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 9, 2020
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 9, 2020.

[Signature]

Thomas P. Walters  
Chair  
Personnel Committee  
Alabama Environmental Management Commission

Certified this 8th day of October 2021.
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 9, 2020

Convened: 10:00 a.m.
Adjourned: 10:11 a.m.

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Part A
MEETING OF THE PERSONNEL COMMITTEE

OF THE

ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

Alabama Room (Main Conference Room)
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
October 9, 2020
10:00 a.m.

* * * * * * * * *

COURT REPORTER: PATRICK R. MILLER, ACCR-631

* * * * * * * * *
Committee Members Present:

Thomas P. Walters, P.E., Chair
Ruby L. Perry, D.V.M.

Committee Members Not Present:

Kevin McKinstry

Also Present:

Robert D. Tambling, EMC Legal Counsel
S. Shaw Sibley, ADEM General Counsel
Lance Lefleur, ADEM Director
Debi Thomas, EMC Executive Assistant

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MR. WALTERS: Well, I have 10:00. It is time for the Personnel Committee meeting. As you can see, we don't have the full Committee in attendance today. Mr. McKinstry is unable to attend, because he had a fall. And he's having to stay home, and he's doing rehab, but he's doing fine. But he did send me some comments, so I'll share that, but we'll go ahead and call the meeting to order.

And the first item on the agenda is the consideration of minutes of the meeting held on October the 18th of 2019 for the Personnel Committee. So I will entertain a motion from the Committee regarding the minutes from that meeting.

DR. PERRY: I move to adopt the minutes of the October 18th, 2019 Committee meeting as distributed.

MR. WALTERS: And I will second it.

Any -- we have a motion and a second.
Any further discussion?

(MR. WALTERS: I will call for the question. All those in favor, say, Aye.

DR. PERRY: Aye.

MR. WALTERS: Aye. Motion carries.

Agenda Item 2 is the discussion and consideration of the Personnel Committee Chair's draft compilation of written comments for the ADEM Director's job performance evaluation. As we have done in the last -- at least since I've been here -- the last two or three years, we've been the Commission Chair directs the Personnel Committee to start a job performance evaluation, and covering the period from the day after the last meeting all the way to the -- to today in theory, and we received -- solicited feedback from the Commissioners, from the general public regarding the compiled those comments. The deadline was the end of July, I believe, and so we have received those. The -- at this time then, we're going to ask for -- I guess, have discussion about those comments, which I will start, actually. And just to let everyone know, we received about 13, maybe -- well, 14 considering Mr. McKinstry's commentary, I would say. Anyway, in general, the -- I kind of did a plus-and-a-minus tally. The majority of them were in a positive light. As has been the past, the -- most of the commentary that we get from the riverkeepers or, you know, those of that group tend to be on the negative side, and they tend to be historical in nature in a broad sense. And I think, as has been shared before, they just about always conclude by wanting...
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION
Meeting of the Personnel Committee on 10/09/2020

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1. to replace the Director with somebody else. So on the flip side, most of
the Commissioners and the other
4. commentary were positive, very
5. complimentary of Mr. LeFleur, of
6. Lance's job this year, and I agree
7. with those comments. I believe he's
done a great, good job meeting -- he
9. has met my expectations as the
10. Director for this past year.
11. So I'll open it up then, Ruby, for
12. any comments that you have.
13. DR. PERRY: I do have one, having
14. to work with the Director for the --
15. as I looked, the last year, almost two
16. years on this Board, and he has done a
17. very good job with keeping us apprised
18. of changes and forecasting, and as a
19. leader and a manager, he has done well
20. with that, achieving the goals and
21. objectives, staying focused on the
22. mission of this group, and also
23. concerned with the welfare of the

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1. citizens and keeping them in the
2. forefront. So I commend him on that.
3. As a leader, you're also going to get
4. the negatives, and -- you didn't do it
5. the way that I wanted to do -- and
6. often many of us in leadership roles
7. get that. And so we look at that --
8. well, actually, you want to get those
9. kinds of comments so you can make sure
10. that you're on target with making sure
11. you don't miss something.
12. So, again, I commend him for his
13. job performance this last year.
14. MR. WALTERS: Thank you. Yeah, I
15. agree with it and, as a Commission
16. member, I appreciate the people taking
17. the time to submit those comments,
18. because like Ruby said, it's important
19. to get that feedback from whatever the
20. perspective is. Everybody's got a
21. different perspective on how something
22. needs to be taken -- you know, taken
23. on. So in any event...

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1. So any further discussion?
2. (No response was heard.)
3. MR. WALTERS: All right. At this
time, I'll entertain a motion that --
4. regarding the draft compilation of
5. written comments for the ADEM
6. Director's job performance evaluation.
8. DR. PERRY: I move to adopt the
9. draft compilation of written comments
10. for ADEM Director's job performance
11. evaluation.
12. MR. WALTERS: I will second that.
13. We have a motion and a second. Any
14. further discussion?
15. (No response was heard.)
16. MR. WALTERS: We'll call for the
17. question then. All those in favor,
18. signify by saying, Aye.
20. MR. WALTERS: Aye. Motion carries.
21. Agenda Item Number 3 is the
22. discussion and consideration of the
23. recommendation on the ADEM Director's

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1. job performance evaluation the
2. Personnel Committee will present to
3. the Commission for consideration. So
4. we'll discuss that. At this time,
5. the -- I'll just note that we'll
6. discuss the recommendation we want to
7. present to the Commission for
8. consideration on the job performance,
9. and the current Director's salary is
10. at Pay Grade 90, Step 18, which is the
11. last step, so for the ensuing year the
12. salary will remain unchanged. And
13. also note that in previous Director
14. evaluations, we've recommended to the
15. Commission that they authorize -- that
16. the Commission authorize the Personnel
17. Committee Chair to meet with the
18. Director regarding the compilation of
19. written comments, and execute a
20. verification of understanding of the
21. evaluation between the Commission and
22. Director.
23. So at this time, I'm going to call
for discussion by the Committee
regarding the Committee's
recommendation to the Commission and
consideration for the Director's
evaluation.

DR. PERRY: I have no further
comments.

MR. WALTERS: Okay. I think we
just -- I think the Committee is going
to recommend retention of Director
LeFleur for the next -- for the
ensuing year. And as we've done in
the past, encourage that the Committee
Chair, myself, meet with the Director
and discuss those comments.

So at this time, I will entertain a
motion from the Committee regarding
the Committee's recommendation to the
Commission for consideration for the
Director's evaluation.

DR. PERRY: As per the discussion,
I move to recommend that the
Commission authorize the Personnel
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 this evaluation.

MR. WALTERS: I second. Any
further discussion?

(No response was heard.)

MR. WALTERS: I have a motion -- I
would like to -- I failed to
mention -- sorry, I forgot to mention
I did have Kevin McKinstry's
commentary since he could not be here,
and his comments were also very
positive, and he -- in his opinion,
the Director exceeded expectations,
and so -- especially with this
challenging year. So I just want to
get that on the record.

All right. So we have a motion and
a -- we're going to call for the
was recruited 20 years ago, 35 years ago, maybe longer than that, you're not going to get the same kind of person with what I do with people coming right out of school. And so we want to have some type of language in our by-laws or in our procedures such that we can address that and then make recommendations to the Commission. So I support that recommendation.

MR. WALTERS: Okay. And so I think I'm going to make that recommendation to the Commission maybe later today and see where it goes from there.

DR. PERRY: So we would look at that, and then make a study, and then make a recommendation?

MR. WALTERS: Yeah, yeah, definitely.

DR. PERRY: Okay.

MR. WALTERS: Recommend to the Commission that we organize a group to study it, and then come back to the Commission at a later date to report on what further actions...

DR. PERRY: We can do that.

MR. WALTERS: Okay. Very well.

We'll go into Item Number 5, which is future Personnel Committee meeting. I don't see a need unless you do, Ruby, that we need to have another meeting, set a meeting date, so...

DR. PERRY: I do not, Mr. Chair.

MR. WALTERS: Okay. Very good. I will then entertain a motion to adjourn.

DR. PERRY: So moved.

MR. WALTERS: I second. All those in favor of adjournment, signify by saying, Aye.

DR. PERRY: Aye.

MR. WALTERS: Aye. Meeting is adjourned.

(Whereupon, the meeting concluded at 10:11 a.m.)

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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)
AGENDA*
MEETING OF THE
PERSONNEL COMMITTEE
OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION
DATE: October 9, 2020
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 18, 2019**

2. Discussion and consideration of Personnel Committee Chair’s Draft Compilation 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, 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 9th day of October 2020

APPROVED:

[Signature]
Committee Member
[Signature]
Committee Member
[Signature]
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 9th day of October 2020.

[Signature]
Thomas P. Walters, Chair
Personnel Committee
Certified this 9th day of October 2020