

# MARSHALL COUNTY PERSONNEL BOARD MEETING MINUTES

Thursday, September 19, 2013

The regular monthly meeting of the Marshall County Personnel Board was held on Thursday, September 19, 2013, in the Commission Chambers of the Marshall County Courthouse in Guntersville, Alabama. Board Chairman Jason Windsor called the meeting to order at 7:05 P.M.

**Board member(s) present:** Jason Windsor, Chairman  
Talmadge Butler, Secretary  
Randall Haney, Board Member  
Keith Swisher, Board Member

**Board member(s) absent:** Charles Whisenant, Board Member

Also present were Attorney Rodney Edmondson (representing Personnel Board Attorney Jeffrey McLaughlin), and Personnel Assistant Beverly Lemons.

## I. CALL TO ORDER

Board Chairman Jason Windsor called the meeting to order at 7:05 P.M. He asked everyone to stand for prayer and the Pledge of Allegiance.

## II. INVOCATION

The invocation was offered by Board member Keith Swisher.

## III. PLEDGE OF ALLEGIANCE

Board Secretary Talmadge Butler led the Pledge of Allegiance.

## IV. APPROVAL OF AGENDA

Chairman Windsor asked for any changes to the agenda. Board member Randall Haney made a motion to approve the agenda as written. Board member Keith Swisher seconded the motion. The motion was carried by voice vote with no "nay" votes being cast.

## V. APPROVAL OF MINUTES

Chairman Windsor asked for a motion to approve the minutes of the Personnel Board Meeting held on Thursday, August 15, 2013. Board member Keith Swisher made the motion to approve the minutes of the Personnel Board meeting. Board Secretary Talmadge Butler seconded the motion. The motion was carried by voice vote with no "nay" votes being cast.

## VI. PUBLIC COMMENTS

None.

## VII. OLD BUSINESS

**Personnel Board – Consider revision to handbook that would update FMLA policy to include recent changes implemented by the Department of Labor concerning military-related leave.**

Chairman Windsor stated this was the reason for the public hearing held prior to the Personnel Board meeting. He asked for a motion to revise the handbook to reflect the changes. Board member Randall Haney made the motion to approve the revision. Secretary Talmadge Butler seconded the motion. The motion was carried by voice vote with no “nay” votes being cast.

## VIII. NEW BUSINESS

**Personnel Board – Consider election of Personnel Board Officers.**

Chairman Windsor turned the meeting over to the Personnel Board Attorney to conduct this business.

**For the position of Chairman:**

Attorney Edmondson asked for nominations for the position of Chairman. Keith Swisher nominated Jason Windsor for Chairman. Talmadge Butler made a motion the nominations be closed. Randall Haney seconded the motion. A roll call vote for Jason Windsor as Chairman was taken with the following results:

Jason Windsor	Abstain
Talmadge Butler	Yes
Randall Haney	Yes
Keith Swisher	Yes

Attorney Edmondson declared Jason Windsor as Chairman.

**For the position of Vice Chairman:**

Attorney Edmondson asked for nominations for the position of Vice Chairman. Jason Windsor nominated Talmadge Butler for the position of Vice Chairman. A motion to close the nominations was made by Randall Haney. Keith Swisher seconded the motion. A roll call vote for Talmadge Butler as Vice Chairman was taken with the following results:

Jason Windsor	Yes
Talmadge Butler	Abstain
Randall Haney	Yes
Keith Swisher	Yes

Attorney Edmondson declared Talmadge Butler as Vice Chairman.

**For the position of Secretary:**

Attorney Edmondson asked for nominations for the position of Secretary. Randall Haney nominated Keith Swisher for the position of Secretary. A motion to close the nominations was made by Jason Windsor. Talmadge Butler seconded the motion. A roll call vote for Keith Swisher as Secretary was taken with the following results:

Jason Windsor	Yes
Talmadge Butler	Yes
Randall Haney	Yes
Keith Swisher	Abstain

Attorney Edmondson declared Keith Swisher as Secretary.

Attorney Edmondson turned the meeting back over to Chairman Windsor.

**Personnel – Consider approval of Board Attorney agreement.**

Chairman Windsor asked for a motion to approve the agreement for legal services between the Personnel Board and Attorney Jeffrey McLaughlin for the 2013-2014 fiscal year. A motion to approve the agreement was made by Board member Randall Haney. The motion was seconded by Board member Keith Swisher. The motion carried by voice vote with no “nay” votes being cast.

**Sheriff’s Department – Consider request from Chief Clerk Penni Windsor to abolish the Administrative Assistant position in the Sheriff’s Department (Grade 11-Job Code 366).**

Chairman Windsor explained that the person currently holding this position would be retiring at the end of September. Board member Randall Haney made the motion to abolish the Administrative Assistant position in the Sheriff’s Department after the person currently in the position retires. Board member Talmadge Butler seconded the motion. The motion carried by voice vote with Chairman Jason Windsor stating that he abstained.

**Sheriff’s Department – Consider request from Chief Clerk Penni Windsor to add a Clerk position (Grade 10) in the Sheriff’s Department.**

Chairman Windsor asked for a motion concerning this item. Board member Keith Swisher made the motion to approve the Clerk (Grade 10) position for the Sheriff’s Department. Board member Talmadge Butler seconded the motion. The motion carried by voice vote with Chairman Jason Windsor stating that he abstained.

**IX. LEGAL UPDATE**

Attorney Edmondson stated there was a request made regarding a February hearing held by the Personnel Board. The request came from both the employee’s attorney, Hube Dodd, and the attorney for the Sheriff’s Department, Gina Coggin, requesting that a certain portion of the file be unsealed. The attorneys stated they had previously requested the Board to seal a portion of that hearing. Attorney Edmondson stated that

it is his understanding that the Board never took action to seal the file; but the request is now before the Board to unseal that portion of the file to the extent that it was sealed by the Board.

Board member Randall Haney stated that the comments in the minutes do not indicate the file was ever sealed; therefore, the Board cannot vote to unseal something that was never sealed.

Attorney Edmondson stated to let the minutes reflect that the Board, from its official record, does not indicate that there was ever a sealing of the records that are being requested to be unsealed; therefore, there is no action of the Board necessary.

## **X. STAFF REPORT**

Personnel Assistant Beverly Lemons reported the following personnel actions for the period of August 9 to September 13, 2013:

There were five (5) new hires:

2 – Corrections Officers	Jail
1 – Road Maintenance Technician	District #1
1 – Building Cleaner EMA (P/T)	Maintenance
1 – Deputy	Sheriff's Dept.

There were eight (8) terminations:

1 – Intern - Summer	Engineering
1 – Building Cleaner EMA (P/T)	Maintenance
2 – Corrections Officer	Jail
1 – Dispatcher	Jail
1 – Road Maintenance Technician (Temp)	District #1
1 – Administrative Assistant (Temp)	District #2
1 – Clerk (Temp)	Commission

There was one leave of absence approved for an employee to care for her spouse.

There were two (2) promotions – a Deputy was promoted to Deputy Sergeant; and a Dispatcher in the Jail was promoted to Deputy.

Invitations were sent to two employees to attend the Personnel Board Meeting.

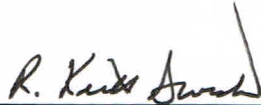
Flu shots are scheduled to be given by the State Employees Insurance Board on Tuesday, October 15, 2013 from 9:30 a.m. until noon at the Courthouse.

## **XI. ADJOURNMENT**

Chairman Windsor stated that the Board wanted to make it clear that any time the attorney's office is contacted, the Chairman wants to be contacted and updated about the matter; and that no agreement is to be made until the Board has had time to discuss it and come to a decision. The Board also wants to instruct our office that we

don't want any mediating with whoever is coming in the office requesting information from the Board. The Board wants to be addressed first with complete information; and before any research is done on anybody's behalf, it needs to be at the request of the Chairman, at the request of a Board member, or at the request of the Board as a whole. In the future, the Chairman wants to be informed of any contact with Department heads about items to come before the Board, so that we can inform Board members and work at it as a team.

Chairman Windsor asked if there were any other comments. There being none, he entertained a motion to adjourn the Personnel Board Meeting. Board member Randall Haney made the motion to adjourn. Board member Talmadge Butler seconded the motion. The motion carried by voice vote with no "nay" votes being cast.



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Keith Swisher, Board Secretary  
Marshall County Personnel Board  
Meeting Date: September 19<sup>th</sup>, 2013

10/17/13  
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Date