

Shelby County Law Enforcement Personnel Board
Special Meeting
August 22, 2013, 5:00 p.m.

The purpose of the special meeting was to discuss the LEPB's budget.

Chairman Donaldson called the meeting to order at the County Services Building in Pelham, asking Mr. Brasher to give the invocation.

Members and staff present were Mr. Donaldson, Mr. Brasher, Mr. Martin, Mr. Weatherford, Mr. Morris, and secretary to the Board Lucy Womac. Guest present was Chief Deputy Samaniego.

Chief Samaniego asked the Board's permission to extend the probationary period of new Deputy Josh Clinkscales by six months, allowing time to put him through the sixteen-week training car program again. Chief Samaniego said the man was an "A-number-one" Corrections Officer in the Jail, but he is not from Shelby County and has understandably had difficulty finding his way around unfamiliar areas, especially at night. He said he felt that many young people tend to get dependent on the electronics in the car. Mr. Martin asked if probations had been extended in the past and requested information on other cases, so a decision could be made at the next meeting.

Chairman Donaldson called on Mr. Morris to speak concerning the budget. Mr. Morris said the state auditors were dealing with the audited financial reports, on a cash basis instead of an accrual basis like his figures. Average fixed costs, adding in the payment to the Commission, means roughly \$120,000.00 of the budget is spent before promotional testing is even considered; using any of the AUM proposals, the budget would be surpassed by more than \$30,000.00 each year with professional promotional testing. Mr. Donaldson said the Board needs to use this fiscal year's excess, and by the first of next year pay the Commission back. The other members agreed.

The LEPB was established in 1979 with a budget of \$25,000.00. Subsequently, the amount was raised to \$40,000.00 in 1990, to \$75,000.00 in 2002, and to \$150,000.00 in 2007. Chairman Donaldson stated that the Board needs to go back to the State Legislature with these numbers; it did the best it could last time but did not have the kind of data it has now. He said he thought the members all agree the standards and professionalism of the department are important. In response to Mr. Martin's question, Chief Samaniego said that since Sheriff Curry has been in office, promotional testing has been done every two years, for Sergeant in September and for Lieutenant toward the end of November. He said that he thinks it is important, but qualified that by saying you cannot announce the tests and give them three weeks later, as there is a long reading list. Mr. Martin asked how many people would take the tests. Chief said approximately fifty are eligible. Mr. Martin asked if the Board would want to consider going ahead with the less-expensive "canned" tests, or consider other companies' options. Chief answered that the testing service used for open exams has no second-line corrections supervisor test – what we call C. O. Lieutenant – which is why the Board starting with AUM. Chairman Donaldson said he was in employment for twenty-two years, and he would rather not give the tests than step back. Mr. Martin said if the Legislature does not give the Board the funding, then the Board is not going to step forward. Chief Samaniego said the Board was responsible for the making the

qualifiers, and the Sheriff's Office was putting the expense up for Phase Two, its own assessment, and Phase Three, in-house evaluation; now, the LEPB is doing two-thirds of the process, which makes the promotions more valid, not to mention that AUM's process is defensible.

Chairman Donaldson voiced his concerns about evaluation reports on canned tests, not knowing the criteria; the product the LEPB currently has is validated by AUM, nationally-renowned testing experts, with knowledge, skills, and abilities associated with its specific position, based on content validity, tied back to job descriptions and qualifiers associated with those testing assessments, so if there is a challenge, it is documented. He said without AUM's validity report, the cost can go to three times what the Board paid for the test. Mr. Donaldson said this has been a two-year process, and asked Chief Samaniego if testing were to be deferred, with the understanding that the Board is trying to go back and change its budget level for the primary purpose of keeping promotional testing going: (1) is it possible based on the Rules and Regulations, (2) how would the members of the Sheriff's Office feel about it, and (3) does the department have lists to go by for that purpose? Chief Samaniego replied that the lists are two years old and they would have to do an in-house evaluation if they have to have a promotion. He said he would personally rather wait to do the promotionals next year. Mr. Donaldson said that it will take three or four months, and no matter what the LEPB does, they are going past the first of the year, and that is the time they can entertain it with the Legislature. Chief said he is not a fan of the canned tests, but if the Board has to postpone, let it be the Corrections side as it has fewer employees and less likelihood of change, as it would be better to do the Sworn side. Mr. Weatherford said he would rather step back and wait to see what the Legislature says; if they say no, the Board would know where it stands and could maybe go back and make some tweaks, then go forward. Mr. Morris concurred. Chairman Donaldson said last time the Board talked to State Representative Mike Hill, they did not have numbers but now they do. He asked Mr. Brasher and Mr. Martin if they think it would be a good idea to schedule another meeting with Mr. Hill. They agreed. Mr. Morris thought Representative Hill would probably want the information as soon as possible, in case more is needed. Chairman Donaldson asked Mr. Martin to contact Mr. Hill around Sept. 26 to meet with the Board. Mr. Martin said paying the Commission back should be put in writing before the end of September. There being no further business, the meeting was adjourned on the motion of Mr. Martin.

Minutes approved by:

Randall W. Donaldson, Board Chairman

Bill M. Martin, Board Secretary

Teddy R. Brasher

Bruce P. Weatherford

Kevin W. Morris