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.

[Signature]

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
Alabama Environmental Management Commission
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
June 20, 2014

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

Part A

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Part A
CHAIRMAN LAIER: I'd like to call the meeting to order, and we do have a quorum. I checked that with our counsel. And so we're ready to proceed this morning. And the first agenda item has to do with the minutes that were developed in December of 2009. Each of the Committee members has received a copy of the minutes, and what I'd like is a motion.

DR. MILLER: I move, Mr. Chairman, that we adopt the minutes as written.

DR. CARSON: Second.

CHAIRMAN LAIER: Any discussion?

(No response)

CHAIRMAN LAIER: Then I will call the question. All in favor?

(All Committee members indicate "aye.")

CHAIRMAN LAIER: Any opposed?

(No response)

CHAIRMAN LAIER: All right. Motion is passed. Agenda item number two deals with my -- the commitment to have a summary of written comments received from members of the Commission and from the general public and from personnel at ADEM.

At our April 11th, 2014 Commission meeting, Commission Chairman Brown directed the Personnel Committee -- and I happen to be the chair of the Personnel Committee -- to obtain feedback from members of the Commission and from the general public regarding Director Lance LeFleur's performance and to return to the 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 in the presentation of the data. The Committee authorized, by memo, the development of a Commission response to us
that went out to the general public and
went out throughout the ADEM community with
a commencement time of 5 p.m. on May 30th,
2014, essentially meaning that was the
drop dead date when all comments and
information relative to Lance LeFleur's
performance would be provided to us here at
ADEM.
The public was particularly
notified through ADEM's Web site and
through the circulation of our advanced
notification system for meeting times and
agendas. Reviewing the written comments
and the -- and the drafting of the summary
of the consolidated data for the Chair of
the Commission, I have shared the results
and the comments that were presented in the
documentation and we have prepared a
consolidated document.
And so do we have any
discussion, or can I ask for a motion?
DR. CARSON: I move we adopt
the draft summary of the written comments.

CHAIRMAN LAIER: Do we have
a second?
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?
(All Committee members
indicate "aye.")
CHAIRMAN LAIER: All
opposed?
(No response)
CHAIRMAN LAIER: The ayes
have it. The document of the consolidated
summary of the comments has been accepted
and approved.

Now, agenda item three is a
discussion of the Director's performance as
well as some comments regarding the
Commission and how we will discuss the

information with our Director and any other
matters pertaining to his position as the
Director.
Particularly, I'm concerned with
the fact that the Director has been working
with us for five years. He came on board
in May of 2010, and he has not had a raise
in salary. His current salary level is
$144,195.84. So I think there's room to
discuss the Director's salary, and the
Commission should consider authorizing me
as the Chairman of our Committee to talk
with Director LeFleur about his
performance.
The summary of his performance
characteristics, and the written
consolidation data would be used as a basis
of discussing with him the positives and
the negatives -- or the positive and the
constructive comments that were given
relative to his performance.
I will also need to have
executed a Verification of Understanding

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
that, you know, going for four, five years
on a flat salary is difficult for anyone.
And I think that when we set the salary, we
have to realize that not only are we
setting the Director's salary as Lance
LeFleur, but we're also setting a precedent
and a salary level. When Lance retires,
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.
CHAIRMAN LAIER: I think so,
DR. MILLER: So I think that, you know, that's another way to look at it. But I think it's an important thought from my standpoint.

DR. CARSON: I agree with Dr. Miller that by putting it on a State pay grade range, then we are assured as we go forward in the future that at such time that he retires or needs to be replaced, then we are at a set State pay grade that would be competitive and we could attract someone to replace him.

CHAIRMAN LAIER: Well, thank you. Do we have a motion?

DR. MILLER: Mr. Chairman, I move to recommend that we request that the State Personnel Board approve placing our director, Mr. LeFleur, in the State pay grade range of 90 at step 15 and that the Commission request that the Board approve an increase for Director LeFleur to have a per year salary of $152,618.40.

MS. THOMAS: With clarification, that would be you-all's recommendation to the Commission?

DR. MILLER: I thought I said that, but I probably didn't.

DR. CARSON: I second the motion.

CHAIRMAN LAIER: Okay. We have a motion and a second. Any further discussion?

(No response)

CHAIRMAN LAIER: I call for the question. All in favor?

(All Committee members indicate "aye.")

CHAIRMAN LAIER: Opposed?

(No response)

CHAIRMAN LAIER: The ayes have it.

DR. CARSON: Mr. Chairman, I'd like to move that we as a Committee recommend that the Commission approve the practice of using pay grade 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.

CHAIRMAN LAIER: Do I have a second?

DR. MILLER: I second.

CHAIRMAN LAIER: I have a motion and a second. Any further discussion?

(No response)

CHAIRMAN LAIER: I call the question. All in favor?

(All Committee members indicate "aye.")

CHAIRMAN LAIER: Opposed?

(No response)

CHAIRMAN LAIER: The ayes have it. I'd like a motion with respect to my duties of meeting with the Director and talking with him about the comments that were made in getting the verification certificate.

DR. MILLER: Mr. Chairman, I move that we recommend that the Commission authorize you as our Personnel Committee Chair to meet with Director LeFleur regarding the summary of written comments and recommendation adopted by the Commission and to execute Verification of Understanding between the Commission and the Director regarding the results of his performance evaluation.

DR. CARSON: I second the motion.

CHAIRMAN LAIER: We have a motion and a second. Any further discussion?

DR. CARSON: I think this is very appropriate, otherwise the Director does not have a means of having feedback if -- if this function is not carried out. And, you know, for as far -- both the good and bad of his performance needs to be discussed with him so that he has the opportunity to correct any deficiencies.
that might exist and he has the opportunity
to be recognize that he has done -- he has
done a well performance in some areas.
CHAIRMAN LAIER: I agree.
Any further?
(No response)
CHAIRMAN LAIER: Call the
question. All in favor?
(All Committee members
indicate "aye.")
CHAIRMAN LAIER: Opposed?
(No response)
CHAIRMAN LAIER: The ayes
have it. Agenda item number four, is there
any other business to come before the
Personnel Committee?
(No response)
CHAIRMAN LAIER: With no
other business, we will move on. There is
an agenda item five that deals with further
meetings. I don't believe we have any need
for any further meetings, so I will go on
to the adjournment. Do I have a motion to
adjourn?
DR. MILLER: So moved.
CHAIRMAN LAIER: Second?
DR. CARSON: Second.
CHAIRMAN LAIER: We're
adjourned.
(The meeting adjourned at
9:14 a.m.)
STATE OF ALABAMA)
COUNTY OF MONTGOMERY)

I hereby certify that the above proceedings were taken down by me and transcribed by me using computer-aided transcription and that the above is a true and accurate transcript of said proceedings taken down by me and transcribed by me.

I further certify that I am neither of kin nor of counsel to any of the parties nor in anywise financially interested in the outcome of this case.

I further certify that I am duly licensed by the Alabama Board of Court Reporting as a Certified Court Reporter as evidenced by the ACCR number following my name found below.

Victoria Castillo

VICTORIA CASTILLO, ACCR #17, 9/30/14
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Part B
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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)
Attachment 1
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

1. 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 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.
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:  

[Signatures]  

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 June 2014.  

James E. Laier, Chair  
Personnel Committee  
Certified this 20th day of June 2014