

Personnel Board of Jefferson County

The Foundation of Your Merit System Career

MINUTES OF MEETING OF THE PERSONNEL BOARD OF JEFFERSON COUNTY April 12, 2016

The Personnel Board of Jefferson County met on Tuesday, April 12, 2016. Present at the meeting were L. Kenneth Moore, Chairman; Ann Florie, Associate Member; and Lonnie Washington, Associate Member. Present from the Personnel Board were Lorren Oliver, Personnel Director; Jeff Crenshaw, Deputy Personnel Director; Brian Bellenger, Employment Testing; Guy Dewees, Applicant Services; Kim Kinder, Employee Services; and Cynthia Holiness, Business Office; Leslie Coyne, Counsel for the Personnel Board; and Personnel Board staff.

I. OPENING REMARKS BY L. KENNETH MOORE, CHAIR

Chairman L. Kenneth Moore opened by welcoming the assembly.

II. OPERATIONAL UPDATES

Due to an extensive agenda, the Chairman dispensed with the monthly operational updates and proceeded directly to the agenda items.

III. ACTION ITEMS

- a) The Board approved the minutes for the meeting held on March 8, 2016. (Motion made by A. Florie and Seconded by L. Washington)

In one vote, the Board approved the contracts referenced in items *b-c* below:

- b) The Board approved a contract between the Personnel Board of Jefferson County and LinkedIn. LinkedIn is currently the Board's best sourcing tool to find individuals for difficult to fill professional-level openings such as Application Developer, Training Advisor, and Public Relations Manager. It is the largest professional networking site in the world with 122 million registered accounts in the United States and growing at an annual rate of 14% (2 new profiles are created every minute). Registered users are mostly professionals with a college degree or higher and their demographics are fairly evenly distributed amongst gender and race. LinkedIn will

provide three (3) Corporate Recruiter Accounts and three (3) job slot posting packages. A job slot posting package will give us the ability to post up to three (3) jobs at all times for twelve (12) months. Jobs posted to job slots not only show in job seekers search results, but also within the profiles of individuals who might fit the qualifications for the job who may not necessarily be looking for a job. LinkedIn Corporate Recruiter accounts allow for the ability to see full profiles with unlimited search of the entire LinkedIn profile population. Corporate Recruiter is also fully collaborative allowing for the recruiting activity and projects of each team member to be shared and viewed by all team members. Additionally all accounts are dynamic which allows for them to be moved from one individual to another should the need arise. LinkedIn Inc. will provide the aforementioned services from May 28, 2016 through May 27, 2017. Total cost of these services is not to exceed \$29,130.

- c) The Board approved a contract with PeopleAdmin. The Personnel Board of Jefferson County utilizes a hosted Applicant Management System to provide its online application, position requisition, and position description functionality. These services have been provided by PeopleAdmin since 2004. The services were re-bid in 2007, 2010, and 2013, and again put out for bid by the Jefferson County Department of Purchasing in 2016. This contract results from request for proposal #31-16 "Online Application and Software Hosting" which closed in March, 2016. After reviewing the responses to the Request for Proposal (RFP), PeopleAdmin was the more cost effective vendor, in that they submitted a cost proposal that is 38% less than their previous bid and they have agreed to meet all the service levels and conditions specified in the RFP. PeopleAdmin is a key component of the integrated systems that comprise the Board's HRIMS. PeopleAdmin serves as the Board's online applicant management system and is web accessible to both applicants and jurisdictions. The system provides the capability for applicants to create online applications and to apply to open jobs. PeopleAdmin also provides the capability for jurisdictions to submit requests for and receive certification lists electronically. This contract results from request for proposal #31-16 "Online Application and Software Hosting" which closed in March, 2016. PeopleAdmin will host the Board's online applicant management system for the term of one year covering April 1, 2016 to March 31, 2017 in the amount of \$37,485.00. (Motion made by A. Florie and Seconded by L. Washington)

- d) The Board approved a contract between Jefferson County (Environmental Services) and B. H. Craig Construction. B. H. Craig Construction will provide specialized construction services for the Environmental Services Department of Jefferson County. These services include construction and rehabilitation on the bar screens, clarifiers and gas spheres at the Valley Creek Waste Water Treatment Plant including repairing collector arms, clarifier grout repair/replacement, and lead based paint abatement and repainting of the ferrous metal surfaces of the clarifiers and digester gas storage spheres. The services provided are not services that could be performed by Merit System employees due to the particular skills and knowledge required to perform the work including required painting certifications and special abatement procedures for lead coating. The contract term is one year, and the cost is \$2,898,600.00. The contract was approved based on the specialized knowledge and skills required to perform the services as well as the sporadic nature of the work. (Motion made by L. Washington and Seconded by A. Florie)

- e) The Board approved a contract between Jefferson County Sheriff's Office and Advance Correctional Health, Inc. (ACH). ACH will provide medical care and services to inmates at the Jefferson County Jails in Birmingham and Bessemer. ACH provides emergency and non-emergency medical services including mental health services, dental services and lab services. ACH will also provide disposable medical, dental and office supplies and keep medical records on each inmate that receives healthcare. ACH provides medical services 24 hours/day and 7 days/week. Contract is three (3) years, from 3/1/2016 to 2/28/2019, at a cost of \$2,998,888.09 per year. Based on the fact that the services are generally contracted, the potential cost savings associated with contracting the work and the fact that the services are provided 24 hours/day and 7 days/week, the contract was approved. (Motion made by L. Washington and Seconded by A. Florie)

- f) The Board approved a contract between Jefferson County Sheriff's Office and UAB Board of Trustees. UAB TASC is the designated Community Corrections Program for Jefferson County, by a Resolution adopted by the Jefferson County Commission September 6, 1994. TASC provides community-based alternatives to offenders who would otherwise be incarcerated. UAB, through the TASC program, will provide the Sheriff's department with electronic

monitoring services for offenders placed on house arrest. Contractor services will include 24/7 electronic monitoring, installation and removal of monitoring equipment, enrolling offenders, tracking and interpreting signals; logging and recording reports of offenders' daily movement. The services will be performed sporadically, on an as-needed basis, whenever offenders are sentenced to house arrest. The contract term is 10/1/2015 to 9/30/2016 and the cost is \$160,000. The contract was approved based on the fact that that the Jefferson County Sheriff's Office does not have the equipment to perform the work, the work is customarily performed by independent contractors, and the estimated cost effectiveness of contracting the services. (Motion made by L. Washington and Seconded by A. Florie)

- g) The Board approved a contract between the City of Birmingham and the University of Alabama at Birmingham (UAB). UAB's Graduate School of Engineering will partner with the City of Birmingham in a pilot project to research, design, manufacture, install and test new storm drain inlet covers. UAB will be responsible for research and development and the City will be responsible to provide access to facilities, locations for testing and existing covers. At the end of the agreement, the City shall have ownership of all equipment and monitoring devices. The contract term is three (3) years at a total cost of \$600,000. The contract was approved based on the fact that research and development is not Merit System work, the temporary nature of the services, and the potential costs to perform the work in-house. (Motion made by L. Washington and Seconded by A. Florie)

In one vote, the Board approved the proposed contracts referenced in items ***h-k*** below:

- h) The Board conditionally approved a proposed contract between the City of Birmingham and Arcadis, U. S., Inc. Arcadis will provide non-regulatory storm water services involving the development of a flood plain and watershed model for Valley Creek. The services will include project management, data collection, processing, analysis, surveying, hydrology, hydraulic and future conditions modeling, mapping and reporting. The Board last approved a contract between the City of Birmingham and Arcadis on September 9, 2014 to develop a watershed model for Village Creek. The contract expired December 31, 2015 and the total cost for the Village Creek model was \$596,012, which is comparable to the Valley Creek contract previously reviewed and approved by the Board. The Contract Approval Form indicated that a model for Valley Creek

and Five Mile Creek would also be completed (see attached). The contract term is for two (2) years, from May 1, 2016 to May 1, 2018. The contract cost is \$607,551. The proposed contract was conditionally approved based on the non-regulatory nature of services customarily being performed by independent contractors, the fact that Merit System employees are performing the routine regulatory work and the fact that the services will be completed within 2 years. The approval is conditioned on submission of the resulting executed contract for Personnel Board records.

- i) The Board conditionally approved a proposed contract between the City of Birmingham and Amec Foster Wheeler. Amec Foster Wheeler (Amec F/W) is to provide professional consulting services. Amec F/W will serve as consultant to fully develop a post-construction stormwater ordinance and related policies, processes and procedures that integrate watershed master plans with green infrastructure (GI) and low impact development (LID) strategies and meet new requirements for post-construction development best management practices being required of all local governments statewide. The proposed start date for Phase 1 is upon execution, and estimated to be completed in three (3) months. The proposed cost is \$48,600. The proposed contract was conditionally approved based on the expert professional experience necessary to navigate the stakeholder as well as regulatory aspects of the development of this program, the sporadic nature of the work, and the fact that the services are generally contracted. The approval is conditioned on submission of the resulting executed contract for Personnel Board records.
- j) The Board conditionally approved a proposed contract between the City of Birmingham and Village Creek Society. Village Creek Society (VCS) will provide public outreach for the Village Creek Greenway Program, a program that improves water quality through greenways, parks and trails. VCS will host events including community clean ups, storm water management training for Birmingham Schools and communities and workshops on how to improve and use Village Creek as a City asset. The services are performed sporadically. VCS will host 2 community clean-up events each year and 1 project per year at a cost of \$10,000. The proposed contract was conditionally approved based on the temporary and sporadic nature of the work. The approval is conditioned on submission of the resulting executed contract for Personnel Board records.

- k) The Board conditionally approved a proposed contract between the City of Birmingham and Walter Schoel Engineering Co., Inc. Walter Schoel will provide hydrologic consulting services for the Valley Creek Watershed that includes development of a flood warning system and is in partnership with the US Army Corps of Engineers, USGS, NWS and the Alabama Office of Water Resources. They will provide technical review and revision of the previously developed hydrology models, documentation and supporting data. The work requires specialized knowledge and skills to perform. This type of work would typically be performed by hydrologic engineers and hydraulic engineers. The term is one year and the cost is \$20,000. The proposed contract was conditionally approved based on the fact that the work is temporary and sporadic. The approval is conditioned on submission of the resulting executed contract for Personnel Board records. (Motion made by L. Washington and Seconded by A. Florie)
- l) Appeal of Personnel Director's Determination – Vincent Green (Police Officer/Deputy Sheriff). Based upon the new information submitted by Mr. Green, the Director's determination to disqualify Mr. Green from the examination for the position of Police Officer/Deputy Sheriff remains unchanged. Upon review of the record, the Board AFFIRMS the decision of the Director of Personnel that there is sufficient basis under Rule 9.5 to disqualify Mr. Green from examination. (Motion made by L. Washington and Seconded by A. Florie)
- m) Appeal of Personnel Director's Determination – Carl Harris II (Firefighter). Mr. Carl Harris II and Captain Carl Harris, Sr. addressed the Board. The Board carried over the matter until the next scheduled board meeting in order to allow the City of Birmingham opportunity to respond regarding the manner in which the policy in question was effectuated and communicated to personnel.

IV. CONTESTED ITEMS

- a) Joyce Lanier vs. City of Birmingham (Public Works) (DA-2015-2050-BH) – H. O. Report and Recommendation – Leslie Coyne, Counsel for the Personnel Board; Victor Spencer, Counsel for Complainant Ms. Lanier; and Pamela Jones, Counsel for Respondent City of Birmingham, appeared before the Board. Upon due consideration of all relevant parts of the record, the Board AFFIRMS the Hearing Officer's recommendation to terminate Complainant Joyce Lanier

- effective October 21, 2015. (Motion made by L. Washington and Seconded by A. Florie)
- b) Claymon S. White vs. City of Bessemer (Public Improvement) - (DA-2015-2049-BS) – H. O. Report and Recommendation – Leslie Coyne, Counsel for the Personnel Board; and Rod Evans, Counsel for Respondent City of Bessemer, addressed the Board. Upon due consideration of all relevant parts of the record, the Board AFFIRMS the Hearing Officer’s recommendation to uphold the demotion of Complainant Claymon White from Heavy Equipment Operator to Truck Driver effective October 22, 2015. The Board REJECTS, however, the Hearing Officer’s suggestion that the City of Bessemer had a burden to show that the Complainant’s failure to report to work on a timely basis or prepare daily work reports as instructed somehow “severely hampered operations” or “interrupted the important work of the Department of Public Improvement.” (Report and Recommendation pages 10-11). The City of Bessemer submitted sufficient evidence, most of which was undisputed, that Complainant White was tardy, failed to report to work, and failed on more than 50 occasions during the first 8 months of 2015 to prepare a daily work report. (Motion made by L. Washington and Seconded by A. Florie)
- c) Michael Phillips vs. City of Birmingham (Police) - (DA-2015-2034-BH) – H. O. Report and Recommendation – Leslie Coyne, Counsel for the Personnel Board; Scott Morro, Counsel for Complainant Mr. Phillips; Mr. Michael Phillips; and Jeff Gilliam, Counsel for Respondent City of Birmingham, appeared before the Board. Upon due consideration of all relevant parts of the record, the Board AFFIRMS the Hearing Officer’s recommendation to uphold the 15-day suspension of Complainant Michael Phillips, and so orders. To avoid any misunderstanding regarding this Order, the Board interprets the Hearing Officer’s finding and recommendation regarding Procedure 113-3.Sect.II.E(2)(h) to be very narrow in scope and specifically limited to whether the City of Birmingham demonstrated that Complainant Phillips violated this section by applying a hard intermediate weapon or baton. The evidence is undisputed that a hard weapon was not used by Phillips. Consequently, that specific section was not violated. (See Report and Recommendation pp. 4-13, 21-25; R esp. Ex. A). (Motion made by A. Florie and Seconded by L. Washington)
- d) Charles Kidd vs. City of Birmingham (Public Works) – DA-2015-2036-BH) – Show Cause Order – The Director informed the Board that a settlement agreement had been filed with the

Personnel Board on April 12 and stated that the staff would review and make a recommendation to the Board. The Chairman stated that the matter would be carried over to the next scheduled board meeting.

- e) Bryan R. Harrell vs. City of Birmingham (Fire and Rescue Svc) – (DA-2016-2058-BH) – Joint Motion to Dismiss & Settlement Agreement – Upon review, the Board finds that the terms of the Settlement Agreement are consistent with the Rules and Regulations of the Personnel Board of Jefferson County. This appeal is hereby DISMISSED. (Motion made by L. Washington and Seconded by A. Florie)

V. INFORMATION AND DISCUSSION ITEMS

The Board set the time for the 2015-2016 Classification Survey Hearing for 12:30p.m Tuesday, May 10, 2016, with the Regular Board meeting starting immediately at the conclusion of the Survey hearing.

- a) The Board acknowledged an agreement between Jefferson County and the City of Kimberly to provide road maintenance, with the assumption that any work performed will be by Merit System employees.

b) Provisional Appointments

1. Bryan Person	City of Bessemer	Parks Maint Supt	Approved
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c) Advance Steps

1. Horton, Patrick	Electrician	Birmingham	Approved
2. Angelo, Matthew	Deputy Sheriff	Sheriff's Office	Denied*
3. Brown, Enoch	Clinical Nursing Dir	Jefferson County	Approved
4. Bui, Tiffany	Court Clerk	Jefferson County	Approved
5. Ellison, Carrie	Admin Clerk	Jefferson County	Approved
6. Reese, Nadine	Clinical Pharmacist	Jefferson County	Approved
7. Walton, Joshua	Lifeguard	Fairfield	Approved

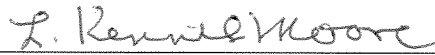
*Mr. Matthew did not meet the experience requirements that would warrant an approval

- d) February/March Board Bi-monthly Expenditure Reports

VI. EXECUTIVE SESSION

There was no executive session.

There being no further business, the meeting was adjourned at 2:42 p.m.



L. Kenneth Moore, Chairman
Personnel Board of Jefferson County

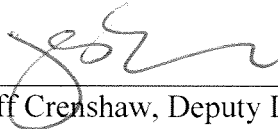


Lonnie Washington, Associate Member
Personnel Board of Jefferson County



Ann Florie, Associate Member
Personnel Board of Jefferson County

Attested By:



Jeff Crenshaw, Deputy Director
Personnel Board of Jefferson County