



**Personnel Board Meeting
November 6, 2019 – 5:30 p.m.**

MINUTES

Proper notice of the scheduled meeting of the Pelham Personnel Board was given in advance of such public meeting and the notice remained posted throughout the scheduled meeting.

Date: November 6, 2019
Time: 5:30 p.m.
Place: Pelham Civic Complex
Present: Board Member Greg Darnell
Board Member Jim Collins
Board Member Bobby Hayes
HR Director Tracy Hill

Others Present: Mayor Gary Waters, City Manager Gretchen DiFante, Members of the City Council, city employees, and members of the public.

CALL TO ORDER

Tracy Hill called the meeting to order at 5:30 p.m. and led the invocation.

RECORD OF ATTENDANCE

Tracy Hill asked Candy Porter, Payroll & Benefits Analyst, to call the roll and record attendance. It was noted that all board members were in attendance.

APPROVAL OF MINUTES

The minutes from previous meetings were approved:

1. Meeting minutes from September 10, 2019 – motion by Jim Collins which was seconded by Greg Darnell. Voice vote approved minutes as presented.
2. Meeting minutes from September 18, 2019 – motion by Jim Collins which was seconded by Greg Darnell. Voice vote approved minutes as presented.
3. Meeting minutes from September 24, 2019 – motion by Greg Darnell which was seconded by Jim Collins. Voice vote approved minutes as presented.
4. Meeting minutes from October 16, 2019 – motion by Greg Darnell which was seconded by Jim Collins. Voice vote approved minutes as presented.
5. Meeting minutes from October 24, 2019 – motion by Greg Darnell which was seconded by Jim Collins. Voice vote approved minutes as presented **.

**Board member Greg Darnell noted that in the final paragraph of the minutes presented the Board requested specific information regarding any position whose maximum pay was increasing by \$12,500 or more. He asked for the minutes to be changed to add that the

Board would also like to see specific information on any position whose starting compensation was decreasing by \$5,000 or more. It is noted that this additional request was made to HRM Consulting after the meeting held on October 24, 2019 had adjourned. It is noted for the record that Board members will be provided this additional information but that the official minutes will not reflect this request since it was not made during the meeting.

Board Member Darnell noted that he is pleased with the level of detail contained in the new format of minutes.

OLD BUSINESS

HR Director, Tracy Hill, addressed the Promulgated Rule of Rule 8.6 which is dated December 20, 2016, and reminded the Board that this particular rule is considered void by its own merit since it directly contradicts the Civil Service Act. She asked City Attorney Josh Arnold if this Board would need to take action to void this particular promulgated rule. He stated that this would simply be a procedural exercise to clean up the record by presenting an official document to repeal the rule previously put in place. Mrs. Hill asked Mr. Arnold if this could be accomplished with a first reading of the repeal of the rule tonight and the public hearing followed by a vote at a subsequent meeting. Mr. Arnold affirmed that this is the correct procedure to make this change.

Board Member Darnell asked the City Attorney if there were any other promulgated rules that this Board had approved that appear to be in conflict with the Civil Service Act. He stated that he was under the impression that a legal opinion had been sought prior to each of the promulgated rules being approved and he is curious if there are any others that should give the Board pause as to their legality. Mr. Arnold stated that he would be happy to review them and make a recommendation. Tracy Hill stated that she will forward each of the six rules to Mr. Arnold for his review. Mr. Arnold did note that a brief glance of the rules presented for review do appear to be administrative and within the scope of the legislation with the exception of the one in question related to Rule 8.6 but he will review the content of each.

Mrs. Hill stated that in her review of past minutes, it appears that each time, the subject has been discussed by this Board at a meeting and then the promulgated rule was created but was not passed until a minimum of seven days later at a subsequent meeting. Notice of each meeting is posted physically at City Hall and online on the City's website. We have now started providing Department Heads information regarding each meeting and they pass the information on to their staff. Josh Arnold confirmed this process does meet the posting requirement and possibly exceeds the requirement set in the Civil Service Act.

It is noted that the repeal of the Promulgated Rule of 8.6 will be voted on at the next meeting and a notice will be placed on the web site as notification of public hearing.

HR Director, Tracy Hill, asked the Board to consider promulgating a rule concerning the administration of leave usage. She presented a draft of a rule that would require payment of any compensatory leave time (also referred to as overtime leave) whenever a classification change occurs. For example, when a promotion occurs or with a transfer from one department to another. This would prevent the "time" being earned at one rate of pay and later paid at a higher rate. She also requested a rule be created by this Board to state that any leave time available must be used before any leave without pay is approved. Board Member Collins asked department heads in attendance if they felt that this rule could easily be administered and no concerns were expressed with the rule presented for consideration. The draft promulgated rule was read and it was noted that this rule will be voted on at the next meeting of the Personnel Board.

The next item on the agenda is the Director of the Racquet Club. Board members noted no issue with the job description as presented. Jim Collins made a motion to approve the job description presented and Greg Darnell seconded the motion. A voice vote of Board members approved the job description for Director of the Racquet Club. City Manager Gretchen DiFante asked if the Board was approving a salary range for the position along with the job description. Tracy Hill reminded Board members that the original request presented to them for approval slotted the compensation range equivalent to the General Manager of Ballantrae Golf and the Administrator of the Civic Complex. Range presented was \$86,380.26 - \$112,706.65. Board members Darnell and Collins both commented that in the previous meeting when this item was discussed, they both agreed that the position does not seem to be comparable to either of these positions because of various levels of measure – total budget, number of employees, amount of revenue generated, etc. Board Member Darnell stated that as of today, there is no salary range approved for this position and they anticipate a range being created for this position with the total compensation package being presented for consideration by HRM Consulting. City Manager DiFante pointed out that new positions that will be presented to this Board for approval will not be included in the HRM proposed compensation plan. Mr. DiFante also stated that she thinks the mission of the Racquet Club is very different from the mission of the Civic Complex and Ballantrae Golf. Basically, the primary impact of the Racquet Club for the City of Pelham is the economic contribution that doesn't compare to Ballantrae Golf and the Civic Complex. The City Manager will try to pull some information for Board members to see a comparison between these facilities as another measure that can be used to set salary for the Director position. She reminded Board members that each entity is valuable and serves different roles and is not convinced that the number of members, the number of tournaments and the number of employees managed is not a good indicator of the total job. She provided an example of a junior tournament that has always been held in Huntsville that will now be held in Pelham. This is a tournament that has been named the "junior tournament of the year" in the state as well as the southeast region. She feels that this speaks to the caliber of the management and marketing talent and vision that exists for the facility. It is tough to compare hard numbers when there is a much bigger picture to be considered. From our perspective and with guidance from HRM, we feel that the salary range presented for approval equal to the other two department head position is internally equitable. Board member Darnell revisited a previous meeting's minutes when the salary range for this position was discussed and Board members asked for compensation ranges from USTA's comparable positions and HRM's recommendation. Tracy Hill informed Board members that it had been HRM's recommendation that the position receive internal slotting because there was no information available for comparison. The information that had been gathered from USTA doesn't appear to be comparable because of the way their management and pay structure is set. Director positions receive supplements from their own private professional lessons plus receive a percentage of overall lessons taught by all professionals at the facility. Mr. Darnell noted that the Director position does warrant an increase in compensation because of the increase in responsibility and accountability but doesn't feel that the position warrants the increase requested.

Board Member Hayes expressed his concern regarding the upcoming Personnel Board election and stated that employees had informed him that they would be out of town attending official training on November 14th and would not be able to vote. Tracy Hill informed Board members that a proposal had been already been made to department heads for their input that would allow employees to vote on Friday, November 8th, as an absentee at the City Clerk's office from 7:00 am to 5:00 pm. This announcement will be made to all employees tomorrow letting them know.

Board Member Hayes inquired why the plan was to count the votes the next day rather than counting election night which would present the issue of the integrity of the ballot box overnight. All of the candidates for the election were present so they were asked about their preference. Only one candidate expressed a desire to have them counted that night with the other three having no preference. The

decision was made that the votes would be counted that night at 7:30 p.m. Anyone that would like to be present to observe is welcome.

Board Member Darnell asked if any City Council members present, Mayor Waters or City Manager DiFante had any comments. City Manager Gretchen DiFante took the opportunity to thank the Personnel Board for their vision and insight in allowing hiring within the compensation range set for a position based upon the qualifications and experience. The Board's passion to enable the hiring of the most qualified individuals in our vacant positions has allowed us to recruit and hire the best talent and it shows in the caliber of employees we have brought onboard.

NEXT MEETING

Agenda items for the next meeting are:

1. Vote on the repeal of Promulgated Rule related to 8.6
2. Vote on the proposed promulgated rule related to leave time
3. Review and approval of meeting minutes
4. Resume discussion of compensation plan with HRM Consulting

The next meeting will be set for November 13 or November 20 depending on HRM's availability.

ADJOURNMENT

With no other business before the Personnel Board, Board Member Collins moved to adjourn the Personnel Board meeting and Board Member Darnell seconded the motion. By voice vote, the motion passed unanimously by the members and the meeting was adjourned at 6:23 p.m.

Respectfully submitted this 7th day of November 2019.

Tracy Hill, Secretary
Director of Human Resources