

# Personnel Board of Jefferson County

The Foundation of Your Merit System Career

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## MINUTES OF MEETING OF THE PERSONNEL BOARD OF JEFFERSON COUNTY June 13, 2017 - 1:30 p.m.

The Personnel Board of Jefferson County met on Tuesday, June 13, 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; Guy Dewees, Applicant Services; Brian Bellenger, Employment Testing; Kim Kinder, Employee Services; Robert Groce, Information Services; 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 and providing a brief overview of the proceedings.

### II. OPERATIONAL UPDATES

Due to the volume of agenda items, the Chairman waived departmental updates. Before addressing the agenda, the Chairman introduced Janice Wilhite, City Clerk for the City of Hueytown. The Chairman acknowledged Ms. Wilhite's fifty (50) years of Merit System service and presented her with an award.

### III. ACTION ITEMS

- a) The Board approved the minutes for the meeting held on May 9, 2017. (Motion made by L. Washington and Seconded by A. Florie)
- b) The Board approved the 2017-2018 budget for the Personnel Board of Jefferson County. According to Section 4.3 (g) of the Rules and Regulations of The Personnel Board of Jefferson County, one of the duties of the Board is to "prepare and submit an annual budget, and any necessary amendments thereto, to the Jefferson County Commission, setting forth the funding levels the Board believes necessary to fulfill its mission under state and federal law. The budget

shall be for the County Commission's information purposes only." The 2017-2018 budget amount is \$10,576,469, which is a decrease of \$113,927 from the 2016-2017 budget (Motion made by A. Florie and Seconded by L. Washington)

- c) The Board approved the resolution granting a two-and-a-half percent (2.5%) Cost-of-Living-Adjustment (COLA) to the Personnel Board salary schedule effective the pay period beginning September 29, 2017. (Motion made by A. Florie and Seconded by L. Washington)
- d) The Board approved the resolution establishing the 2017-2018 Holiday Schedule for the Personnel Board of Jefferson County. (Motion made by L. Washington and Seconded by A. Florie)
- e) The Board authorized the renewal of engagement with the following firms to provide legal services to the Personnel Board of Jefferson County.
  - i. Balch & Bingham, LLP
  - ii. Bradley
  - iii. Lloyd, Gray, Whitehead & Monroe(Motion made by L. Washington and Seconded by A. Florie)
- f) The Board approved three (3) revised internal policies and one (1) new internal policy. Many of the Personnel Board's internal policies were created during its Receivership. Staff is currently undergoing the process of reviewing, revising and/or adding internal Board policies applicable only to Board staff. The policies are as follows:
  - i. Emergency Preparedness & Response Plan – revised
  - ii. Equal Opportunity Policy – revised
  - iii. Drug-Free and Alcohol-Free Policy – revised
  - iv. Workplace Discrimination & Harassment Policy – new(Motion made by L. Washington and Seconded by A. Florie)

***In one vote***, the Board approved items ***g*** and ***h*** listed below (Motion made by A. Florie and Seconded by L. Washington):

- g) The 2016-2017 Classification Survey. Annually, the Classification and Compensation and Employment Testing Departments conduct a review of selected Merit System job classes to

comply with the requirement of Section 12 of the Enabling Act that the Personnel Board review each position at least once every five years. For the 2016-2017 Survey, major job families included in the survey encompassed two hundred and forty four (244) job classes. The Survey began August 26, 2016 and concluded May 9, 2017 with a Public Hearing. A total of twenty (20) reclassification recommendations were made.

- h) The creation of two (2) new classifications for Jefferson County (Human Resources):
  - i. Organizational Development Business Manager - Jefferson County Human Resources requested a new class to provide leadership and develop a team that will assess talent, create improvement plans, generate recruiting strategies and identify career paths and employee development opportunities. The primary responsibility will be building, delivering and evaluating a strategic organizational development plan. Market data for an Organizational Development Business Manager suggests an average rate of pay of \$95,086. The proposed pay grade for Jefferson County is G-34 and the salary range is \$77,834 - \$120,702.
  - ii. Selection Manager - Jefferson County Human Resources requested a new class to provide leadership and develop a team that will establish job related, valid and legally defensible employment selection processes. Market data for a Selection Manager suggests an average rate of pay of \$104,481. The proposed pay grade for Jefferson County is G-36 and the salary range is \$85,800 - \$133,099.

***In one vote***, the Board approved contract items *i, j, k* and *l* listed below, on the basis of the temporary and/or sporadic nature of the services to be performed (Motion made by L. Washington and Seconded by A. Florie):

- i) A new contract with Freedom Reporting. The Personnel Board of Jefferson County has a need to enter into a contractual agreement with Freedom Reporting for transcription services for the Board for fiscal year 2018. The court reporter will be required to transcribe hearings and provide hard copies and media of transcriptions accurately and in a timely manner. The current contract with Freedom Reporting will end on September 30, 2017. The new contract resulted from the Jefferson County's Request for Proposal No. 78-17, dated March 23, 2017, as it relates to the Code of Alabama 1975 Article 2 – State Bid Law. The contract amount will not exceed \$25,000, and will cover the period of October 1, 2017 through September 30, 2018, with the option to renew two (2) additional one-year periods, not to exceed three contract years.

- j) A contract amendment with Hampton Inn & Suites Tutwiler. Authorization for the Personnel Board of Jefferson County to renew a contract with Hampton Inn & Suites Tutwiler within the terms of the hotel accommodation proposal dated March 16, 2016 (in response to Jefferson County's Invitation to Bid No. 70-13, dated February 19, 2016). The purpose of the contract is to provide hotel accommodations and services for individuals traveling to Birmingham to provide volunteer work for the Personnel Board's assessment center processes. The PBJC will be billed at the conclusion of each volunteer group stay under the Personnel Board contract at the rates outlined. The contract will cover the period of October 1, 2017 through September 30, 2018, with the option of renewal for one additional year if mutually agreed to by both parties.
- k) A contract amendment with the Lamar Companies. Lamar Companies is to provide one vinyl billboard in one of three comparable locations to be selected by the Board, storage of vinyl boards, hanging, and production of vinyl boards. This is an amendment that extends the contract that resulted from the Jefferson County's Request for Proposal No. 63-15 dated February 25, 2015, as it relates to the Code of Alabama 1975 Article 2 – State Bid Law. Lamar Companies will provide billboard services beginning October 1, 2017 and ending September 30, 2018. The cost of this service is not to exceed \$36,644. This represents a three and a half percent increase in the location cost from \$2,500 to \$2,587 per month. All other costs for services remain the same.
- l) A contract amendment with Siena Consulting. The amendment allows for renewal for one year with Siena Consulting to provide written tests for screening of entry level Police Officer/Sheriff's Deputy and Firefighter applicants within the terms of the Police Officer and Firefighter Entry-Level Testing Services proposal (in response to Jefferson County's Request for Proposal No. 66-15 dated March 2, 2015). Siena Consulting has extensive experience in developing and validating public safety entry-level testing and has provided the entry-level written test for Firefighter for the Merit System since 2003. The work will be performed from October 1, 2017 through September 30, 2018. The total cost of the contract will not exceed \$30,000. The Personnel Board will also receive a 5% discount per candidate test for renewal of the contract for this year.
- m) The Board approved a contract with Workday to provide a fully integrated human resources information system (HRIS) and applicant tracking system (ATS) to replace its existing Infor

(Lawson) and PeopleAdmin systems. Workday provides a number of benefits over the Board's current systems through enhanced functionality, greater configuration, and increased system efficiencies. The proposed contract includes implementation, training, and three year system access for a period covering June 13, 2017 through June 12, 2020. The costs associated with implementing any new HRIS and ATS are substantial and the Board does not take such costs lightly. The Personnel Board has aggressively negotiated the contract price for Workday and has evaluated the overall impact on the Board's current and upcoming budgets and longer term costs. The Board has been able to assume the implementation cost and the costs to cover the system and training costs in FY2018 while still achieving a significant reduction in its budget. (Motion made by L. Washington and Seconded by A. Florie)

#### IV. JURISDICTION CONTRACTS

- a) The Board approved a contract between the Birmingham Water Works Board and the City of Birmingham (Planning/Engineering/Permits). The Water Works Board will provide water sampling tests in their USEPA/ADEM-certified EnviroLab. The tests shall include Inorganic, Organic and microbiological testing of storm water samples collected by Merit System employees in sample kits provided by The Water Works Board. The contract term is for one (1) year (4/21/2017 to 4/20/2018) and the contract is not to exceed \$37,027.00. Similar contracts have been approved by the Personnel Board since 2014. Approval was based on the fact that the City of Birmingham does not have and should not be expected to possess the facilities to perform the water testing and taking into consideration the maximum amount of the contract. (Motion made by L. Washington and Seconded by A. Florie)
  
- b) The Board approved a contract between Jefferson County (Cooper Green Mercy Health Services) and CDO Squared, Inc. CDO Squared, Inc. will provide consulting services related to Revenue Cycle Management Credentialing services for enrolling physicians into commercial insurance plans for Cooper Green Mercy Health Services (CGMHS). The credentialing services are required by various insurance companies to approve patient billing for each physician. Additionally, CGMHS utilizes many physicians from The University of Alabama at Birmingham (UAB). UAB will not allow the use of these physicians unless they are credentialed separately by CGMHS. The contract includes entry of providers and practice information into a credentialing management system, the development of a provider and payer data grid and rosters, the aggregation and completion of all group and provider

applications, and updates on the credentialing status of provider and payers. The contract term is three (3) years (4/1/2017 to 3/31/2020), at a cost not to exceed \$165,000.00 for the three-year term. The contract was approved on the basis of the sporadic nature of the services being performed. (Motion made by A. Florie and Seconded by L. Washington)

- c) The Board approved a contract between Jefferson County and ADS, LLC. ADS offers comprehensive and innovative collection system wastewater flows. ADS currently provides services pursuant to Jefferson County's wastewater treatment consent decree to include: long term flow monitoring, temporary flow monitoring, smoke testing, IntelliServe reporting and alarms, manhole remote alarming, and level monitoring and reporting services utilizing ADS owned equipment. The Board last approved a similar contract on June 9, 2015 (summary attached). This contract is for three (3) years to include all of the above mentioned services for a cost of \$4,894,941; an increase of \$802,696 over a three year period (\$267,565/year) due to an increase in the number of flow monitors and a 3% inflation factor per year for equipment. Based on the fact that the services are generally contracted and the potential financial savings to the County, the contract was approved. (Motion made by L. Washington and Seconded by A. Florie)

#### V. APPEAL OF DIRECTOR'S DETERMINATION

- a) LaTarra J. Wilson – (Reinstatement) - Scott Morro, Counsel for LaTarra Wilson; Ms. Wilson; and Jay Murrill, Counsel for Jefferson County Sheriff's Office, addressed the Board. The Board UPHELD the Director's Determination that Ms. LaTarra Wilson does not meet the requirements for reinstatement (separation in Good Standing as defined in the Personnel Board Rules and Regulations). (Motion made by L. Washington and Seconded by A. Florie)

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

- a) Mark A. Dabbs vs. Jefferson County (Youth Detention) DA-2017-2099-JC (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)
- b) **Carried over from May 9, 2017** - Lucy R. Nash vs. City of Fairfield (Mayor's Office) - ALWOP-2016-0043-FF – (H.O. Report and Recommendation) - Michael Trucks, Counsel for Lucy Nash; Ms. Nash; and the Honorable Mayor Ed May, II, appeared before the Board. Mr.

Trucks and the Mayor addressed 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 place Complainant Nash on administrative leave without pay, effective December 22, 2016. The Motion to Amend, Alter or Reject is DENIED. (Motion made by A. Florie and Seconded by L.K. Moore; L. Washington – Opposed)

- c) Jonathan Mann vs. Jefferson County (Sheriff's Office ) DA-2016-2088-JC (Motion for Post Recommendation Discovery) – Scott Morro, Counsel for Jonathan Mann; Mr. Mann; and Jay Murrill, Counsel for the Jefferson County Sheriff's Office, appeared before the Board. Complainant asked that the Sheriff's Office be required to produce evidence regarding investigation of an alleged incident that occurred in January 2017. Respondent opposed the motion, citing the stipulations of the parties limiting comparable disciplinary records to the three (3)-year period immediately preceding the subject discipline. Because Complainant Mann was terminated on November 9, 2016, comparable disciplinary records are those between November 9, 2013 and November 9, 2016. Accordingly, Complainant's Motion for Post Recommendation Discovery is DENIED. (Motion made by L. Washington and Seconded by A. Florie)
- d) Jonathan Mann vs. Jefferson County (Sheriff's Office) DA-2016-2088-JC (H.O. Report & Recommendation) – Scott Morro, Counsel for Jonathan Mann; Mr. Mann; and Jay Murrill, Counsel for the Jefferson County Sheriff's Office, 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 Man effective November 9, 2016. (Motion made by A. Florie and Seconded by L. Washington)
- e) Jerel D. Hinton vs. City of Birmingham (Public Works) DA-2017-2096-BH – Jerel Hinton, Pro se; and Michael Fliegel, Counsel for the City of Birmingham, addressed 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 suspend Complainant Hinton for three (3) days (January 24, 25, and 26, 2017) and to REVERSE the decision to suspend Complainant Hinton for five (5) working days (January 40 to February 3, 2017). (Motion made by L. Washington and Seconded by A. Florie)
- f) Tamiko White vs. Jefferson County (Revenue) DA-2017-2097-JC (H.O. Report &

Recommendation) – Shawna Smith, Counsel for Jefferson County, 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 White’s employment effective January 17, 2017. (Motion made by L. Washington and Seconded by A. Florie)

g) Jeremy Jordan vs. City of Birmingham (Police) DA-2016-2089-BH (H.O. Report & Recommendation) – Scott Morro, Counsel for Jeremy Jordan; and Michael Fliegel, Counsel for the City of Birmingham, appeared before the Board. With Attorney Fliegel’s concurrence, Mr. Morro requested a continuance until the July Board meeting. The Board granted the continuance with acknowledgment from the parties that the forty-five (45)-day requirement for Board action be waived. (Motion made by L. Washington and Seconded by A. Florie)

h) Keith Stokes vs. City of Birmingham (Public Works) DA-2017-2091-BH (H.O. Report & Recommendation) – 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 Stokes effective January 9, 2017. (Motion made by L. Washington and Seconded by A. Florie)

## VII. INFORMATION AND DISCUSSION ITEMS

- a) 50 Years of Service - Janice Wilhite (Hueytown)
- b) 2016 Annual Report of the Personnel Board of Jefferson County
- c) For the past 14 years, the testing process for Firefighter has included a written test, provided by Siena Consulting, and a structured interview developed by the Employment Testing staff. This year, due to a lower volume of candidates taking the written test and the anticipated vacancies to be filled with the Firefighter register, the Board staff has determined that the Merit System will be better served by eliminating the structured interview. All candidates were notified that the structured interview was cancelled and later received their scores and ranks from the written test. Per Rule 9.15 this item is intended to inform the Board of this cancellation.
- d) Provisional Appointment(s)

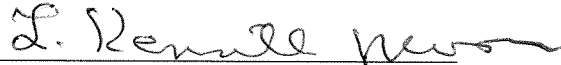


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|---------------------|---------------------|--------------------|--------------------|----------|
| 1.                  | Marvin Green        | Vestavia Hills     | Fire Chief III     | Approved |
| 2.                  | Travis Brooks       | Birmingham         | A/Purchasing Agent | Approved |
| e) Advance Step(s)  |                     |                    |                    |          |
| 1.                  | Rhodes, Andromeda   | Admin Clerk        | Birmingham         | Approved |
| 2.                  | Harris, Derek       | Athletic Prog Dir  | Birmingham         | Denied   |
| 3.                  | Roberson, Mary      | Municipal Clerk II | Fairfield          | Approved |
| 4.                  | Handy, Cheryl       | Medical Clerk      | JCDH               | Approved |
| 5.                  | Bell, Janet         | GIS Tech II        | Jefferson County   | Denied   |
| 6.                  | Brakefield, Teresa  | Prin Accountant    | Jefferson County   | Approved |
| 7.                  | Brazeel, Charles    | Traffic Ctrl Tech  | Jefferson County   | Approved |
| 8.                  | Cherry, James       | GIS Tech II        | Jefferson County   | Approved |
| 9.                  | Davis Jr., Rickey   | GIS Specialist     | Jefferson County   | Approved |
| 10.                 | Estes, Christopher  | Electronics Tech   | Jefferson County   | Approved |
| 11.                 | Mayberry, Talishae  | Truck Driver       | Jefferson County   | Approved |
| 12.                 | McGhee, Stephen     | Sr. Accountant     | Jefferson County   | Approved |
| 13.                 | Nalls, Cedric       | Truck Driver       | Jefferson County   | Approved |
| 14.                 | Nixon, Sheila       | GIS Specialist     | Jefferson County   | Approved |
| 15.                 | Posey, Tommy        | Truck Driver       | Jefferson County   | Approved |
| 16.                 | Reynolds, Crystal   | Admin Clerk        | Jefferson County   | Approved |
| 17.                 | Rsyzkiewicz, Edward | Sr. Accountant     | Jefferson County   | Approved |
| 18.                 | Sawyer, Eric        | GIS Specialist     | Jefferson County   | Approved |
| 19.                 | Stutsman, Samuel    | GIS Specialist     | Jefferson County   | Approved |
| 20.                 | Sullivan, Danny     | Const Equip Optr   | Jefferson County   | Approved |
| 21.                 | Tidwell, Larry      | Truck Driver       | Jefferson County   | Approved |
| 22.                 | Wright, Darlene     | Truck Driver       | Jefferson County   | Approved |
| f) Reinstatement(s) |                     |                    |                    |          |
| 1.                  | Brian Williams      | Trussville         | Police Officer     | Approved |
| 2.                  | Marlin Allen        | Jefferson County   | Senior Auditor     | Approved |
| 3.                  | Cornelius Perry     | Fairfield          | Firefighter        | Approved |
| 4.                  | Sandra Henry        | Birmingham         | Admin Clerk        | Approved |

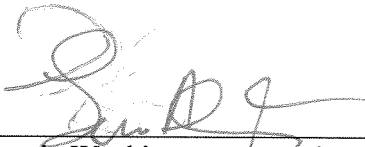
g) May 2017 Bi-monthly Board Expenditure Report(s)

VIII. EXECUTIVE SESSION

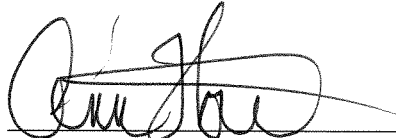
The Board, Counsel and managers went into an executive session at 3:55 p.m. Upon conclusion of the executive session and there being no further business, the meeting was adjourned at 4:03 p.m.



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L. Kenneth Moore, Chairman  
Personnel Board of Jefferson County

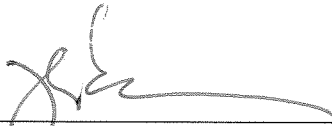


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Lonnie Washington, Associate Member  
Personnel Board of Jefferson County



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Ann Florie, Associate Member  
Personnel Board of Jefferson County

Attested By:



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Jeff Crenshaw, Deputy Director  
Personnel Board of Jefferson County