



Personnel Board of Jefferson County

The Foundation of Your Merit System Career

MEETING MINUTES FOR THE PERSONNEL BOARD OF JEFFERSON COUNTY

March 8, 2022

The Personnel Board of Jefferson County met on Tuesday, March 8, 2022. Present at the meeting were: L. Kenneth Moore, Chair; Jacqueline Smoke, Associate Member; and Guin Robinson, Associate Member. Present from the Personnel Board were: Jeff Crenshaw, Acting Director; Pete Blank, Training; and Leslie Coyne, Legal Counsel for the Personnel Board. Attending virtually were Cynthia Holiness, Business Office; Kim Kinder, Employee Services; Guy Dewees, Applicant Services; 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 welcomed to the meeting those who attended in person and via virtual means. He dispensed with any opening remarks and proceeded to the Action Items.

II. ACTION ITEMS

- a) The Board approved the Board Minutes for the meeting held on February 8, 2022. (Motion made by J. Smoke; Seconded by G. Robinson)
- b) The Board approved the Director's reinstatement decisions pursuant to Rule 10.3 of the Rules and Regulations. (Motion made by J. Smoke; Seconded by G. Robinson)
- c) The Board approved a new contract between the PBJC and Birmingham Barons, LLC. For several years, the Board has engaged in a corporate sponsorship with the Birmingham Barons to promote careers within the Merit System. The contract includes: One (1) 11' x 15' outfield fence sign; and sponsoring Emergency Responders Night. Given the lack of predictability of attendance due to the pandemic, this contract cost is \$17,500, which is at a substantial reduction in cost compared to the previous 2019 contract (\$27,000). The contract will be effective March 9, 2022 – March 8, 2023. Chair Moore asked how many years we have been contracting with the Birmingham Barons. Dr. Crenshaw stated that we have been contracting with them for five (5) years, with the exception of the past two (2)

years because of Covid. (Motion made by J. Smoke; Seconded by G. Robinson)

- d) New Job: Regional Grant Administrator & Program Manger Grade: 32

The Board approved the Jefferson County request for a new position responsible for overseeing the programs initiated through the federal Workforce Innovation and Opportunity Act grant. This position will manage the grant for a six-region area, including Jefferson County Merit System staff and others outside of the Merit System. Market data suggests a salary range of \$74,158 - \$123,665. Therefore, approval is recommended to create a new position, Regional Grant Administrator & Program Manager (#02999), with a pay grade of 32 and a salary range of \$77,709 - \$120,557, for Jefferson County. (Motion made by J. Smoke; Seconded by G. Robinson)

III. JURISDICTION CONTRACTS

- a) The Board approved a new contract between Jefferson County – Environmental Services and ADCO Companies, who will provide annual inspection and maintenance for four (4) Cleaver-Brooks boilers. This is a three (3) year contract to be executed upon approval with no extension option and at a cost of \$153,439. Based on the fact that these services are generally contracted, the services performed are of a sporadic nature, and the County does not possess the equipment or supplies to perform the services, this contract was approved. (Motion made by J. Smoke; Seconded by G. Robinson)
- b) The Board approved a new contract between the Jefferson County – Environmental Services and i3-Imagesoft. The County is purchasing the Hyland On-Base Document Management Software (DMS) system, and using i3-Imagesoft, LLC to develop and deploy a customized solution that enhances service request, work order, and inspection functionality for the County's Water Reclamation Facilities which includes nine (9) Water Reclamation Facilities and one-hundred seventy-six (176) pump stations. This is a three (3) year contract to be executed upon approval with no extension option and at a cost of \$642,923. Based on the fact that the services are generally contracted and specialized in nature, this contract was approved. (Motion made by J. Smoke; Seconded by G. Robinson)
- c) The Board approved a new contract between Jefferson County – Information Technology and Ahead, Inc., who will assist Jefferson County in relocating its data center from the courthouse building into a Tier III Data Center (24/7 climate controlled, 99.99% service

level agreement, hosted by DC Blox). Ahead will build and assemble the hardware, configure the hardware and software, and migrate the data. This is a six (6) month contract at a cost of \$54,000. Based on the fact the work to be performed is a one-time service, specialized in nature, and generally contracted, this contract was approved. (Motion made by J. Smoke; Seconded by G. Robinson)

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

- d) The Board approved a new contract between the Jefferson County – Information Technology and Thompson Tractor, who will provide manufacturer-certified technicians to conduct monthly, quarterly, and annual maintenance and repair on thirty (30) radio tower generators located throughout Jefferson County. This is a three (3) year contract at a cost of \$163,500 (\$34,450 per year for scheduled maintenance; and \$20,050 allowance per year for unscheduled maintenance/repair). Based on the fact that services being conducted are on a sporadic basis by certified technicians with specialized equipment, this contract was approved.
- e) The Board approved a new contract between Jefferson County – Roads and Transportation and Arcadis, US Inc., who will provide all professional engineering and technical services necessary for the County to implement an Intelligent Transportation System, establish updated traffic operation plans, and train Roads and Trans staff in ongoing maintenance and operation of the system. They will also inspect, review, implement and update existing traffic signals and controls to place Jefferson County equipment on the RTOP Program. This will allow the County to better manage and adjust traffic flows and intersections. ALDOT is currently in the process of implementing the same program. This is a one (1) year contract to be executed upon approval with no extension option and at a cost of \$1,651,000. Based on the fact that the services are specialized and typically contracted, this contract was approved.
- f) The Board approved a new contract between the Jefferson County Department of Health and The Bloom Group, who will provide consulting and government relations services to the Board of Health by monitoring legislative and regulatory activities related to the Board of Health, or having a potential to impact the Board of Health's mission or interest, by using its extensive network of contacts and access to engage and educate key decision makers regarding the Board of Health's mission and its interests, with the goal of protecting and furthering the same. This is a ten (10) month contract and at a rate of

\$36,000 (not to exceed \$3,600 per month). Dr. Crenshaw stated that the contract began on February 1, 2022, which is being submitted late to the Board. He has spoken with Richard Holmes, Finance Director, regarding this matter and was told this particular contract was late due to an oversight; and that the Health Officer, Dr. Mark Wilson was present virtually if the Board had any questions. Board Member Robinson stated that he had a problem with approving late contracts which are submitted regularly by this jurisdiction. Chair Moore asked what would happen if the Board withheld approval of late contracts. Dr. Crenshaw stated that according to the Enabling Act, the lack of approval still would allow the jurisdiction to move forward with the contract (with the exception of Jefferson County). Board Member Robinson asked what would happen if the Board voted to deny a contract. Dr. Crenshaw stated that if a contract already initiated was denied by the Board, the vendor would have to cease services immediately and any service performed after the denial date would become the personal expense of the Appointing Authority. The Board had a lengthy discussion with Dr. Crenshaw and Dr. Mark Wilson, regarding the Board's dissatisfaction of receiving contracts for approval that have already been initiated. Chair Moore asked that a letter be sent to Dr. Wilson explaining the uncomfortable position these late contracts are placing on the Board. Dr. Wilson stated that he is very aware of the Board's concerns regarding the late submissions and assured the Board that staff members were preparing new procedures to guarantee that future contracts are submitted prior to initiation. Based on the fact that the services are temporary and sporadic in nature, and the assurance of Dr. Wilson that future contracts would be submitted prior to initiation, this contract was approved. (Motion made by J. Smoke; Seconded by G. Robinson with the conditioned assurance that Dr. Wilson will resolve the current late submission issues)

IV. ADMINISTRATIVE LEAVE WITH PAY

In one vote, the Board approved Administrative Leave With Pay Items A and B. (Motion made by J. Smoke; Seconded by G. Robinson)

- a) Jaymz Bagby, Jefferson County Sheriff's Office (30-Day Extension of Leave)
- b) Quin'Darus Reeves, Jefferson County Sheriff's Office (30-Day Extension of Leave)

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

- a) Steven Maddox vs. City of Birmingham (Fire & Rescue Service) Case No. DA-2021-2369-BH (Termination) - Hearing Officer's Report & Recommendation – Appearing before the Board were Attorney Elizabeth Young, Legal Counsel for Mr. Maddox; and Attorney Nannie Reid, Legal Counsel for the City of Birmingham. Based upon a review of the record, the Board finds the Hearing Officer's recommendation regarding job abandonment should be UPHeld, with conditions. The Hearing Officer did not address the issue of backpay or the issue of Mr. Maddox's return to work. The Board determined that Mr. Maddox was not entitled to backpay. Mr. Maddox testified that his physician has not cleared him to return to work and that he is currently unable to perform his duties as a firefighter. The most current medical information submitted at the hearing to addressing Mr. Maddox's workplace restrictions provided that Maddox could return to work, "sit down only" effective June 22, 2021. (Respondent Exhibit 7). Because there is insufficient information in the record regarding the current accommodations, if any, Maddox needs to perform the essential functions of his position, the Board conditions Mr. Maddox's return to work upon his submission, no later than March 18, 2022, of the current physician's statement regarding Mr. Maddox's medical condition and ability to perform the essential functions of his job. The information shall be provided on forms provided by the City of Birmingham. The City of Birmingham shall, no later than close of business Friday, March 11, 2022, provide Mr. Maddox with (1) a specific point of contact within the Human Resources Department and (2) the specific form(s) to be completed by Mr. Maddox and his health care provider. If Mr. Maddox is cleared to return to work and the City can reasonably accommodate his restrictions, if any, Mr. Maddox shall return to work within seven (7) days of the date he is cleared to return to work. Failure to properly and timely submit the requested documentation will violate the conditions of this order. (Motion made by J. Smoke; Seconded by G. Robinson)
- b) TyKeshia L. Hudson vs. Jefferson County (Bessemer Tax Assessor) Case No. DA-2021-2370-JC (Termination) - Joint Motion to Dismiss Appeal & Settlement Agreement – 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)

VI. APPEAL OF DIRECTOR'S DETERMINATION

- a) Dezmond Clopton – Rehire Appeal – Appearing before the Board was Dezmond Clopton. Mr. Clopton wished to appeal the Director's determination to disqualify his application for the job of Police Officer/Deputy Sheriff based on the past employment record on file with the Personnel Board. He appealed the Director's determination within the allotted appeal period. Mr. Clopton acknowledged the inappropriateness of his actions, expressed remorse and asked the Board for a second chance. However, based on the severity and criminal nature of the actions taken by Mr. Clopton, along with the lack of an established track record of effective performance in the Merit System and using the Personnel Board's rehire review criteria, the Director is unable to recommend approval of the appeal. Chair Moore stated that Mr. Clopton could reapply at a later date and appeal this decision again once he has a good work record to take into consideration. The Board voted to UPHOLD the Director's determination to disqualify Mr. Clopton's application based on the rehire eligibility determination and the past employment record on file with the Personnel Board. (Motion made by J. Smoke; Seconded by G. Robinson)
- b) Michael Morris – Rehire Appeal – Appearing virtually before the board were Mr. Michael Morris and Attorney William Gray, Legal Counsel for Mr. Morris. Mr. Morris's application was disqualified based on past employment history on file with the Personnel Board. He submitted an appeal of the disqualification of his application expressing dissatisfaction with the manner in which the City of Tarrant and its Police Department operates. The appeal was submitted within the allotted appeal period. Along with his appeal, his attorney filed a letter expressing objection to Mr. Morris receiving notice from the City of Tarrant that he was terminated. According to Board records, Mr. Morris was processed as a voluntary separation (reason indicated "In lieu of disciplinary action") effective the date he returned his equipment (i.e., 1/14/22). Attorney Gray shared that Mr. Morris resigned from the City of Tarrant and that he gave a two-week notice. His last shift was January 14, 2022. The Chief of Police Wendall Major told Mr. Morris he was in good standing since he worked his shifts during his two-week notice and did not just walk in and resign. However, according to his Attorney, Mr. Morris was never allowed due process since he was not told he was going to be terminated nor was he aware of any investigation. Upon review of all of the information, the Board voted to UPHOLD the Director's determination to disqualify Mr. Morris' application based on the rehire eligibility determination and the past employment record on file with the Personnel Board. (Motion made by J. Smoke; Seconded by G. Robinson)

VII. INFORMATION AND DISCUSSION ITEMS

Training Award – Dr. Crenshaw apologized that he did not add this as an official Informational Item, but wanted to share with the Board that the Training Department has been recognized as a 2022 Training APEX Awards Winner (formerly known as the Training Top 100 Awards) presented during the 2022 Training Conference & Expo in Orlando last week. The awards are presented as a ranking among the best-in-class international training organizations. The Personnel Board placed #41 overall (an improvement of 36 spots since the last award). The Board was also one of five organizations to receive a special award for Outstanding Training Initiative. This award was for the Training Department's Lunchtime Learning Blasts and Trainer Talks on Facebook Live. Dr. Crenshaw stated that these awards are a tremendous accomplishment and an acknowledgement of not only the great work in our Training & OD Department, but also all of the trainees from across the Merit System and all of our other departments that support and help the Training Department in its various endeavors. The Board commended the Director and the staff for the recognition.

- a) The Board acknowledged the City of Fairfield Resolution #2022-03, granting a fifteen percent (15%) Cost of Living Adjustment for Fire and Police personnel, effective March 11, 2022. Based on the fact that this request is not within twelve (12) months of an applicable election, approval of the Board is not required. Thus, this information is provided for acknowledgement only.
- b) The Board acknowledged the list of monthly Advanced Steps.
- c) The Board acknowledged the following Expenditure Report(s):
 1. January 15, 2022 – January 28, 2022
 2. January 29, 2022 – February 18, 2022
- d) The Board acknowledged the Personnel Board's executive search process. Chair Moore stated that the Board wanted to begin establishing the process for selecting the next Director and asked Attorney Coyne to provide an overview and guidance regarding the process. Attorney Coyne stated that about ten (10) years ago, there was a process developed under the Consent Decree for how the Board should select a new Personnel Director. She stated that it listed the knowledge, skills and abilities as well as the recommended credential and work experience that applicants should

possess; however, to date she has not been able to locate the document. She stated that she will continue searching for the document because it would be a great starting point for the Board in the hiring process. She also shared that early in the process, the Board will have to identify the method to be used to advertise the Director's vacancy and the scope of the advertisement. Chair Moore stated that the starting date for the hiring process is May 2022. He also wished Attorney Coyne success in her search for this information because it would be a great help in guiding them in the hiring process.

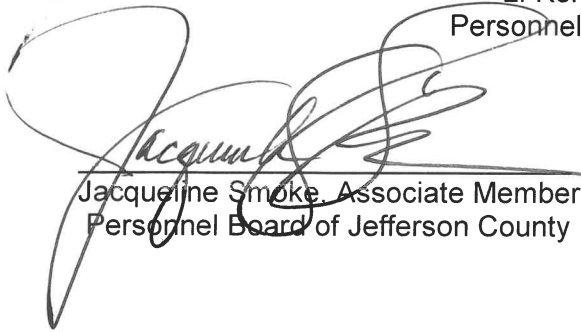
VIII. EXECUTIVE SESSION

Leslie Coyne, Legal Counsel for the PBJC requested to convene a short Executive Session. The regular Board Meeting was temporarily adjourned. The Executive Session started at 2:33 p.m. and ended at 2:35 p.m. The regular Board Meeting reconvened at 2:36 p.m.

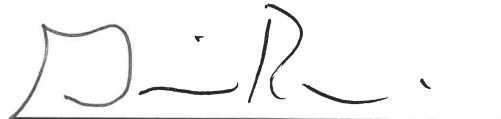
There being no further business, the meeting adjourned at 2:36 p.m.



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