



DAWSON COUNTY
BOARD OF COMMISSIONERS
OFFICE OF THE COUNTY MANAGER

February 8, 2019

David E. Headley
County Manager

VIA HAND DELIVERY

Ms. Danielle Yarbrough
PO Box 942
Dahlonega, GA 30533

Re: Termination of Employment with Dawson County

Dear Ms. Yarbrough,

Pursuant to the Employee Handbook, Section II, Regulation 1.5.1, this correspondence is being provided to you in conjunction with your pre-termination meeting. Please be advised that your employment with Dawson County is terminated effective immediately for the reasons set forth herein.

At the outset, in your recent evaluation, I expressed to you concern about various performance issues. A central focus of the identified performance deficiencies revolved around your failure to respect the chain of command and the County Manager form of government, as well as your failure to treat confidential information appropriately. My hope in providing you with my honest assessment of your performance in that evaluation was that you would work with me toward improvement for the benefit of the County and those employees who need to be able to rely upon and trust the Human Resources Department.

In connection with that evaluation process, you provided a response and rebuttal to the evaluation. Unfortunately, your response made it clear that your intention was to be defiant and refuse to proceed cooperatively. Indeed, in your response, you directed me to provide examples of the performance problems noted in your evaluation, offered protestations that you have done nothing to suggest that you should be considered to be untrustworthy, and initially refused to sign a Confidentiality Agreement, stating that you are "fully aware of what is considered confidential and what is not, and whether or not information can be disseminated." Ultimately, I worked with you to craft an acceptable (to you) version of a Confidentiality Agreement and you signed it. I was hopeful that gesture signaled cooperation and that we would be moving forward together in a more positive manner.

Unfortunately, that was not to be the case. In a good faith effort to provide you with more documentary details associated with the issues raised in your evaluation pursuant to your rebuttal demands for more specific information, I

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retrieved your emails for review so that I could recall some historical dates and details. In doing so, I discovered that an elected official forwarded documents to you that were marked as confidential, attorney-client privileged, and not for distribution. In addition, that same elected official forwarded information to you concerning property acquisition plans that were only discussed in executive session. Finally, that same elected official forwarded to you numerous emails involving county business that had absolutely no relation to your work as the Human Resources Director.

While you could not control the fact that these materials were inappropriately sent to you, you most certainly could have controlled how you handled your receipt of these confidential and protected documents. Indeed, you emphasized in your rebuttal that you were fully aware of how to handle confidential information, and as a human resources professional, you must be expected to professionally and appropriately handle confidential materials. Regrettably, however, you received information that you knew you should not be privy to – not only because the information was outside your job responsibilities and your chain of command, but also because many of the documents stated expressly on their face that they were “confidential”, “privileged” or “not for distribution” and some were even marked as attorney-client privileged communications concerning you – and yet, you never revealed to me that you had these materials. While your receipt of such materials at any time would be disturbing, importantly, some of these private, confidential, privileged communications were received by you as recently as **after** you received your evaluation, provided your rebuttal, and signed the Confidentiality Agreement.

Your receipt of inappropriate information that you knew was improperly distributed to you, your clandestine retention of these materials, and your maintenance of these materials for apparent self-serving purposes is exactly the type of behavior that I identified in your evaluation in that it reflects your disregard for the County Manager form of government and your chain of command. Moreover, this conduct ignores numerous directives given to all senior staff members that I must be notified of all communications from elected commissioners. It reflects a systemic undermining of the County’s interests, the County Manager, and the Board of Commissioners as a whole. In fact, at a bare minimum, your conduct in this regard exhibits a profound lack of judgment. My perception is that you simply cannot be trusted in carrying out the functions of your employment.

Your conduct in this regard gives rise to immediate termination pursuant to the Employee Handbook, pp. 23-24, subsections (b) and (n) for “Acts of Dishonesty” and “Gross Insubordination”. In addition, your conduct is in violation of the following additional conduct requirements of the Employee Handbook: Section 2.1 (Channel of Communication); Section 3.1.3 (a) (Insubordination), (q) (Failing to Obey a Proper Directive), (r) (Disgraceful or Dishonest Conduct); Section 3.3 (Insubordination); and the Code of Ethics (Cannon I).

Please consult Section 6.1 and 6.2 of the Employee Handbook for your appeal rights. You must immediately surrender all County-issued property, equipment, credentials, and documents. To the extent you have any such information outside of your County office (i.e., at home, your vehicle, or in the possession of third-parties), you must return the County property by no later

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than Monday, February 11, 2019. Importantly, you must immediately return, relinquish and/or destroy all of the materials that were forwarded to you by the elected official or otherwise received by you that are outside the scope of your duties and that are privileged, confidential, concerning executive session topics, and otherwise not for distribution to you.

I wish you the best in your future endeavors.

A handwritten signature in cursive script, appearing to read "David Headley".

David Headley
Dawson County Manager