

SHELBY COUNTY LAW ENFORCEMENT PERSONNEL BOARD

P.O. BOX 1006
COLUMBIANA, AL 35051

Shelby County Law Enforcement Personnel Board
Regular Meeting Minutes
August 15, 2023, at 4:00 PM
Sheriff's Office Training Center—Large Classroom
543 McDow Road Columbiana, AL 35051

I. CALL TO ORDER

Board Chairman, Mr. Jake Guercio, called the meeting to order at 4:02 p.m.

II. INVOCATION

Mr. Alan Miller gave the invocation.

III. ROLL CALL

Present:

Mr. Jake Guercio, Board Chairman
Mr. James Sellers, Board Secretary
Mr. Rick Ogden
Mr. Bill Keller
Mr. Alan Miller
Danielle Warren, LEPB Office Administrator

Others Present:

Sheriff John Samaniego	Sergeant Robert Rodriguez
Major Jay Fondren	Lieutenant Owen Prescott
Ms. Leigh Ann Bates	Sergeant Chris Curenton
Sergeant David Perry	Lieutenant Nathan Kendrick
Sergeant Janet Parker	Ms. Alayna Holmes, WBRC
Lieutenant Leslie Hood	Fox 6

IV. ADOPTION OF AGENDA

Mr. Alan Miller made a motion to approve the agenda as presented. The motion was seconded by Mr. James Sellers. The motion passed unanimously.

V. PRESENTATION BY MS. ALAYNA HOLMES WITH WBRC/FOX 6

Ms. Holmes stated that initial returns on audience reach have been impressive. She stated that, in broadcast alone, SCSO commercials reached nearly 75% of the central Alabama marketplace, based on data from Nielsen

Market Ratings. On broadcast, the commercial was viewed nearly 2.4 million times. Social media impressions reached 150,000 central Alabamians and generated 742 clicks as of August 15, 2023. 50,000 impressions were ordered to cover the three (3) month contractual period, those numbers doubling each month. The impressions ran, in conjunction with, the WBRC brand. Major Fondren stated that, while there have been several new hires, testing numbers continue trending downward, with one (1) candidate appearing at the most recent testing date. Both Sheriff Samaniego and Major Fondren stated that the audience reach is there; however, recruitment is not a localized issue, but a nationwide issue, particularly with law enforcement. They added that they wonder how many wouldn't have been hired had a recruitment campaign not been implemented. Eleven (11) candidates were recently sent to the academy; the largest class in the history of the agency. Mr. Bill Keller stated that within the past two (2) to three (3) years, it's almost as if the entire job market, other industries included, has shifted in ways that defy explanation. He asked Ms. Holmes if this was a trend she was seeing. Ms. Holmes responded saying she sees frustration from both employers and jobseekers. Sheriff Samaniego briefly discussed that costs associated with hiring new employees goes beyond just the salary. Ms. Holmes discussed several strategies employers are implementing to try to retain employees, including retention incentives or bonuses. Sheriff Samaniego stated some new hires and even long-term employees are looking for something more flexible that doesn't involve shift work.

Ms. Holmes stated that consistency is key and to see the returns on investment the Board should consider extending the recruitment campaign. Ms. Holmes did not recommend venturing too far into a new direction, as the current advertising method is showing promising numbers. She also recommended adding the WBRC app as an additional platform to reach prospective candidates. She recommended airing commercials on the late night news from 9-10:30 p.m. Mr. Guercio stated he was concerned that, perhaps, airing commercials during the late night news wouldn't reach the most diverse audience. Ms. Holmes stated current market research shows viewership during the early afternoon news between 4-6:30 p.m. and the late news from 9-10:30 p.m. has the widest viewership. She suggested market reach is in the right direction. She additionally stated that viewership can be more targeted through social media. The goal is to reach as many prospective candidates on as many platforms as possible. The most engagement came from Facebook and Instagram, with very little on Twitter. Ms. Holmes stated that she would like to keep the commercials and advertisements on the same platforms, advert on the same platforms, but add "Broad Rotators" with Business Breaks, which she noted as crucial, as well as air time on the WBRC streaming app, display banners, high impact ads, native articles, and digital

commercials through livestreams and connected Smart-TVs. Younger viewers are using more streaming services. WBRC is the only station in central Alabama that she is aware of, with their own streaming app. Ms. Holmes advises against changing the current commercials. Typically, there is a high completion rate with digital content where viewers remain engaged and can't skip the commercials.

She would ask for a six (6) months commitment, priced at \$10,000 per month, totaling \$60,000. She believes this will result in, roughly, 12.8 million total impressions over six (6) months. Mr. Keller asked if impressions are guaranteed. Ms. Holmes responded not always; typically, the impressions are based on viewer trends. Streaming impressions, and social media impressions are guaranteed because those are purchased. She said she'd recommend airing a Business Break segment once per month. She did mention a football package is available and can be added to the proposed package and those air times can be tailored. She did caution running commercials during sporting events because, while viewership is strong, viewers tend to be less engaged during the commercial breaks. There are also baseball and basketball packages available.

Mr. Jake Guercio opened the floor for discussion. Some audience members stated they believed advertising through Facebook may not be very beneficial, suggesting their users may not be the target audience. They did suggest other social media platforms, such as TikTok or Instagram. Other members also stated having "boots on the ground", word-of-mouth, physical presence, and human engagement are beneficial to reaching prospective candidates. They recommended reaching out to target industries with high job dissatisfaction to find prospective candidates. Mr. Keller suggested organizing a focus group and conducting a casual, yet in-depth study, which may provide a wealth of information. An audience member stated that they are concerned college students have unrealistic job expectations not realizing what's involved in achieving their career goals; that attaining their desired job takes years of experience before reaching that position.

Mr. Guercio closed the floor for further discussion and asked to table the proposed recruitment package to allow time for consideration. Sheriff Samaniego recommended contacting Mr. Chandler Wallace from Steak & Eggs Media, a company the Sheriff's Office has worked with recently, to seek his opinion regarding recruiting efforts, particularly on social media platforms. Mr. Guercio asked if Mr. Wallace could give a presentation at the next Board meeting. Major Fondren stated he would reach out to Mr. Wallace. There was brief discussion regarding earmarking funds towards recruitment should a decision not be reached by the start of the next fiscal year. Mr. Guercio said he would reach out to the County regarding the matter. The Board paused for a brief break.

The Board reconvened in open meeting after approximately 5 minutes.

(Time recessed 4:58 p.m. Time reconvened 5:04 p.m.)

VI. CORRESPONDENCE AND MESSAGES

Notices from the Sheriff's Office including merit step raises were reviewed, no action required.

VII. READING/APPROVAL OF AUGUST 1, 2023, REGULAR MEETING MINUTES

Mr. Alan Miller made a motion to approve the August 1, 2023, Regular Meeting Minutes as presented. The motion was seconded by Mr. Bill Keller. The motion passed unanimously.

VIII. NEW BUSINESS

1) Review/Ratification of August 11, 2023, Deputy Sheriff and Jail Deputy Test Scores

a. Mr. Bill Keller made a motion to ratify the test scores as presented and recommended the qualified candidates be added to the eligibility list. The motion was seconded by Mr. James Sellers. The motion passed unanimously.

2) Discussion regarding CBS 42 Recruitment Advertising

a. After consideration, the Board decided to pass on the proposed recruitment campaign this year. The Board may, however, consider a proposal next year.

3) Discussion regarding a possible Cost of Living Adjustment

Mr. Jake Guercio stated that the County had not provided any updates regarding any consideration towards a cost of living adjustment since the presentation by County Manager, Mr. Chad Scroggins at the previous Board meeting. Mr. James Sellers stated that he was not in favor of a lump sum COLA payment because the benefits are short lived. He would prefer the adjustment be a true COLA raise arguing it would be better for retention and recruitment. He noted other area agencies who have already surpassed the SCSO in pay even after adjusting pay scales last year. He also noted the Social Security Administration's possible cost of living adjustment, projected to be a 3-3.5% raise. After the pay scale adjustments, some employees were moved to lower steps, and adding a lump sum payment every year as well as conducting a pay scale adjustment in a few years, the employees will not benefit. Additionally, the more experienced employees, while making more, were moved to

steps considered “entry-level” steps. Due to this, employees may look at other agencies or other jobs outside the agency, affecting retention of highly qualified employees. He argued that if the Board would adopt an actual COLA, versus a lump sum payment, this will likely benefit the employees and aid in retention efforts.

Mr. Guercio agreed with Mr. Sellers stating the previous one-time COLAs were the cause for needing a radical pay scale adjustment in 2022. Mr. Guercio also restated comments from Mr. Scroggins, regarding adoption of a permanent COLA. Mr. Sellers voiced concern that failing to make reasonable efforts that other agencies were making to retain qualified employees, could possibly lead to safety issues. He believes it would have deleterious effects for both the employees as well as the community. He stated that, while the one time lump sum payment would be easy, the permanent adjustment would be the most beneficial for recruitment, retention, and safety.

Mr. Bill Keller asked if the agency was losing employees to competing agencies. Major Fondren answered in the affirmative. He added that each resigning employee has their own reason for leaving, some are leaving for increased wages. An audience member stated that, just from conversations with other law enforcement officers, the State Department of Corrections are matching salaries for sworn law enforcement officers, up to \$66,000 plus an additional 5%. They noted that some of the less experienced employees at other agencies are leaving for those higher paying positions for the increased pay and same or similar benefits. Mr. Keller stated that the candidate pool is shrinking, either through fewer applicants or because of retirements, and all agencies are developing methods to attract qualified candidates. Mr. Sellers commented that there have been 21 officers leave the agency since his term on the Board began in November 2022.

Mr. Alan Miller agreed with Mr. Sellers, traditionally, a COLA is intended to be permanent. A COLA is essentially like a raise, but there is concern how this affects this year’s budget. He believed the budget for fiscal year 2024 had already been set. Mr. Keller stated that the budget had been set, just not approved or voted on. Mr. Miller did not believe that the budget could be changed, though perhaps could advocate for an increase in the budget for the next fiscal year. His immediate concern is where the money will come from. He stated that, while the Board could vote for a COLA, that will not change the current budget. Mr. Guercio stated that Mr. Scroggins had the same concern, and stated that if the Board chooses to go forward, then the money will have to come from somewhere else.

Mr. Miller stated that, if candidate turnout for testing continues as it is, along with employees leaving for other agencies, then there will be a great argument for a true COLA in the budget.

An audience member stated that concern regarding a drop in revenue from tax sources is unfounded as taxes will never be lowered and, while they respect budgetary constraints, even during the recession, the employees still received COLAs and there weren't problems with employee retention. They understood times are different, yet COLAs, or failure to adopt one, heavily impacts the agency. They also cited figures regarding the increase in cost of living from just a couple of years ago. Mr. Miller stated his concern would be, should there be another catastrophic adjustment similar to the earlier recession, homes would be devalued and property taxes might decrease significantly impacting the County budget. Mr. Keller added that in his industry he saw home values decrease by as much as 50%. Others in the audience also voiced disagreement over similar concerns about property taxes and the impact on the budget.

Mr. Guercio asked how many employees did not receive a merit step raise. Major Fondren answered less than five (5) and they were disciplinary related. The merit step increase is performance based. Mr. Guercio stated that his understanding is the lump sum is the same for everybody, but would affect people differently based on current pay. A perpetual COLA is for the life of employment. The lump sum payment would be the same for all employees. Should the Board choose to adopt a perpetual COLA, the percentage this year would be much lower than in the following years. The percentage would be a difference between, roughly, 1% or a 3% one time payment. Audience members voiced concern that, while they understood the budgetary constraints, pay scales and thus, retention will be negatively impacted.

Mr. Keller stated that many of the comments seem to argue that a COLA is a beneficial recruiting tool. He asked how many vacancies the agency had. Ms. Leigh Ann Bates responded stating five (5) jail deputies and seven (7) sworn deputies. He then asked how many vacancies there were compared to a year ago. Those figures were not available at the meeting. Mr. Keller stated that it appeared, possibly, vacancies decreased over the last twelve (12) months. Ms. Bates stated that there have been increased vacancies based on turnover rate, largely due to retirements. Mr. Sellers stressed that COLAs were necessary to fairly compete for qualified candidates, along with a pay study every few years. Mr. Keller and Mr. Guercio recalled Mr. Scroggins stated that a percentage COLA, versus the

lump sum payment, would be lower than recommended. Mr. Sellers recommended, going forward, this discussion be had before County budget discussions.

The lump sum payment would be paid out from the fiscal year 2023 budget surplus. It will not affect future budget years. Because the economy is uncertain, the County would like to offer employees a COLA now, rather than wait for an uncertain economic future. Mr. Guercio stated that the Board would like to avoid budget conflicts like has happened in the past. Mr. Miller stated that everybody, the County and the LEPB, wants to do the right thing, as responsibly as possible, but there are budgetary constraints. A member from the audience stated they believe the COLA is more about recruitment and retention. Mr. Miller and Mr. Keller both stated that they would be interested to see numbers from other agencies in regards to recruitment, retention, and turnover rates. Mr. Miller recommended taking the lump sum COLA payment this year, and returning to the discussion of a COLA in perpetuity next year. The County asked for flexibility until they had a better idea of future economic conditions. Mr. Sellers added the County has made similar “this is a one time payment” statements and it was never the last time. Major Fondren added that there have been lump sum COLA payments in the past. Mr. Guercio stated he believes the current County Manager is in tune with the needs of the SCSO employees. Mr. Keller reaffirmed Mr. Guercio’s sentiment that he believes the intent is to do the right thing.

Mr. Keller questioned the audience, if the percentage COLA figure was less than the lump sum payment, if they would prefer the percentage COLA because of future returns. An audience member responded that the cost of living is going to increase annually so the percentage COLA would improve the base pay. As another audience member stated, a 2% raise helps a lot more than a 5% check. An audience member asked whether that percentage is lower than the lump sum payment, could it be rolled into the next fiscal year. Mr. Sellers added that in the past, the County did not want to offer a percentage COLA, but the LEPB did, and the County mirrored the LEPB for the other County employees. Mr. Miller stated he would speak with Mr. Scroggins. Many in the audience stated they would be grateful for either the lump sum payment or a percentage COLA; however, they also have the best interests of the agency in mind. The Board thanked the audience for their comments and their time attending the meeting and reiterated their resolve to work in the best interests of the employees.

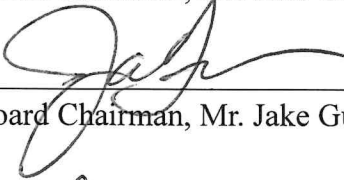
IX. FINANCIALS

- 1) Resolution 2023-08-15 to pay Invoice #C57404A from Industrial/Organizational Solutions, Inc., for \$2,070.00 for the 2023 Sworn Promotional Process Sergeant Candidate Orientation Presentation
 - a) Mr. James Sellers made a motion to approve the invoice as presented. The motion was seconded by Mr. Rick Ogden. The motion passed unanimously.
- 2) Review of Kyocera Printing Equipment Lease Agreement
 - a) Ms. Warren presented the lease agreement for the Board’s information, no action required.
- 3) Review of Amazon Order ShelbyLEPB2023-07-31_22 of \$58.99 for (1) printer toner cartridge
 - a) Mr. James Sellers made a motion to approve the invoice for payment. The motion was seconded by Mr. Alan Miller. The motion passed unanimously.

RECESS/ADJOURN


There being no further business, Mr. Bill Keller made a motion to adjourn the meeting. The motion was seconded by Mr. James Sellers. The motion passed unanimously.

Board Chairman, Mr. Jake Guercio, adjourned the meeting at 6:25 p.m.

X 

Board Chairman, Mr. Jake Guercio

Date: 9 / 5 /2023

X 

Board Secretary, Mr. James Sellers

Date: 9 / 5 /2023

The next meeting of the Shelby LEPB is a regular meeting planned for Tuesday, September 5, 2023, at 4:00 p.m. at the Sheriff’s Office Training Center at 543 McDow Road, Columbiana, AL, 35051.