



Personnel Board of Jefferson County

The Foundation of Your Merit System Career

MEETING MINUTES FOR THE PERSONNEL BOARD OF JEFFERSON COUNTY

August 10, 2021

The Personnel Board of Jefferson County met on Tuesday, August 10, 2021. Present at the meeting were: L. Kenneth Moore, Chair; Jacqueline Smoke, Associate Member; and Guin Robinson, Associate Member. Present from the Personnel Board were: Lorren Oliver, Director; Jeff Crenshaw, Deputy Director; Kim Kinder, Employee Services; Cynthia Holiness, Business Office; Pete Blank, Training; Brian Bellenger, Testing; Guy Dewees, Applicant Services; and Leslie Coyne, Legal Counsel for the Personnel Board. Attending virtually were Robert Groce, IT; and other Personnel Board staff.

I. OPENING REMARKS BY L. KENNETH MOORE, CHAIR

Chair Moore called the meeting to order at 1:30 p.m. Chair Moore, along with Board Members Smoke and Robinson, acknowledged Lorren Oliver's upcoming retirement and made a brief presentation to honor and thank him for his nineteen (19) years of service. Jeff Crenshaw expressed, on behalf of the PBJC Staff, appreciation for all Lorren has accomplished, the guidance and assistance he has provided, and the creditability, professionalism and care he has shown during his tenure as Director. Dr. Crenshaw stated that he not only shaped many organizations, but also the individuals who were privileged to work with him. Mr. Oliver accepted a plaque from the Board. Lorren thanked the Board for their support through the years. He shared that there has never been a dull day in the nineteen (19) years of his career at the Board. Through these years, he stated that he is thankful to have worked with the staff and, together, bring value to the Merit System. In addition, Mr. Oliver stated that the accomplishments he made would not have been possible without the hard work and support of the Three-Member Board and PBJC staff.

Jefferson County Attorney Theo Lawson thanked Mr. Oliver for his outstanding leadership and knowledge which has brought Jefferson County to where it is today. Mr. Lawson stated that it has been his honor to be able to serve with Mr. Oliver.

II. BOARD RESOLUTIONS - Resolution to Appoint Acting Director

Judge Moore stated that in an effort to maintain continuity and stability at the Personnel Board, an Acting Director is needed until a permanent Director can be appointed. Therefore, the Three-Member Board approved a resolution appointing Dr. Jeff Crenshaw as Acting Director upon Mr. Oliver entering sick leave conversion until the Board names a permanent Director. Dr. Crenshaw accepted the appointment, and stated that he looks forward to continuing the progress that the Board has made under Mr. Oliver's leadership.

III. ACTION ITEMS

- a) The Board approved the Board Minutes for the meeting held on July 13, 2021. (Motion made by J. Smoke; Seconded by G. Robinson)

In one vote, the Board approved Action Items B and C. (Motion made by J. Smoke; Seconded by G. Robinson)

- b) The Board approved a new three (3) year contract between the Personnel Board and Siena Consulting to provide entry-level written tests for firefighters. 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 October 1, 2021 - September 30, 2024. The contract stipulates a \$15.00 per candidate test rate for year one (1) of the contract, and the total cost of the contract will not exceed \$15,000. The Personnel Board will also receive a \$1.00 discount per candidate test for the subsequent two (2) years.
- c) The Board approved a new one (1) year contract between the Board and One Diversified LLC., to provide audio and visual maintenance services to the Personnel Board of Jefferson County's test administration facility audio visual recording equipment. The work would be performed from October 1, 2021 to September 30, 2022. The contract amount is \$16,483.65.
- d) The Board acknowledged the Jefferson County Commission Resolution #618 extending Jefferson County's Coronavirus Response Leave Program (JCCRLP), and approved the Personnel Board to participate and following said Resolution through the is extended date of January 13, 2022. (Motion made by J. Smoke; Seconded by G. Robinson)
- e) The Board approved the 2021-2022 Salary Administration and Pay Plan. There were only a couple minor changes made. One change had to do with the shift differential premium which allowed employees who work the second or third shift, to be eligible for a step

increase in their salary. (This change was at the request of the Sheriff's Office.) The other change was to add a footnote that stated that the minimum qualifications for this increase may change and that change could have an impact on the premium eligibility. (Motion made by J. Smoke; Seconded by G. Robinson)

- f) Recommendation that the Board renews the contract with Online Information Services, Inc. for the access to circuit court information related to Personnel Board matters. The annual cost is \$1,044 (which includes a \$3.00 monthly fee for invoicing) for the period of September 1, 2021 to August 31, 2022. (Motion made by J. Smoke; Seconded by G. Robinson)

IV. JURISDICTION CONTRACTS

In one vote, the Board approved Jurisdiction Contracts Items A, B and C (Motion made by J. Smoke; Seconded by G. Robinson)

- a) The Board approved a new contract between Jefferson County – Development Services and Guardian Systems, who will perform water quality analysis and laboratory testing in their ADEM/AIHA (American Industrial Hygiene Association) certified Lab. This is a three (3) year contract to be executed upon approval with no extension option and at a cost of \$76,668.24 (\$25,556.08/year). This is the same cost as the last contract approved by the Board. Based on the sporadic nature in which services will be provided and the potential cost savings to the County, this contract is approved.
- b) The Board conditionally approved a new contract between Jefferson County – Development Services and a TBD vendor, who will prepare a county-wide fifteen (15) year comprehensive plan and future land use maps that will guide future development, infrastructure improvements, and ensure a sustainable economically viable community for Jefferson County. This will be a fifteen (15) month contract to be executed upon approval with no extension option, and at an estimated cost of \$312,500 (Jefferson County's portion is \$62,500, with the remainder being federally funded). Based on the fact that the services provided are temporary in nature and are generally contracted, this contract is conditionally approved.
- c) The Board approved a new contract between Jefferson County – Compliance Office and A Legacy Group, Inc., who will provide services to assist Jefferson County in establishing a comprehensive, post consent decree, Diversity, Equity and Inclusion (DE&I) Plan. This is a nine (9) month contract to be executed upon approval with no extension option, and at a cost of \$65,500. Member Guin Robinson asked if this training would be offered to all

County employees. Dr. Crenshaw responded that most employees would not receive DE&I training from Legacy Group. He explained that initially executive staff and compliance officers would receive the DE&I training from Legacy Group and that his understanding was that the Compliance Office staff would leveraging the training from A Legacy Group to train other County employees. Based on the fact that these services are temporary in nature and generally contracted, this contract is approved.

V. ADMINISTRATIVE LEAVE WITH PAY

- a) Deputy Jerrod Moore, Jefferson County Sheriff's Office (30-Day Extension of Leave) – The Board approve the administrative leave with pay extension for Deputy Jerrod Moore. (Motion made by J. Smoke; Seconded by G. Robinson)

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

- a) Michelle Tate vs. City of Birmingham (Communications Department) (Suspension – 10 days) - Case No. DA-2021-2338-BH - Hearing Officer's Report & Recommendation – Appearing virtually before the Board was Attorney Nannie Reed, Legal Counsel for the City of Birmingham. Based on a review of the record, the Board finds that the Hearing Officer's recommendation should be UPHeld. (Motion made by J. Smoke; Seconded by G. Robinson)
- b) Khalil Brakes vs. City of Mountain Brook (Police Department) (Termination) - Case No. DA-2021-2350-MB – Settlement Agreement – Appearing virtually before the Board were Attorney Scott Morro, Legal Counsel for Khalil Brakes; and Attorney Arnold Umbach, III, Legal Counsel for the City of Mountain Brook. Upon review, the Board finds the terms of the Settlement Agreement consistent with the Rules and Regulations of the Personnel Board of Jefferson County. This appeal is hereby DISMISSED. (Motion made by J. Smoke; Seconded by G. Robinson)
- c) Randy Reynolds vs. City of Birmingham (Park & Recreation Department) - Case No. ADM LV WOP-2020-0049-BH – Settlement Agreement - Appearing virtually before the Board were Attorney Nannie Reed, Legal Counsel for the City of Birmingham; and Attorney Adam P. Morel, Legal Counsel for Randy Reynolds. Upon review, the Board finds the terms of the Settlement Agreement consistent with the Rules and Regulations of the Personnel Board of Jefferson County. This appeal is hereby DISMISSED. (Motion made by J. Smoke; Seconded by G. Robinson)

- d) Andrea Mills vs. City of Birmingham (Park & Recreation Department) - Case No. ADM LV WOP-2020-0057-BH and Randy Reynolds vs. City of Birmingham (Park & Recreation Department) - Case No. ADM LV WOP-2020-0049-BH – (City of Birmingham ALWOP Appeals) - Settlement Agreement - Appearing virtually before the Board was Attorney Nannie Reed, Legal Counsel for the City of Birmingham. Upon review, the Board finds the terms of the Settlement Agreement consistent with the Rules and Regulations of the Personnel Board of Jefferson County. This appeal is hereby DISMISSED. (Motion made by J. Smoke; Seconded by G. Robinson)

- e) Tony Barnwell vs. City of Leeds (Police Department) – Termination – Case No. DA-2020-2294-LD – Joint Motion to Dismiss Non-Compliance – Appearing virtually before the Board was Attorney Elizabeth Young, Legal Counsel for Tony Barnwell. This matter is before the Board on the Parties' Joint Motion to Dismiss Complainant's Notice of Non-Compliance with the Board's March 9, 2021 Order. The parties have advised the Personnel Board that Respondent has complied with the Board's order. Accordingly, the Motion for Notice of Non-Compliance is dismissed. (Motion made by J. Smoke; Seconded by G. Robinson)

VII. APPEAL OF DIRECTOR'S DETERMINATION

- a) Tychena Sanders - Appeal of Director's Determination Disqualification Based on Past Merit System Employment Record Regarding Merit System Rehire Eligibility Status - Upon review, the Board voted to uphold the Director's determination regarding the Merit System rehire eligibility status. (Motion made by J. Smoke; Seconded by G. Robinson)

- b) Brittany Hayes - Appeal of Director's Determination Disqualification Based on Past Merit System Employment Record Regarding Merit System Rehire Eligibility Status - Appearing before the Board was Attorney Elizabeth Young, Legal Counsel for Brittany Hayes. Attorney Young shared that her client had received a new job offer from another municipality under the Personnel Board. Attorney Young stated that she contacted Attorney Reed, Legal Counsel with the City of Birmingham and explained that her client had found another job. According to Attorney Young, at that time, it was orally agreed that Ms. Hayes would receive a rehire status of good standings, so she could pursue this new job. Attorney Young also reached out to the PBJC to inform them of the situation regarding her client and to verify the working of the mutual agreement with the City of Birmingham to insure the wording would not hinder her client's rehiring in another jurisdiction. She stated that she was informed by PBJC staff that the rehire status would not negatively

affect her client's rehire opportunities. However, her client received a notice from the PBJC that stated Ms. Hayes was not eligible for rehire. Attorney Young is asking that the Board overturn this rehire status so her client can apply for a new job within the Merit System. Dr. Crenshaw explained that, from the standpoint of the Board, the Director takes into consideration the entire employment history of an individual employee when determining the rehire eligibility. Chair Moore asked if it was the Board's prerogative in determining the rehire eligibility of employees. Dr. Crenshaw stated that it is the responsibility of the Director of the Board to determine rehire eligibility of employees. Dr. Crenshaw also stated that at the time of the written communication regarding the eligibility status, the Director reviewed the employment history information that was available in coming to his decision regarding non-rehire status. Upon review, the Board voted to uphold the Director's determination regarding the Merit System rehire eligibility status of Ms. Hayes. (Motion made by J. Smoke; Seconded by G. Robinson)

VIII. INFORMATION AND DISCUSSION ITEMS

- a) The Board acknowledged that in September 2020, the Three-Member Board approved the disposal of inactive and inoperable Board equipment by re-purposing items to the County, recycling company, online auction and/or disposal by General Services. The online auction was conducted by JM Wood Auction Company, Inc. on June 15, 2021 through June 20, 2021. The majority of the items were sold for \$655.00 less commission of \$39.30 for a total of \$615.70. The funds have been deposited and applied to the Personnel Board's account which will lower the Board's expenditures for fiscal year 2021 by \$615.70.
- b) The Board acknowledged Resolution #2021-11 from the City of Fairfield that grants a 15% (fifteen percent) cost of living adjustment (COLA) effective August 1, 2021. Based on the fact that this request is not within the twelve (12) months immediately preceding any primary or general elections in which members of the said governing body are to be elected, it is recommended that the Board acknowledge the request from the City of Fairfield to increase their salary schedule by 15% (fifteen percent) effective August 1, 2021.
- c) The Board acknowledged the following approved Advance Steps:
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|---------------------|-----------------------------|------------|-----------------|
| 1. Baylor, John | Facilities Manager | Birmingham | Grade 30 Step 6 |
| 2. Fancher, Stephen | Skilled Laborer | Birmingham | Grade 12 Step 8 |
| 3. Meadows, Jason | Sr. Cmty. Resource Rep. | Birmingham | Grade 24 Step 8 |
| 4. Perry, Lakitris | Occ. Health & Safety Admin. | Birmingham | Grade 30 Step 8 |

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|-----------------------|-----------------------------|---------------|------------------|
| 5. Wright, Janice | Medical Clerk | Health Dep. | Grade 11 Step 10 |
| 6. Barron, Brandi | Accounting Assistant II | Jefferson Co. | Grade 16 Step 6 |
| 7. Brown, Willie | Principal Planner | Jefferson Co. | Grade 28 Step 10 |
| 8. Clark, Michelle | Human Resources Tech. | Jefferson Co. | Grade 18 Step 5 |
| 9. Harris, Karlisa | Principal Accountant | Jefferson Co. | Grade 27 Step 6 |
| 10. Hundley, Danyell | Payroll Specialist | Jefferson Co. | Grade 18 Step 10 |
| 11. McClellan, Samuel | Constr. Equip. Operator | Jefferson Co. | Grade 17 Step 6 |
| 12. Meadow, Stephen | Senior Civil Engineer | Jefferson Co. | Grade 29 Step 9 |
| 13. Miller, Jesse | Senior Civil Engineer | Jefferson Co. | Grade 29 Step 10 |
| 14. Sullen, Benjamin | Business Partner Mgr. – E&I | Jefferson Co. | Grade 34 Step 8 |
| 15. Warnat, Doug | Senior Civil Engineer | Jefferson Co. | Grade 29 Step 9 |


d) The Board acknowledged the following Expenditure Reports:

1. June 12, 2021 – July 2, 2021
2. July 3, 2021 – July 16, 2021

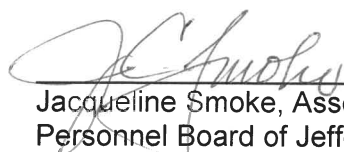
IX. EXECUTIVE SESSION

Leslie Coyne, Legal Counsel for the Board, stated that an Executive Session would not be needed. However, Leslie give an update to the Board regarding Thaddaus Houser, a 2016 PBJC appeal case currently before the 11th Circuit Court of Appeals.


There being no further business, the meeting adjourned at 2:19 p.m.



 L. Kenneth Moore, Chairman
 Personnel Board of Jefferson County



 Jacqueline Smoke, Associate Member
 Personnel Board of Jefferson County



 Guin Robinson, Associate Member
 Personnel Board of Jefferson County

Attested By:



 Jeff Crenshaw, Acting Director
 Personnel Board of Jefferson County