



Personnel Board of Jefferson County

The Foundation of Your Merit System Career

MINUTES OF MEETING OF THE PERSONNEL BOARD OF JEFFERSON COUNTY September 26, 2017 - 1:30 p.m.

The Personnel Board of Jefferson County met on Tuesday, September 26, 2017. Present at the meeting were L. Kenneth Moore, Chair; Ann Florie, Associate Member; and Lonnie Washington, Associate Member. Present from the Personnel Board were Lorren Oliver, Personnel Director; Jeff Crenshaw, Deputy Personnel Director; Kim Kinder, Employee Services; Guy Dewees, Applicant Services; Brian Bellenger, Employment Testing; Cynthia Holiness, Business Office; Robert Groce, Information Services; Leslie Coyne, Counsel for the Personnel Board; and Personnel Board staff.

I. OPENING REMARKS BY L. KENNETH MOORE, CHAIR

Chairman L. Kenneth Moore called the meeting to order. He welcomed the assembly and stated that he would waive his overview.

II. OPERATIONAL UPDATES

The Chair waived operational updates and proceeded with the agenda items.

III. ACTION ITEMS

- a) The Board approved the minutes for the meeting held on August 8, 2017. (Motion made by L. Washington and Seconded by A. Florie)
- b) The Board granted authorization for the Personnel Board of Jefferson County to renew a contractual agreement with eSkill to provide on-line skills testing services. Several clerical and call center jobs require keyboarding and data entry testing that is more efficiently administered using an external vendor. The work would be performed from October 31, 2017 to October 31, 2018. The contract is based on an estimate of 3,000 on-line tests administered with no additional costs should the number of tests exceed this number. The cost of the contract will not exceed \$8,250.00 (same cost as last year). (Motion made by A. Florie and

Seconded by L. Washington)

- c) The Board approved two (2) new jobs:
1. Automation & Controls Engineer - Jefferson County requested to create the new class of Automation and Controls Engineer. This position will implement, maintain and support the SCADA, automation & process control infrastructure for the Environmental Services Department's wastewater facilities. Market data for Automation and Controls Engineer suggests an average rate of pay of \$99,628. The new class, Automation and Controls Engineer, has a proposed pay grade for Jefferson County of G-34 and a salary range of \$77,833 - \$120,702. (Motion made by L. Washington and Seconded by A. Florie)
 2. Municipal Court Administrator – The City of Vestavia Hills requested to create the new class of Municipal Court Administrator. This position will plan, organize and direct all non-judicial functions of the Municipal Court. Market data for Municipal Court Administrator suggests an average rate of pay of \$73,919. The proposed pay grade for Municipal Court Administrator for Vestavia Hills is G-28 with a salary range of \$62,254 - \$96,491. (Motion made by L. Washington and Seconded by L. K. Moore; A. Florie – Recused)
- d) The Board approved a resolution from the General Retirement System of Jefferson County granting a two percent (2%) Cost of Living Adjustment effective October 1, 2017. (Motion made by L. Washington and Seconded by A. Florie)

IV. JURISDICTION CONTRACTS

- a) The Board approved a new contract between the City of Birmingham and the United States Geological Survey (USGS). The USGS will continue to operate and maintain the existing stream gauging stations, as well as one newly added station through FY2018. These stations will assist with the water quality and quantity monitoring efforts related to storm events. A one-year contract with USGS for the same services was approved by the Board in 2017. The contract term is October 1, 2017 to September 30, 2018, and the contract amount is \$136,835.00, with the City paying \$82,110 as part of a Joint Funding Agreement with USGS. Approval was based on the required specialization and scientific knowledge of the

services provided; the fact that the services are customarily performed by contractors; and the fact that the equipment is owned and operated by USGS. (Motion made by L. Washington and Seconded by A. Florie)

- b) The Board approved a contract renewal between the City of Trussville and Dunn Construction. Dunn Construction will provide paving services to include installation, repair, resurfacing, overlay and paving for the City of Trussville. The services include all labor, materials and equipment. The contract term is one (1) year (7/12/2017 to 7/11/2018) and the cost is \$686,350.00. Based on the sporadic nature of the services and the fact that the City only paves 5 miles per year, the contract was approved. (Motion made by L. Washington and Seconded by A. Florie)

V. ADMINISTRATIVE LEAVE WITH PAY

- a) The Board approved the request from the Jefferson County Sheriff's Office for a 30-Day Extension of Leave for Bridgett Barnfield (Motion made by L. Washington and Seconded by A. Florie)

VI. APPEAL OF DIRECTOR'S DETERMINATION

- a) Amber Turner vs. Cooper Green Mercy Health Svcs GR-2017-05-0358 – Grievance – Ms. Amber Turner addressed the Board. The Board AFFIRMED the Director's Determination that the grievance is ineligible for adjustment under Rule 15 (Motion made by L. Washington and Seconded by A. Florie)

VII. CONTESTED ITEMS - Appeal of Disciplinary Actions (Suspension, Demotion, Termination)

- a) ***Continued from August 8, 2017***: Charles Rice vs. City of Birmingham (Public Works) DA-2017-2092-BH - H.O. Report and Recommendation – Marshell Jackson Hatcher (on behalf of Attorney Juandalynn Givan), Counsel for Complainant Rice; and Michael Fliegel, Counsel for the City of Birmingham, addressed the Board. The Complainant's Objections are OVERRULED. The Board finds that Complainant Rice was provided due process. Upon due consideration of all relevant parts of the record, the Board AFFIRMS the Hearing Officer's recommendation to uphold the decision to terminate Complainant Rice effective January 5, 2017. (Motion made by A. Florie and Seconded by L. K. Moore; L. Washington - Abstained)

- b) Vincent Mitchell vs. City of Birmingham (Fire & Rescue Service) DA-2016-2017-BH H.O. Report and Recommendation the Board – Michael Fliegel, Counsel for the 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 decision to terminate Complainant Mitchell effective June 30, 2017. (Motion made by A. Florie and Seconded by L. Washington)
- c) City of Birmingham (Planning/Engineering/Permits) vs. Reginald Gardiner DA-2015-2013-BH Motion to Lift Stay – Michael Fleigel, Counsel for the City of Birmingham, appeared before the Board. For good cause shown, the Board orders that the stay be lifted and that the disciplinary appeal of Complainant Gardiner be set for hearing in accordance with the rules and procedures of the Personnel Board. (Motion made by L. Washington and Seconded by A. Florie)

VII. INFORMATION AND DISCUSSION ITEMS

- a) Officer Rodney Powrzanas is a current Police Officer with the City of Gardendale. Officer Powrzanas applied for the job of Police/Sheriff’s Sergeant. Upon initial review of his application, Officer Powrzanas was deemed not qualified to participate in the examination. Officer Powrzanas was notified of the ineligible determination on August 16, 2017. He appealed the ineligible determination on August 17, 2017 and received a letter from the Director denying the appeal on August 29, 2017. Officer Powrzanas sent a letter outlining his disagreement with the Director’s determination and an email indicating a desire for the decision to be reviewed by the Board.

Rule 9.12d explicitly prohibits appeal of the content of examinations (the minimum qualifications are considered initial screening examinations). Also, Rule 9.12e expressly prohibits a candidate from appealing his/her failure to meet the minimum qualifications. As such, this issue is not appealable to the Three-Member Board.

- b) Officer Timothy Yearwood is a current Police Officer with the City of Birmingham. Officer Yearwood applied for the job of Police/Sheriff’s Sergeant. Upon initial review of his application, Officer Yearwood was deemed not qualified to participate in the

examination and was notified of the ineligible determination on August 16, 2017. Officer Yearwood appealed the ineligible determination on August 17, 2017. He received a letter from the Director denying the appeal on August 29, 2017. Officer Yearwood sent an email indicating a desire for the decision to be reviewed by the Board. Officer Yearwood appeared before the Board to explain the basis of his appeal.

Rule 9.12d explicitly prohibits appeal of the content of examinations (the minimum qualifications are considered initial screening examinations). Also, Rule 9.12e expressly prohibits a candidate from appealing his/her failure to meet the minimum qualifications. As such, this issue is not appealable to the Three-Member Board.

c) The Board acknowledged the resolution from the Jefferson County Board of Health granting a two percent (2%) Cost of Living Adjustment effective September 30, 2017.

d) Advance Step(s)

1. Bimbo, Melanie	Senior Auditor	Birmingham	<i>Denied</i>
2. Chestnut, Kenneth	Skilled Laborer	Birmingham	Approved
3. Cunningham, Melissa	Senior Buyer	Birmingham	Approved
4. Dowdell, Keeble	Revenue Examiner	Birmingham	Approved
5. Fitzgerald, Florence	Budget Analyst	Birmingham	Approved
6. Taylor, Rachel	Legal Secretary	Birmingham	Approved
7. Wright, Lekira	Legal Secretary	Birmingham	<i>Denied</i>
8. Rush, Martha	Pub Hlth Lang Wkr	Health Dept	Approved
9. Blanks, Alisa	LPN	Jefferson Co	Approved
10. Brazeel, Charles	Electrician	Jefferson Co	Approved
11. Bullock, Melissa	LPN	Jefferson Co	Approved
12. Dawson, Tonya	Selection Manger	Jefferson Co	Approved
13. Dick, Patrick	Maint Repair Wkr	Jefferson Co	Approved
14. Jackson, Linda	WWTP Supervisor	Jefferson Co	Approved
15. Jackson, Randall	Labor Supervisor	Jefferson Co	Approved
16. Kimbrough, Damon	Engineering Aide	Jefferson Co	Approved
17. Lee, Frankie	Labor Supervisor	Jefferson Co	Approved
18. Lively, Dave	Systems Analyst	Jefferson Co	Approved
19. Parrish, Michael	Tire Shop Supv	Jefferson Co	<i>Denied</i>
20. Word, Santita	Legal Secretary	Jefferson Co	Approved
21. Carter, Elizabeth	Equity/Inclusion Bus Partner	Jefferson Co	Approved

22. Sullen, Benjamin	Equity/Inclusion Business Partner	Jefferson Co	Approved
23. Webster, Kimberly	Equity/Inclusion Business Partner	Jefferson Co	Approved
24. Hardy, LaTrenda	Talent Sourcing Specialist	Personnel Board	Approved

e) August 2017 Bi-monthly Board Expenditure Report(s)

II. EXECUTIVE SESSION

The Three-Member Board, Counsel Leslie Coyne, and Division Managers went into an executive session at 2:28 p.m. to discuss pending litigation. The session ended at 2:36 p.m. There being no further business, the meeting was adjourned at 2:38 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