

PERSONNEL COMMITTEE

JULY 20, 2023 | 6:00PM | MAYOR'S OFFICE

MINUTES

Members Present: 4/6

Will Dennis, *Chair*
Shane Burton

Brian Crook
Grant Cothron

Guiselle Quiel de Scott, *HR*

Absent: Alan Carman, Steve Whittaker

Others Present:

Mayor Jack McCall, Amy Thomas *CCFO*, Hon. Branden Bellar, Rene Pridemore

Chairman Will Dennis called the meeting to order at 6pm and led the committee in prayer. A quorum was determined with four members present.

Minutes from the June 29, 2023 meeting were reviewed.

Motion to accept as presented by Crook; second by Cothron.

MOTION APPROVED

Discussion Items

**A. Review Personnel Policy Section V, Item N Administrative Leave
Review Personnel Policy Section V, Item O Inclement Weather Conditions**

Mayor has not had an opportunity to hold a department head meeting since the previous Personnel Committee meeting on June 29.

Crook stated that removing the Administrative Leave would hurt the Sheriff Department if there was an on duty incident. An officer or guard would have to take Vacation or Sick Leave if Administrative Leave was removed. This could also apply to other employees who may experience the same.

Q. de Scott suggested defining or clarifying Administrative Leave to limit the current abuse of the leave. The section is vague in language and left open to interpretation with "exceptional circumstances". Possibly change wording to "critical". Bellar added to include examples of "exceptional circumstances" and also examples of what Administrative Leave is not. Language would include "examples as listed below but not limited to..."

Burton asked about the three part time employees for Courtroom Security Officers. Currently this would not apply to them as the benefit is only for the full time employees.

Days available would need to be amended to read "...not to roll over to the next fiscal year." Language to be drafted by Hon. Bellar and brought back to the Committee.

Cothron makes a motion to change language from "exceptional" to "critical", add part time employees to this benefit, and delete the language "leave must be for a good cause as determined by the employer"; seconded by Crook.

MOTION APPROVED

Cothron makes a motion to also exclude "unless exceptional circumstances exist" in Section N, Item 2; seconded by Crook.

MOTION APPROVED

B. Review Ordinance 66-2012-22 Defining the Duties and Responsibilities of Department Heads, Directors, and Supervisors Operating Within the HTCG

This item came up for repeal in April 2023. Crook has reviewed the ordinance and has only found flaws with the wording, but not the ordinance itself. He asked for Judge Bellar's opinion.

Bellar offered that the mayoral responsibilities are laid out in the Charter. An ordinance cannot change the Charter language on its own. Mayor does not lose his authority when delegating responsibilities and still retains the ability to oversee the departments that fall under the Mayor's office. The Personnel Policy/Employee Handbook also defaults back to the Charter. This sentiment would not apply to the relationship between the Mayor and other elected officials as they have statutory authority. This applies to

those that are departments under the Executive or Mayor. Those departments include Accounting, Public Works, Ambulance, Animal Shelter, Planning among others.

An organizational chart was presented in 2001 that shows the layout of the Administration. However, it needs to be updated to reflect the current operations of HTC.

Crook asked if an ordinance could be passed that would supersede the Personnel Policy.

Mayor has the absolute right to address a department head and set out expectations for that department. There can be internal policies under each elected official that the Mayor or Commission cannot interfere with, but those departments under the Mayor are just that...under the Mayor.

Crook stated that to keep the checks and balances, Mayor should not be involved in the day-to-day activities of the department and not micromanage as the Department Head was hired to do that task. Bellar answered that there are policies that would need to be upheld by the Mayor's office as he is the Elected Official over the department.

Crook compared wording from the ordinance to the language of the Charter. There are differences in how purchase order approvals are handled and should align with the Purchasing Policy. He moved on to the next clause in the ordinance concerning who the department heads should consult for assistance with their department. However, Article 4, Section 2 of the Charter states *that each director or administrator shall conduct all department affairs in accordance with rules regulations procedures [set forth] by the mayor and in accordance with such additional instructions as the mayor may give consistent with all applicable ordinances.*

Crook feels that it is the discretion of the Department Head to conduct all department affairs. The Department Head is in their respective position due to their qualifications and experiences. Other committee members clarified that authority is still ultimately the Elected Official over the department. Crook further stated that his interest is in protecting the employees and hiring good people without any bias or politics in order for our departments to run smoothly.

Going forward, Bellar advised to get an updated flowchart on the organization of the County and layout of administration. He will also work on drafting an ordinance or resolution to clarify this issue. Overall, authority cannot be taken away from the Mayor's office or any elected official to administer the departments under their office.

Mayor McCall addressed the unsaid issue by stating his stance on his decision.

Amy Thomas will work on getting the flowchart updated to present to the Committee at the next meeting.

Public Comment – none presented.

Next meeting date Committee set the next meeting for Tuesday August 15, 2023 at 6pm.

Meeting adjourned at 7:15pm with a motion from Crook; second by Burton.

Minutes submitted by
Amy Thomas, CCFO