

Grand Valley Lakes Property Owners Association
Special Called Board of Directors Meeting
August 27, 2009

Call to order:

Bill Wilson called the meeting to order.

Prayer:

Aaron McGregor led the meeting in prayer.

Directors Present:

Bill Wilson-Vice President, Gelene Keithley-Secretary, Betty Boggan-Treasurer, Bart Creedon, Jess Bebee, Phil Hickerson, Bob Turner, and Aaron McGregor.

Quorum:

A Quorum was declared by Gelene Keithley.

Margaret Ridings is on the agenda for the Special Called Meeting. Mr. Chairman and Members of the Board, I would like to make a statement if you don't mind. First of all there is evidently a viscous rumor going around the Valley that I am a threat to the people who work for the Valley, that I am somehow going to fire everyone that works here. I want to definately deny this rumor, I have no power to hire or fire anyone here or anywhere else. The only people who can hire and fire are sitting up here toward the front, I assume. All I did was to volunteer to look over some job description to determine whether or not if they were in the best interest of not only the POA Board, but also management and the employees of the Valley. My expertise is Human Resource Management, as such I know about how to design and administer job studies. The result of which would be Defensible Job Description, Fair Performance Evaluation, and Consistant Compensation Plans, as well as Consistant and Defensible Disciplinary Action Systems. As a result of a recent employment decision regarding the Security Officer, I was amazed at the lack of management expertise that was exhibited at the POA Board Meeting. It did not seem to me that there was a defensible system in place to fire anyone without placing the POA Board, the management people, as well as the Valley residents on shaky ground in a regard to lawsuits. The attorney of the Valley did correctly say that the state of Tennessee was an "at will" state and that employers are able to hire and fire at will. One thing he did not say was that employees who are fired are always able to sue the employer or go to any number of federal agencies and report perceived, unfair and illegal practices on the part of the former employer. Whether a lawsuit becomes a reality or whether any agency pays any attention it still can cost the former employer money and time trying to defend the decision.

Frankly, I believe that an employee needs a reason for being fired.

By firing someone due to management having a personality conflict with an employee places an employer in a highly dangerous position. Employers need to follow fair and consistent policies and procedures with employees. Without this, you place yourself in a very tenuous position. You must document and you must be consistent. Margaret Ridings continued speaking on her credibility in human resource management.

I did do what I had promised I would do. I did take the job description that Gelene had passed on to me and I looked it over, and I put it in a format that I thought would be much more easy to look at and to read. I did go on the internet to the Bureau of Labor Statistics, (BLS.gov) and there you will find information. Most any job you can think of you can find the duties and responsibilities, you can find position summaries, you can find salary. I did go there and find the salaries for this area and that's what you have to take into consideration when you pay anybody.

You have to look at what other people are making in and around this area in Hardeman County and Fayette County. Cause I can tell you this, it's poor here. The salaries are low and you cannot compare what a police officer does in the city of Memphis as to what somebody does in the city of Millington. It's just not gonna fly. You, the Board and along with management, need to know what it is you expect out of your employees of your organization which is Grand Valley Lakes. You need to know what you expect and put it in writing, in terms of the job description. Then you need to evaluate the person's performance, not the person.

You take the job description and you take this person's performance, and you compare the two. Just because I don't particularly like somebody who works for me, that doesn't mean anything in regards to whether or not that person stays on payroll or not. It's whether or not he or she is doing the job that's outlined on the job description. And then if that person is not doing that, you need to document it somewhere. Betty Boggan asked, "when you have a situation where you're gonna counsel somebody for something they've done wrong, is it not a good idea to have someone there with you?" Margaret stated that in disciplinary action, absolutely. If you intend to talk to a person and you expect this to be something that is going to get more serious, then yes. If it's just simply a situation where a person's not coming in on time that morning and you're his supervisor and you need to remind him of what the time is, then no, I wouldn't have someone there watching me.

Under education and training the last thing "requires at least blank years of experience", I left that blank because I didn't know what you wanted. That's up to you to fill in the blank, whether it be years, months or whatever.

And the CPR certified, it's common practice if you're going to ask for a certification that you can simply say, they got to either have it or able to get it within X number of months. Most organizations will have a three month or six month probationary period, so this allows you to get that certification in that six months. Bill Wilson stated it was an 8 hour class.

You did want a drug screen and a background check, and must not have a serious police record, that was on the BLR website and I think that is something you want to put in there. And you did have on there about working shift work and being on call when necessary, I think that's something that needs to be there because they could say, after the probationary period, that you didn't say I had to work shift work and you can say yes I did and refer back to job description.

The part about interviewing victims or witnesses, writing case reports and testifying in court if necessary. That is part of what you had down, but I separated it out because on the BLR website it indicated that it was extremely important in various situations. And the one about "may contain criminal violators", that person would not have arrest authority.

I added some things to this. I put the ability to handle irate citizens tactfully; Ability to stand or sit for prolonged periods of time; and the ability to lift at least 50 pounds. I put this in there because the Americans with Disabilities Act was passed back a number of years ago and this is an area where lawsuits are prevalent if someone comes in to do a job and says nobody ever told me I had to lift 50 pounds and I hurt my back. There are situations where if a certain person comes in for employment and he is in a wheelchair, and you want him to lift 50 pounds and climb ladders, you have the right as an employer under the law to ask a question. You can say to him, demonstrate to me how you can do this. They have to demonstrate that to you, if it is written on your job description. And this is called documentation.

Gelene Keithley stated that you've got on here things like detaining criminal violators. Our intentions, as far as security officer, aren't that strict. We don't want somebody whose going to be jeopardized in that area. If you've got somebody committing a criminal act, they need to call 911 or the Sheriff's Department. We don't want our security officer to put his life in danger by investigating a break-in or if somebody's got someone prowling around their house, we don't want him in that position". Margaret Ridings stated that you need to make that perfectly clear to the person you are interviewing. If he was in a situation where a fight broke out with knives, what would you want him to do? The Board stated to call 911 and stand back to witness. Margaret Ridings stated that when you hire the person for the job, sit down with that person and be fair and tell them what the job is and give them a copy of the job description. I would advise supervisors and managers to get the person to sign to say they received a copy of the job description, that way it will be in their file.

Once you get the job description and once you hire a person to work, you need to monitor that person's performance. And you need to do a formal performance evaluation on that person. Sit down with that person and tell him whether or not their doing a good job. How else are you going to make decisions about what you pay them. I was appauled about what we on that night of the Board Meeting.

The way things were done. Discussion continued.

Bill Wilson stated that he wanted to thank you for doing this for us, but I do need to correct you a little bit here. He said, "you were appalled that we were placed in that position and you seem to think that someone was fired. Nobody got fired."

Margaret Ridings said that it was the perception of that night. Bill Wilson stated that you can percept all you want to but nobody got fired. He got moved in position, but he didn't get fired and we did talk to our attorney. Now that is a different situation. And it is documented. Discussion continued.

Bill Wilson stated that the Sergeant of Arms made him feel good. But our attorney said we can't do that anymore. Because our Bylaws don't provide for a Sergeant of Arms. There's a list of things here that if a person commits those, it is a Class C and a Class B misdemeanor. If they disrupt a meeting, the meeting can be stopped, the sheriff called, and that person placed under arrest. Not escorted out of the building, placed under arrest. And from now on that is the way it is gonna be done. Margaret Ridings stated there was a perception that so-an-so had happened and that should have been clarified before all of that took place. Betty Boggan stated that nobody gave us the opportunity to clarify things, they just went with the rumor mill and it just went crazy. And you can't stop that. Margaret Ridings said that her point is if you take an organized approach to things and reason things out then you will have fewer kinds of instances. Discussion continued.

Gelene Keithley asked Margaret Ridings if she found anything in her research about the fair wage is in this area. Margaret Ridings said she did and she copied it off the internet for you.

Next item on the agenda is the discussion on the security supervisor. Gelene Keithley said they approved the job description like we had it and she revised it some and added some stuff so we need to look over it. Do we want to amend that? Delete number 12, which is the requirement to contain criminal violators.


Discussion continued. Bill Wilson said number 11 should read issue traffic violations and warnings. Discussions continued about answer service calls concerning unlawful activity, just leave it at that. Bart Creedon asked do we have a committee to interview the people for the job? The committee was to set up the job description and how we would like to proceed. Bart Creedon stated they can do the interviewing too. Aaron McGregor stated that the Board will approve the hiring. Bart Creedon made a motion to let the committee that we elected, Gelene Keithley, Aaron McGregor, and Jess Bebee, that they update this with the few changes that we had on the job description, and that they start doing the interviews and asking the questions. When they feel comfortable they have enough that they come before the Board and let everybody vote on it from their recommendations. Betty Boggan seconded, Bill Wilson stated it had been moved and seconded.

Unanimously passed.

Discussion continued on the wage.

Adjournment:

Bart Creedon made a motion to adjourn the meeting, Aaron McGregor seconded, motion carried. Meeting was adjourned at 7:55 p.m.



Vice-President



Secretary