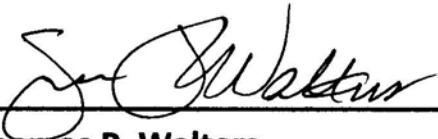


10/13/20

**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 18, 2019**

**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 18, 2019.**

A handwritten signature in black ink, appearing to read "Tom Walters", written over a horizontal line.

**Thomas P. Walters**

**Chair**

**Personnel Committee**

**Alabama Environmental Management Commission**

**Certified this 9th day of October 2020.**

**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 18, 2019**

**Convened: 10:06 a.m.  
Adjourned: 10:15 a.m.**

**Part A**

**Transcript  
Word Index**

**Part B**

**Attachment Index  
Attachment 1  
Attachment 2**

**Part A**

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1 ALABAMA ENVIRONMENTAL MANAGEMENT  
2 COMMISSION  
3 PERSONNEL COMMITTEE MEETING  
4  
5  
6  
7  
8  
9  
10 ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
11 Alabama Room  
12 1400 Coliseum Boulevard  
13 Montgomery, Alabama 36110-2400  
14 October 18, 2019  
15 10:06 a.m.  
16  
17  
18  
19  
20  
21  
22  
23 Taken by: Victoria M. Castillo, ACCR No. 17

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1 (WHEREUPON, proceedings began at  
2 10:06 a.m.)  
3 CHAIRMAN WALTERS: Good morning,  
4 everyone. We will go ahead and call the meeting  
5 to order. This is a meeting of the Personnel  
6 Committee of the Management Commission. My name  
7 is Tom Walters. I'm Chairman of the Committee.  
8 With me are colleagues, Dr. Ruby Perry and Kevin  
9 McKinstry. So note that we do have a quorum.  
10 All Committee members are present.  
11 So the first item on the agenda is  
12 the consideration of the minutes of the meeting  
13 held on October 19, 2018.  
14 Entertain a motion from the  
15 Committee regarding the minutes.  
16 DR. PERRY: Move to adopt the  
17 minutes of the October 19th, 2018 Committee  
18 meeting as distributed.  
19 MR. MCKINSTRY: Second.  
20 CHAIRMAN WALTERS: Any  
21 discussion?  
22 (No response.)  
23 CHAIRMAN WALTERS: I have a

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1 A P P E A R A N C E S  
2  
3 COMMITTEE MEMBERS PRESENT:  
4 Kevin McKinstry  
5 Ruby L. Perry, D.V.M.  
6 Thomas P. Walters, P.E., Chairman  
7  
8 ALSO PRESENT:  
9 Robert Tambling, AEMC Legal Counsel  
10 Zack Wilson, Paralegal  
11 Debi Thomas, AEMC Executive Assistant  
12 Lance R. LeFleur, ADEM Director  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

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1 motion and a second. Call for the question. All  
2 those in favor say "aye."  
3 (All Committee members signify  
4 with "aye.")  
5 CHAIRMAN WALTERS: Motion  
6 carries.  
7 Agenda Item No. 2 is the discussion  
8 and consideration of the Personnel Committee  
9 Chair's Draft compilation of written comments for  
10 the ADEM director's job performance evaluation.  
11 At our June 21, 2019 Commission  
12 meeting, Chair Miller directed the Personnel  
13 Committee to start a job performance evaluation  
14 for Director LeFleur covering the period of  
15 October 20, 2018 -- which was the day after our  
16 last Personnel Committee meeting -- up to today  
17 and to regard to that and evaluate that and make  
18 a consideration to the Commission.  
19 We noted, as we had done in the 2018  
20 evaluation, we got feedback from the  
21 Commissioners and also from the general public  
22 regarding the record of job performance and  
23 provided the Commission with a consolidated list

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1 of those comments received by the deadline. And  
2 in so doing, I prepared a memo, submitted it to  
3 the Commissioners and notice to the public that  
4 written comments be submitted to the Personnel  
5 Committee by 5 p.m., July 31, 2019. This notice  
6 to the general public was posted on the ADEM  
7 website and circulated to the advance notice of  
8 Commission meeting mailing list.  
9 So we're going to have some  
10 discussion then regarding the draft compilation  
11 of written comments, which were compiled and  
12 provided to the Committee members and to other  
13 Commission members that are not on this  
14 Committee.  
15 I will just first off say that we  
16 received in excess of 220 comments or statements.  
17 Some of them are just statements. And I want to  
18 express my personal appreciation for people  
19 taking the time to do that. I know, at least  
20 from Director LeFleur's shoes, in looking at it,  
21 appreciate some of the constructive feedback that  
22 was given. Some of it was not -- you don't like  
23 to see it, some of the comments. But there were

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1 some constructive feedback comments there.  
2 So I think the one thing that  
3 impressed me that was pretty common I think of  
4 things to build on was in the area of  
5 communication. And I think that's something that  
6 we can all -- in whatever job we're doing, we can  
7 all do a better job of communication. I think  
8 that's one of the things that is a common theme  
9 in the comments.  
10 So, anyhow, I guess I want to  
11 entertain a motion from the Committee regarding  
12 the draft compilation of written comments from  
13 the ADEM director job performance evaluations.  
14 MR. McKINSTRY: Move to adopt  
15 the Draft Compilation of Written Comments for  
16 ADEM Director Job Performance Evaluation.  
17 DR. PERRY: I second the motion.  
18 CHAIRMAN WALTERS: Any  
19 discussion?  
20 (No response.)  
21 CHAIRMAN WALTERS: Call for the  
22 question then.  
23 All those in favor say "aye."

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1 (All Committee members signify  
2 with "aye.")  
3 CHAIRMAN WALTERS: Any opposed?  
4 (No response.)  
5 CHAIRMAN WALTERS: Motion  
6 carries.  
7 So now we're going to have further  
8 discussion on the recommendation of the ADEM job  
9 performance evaluation for the director job  
10 performance evaluation that the Personnel  
11 Committee will present to the Commission for  
12 consideration. I guess I failed to allow my  
13 colleagues any comments they wanted to make  
14 regarding the comments that perhaps you have  
15 regarding the compilation of the comments.  
16 Do you-all have anything you want to  
17 say in that respect?  
18 DR. PERRY: I want to note that,  
19 you know, the purpose is to make sure that the  
20 public is aware of what the Commission is doing  
21 and Mr. LeFleur's responsibilities. So as long  
22 as that is transparent, then we appreciate that.  
23 CHAIRMAN WALTERS: Do you have

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1 any --  
2 MR. McKINSTRY: Just echo the  
3 Chairman's comments. The agency seems to perform  
4 at a high level. Got a very professional,  
5 engaged staff. And we have a chance to improve  
6 communications in telling the story of ADEM, what  
7 they do every day. Certainly there is an  
8 opportunity for improvement.  
9 CHAIRMAN WALTERS: Okay. Thank  
10 you.  
11 So now we're going to discuss  
12 recommendation, and we want to present to the  
13 Commission the consideration of the ADEM director  
14 job performance evaluation of -- I guess, first  
15 off, as was last year, the Director is already at  
16 the top of his pay grade, so there's really  
17 nowhere else to go. And, just for the record,  
18 that pay scale was changed by the legislature not  
19 too long ago. So his annual salary going forward  
20 will be \$172,737.60. That's \$172,737.60 annual  
21 salary.  
22 In previous Director evaluations,  
23 the Committee has recommended that the Commission

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1 authorize the Personnel Committee Chair to meet  
2 with Director LeFleur regarding the compilation  
3 of the written comments for the job performance  
4 evaluation and to execute the Verification of  
5 Understanding of the evaluation between the  
6 Commission and the Director.  
7 So I'd like to call for any  
8 discussion regarding the Committee's  
9 recommendation to the Commission. Any comments?  
10 (No response.)  
11 CHAIRMAN WALTERS: I will now  
12 entertain a motion for the Committee regarding  
13 the Committee's recommendation to the Commission  
14 for consideration of the Director's evaluation.  
15 MR. McKINSTRY: Move to  
16 recommend the Commission authorize the Personnel  
17 Committee Chair to meet with Director LeFleur  
18 regarding the Summary of Written Comments for  
19 ADEM Director Job Performance Evaluation and to  
20 execute the Verification of Understanding between  
21 the Commission and the Director regarding the  
22 evaluation.  
23 CHAIRMAN WALTERS: Do I have a

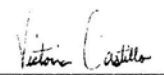
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1 second?  
2 DR. PERRY: Second to the  
3 motion.  
4 CHAIRMAN WALTERS: Any  
5 discussion?  
6 (No response.)  
7 CHAIRMAN WALTERS: Then I call  
8 for the question. All those in favor say "aye."  
9 (All Committee members signify  
10 with "aye.")  
11 CHAIRMAN WALTERS: Any opposed?  
12 (No response.)  
13 CHAIRMAN WALTERS: Motion  
14 carries.  
15 MS. THOMAS: Chair?  
16 CHAIRMAN WALTERS: Yes?  
17 MS. THOMAS: I would explain  
18 that instead of the word "summary," we're putting  
19 "compilation."  
20 CHAIRMAN WALTERS: Okay. We'll  
21 make that adjustment.  
22 Does anyone have any objection?  
23 (No response.)

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1 CHAIRMAN WALTERS: Your next  
2 item on the agenda is just any other business.  
3 Do we have any other business before this  
4 Committee?  
5 (No response.)  
6 CHAIRMAN WALTERS: We'll go to  
7 Item 5, which was there in case we needed to have  
8 a future Committee meeting. I don't see any need  
9 for any until next year; therefore, I will  
10 entertain a motion to adjourn.  
11 DR. PERRY: I move to adjourn.  
12 MR. McKINSTRY: Second.  
13 CHAIRMAN WALTERS: All those in  
14 favor say "aye."  
15 (All Committee members signify  
16 with "aye.")  
17 CHAIRMAN WALTERS: Motion  
18 carries. Meeting is adjourned.  
19 (The meeting is adjourned at  
20 10:15 a.m.)  
21 \*\*\*\*\*  
22  
23

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

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**Part B**

## **Attachment Index**

**Attachment 1**

**Agenda**

**Attachment 2**

**Order to: (1) Adopt the Draft Compilation of Written Comments for ADEM Director Performance Evaluation and (2) Recommend that the Commission authorize the Personnel Committee Chair to meet with Director LeFleur regarding the Compilation of Written Comments for 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**

9/18/19

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

DATE: October 18, 2019

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 19, 2018\*\*
2. Discussion and consideration of Personnel Committee Chair's Draft Summary of Written Comments for the ADEM Director Job Performance Evaluation
3. Discussion and consideration of recommendation on the ADEM Director Job Performance Evaluation the Personnel Committee will present to the Commission for consideration
4. Other business
5. Future Personnel Committee meeting

\* The Agenda for this meeting will be available on the ADEM website, [www.adem.alabama.gov](http://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 Compilation of Written Comments for ADEM Director Performance Evaluation.
2. Recommend that the Commission authorize the Personnel Committee Chair to meet with Director LeFleur regarding the Compilation of Written Comments for ADEM Director Job Performance 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 18th day of October 2019

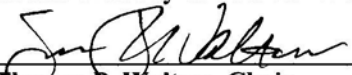
APPROVED:

  
\_\_\_\_\_  
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 18th day of October 2019.

  
\_\_\_\_\_  
Thomas P. Walters, Chair  
Personnel Committee

Certified this 18th day of October 2019