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
June 20, 2014

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 June 20, 2014.

James E. Laier

Chair

Personnel Committee

Alabama Environmental Management Commission

Certified this 16th day of October 2015.

Minutes Meeting of the

Personnel Committee of the

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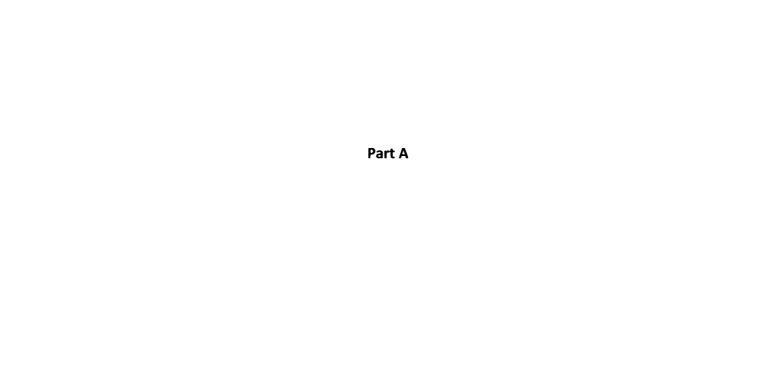
Convened: 9:02 a.m. Adjourned: 9:14 a.m.

Part A

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1	ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION		1	CHAIRMAN LAIER: I'd like to	
2	PERSONNEL COMMITTEE MEETING		2	call the meeting to order, and we do have a	
3				quorum. I checked that with our counsel.	
4				And so we're ready to proceed this	
5				morning. And the first agenda item has to	
6				do with the minutes that were developed in	
7				December of 2009. Each of the Committee	
8				members has received a copy of the minutes,	
9	ALABAMA DEPARTMENT OF ENVIRONMENTAL			and what I'd like is a motion.	
0	MANAGEMENT		10	DR. MILLER: I move,	
1	Alabama Room			Mr. Chairman, that we adopt the minutes as	
2	1400 Coliseum Boulevard			written.	
3	Montgomery, Alabama 36110-2400		13	DR. CARSON: Second.	
4	June 20, 2014		14	CHAIRMAN LAIER: Any	
5	9:02 a.m.			discussion?	
6			16	(No response)	
.7			17	CHAIRMAN LAIER: Then I will	
8				call the question. All in favor?	
9			19	(All Committee members	
0			20	indicate "aye.")	
1			21	CHAIRMAN LAIER: Any	
2				opposed?	
3	Taken by: Victoria M. Castillo, CCR#17		23	(No response)	
	-			(=====================================	
_		Page 2			Page
1	APPEARANCES		1	CHAIRMAN LAIER: All right.	
2			2	Motion is passed. Agenda item number two	
3	COMMITTEE MEMBERS:		3	deals with my the commitment to have a	
4	James E. Laier, Ph.D., P.B., Chair		4	summary of written comments received from	
5	Samuel L. Miller, M.D.		5	members of the Commission and from the	
6	Robert L. Carson, Jr., D.V.M.		6	general public and from personnel at ADEM.	
7			7	At our April 11th, 2014	
8	ALSO PRESENT:		8	Commission meeting, Commission Chairman	
9	Robert Tambling, EMC Legal Counsel		9	Brown directed the Personnel Committee	
0	Debi Thomas, EMC Executive Assistant		10	and I happen to be the chair of the	
1				Personnel Committee to obtain feedback	
2			12	from members of the Commission and from the	e
2			13	general public regarding Director Lance	
		1		LeFleur's performance and to return to the	
				Let lear 3 performance and to return to the	
4		1	14	full Commission with consolidated feedback,	
4 5		1	14 15	-	
4 5 6			14 15 16	full Commission with consolidated feedback,	
4 5 6 7			14 15 16 17	full Commission with consolidated feedback, the details, and a report of the results of	
4 5 6 7 8	,		14 15 16 17	full Commission with consolidated feedback, the details, and a report of the results of our findings relative to Director LeFleur's	
4 5 6 7 8			14 15 16 17 18	full Commission with consolidated feedback, the details, and a report of the results of our findings relative to Director LeFleur's job performance.	
4 5 6 7 8 9			14 15 16 17 18 19	full Commission with consolidated feedback, the details, and a report of the results of our findings relative to Director LeFleur's job performance. At the meeting, Chairman Brown	
.3 .4 .5 .6 .7 .8 .9			14 15 16 17 18 19 20	full Commission with consolidated feedback, the details, and a report of the results of our findings relative to Director LeFleur's job performance. At the meeting, Chairman Brown specifically invited public participation	

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1	that went out to the general public and		1	information with our Director and any other	
2	went out throughout the ADEM community with	ı	2	matters pertaining to his position as the	
3	a commencement time of 5 p.m. on May 30th,	·	3	Director.	
4	2014, essentially meaning that that was the		4	Particularly, I'm concerned with	
5	drop dead date when all comments and		5	the fact that the Director has been working	
6	information relative to Lance LeFleur's		6	with us for five years. He came on board	
7	performance would be provided to us here at			in May of 2010, and he has not had a raise	
8	ADEM.		8	in salary. His current salary level is	
9	The public was particularly		9	\$144,195.84. So I think there's room to	
10	notified through ADEM's Web site and	:	10	discuss the Director's salary, and the	
11	through the circulation of our advanced	:	11	Commission should consider authorizing me	
12	notification system for meeting times and	:	12	as the Chairman of our Committee to talk	
13	agendas. Reviewing the written comments	:	13	with Director LeFleur about his	
14	and the and the drafting of the summary		14	performance.	
15	of the consolidated data for the Chair of	:	15	The summary of his performance	
16	the Commission, I have shared the results	:	16	characteristics, and the written	
17	and the comments that were presented in the	:	17	consolidation data would be used as a basis	
18	documentation and we have prepared a	:	18	of discussing with him the positives and	
19	consolidated document.	:	19	the negatives or the positive and the	
20	And so do we have any	:	20	constructive comments that were given	
21	discussion, or can I ask for a motion?	:	21	relative to his performance.	
22	DR. CARSON: I move we adopt		22	I will also need to have	
23	the draft summary of the written comments.		23	executed a Verification of Understanding	
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3 4 5 6 7 8 9	DR. MILLER: I second the motion. CHAIRMAN LAIER: We have a motion and a second. Any further discussion? (No response) CHAIRMAN LAIER: I call for the question. All in favor?	2 3 4 5 6 7 8 9	document that will validate that I have met with the Director and that he understands the comments that were made about him and any other matters pertaining to his job performance. So do either of the two Commission members have any further suggestions or comments about the statements I've made? DR. MILLER: Well, I think	
11 12		1	that, you know, going for four, five years on a flat salary is difficult for anyone.	
13 14	CHAIRMAN LAIER: All	13		
15 16 17	CHAIRMAN LAIER: The ayes have it. The document of the consolidated	16 17	setting the Director's salary as Lance LeFleur, but we're also setting a precedent and a salary level. When Lance retires,	
18 19 20 21 22	and approved. Now, agenda item three is a	19 20 21	we're going to have to try to attract, you know, a top flight person to be the Director. And if our salary is not competitive, that's going to severely restrict that.	
1	Commission and how we will discuss the	23	CHAIRMAN LAIER: I think so,	

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1	too.	1	salary levels for the ADEM director
2	DR. MILLER: So I think	- 1	position, with the stipulation that placing
3	that, you know, that's another way to look	3	
	at it. But I think it's an important	4	approved by the Board.
5	thought from my standpoint.	5	
6	DR. CARSON: I agree with	6	•
7	Dr. Miller that by putting it on a State	7	DR. MILLER: I second.
8	pay grade range, then we are assured as we	8	CHAIRMAN LAIER: I have a
9	go forward in the future that at such time	9	motion and a second. Any further
10	that he retires or needs to be replaced,		discussion?
11	then we are at a set State pay grade that	11	(No response)
12	would be competitive and we could attract	12	CHAIRMAN LAIER: I call the
13	someone to replace him.	13	question. All in favor?
14	CHAIRMAN LAIER: Well, thank	14	(All Committee members
15	you. Do we have a motion?	15	indicate "aye.")
16	DR. MILLER: Mr. Chairman, I	16	CHAIRMAN LAIER: Opposed?
17	move to recommend that we request that the	17	(No response)
18	State Personnel Board approve placing our	18	CHAIRMAN LAIER: The ayes
19	director, Mr. LeFleur, in the State pay	19	have it. I'd like a motion with respect to
20	grade range of 90 at step 15 and that the	20	my duties of meeting with the Director and
	Commission request that the Board approve	21	talking with him about the comments that
22	an increase for Director LeFleur to have a	22	were made in getting the verification
23	per year salary of \$152,618.40.	23	certificate.
	Page 1	0	Page 12
1	MS. THOMAS: With	1	DR. MILLER: Mr. Chairman, I
2	clarification, that would be you-all's	2	move that we recommend that the Commission
3	recommendation to the Commission?	1	authorize you as our Personnel Committee
4	DR. MILLER: I thought I		Chair to meet with Director LeFleur
5	said that, but I probably didn't.	5	regarding the summary of written comments
6	DR. CARSON: I second the	6	and recommendation adopted by the
7	motion.	7	Commission and to execute Verification of
8	CHAIRMAN LAIER: Okay. We	8	Understanding between the Commission and
9	have a motion and a second. Any further	9	the Director regarding the results of his
10	discussion?		performance evaluation.
11	(No response)	11	DR. CARSON: I second the
12	CHAIRMAN LAIER: I call for	12	motion.
13	the question. All in favor?	13	CHAIRMAN LAIER: We have a
14	(All Committee members	14	motion and a second. Any further
15	indicate "aye.")	15	discussion?
16	CHAIRMAN LAIER: Opposed?	16	DR. CARSON: I think this is
17	(No response)		very appropriate, otherwise the Director
18	CHAIRMAN LAIER: The ayes		does not have a means of having feedback
19	have it.	- 1	if if this function is not carried out.
20	DR. CARSON: Mr. Chairman,		And, you know, for as far both the good
	I'd like to move that we as a Committee	1	and bad of his performance needs to be
	recommend that the Commission approve the	Į.	discussed with him so that he has the
23	practice of using pay grade range 90 for	23	opportunity to correct any deficiencies

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1	that might exist and he has the opportunity		1	STATE OF ALABAMA)	
	to be recognize that he has done he has		2	COUNTY OF MONTGOMERY)	
	done a well performance in some areas.		3		
4	CHAIRMAN LAIER: I agree.		4	I hereby certify that the above	
5			5	proceedings were taken down by me and	
6	(No response)		6	transcribed by me using computer-aided	
7	CHAIRMAN LAIER: Call the		7	transcription and that the above is a true	
8	question. All in favor?		8	and accurate transcript of said proceedings	
9	(All Committee members		9	taken down by me and transcribed by me.	
10	indicate "aye.")		10	I further certify that I am	
11	CHAIRMAN LAIER: Opposed?		11	neither of kin nor of counsel to any of the	
12	(No response)		12	parties nor in anywise financially	
13	CHAIRMAN LAIER: The ayes		13	interested in the outcome of this case.	
	have it. Agenda item number four, is there		14	I further certify that I am duly	
15	any other business to come before the		15	licensed by the Alabama Board of Court	
	Personnel Committee?		16	Reporting as a Certified Court Reporter as	
17	(No response)		17	evidenced by the ACCR number following my	
18	CHAIRMAN LAIER: With no		18	name found below.	
-	other business, we will move on. There is		19	name found below.	
	an agenda item five that deals with further		20		
	meetings. I don't believe we have any need		21		
	for any further meetings, so I will go on		22	VICEOUT COMMITTEE AGENT HAT A VAN VAN	
	to the adjournment. Do I have a motion to		23	VICTORIA CASTILLO, ACCR #17, 9/30/14	
23	to the adjournment. Do I have a motion to		23	FREELANCE COURT REPORTER	
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		r ago 11			
1	adjourn?				
2	DR. MILLER: So moved.				
3	CHAIRMAN LAIER: Second?				
4	DR. CARSON: Second.				
5	CHAIRMAN LAIER: We're				
1	adjourned.				
7	(The meeting adjourned at				
8	9:14 a.m.)				
9					
10					
11					
12					
13					
14					
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16					
17					
18					
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23					
			L		

1	STATE OF ALABAMA)
2	COUNTY OF MONTGOMERY)
3	
4	I hereby certify that the above
5	proceedings were taken down by me and
6	transcribed by me using computer-aided
7	transcription and that the above is a true
8	and accurate transcript of said proceedings
9	taken down by me and transcribed by me.
10	I further certify that I am
11	neither of kin nor of counsel to any of the
12	parties nor in anywise financially
13	interested in the outcome of this case.
14	I further certify that I am duly
15	licensed by the Alabama Board of Court
16	Reporting as a Certified Court Reporter as
17	evidenced by the ACCR number following my
18	name found below.
19	
20	$M:L_{\infty} \to \Omega$
21	Victoria Castillo
22	VICTORIA CASTILLO, ACCR #17, 9/30/14
23	FREELANCE COURT REPORTER

		6:11;7:12;10:14,21;	5:19;6:17;8:1	further (8)
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June 20, 2014

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Part B

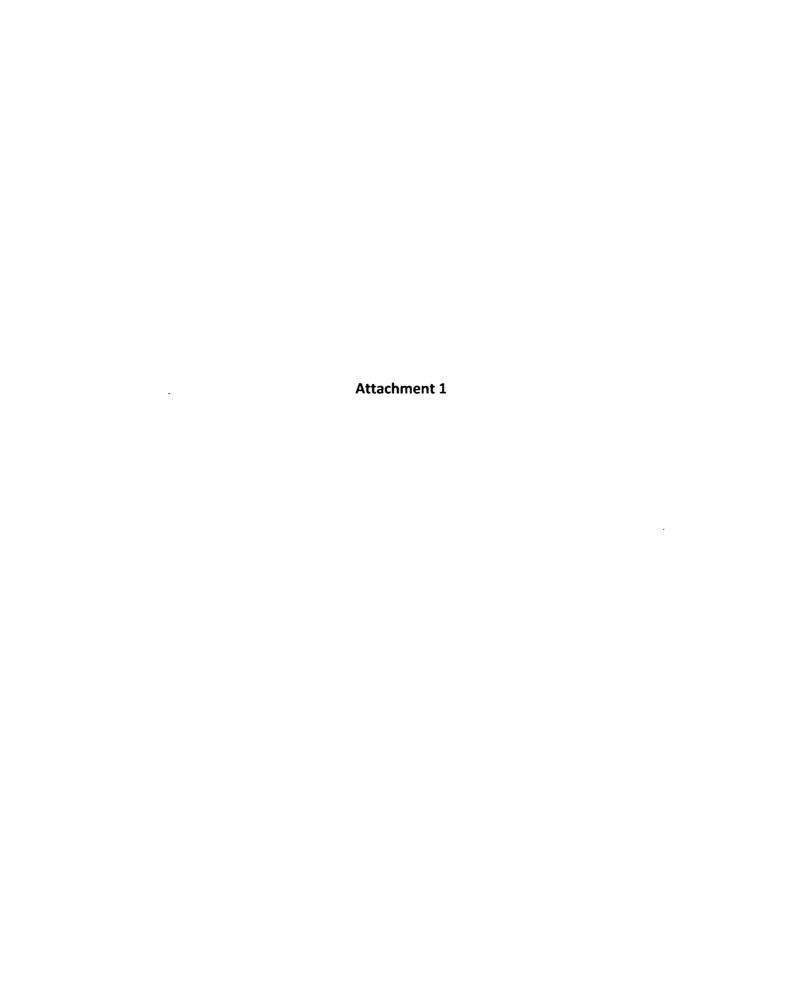
Attachment Index

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 request that the State Personnel Board (Board) approve placing Director LeFleur in the State Pay Plan Pay Grade Range (Pay Range) 90 at Step 15 and that the Commission request that the Board approve an increase for Director LeFleur to a per year salary of \$152,618.40; (3) Recommend that the Commission approve the practice of using Pay Range 90 for salary levels for the ADEM Director position with the stipulation that placing Director LeFleur in that Pay Range is approved by the Board; and (4) Recommend that the Commission authorize the Personnel Committee Chair to meet with Director LeFleur regarding the **Summary of Written Comments on ADEM Director** Performance Evaluation and recommendations of the Personnel Committee adopted by the Commission and to execute the verification of understanding between the Commission and the Director regarding the results of the Performance Evaluation. (Agenda Items 2 and 3)



AGENDA* MEETING OF THE PERSONNEL COMMITTEE OF THE

ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: June 20, 2014 TIME: 9:00 a.m.

LOCATION: Alabama Department of Environmental Management (ADEM) Building

Alabama Room (Main Hearing Room) 1400 Coliseum Boulevard Montgomery, Alabama 36110-2400

ITEMS

- Consideration of minutes of meeting of the Personnel Committee held on December 23, 2009**
- 2. Discussion and consideration of Personnel Committee Chair's draft summary of written comments received from the members of the Commission and the public on the ADEM Director's job performance
- 3. Discussion and consideration of recommendations the Personnel Committee will present to the Commission for consideration on the ADEM Director Performance Evaluation
- 4. Other business
- 5. Future Personnel Committee meeting

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

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



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 request that the State Personnel Board (Board) approve placing Director LeFleur in the State Pay Plan Pay Grade Range (Pay Range) 90 at Step 15 and that the Commission request that the Board approve an increase for Director LeFleur to a per year salary of \$152,618.40.
- (3) Recommend that the Commission approve the practice of using Pay Range 90 for salary levels for the ADEM Director position with the stipulation that placing Director LeFleur in that Pay Range is approved by the Board.
- (4) Recommend that the Commission authorize the Personnel Committee Chair to meet with Director LeFleur regarding the Summary of Written Comments on ADEM Director Performance Evaluation and recommendations of the Personnel Committee adopted by the Commission and to execute the verification of understanding between the Commission and the Director regarding the results of the Performance 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 June 2014.

APPROVED:

committee tyci<u>noc</u>

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 June 2014.

Jantes E. Laier, Chair Personnel Committee

Certified this 20th day of June 2014