

# **SHELBY COUNTY LAW ENFORCEMENT PERSONNEL BOARD**

P.O. BOX 1006  
COLUMBIANA, AL 35051

Shelby County Law Enforcement Personnel Board  
Regular Meeting Minutes  
April 16, 2024, 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. Bill Keller 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 Administrative Assistant

Others Present:

|                            |                         |
|----------------------------|-------------------------|
| Sheriff John Samaniego     | Ms. Leigh Ann Bates     |
| Major Jay Fondren          | Sergeant Chris Curenton |
| Lieutenant Nathan Kendrick | Lieutenant Josh Forrest |
| Lieutenant David Perry     | Jail Deputy Joe Green   |
| Sergeant Jonathan Seales   |                         |

## **IV. ADOPTION OF AGENDA**

Mr. Jake Guercio requested the agenda item regarding discussion with Mr. Phil Burns be removed from the agenda. Mr. Alan Miller made a motion to adopt the agenda as amended. The motion was seconded by Mr. James Sellers. The motion passed unanimously.

## **V. CORRESPONDENCE & MESSAGES**

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

**VI. READING/APPROVAL OF APRIL 2, 2024, REGULAR MEETING MINUTES**

Mr. James Sellers made a motion to approve the April 21, 2024, Regular Meeting Minutes as presented. The motion was seconded by Mr. Alan Miller. The motion passed unanimously.

**VII. OLD BUSINESS**

1) Testing Accommodation Request

- a) A candidate requested testing accommodations. After some research and discussion with the test provider, the Board agreed to grant what the test provider would allow which would be additional test time, then provide the candidate with available dates to choose from, so they could take the test in a quiet test environment, with foam earplugs to be provided by the LEPB to help reduce as much noise pollution as possible during the test. Mr. Jake Guercio stated the test provider was unable to validate the test beyond the granting of additional test time. Mr. Guercio asked Ms. Warren to notify the candidate with that information.

**VIII. NEW BUSINESS**

1) Review/Ratification of April 12, 2024, 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. Alan Miller. The motion passed unanimously.

2) Requests from Sheriff Samaniego for Probationary Period Extensions

- a. Mr. Alan Miller made a motion to approve the Sheriff's requests. The motion was seconded by Mr. Rick Ogden. The motion passed unanimously.

3) Discussion regarding potential Cost of Living Adjustment,

- a. Mr. Jake Guercio requested moving discussion to follow items listed under IX. Financials. Mr. James Sellers made a motion to move Item #3, Discussion regarding potential Cost of Living Adjustment, to follow discussions of items listed under Item IX. Financials. The motion was seconded by Mr. Alan Miller. The motion passed unanimously. Ms. Warren compiled some statistics publicly available either through news articles or directly from the Bureau of Labor Statistics on the national, state, and county level and provided that information to the LEPB. Mr. Jake Guercio addressed Mr. Bill Keller as to what the banking industry was looking at numbers-wise and Mr. Keller stated that numbers seem to hover around 3% as a standard, baseline cost of living and Mr. Guercio

reiterated that number was similar to what he was seeing. Mr. James Sellers stated that while inflation is slowing down, inflation is still progressing and believed 5% would be more fair. Mr. Rick Ogden believes they “kicked the can down the road” last year and believes they could do something meaningful and looking at retention and recruiting, he stated he was looking at something between 3-4%. Mr. Alan Miller clarified that last year the Board didn’t make any adjustment, just made a one-time COLA payment. Mr. Sellers noted that many other agencies did make adjustments, pointing out Jefferson County received a 5% COLA adjustment. Mr. Keller stated that he believed 5% was too high, but believes 3% is too low. He also stated he didn’t like the idea of it being a one-time payment. He stated he believed it should be an adjustment. He added that 4% isn’t an unreasonable number and would be his recommendation. Mr. Guercio responded in agreement with Mr. Keller. Mr. Keller asked what the dollar figure was at 4%. He added that inflation is what it is and feels it reasonable to ask for a COLA adjustment. Sheriff Samaniego stated he believed it would be around \$750,000. Major Fondren stated that the LEPB needed to keep in mind that there are 71 employees topped out and without a COLA, they would not receive a raise. Mr. Keller stated he looked at this as a retention issue. Sheriff Samaniego stated those topped out employees make up 1/3rd of the employment of the Sheriff’s Office. He further stated that over the next 4-5 years there are 40 employees who will be eligible for retirement. He added that at the County Commission meeting, revenue was up 19.1% and they’re expenses were year-to-date below budget. Additionally, he stated the Board should decide if going to give a COLA, give a COLA, don’t worry about the budget, let him deal with that. Mr. Sellers added that by doing so would give the Sheriff time to plan for the budget. He added it’s not just retention, it’s recruitment, too. Mr. Guercio asked for comments from the floor. Lt. David Perry stated that Hoover received a 1.5% COLA adjustment last year, and cited an article that Social Security Income would receive about a 3.2% adjustment, and recommended a 4.5% COLA. Mr. Keller asked Lt. Perry whether he was taking the 1.5% COLA and adding the number from Social Security. Lt. Perry responded in the affirmative and stated they’d need the 1.5% to stay competitive with Hoover because they would get a true COLA while the Sheriff’s Office would get a lump sum payment. He further stated that when applicants are looking at pay scales and see Hoover’s year-after-year COLA adjustment, a candidate will choose the more attractive pay scale. Sheriff Samaniego stated the reason they pushed for 5% steps was because that’s what

Hoover's is, but the County negotiations ended up at 4.6%. Lt. Perry stated that a 5% COLA was not unheard of. He stated that it was either in 2018 or 2019 that the County gave everyone a 5% COLA. Mr. Keller was concerned about push-back on any number above 3.9%. He clarified saying it wasn't something he didn't want to do, but whatever recommendation is made has to have some quantitative support. Major Fondren stated that last year the state did 2.7%. Lt. Josh Forrest agreed with Lt. Perry but also agrees with Mr. Sellers and thinks starting at 5% isn't unreasonable, but is in agreement with 4.5%. Lt. Nathan Kendrick stated if the County doesn't have money to pull from then obviously no money to pull from, but Shelby County is a good County that takes pride in their facilities and invests in nice things and also have to consider the the recruiting side and top end potential and thinks, across the board, it's important to continue with the COLAs. Sheriff Samaneigo reiterated that the Board should decide on the COLA regardless of the budget and allow him to negotiate on the budget after the fact. He further stated his office has pulled more from discretionary funds to get needed items. He also noted this will also be a budget year where pistol permits don't exist. He stated the LEPB needs to focus on the employees. Mr. Guercio stated the Board has to be good stewards of the funds, current discussions seem very reasonable, especially compared to last year and receiving no COLA adjustment. Mr. Miller stated that keeping up with inflation is the least the LEPB can do. Mr. Guercio asked to schedule a work session before the next meeting.

## **IX. FINANCIALS**

- 1) Review of Invoice #1VND-NDQJX-P3WL from Amazon for \$611.33 for the purchase of Office Equipment/Supplies
- 2) Expense Report for Danielle Warren's mileage
  - a) Mr. Rick Ogden made a motion to approve the Amazon invoice and Ms. Warren's expense report. The motion was seconded by Mr. Alan Miller. The motion passed unanimously.
- 3) Retirement Expense Report Match Contribution with March 2024 Roth IRA Contributions Report
  - a) Mr. Jake Guercio asked Ms. Warren to discuss in more detail for the Board her retirement plan. She gave a brief overview of how her retirement contribution statements work. She stated that per her contract, the LEPB agreed to match up to 4% of her annual contributions. She stated she wasn't sure how you calculate the percent match for the contribution per the statement. Mr. Bill Keller asked whether she would be providing a


contribution statement each month, to which Ms. Warren responded in the affirmative. Mr. Keller asked whether she had the ability to take a screenshot of the confirmation that a contribution was made rather than wait on the contribution statement and submit that as proof of contribution made. She responded she could do that.

#### **RECESS/ADJOURN**

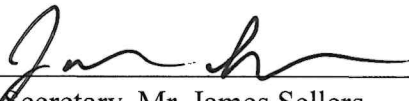
There being no further business, Mr. Alan Miller made a motion to adjourn the meeting. The motion was seconded by Mr. Rick Ogden. The motion passed unanimously.

Board Chairman, Mr. Jake Guercio, adjourned the meeting at 4:56 p.m.

Meeting minutes submitted by Danielle Warren, LEPB Administrative Assistant, on 05/07/2024.

X   
Board Chairman, Mr. Jake Guercio

Date: 05 / 07 / 2024

X   
Board Secretary, Mr. James Sellers

Date: 05 / 09 / 2024

The next meeting of the Shelby County LEPB is a work session planned for Tuesday, May 7, 2024, at 3:00 p.m. at the Sheriff's Office Training Center, at 543 McDow Road, Columbiana, AL, 35051. A regular meeting is planned immediately following at 4:00 p.m.