vote was made to have no further districts changed over to radio read after districts 5 and 6 by a passing tally of 4 to 0. When the customer service component of this technology was expressed, Garvin Haynes stated he didn't care about finding leaks for customers. That costs RWR revenue. Another example of Garvin Haynes's looking out for the rate payers. Later that same day, on 12-15-11, Mr. Haynes sent an inflammatory email to the BOC, the RWSA, and local media without the RWSA or BOC consent based on misinformation, mischaracterization, and solely his own opinions. This email slandered me and my Director as well as made it very clear how Garvin Haynes views the leadership of RWR (see attachment).
6. On 12-25-11 (Christmas), according to a county vendor (Delta Municipal), again without RWSA authorization, Garvin Haynes Mr. Haynes called a Delta Municipal representative as a Rockdale representative attempting to intimidate the vendor for information relative to RWR metering operations. Supposedly, when Mr. Haynes was asked to put his request in writing, he abruptly got off of the phone.
7. On 1-5-12, the RWSA voted to formally submit all questions relative to the radio read program through the RWSA to RWR in writing. Mr. Haynes was in attendance of this meeting. Immediately following this vote by the RWSA and seemingly to undermine the wishes of the RWSA, on 1-6-12, 1-20-12, and 1-23-12, Mr. Haynes submitted 13 open records request primarily for information that was voted on by the RWSA to be submitted through the WSA.
8. On 1-17-12, RWR was contacted by Delta Municipal concerning one of their customers calling them after having been visited by Garvin Haynes. According to the call, Mr. Haynes went to the City of Griffin to meet with their Public Works Director under the guise as a representative of Rockdale County. After being directed to the Deputy Director of Griffin Public Works, Mr. Haynes allegedly proceeded to disparage Neptune meters and informed the Deputy Director of Griffin Public Works of Rockdale County's intention of going with Sensus meters.
9. On 1-19-12, Mr. Haynes called the vendor for Neptune Meters (Delta Municipal) and blatantly and vulgarly disrespected our Director (see attachment).
10. On 1-20-11, Mr. Haynes called the RWR Deputy Director alleging the "Director through you under the bus" in an apparent effort to create an atmosphere of division and distrust within RWR.
11. Since 1-2012, Garvin Haynes has systematically requested countless open records requests of my and my director's email for no reason other than to try and find something he can use against me and my Director to accomplish his ultimate goal which is facilitate our termination, which he has stated to our County Commission Chairman on several occasions.
12. I filed a formal complaint with the RWSA on 4-16-12, in regards to the hostile work environment being directly perpetuated by Garvin Haynes as a member of the RWSA and being indirectly perpetuated by the inaction of the RWSA.
13. On 4-5-2012, Mr. Haynes attempted to threaten and intimidate staff. Mr. Haynes attempted to threaten me when I was at the podium. During an exchange where he was being corrected for false data, he stated to me "if you interrupt me one more time, I'm gonna...." He was stopped by my Director from finishing his threat. Additionally, at the end of the

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- meeting, unprovoked, he told me, "I (Garvin) will be continuing to have my open records requests for your (Terrell) over 20K emails". He further told my engineering manager (Pavel Vayner), he'd "better lay low". Both of these are further actions of Mr. Haynes trying to intimidate me and my staff. A formal complaint was issued to the RWSA on 4-5-12, with no official action or response returned by the RWSA.
14. On 5-21-12, RWR was contacted by Delta Municipal again concerning an open records request placed by Garvin Haynes to the City of Griffin. According to Delta's representative, the Public Works Director of the City of Griffin (Mr. Brant Keller) contacted Delta Municipal concerned of the actions of Mr. Haynes and his agenda. Mr. Haynes's open records request consisting of requesting all pricing documentation for the City of Griffin's acquisition of Neptune radio read meters and associated equipment.
  15. After complete and documented vindication of Garvin Haynes's accusations of alleged improprieties by the Director and Deputy Director as it related to the county's acquisition of radio read meters, Garvin Haynes continued his assault on the good name and reputation of the Director and Deputy Director. Garvin Haynes continues to demand the Director and/or the Deputy Director be fired...referring to us as liars when he has established the very long track record even preceding my time here in the county as being a liar.
  16. On 5-15-12, Garvin Haynes met with the Director, Deputy Director, and BOC Chairman and stated anything short of totally dropping our progression into radio read meters regardless of BOC or RWSA action will not stop his on slot of attacks (i.e. attempts at assassinating the character and reputation of the Director and Deputy Director).
  17. On 5-30-12, Garvin Haynes put in an open records request for proof of the Director and Deputy Director's credentials and demanded that the Chairman of the BOC "fire the Director and Deputy Director because they are not qualified to do their jobs."

Garvin Haynes has tried everything within his power to be a "bull in a china shop" and destroy all of the good work our department has accomplished over the past few years in an effort to amass political leverage to somehow make us and/or our county leadership look bad and ruin our personal and professional reputation. Garvin Haynes is conducting all of these atrocities as a sitting member of the RWSA. Since 1-6-12, Garvin Haynes has issued 26 open records requests from everything from all of my and my Director's emails to employment contracts to operational information that has resulted in over 1,000 pages of information.

I filed two formal complaints to the RWSA with no official response or disposition. My first formal complaint was on March 19<sup>th</sup> and the second was on April 5<sup>th</sup>. I have solicited updates from Chairwoman Elaine Nash only to have her attempt to place the responsibility of managing the behavior and actions of the authority (to which she is the head) in the lap of the Board of Commissioners. RWSA bylaws state written responses to complaints shall be voted on by the authority at a regular scheduled authority meeting. This means an official response from the RWSA that has been voted upon in a regular meeting is set to be due by 6-11-12 for the March 19<sup>th</sup> complaint and 7-4-12 for the April 5<sup>th</sup> complaint. Neither one of my complaints have been presented during a regular meeting which reeks of the conscious effort by either Mrs. Nash singularly or the RWSA holistically of ignoring my complaints or trying to sweep them under the rug. With no official response from the RWSA or having this issue addressed, this leads one to believe Garvin Haynes's actions are being totally condoned and even encouraged by this authority in part or as a whole.

It is no secret that Dwight Wicks and I are the 1<sup>st</sup> and only African-Americans to hold the positions we hold for Rockdale Water Resources, and we do not take this fact lightly. We have accomplished by far exceedingly more with less than any of our predecessors; however, this type of behavior/action has not been documented as ever being directed to any of the previous individuals who occupied our positions who happen not to be African-American, but were white. The RWSA talk about getting back to where we were from 2009 to 2011. What I have sighted is a huge reason why the relationship between the RWSA and RWR has deteriorated...much like the breakdown that took place at the Board of Elections

In closing, I expect and the citizens of Rockdale deserve better from this authority. I expect immediate action to take place to satisfactorily address Garvin Haynes. The authority may consider my last statement as being served notice. Due to the inaction of

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this authority concerning my formal complaints, I intend to hold the RWSA individually and holistically responsible for the actions of Garvin Haynes and anyone else who displays similar antics that potentially place my family's well-being and quality of life and my personal and professional reputation at risk.

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P.O. BOX 1378 • CONYERS, GEORGIA 30012  
[www.rockdalecounty.org](http://www.rockdalecounty.org)