

10/24/18

**Minutes
Meeting of the
Personnel Committee of the
Alabama Environmental Management Commission
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
October 20, 2017**

This is to certify that the Minutes contained herein are a true and accurate account of actions taken by the Personnel Committee of the Alabama Environmental Management Commission on October 20, 2017.

A handwritten signature in black ink, appearing to read 'S. L. Miller', is positioned above a horizontal line.

Samuel L. Miller

Chair

Personnel Committee

Alabama Environmental Management Commission

Certified this 19th day of October 2018.

**Minutes
Meeting of the
Personnel Committee of the
Alabama Environmental Management Commission
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
October 20, 2017**

**Convened: 10:10 a.m.
Adjourned: 10:20 a.m.**

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Part A

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1 * * * * *

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3

4 ALABAMA ENVIRONMENTAL MANAGEMENT

5 PERSONNEL COMMITTEE MEETING

6

7

8 ALABAMA DEPARTMENT OF ENVIRONMENTAL

9 MANAGEMENT

10 Alabama Room

11 1400 Coliseum Boulevard

12 Montgomery, Alabama 36110-2400

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20 Taken by: Bridgette W. Mitchell,

21 ACCR 231

22

23

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1 DR. MILLER: I am going to call

2 this to order and note that we have all

3 members present for this meeting of the

4 Personnel Committee. Our first item on

5 the agenda is that the Committee should

6 consider the minutes of the meeting held

7 on October 21, 2016. These have all been

8 furnished for the Committee members to

9 look over. And I'll entertain a motion

10 from the Commission members regarding the

11 minutes.

12 DR. MARTIN: I make a motion to

13 accept the minutes on the October 21,

14 2016 meeting as presented.

15 DR. LAIER: I second.

16 DR. MILLER: Is there any

17 discussion?

18 (No response.)

19 DR. MILLER: If not, let's call

20 for the question. All in favor of

21 accepting the minutes as written, say

22 aye.

23 (Unanimous.)

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1 * * * * *

2 APPEARANCES

3

4 PERSONNEL COMMITTEE MEMBERS PRESENT:

5 Dr. Samuel L. Miller, Chair

6 Dr. Craig Martin

7 James E. Laier, Ph.D., P.E.

8

9

10 ALSO PRESENT:

11 Robert Tambling, EMC Legal Counsel

12 Kayla Currie, Assistant Attorney

13 General

14 Debi Thomas, EMC Executive

15 Assistant

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1 DR. MILLER: All opposed?

2 (No response.)

3 DR. MILLER: Carries. Our Agenda

4 Item 2, on June 16, 2017, at the

5 Commission meeting, Chairman Brown

6 directed the Personnel Committee to start

7 a job performance evaluation for Director

8 LeFleur covering the period of

9 October 22, 2016, the day after the

10 Director's last evaluation was completed,

11 to the date of the meeting with

12 recommendations from the Committee

13 regarding the evaluation to be considered

14 by the Commission.

15 Chair Brown noted that as of the

16 2016 evaluation, the Committee should

17 obtain feedback from Commissioners and

18 the general public regarding the

19 Director's job performance and provide

20 the Commission with a consolidated list

21 of comments received by the deadline set

22 for the receipt of comments and the

23 Committee's recommendation relative to

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1 the Director's job performance in the
2 evaluation period.
3 On behalf of the Committee, I've
4 requested through a memo to the
5 Commissioners and a notice to the public
6 that all written comments be submitted to
7 the Personnel Committee by 5 p.m.
8 July 31, 2017. This notice was sent to
9 the general public and ADEM website and
10 circulated in advance notice of the
11 Commission meeting's mailing list.
12 Is there any discussion by the
13 Committee regarding the draft summary of
14 written comments on the ADEM Director's
15 job performance evaluation?
16 DR. MARTIN: I don't have any
17 comments other than I'm glad he's doing
18 it and not me.
19 DR. LAIER: And I second that.
20 DR. MARTIN: He's doing a good
21 job.
22 DR. MILLER: I think we've all
23 looked over the comments.

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1 DR. MARTIN: Right.
2 MR. MILLER: And I'll entertain a
3 motion from the Committee regarding the
4 draft summary of written comments on ADEM
5 Director's job performance evaluation.
6 DR. MARTIN: So moved.
7 DR. LAIER: Second.
8 DR. MILLER: All right. Any
9 discussion regarding this?
10 (No response.)
11 DR. MILLER: If not, I call for
12 the question to adopt the draft summary
13 of written comments for the Director's
14 job performance evaluation. All in
15 favor, say aye.
16 (Unanimous.)
17 DR. MILLER: All opposed say no.
18 (No. response.)
19 DR. MILLER: Passed unanimously.
20 The Committee will discuss the
21 recommendations it wants to present to
22 the Commission to consider on the ADEM
23 Director's job performance evaluation.

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1 The first thing we need to discuss is a
2 recommendation from the Committee
3 regarding Director LeFleur's salary. At
4 this time, Director LeFleur's current
5 salary is \$160,440. He is in Pay
6 Grade 90, Step 17. There is one step
7 remaining in Pay Grade 90. The Chair
8 notes that a two-step salary advance was
9 given to the Director in his last
10 evaluation. If we were to consider going
11 to Step 18, the per-year salary would be
12 \$164,419.20, which using my phone
13 calculator comes up to a 2.5 percent
14 increase.
15 Let's please have a discussion
16 regarding this matter.
17 DR. LAIER: From my point of
18 view, I think the Director has been a
19 good servant and has worked hard and
20 diligently on his missions and that he
21 would be a good candidate for a final
22 raise.
23 DR. MARTIN: I'm in favor of the

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1 final one-step pay raise as well.
2 DR. MILLER: Well, I think
3 we're -- we need to consider not only the
4 fact that the current Director has done a
5 good job, but in order if Lance were --
6 the Director were to decide to retire,
7 then we need to make an effort to have
8 this job be as appealing as possible to
9 qualified candidates. I think that's
10 another reason, in my opinion, in
11 addition mainly, of course, to the ADEM
12 Director's performance, that we should
13 consider moving the one step to Step 18
14 and Pay Grade 90.
15 I'll ask for a motion regarding what
16 we should do regarding Director's pay.
17 DR. LAIER: I make a motion that
18 we consider offering the Director his pay
19 grade to No. 3.
20 DR. MILLER: Would you run that
21 by me one more time, Jim? I didn't
22 quite --
23 DR. MARTIN: In Item No. 6, if

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1 you can just read it, that second one
2 there. It should cover that. On page 3.
3 DR. LAIER: Page 3.
4 DR. MARTIN: Move to recommend
5 the Commission approves the salary
6 advance for Director LeFleur of one step
7 to Step 18 and Pay Grade 90.
8 DR. LAIER: Okay. I got it.
9 DR. MARTIN: Would that be your
10 motion?
11 DR. LAIER: That would be my
12 motion.
13 DR. MARTIN: Okay. I'll second
14 it.
15 DR. MILLER: Any further
16 discussion regarding this situation? If
17 not, let's call for the question. All in
18 favor of moving the Director one step to
19 Step 18, Pay Grade 90, will you signify
20 by saying aye.
21 (Unanimous.)
22 DR. MILLER: All opposed?
23 (No response.)

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1 DR. MILLER: If not, I call for
2 the question. All in favor say aye.
3 (Unanimous.)
4 DR. MILLER: All opposed?
5 (No response.)
6 DR. MILLER: Passes unanimously.
7 As far as future Personnel Committee
8 meetings and other business, I would say
9 at this point that unless or until we are
10 directed by the Commission to meet again
11 regarding the Director or any -- whatever
12 else, that we should not set up another
13 meeting until so directed.
14 I'll entertain a motion to adjourn.
15 DR. MARTIN: So move.
16 DR. LAIER: Second.
17 DR. MILLER: Okay. Adjourned.
18
19
20 (The meeting concluded at
21 10:20 a.m. on October 20, 2017.)
22
23

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1 DR. MILLER: All right. The
2 resolution passes unanimously. The Chair
3 will now entertain a motion from the
4 Committee regarding him meeting with the
5 Director regarding the summary of written
6 comments and actions taken by the
7 Commission and executing the verification
8 of understanding.
9 DR. MARTIN: I move to recommend
10 the Commission authorize the Personnel
11 Committee Chair -- that would be you --
12 to meet with Director LeFleur regarding
13 the summary of written comments on ADEM
14 Director job performance evaluation and
15 action taken by the Commission regarding
16 the evaluation and to execute the
17 verification of understanding with the
18 Commission and the Director regarding
19 this evaluation.
20 DR. LAIER: I second that.
21 DR. MILLER: Any further
22 discussion?
23 (No response.)

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1 REPORTER'S CERTIFICATE
2
3 STATE OF ALABAMA)
4 ELMORE COUNTY)
5
6 I do hereby certify that the above
7 and foregoing transcript was taken down
8 by me in stenotype, and the questions and
9 answers thereto were transcribed by means
10 of computer-aided transcription, and that
11 the foregoing represents a true and
12 correct transcript of the testimony given
13 by said witness.
14
15 I further certify that I am neither
16 of counsel, nor any relation to the
17 parties to the action, nor am I anyway
18 interested in the result of said cause.
19
20 I further certify that I am duly
21 licensed by the Alabama Board of Court
22 Reporting as a Certified Court Reporter
23 as evidenced by the ACCR number following
my name below.

Bridgette W. Mitchell
Certified Court Reporter and
Commissioner for the State of
Alabama at Large
ACCR No. 231 - Expires 9/30/18
MY COMMISSION EXPIRES 12/19/17

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3)
4 ELMORE COUNTY)

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| | | | | |
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| | | | |
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Part B

Attachment Index

Attachment 1

Agenda

Attachment 2

**Order to: (1) Adopt the Draft Summary of Written Comments on ADEM Director Performance Evaluation; (2) Recommend that the Commission approve a salary advance for Director LeFleur of one step to Step 18 in Pay Grade 90 (per year salary of \$164,419.20); (3) Recommend that the Commission authorize the Personnel Committee Chair to meet with Director LeFleur regarding the Summary of Written Comments on ADEM Director Job Performance Evaluation and to execute the verification of understanding between the Commission and the Director regarding the evaluation.
(Agenda Items 2 and 3)**

Attachment 1

9/20/17

AGENDA*
MEETING OF THE
PERSONNEL COMMITTEE
OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: October 20, 2017

TIME: 10:00 a.m.

LOCATION: Alabama Department of Environmental Management (ADEM) Building
Alabama Room (Main Conference Room)
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400

ITEMS

1. Consideration of minutes of meeting of the Personnel Committee held on October 21, 2016**
2. Discussion and consideration of Personnel Committee Chair's Draft Summary of Written Comments on the ADEM Director's Job Performance Evaluation
3. Discussion and consideration of recommendations the Personnel Committee will present to the Commission for consideration on the ADEM Director Job Performance Evaluation
4. Other business
5. Future Personnel Committee meeting

* The Agenda for this meeting will be available on the ADEM website, www.adem.alabama.gov, under Environmental Management Commission.

** The minutes of this meeting will be available on the ADEM website under Environmental Management Commission.

Attachment 2

BEFORE THE
PERSONNEL COMMITTEE
OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

MOTIONS

1. Adopt the Draft Summary of Written Comments on ADEM Director Performance Evaluation.
2. Recommend that the Commission approve a salary advance for Director LeFleur of one step to Step 18 in Pay Grade 90 (per year salary of \$164,419.20).
3. Recommend that the Commission authorize the Personnel Committee Chair to meet with Director LeFleur regarding the Summary of Written Comments on ADEM Director Job Performance Evaluation and action taken by the Commission regarding the evaluation and to execute the verification of understanding between the Commission and the Director regarding the evaluation.

ORDER

This cause having come before the Personnel Committee pursuant to the above motions, and having considered the same, the Committee hereby ORDERS, ADJUDGES, and DECREES as follows:


1. That the above motions are hereby adopted; and
2. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below.

Issued this 20th day of October 2017

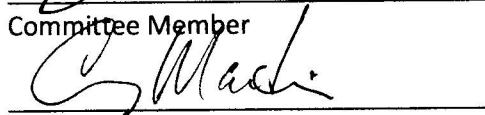
APPROVED:



Committee Member

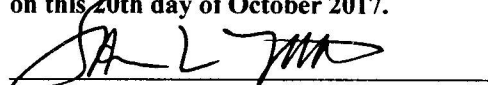


Committee Member



Committee Member

**This is to certify that this Order is a true and accurate
account of the actions taken by the Personnel Committee
on this 20th day of October 2017.**



**Samuel L. Miller, Chair
Personnel Committee
Certified this 20th day of October 2017**